



## WASECA COUNTY BOARD OF COMMISSIONERS

**December 21, 2021 - 9:30 AM**

East Annex Public Meeting Room

300 North State Street – East Annex · Waseca, Minnesota 56093

The Waseca County Board of Commissioners met in a regular session on Tuesday, December 21, 2021 in the Commissioners' Room, 300 North State Street, Waseca, Minnesota. Members present were Chair DeAnne Malterer, Doug Christopherson, Brian Harguth, Blair Nelson and Brad Krause.

Other members present were Michael Johnson, County Administrator; Beth Weimert, Executive Assistant; Melissa Sexton, Human Resources Director; Tammy Spooner, Property and Election Services Director; Sheriff Brad Milbrath; Brian Zabel, Planning and Zoning Technician; Haley Byron; Water Resource Specialist; Maame Yorke, Planning and Zoning Specialist; Mark Leiferman; Planning and Zoning Administrator; Rachel Cornelius; County Attorney; Julian Hast; Waseca County News

### 1. **Call to Order and Pledge of Allegiance**

Chair Malterer called the meeting to order at 9:35 a.m. A roll call was taken and the Pledge of Allegiance was recited.

#### **Public Comment**

There was no public comment.

### 2. **Approval of Agenda**

Motion to approve the Waseca County Board of Commissioners agenda by Commissioner Christopherson, seconded by Commissioner Krause. Motion carried 5-0.

### 3. **Ditch Authority**

#### a. **County Ditch 19**

Tammy Spooner, Property and Election Services Director, presented pay estimate No. 2 for improvement to County Ditch No.19. Motion to approve a payment of \$13,643.79 to Hodgman Drainage for County Ditch 19 improvement project by Commissioner Christopherson, seconded by Commissioner Krause. Motion carried 5-0.

### 4. **Consent Agenda**

Commissioner Harugth moved and was seconded by Commissioner Christopherson to approve the amended consent agenda as follows; move Personnel Policy Hours of Work and Pay Practices from the consent agenda to an action item. Motion carried 5-0.

#### a. **Approval of Bills**

The following bills were audited and allowed:

|                                      |          |
|--------------------------------------|----------|
| A.H. HERMEL COMPANY                  | 985.62   |
| ADVANCED CORRECTIONAL HEALTHCARE INC | 3,590.17 |
| AMAZON CAPITAL SERVICES              | 293.87   |
| APH STORES, INC.                     | 82.31    |

|                                       |           |
|---------------------------------------|-----------|
| ASSOCIATED PSYCHOLOGICAL SERVICES LTD | 687.50    |
| BARBARA J. BUKER                      | 257.60    |
| BLAIR NELSON                          | 103.60    |
| BOB BARKER COMPANY INC                | 1,505.23  |
| BOCKS SERVICE INC                     | 743.00    |
| BRAD KRAUSE                           | 90.72     |
| CAPITAL ONE                           | 61.02     |
| CDW GOVERNMENT INC                    | 3,118.12  |
| CHERYL CLEVINGER                      | 38.08     |
| CHRISTENSEN TIRE & AUTO REPAIR        | 3,572.56  |
| COLE PAPERS INC                       | 387.94    |
| COLE'S ELECTRIC INC                   | 8,533.07  |
| CRYSTEEL TRUCK EQUIPMENT              | 315.00    |
| DATAWORKS PLUS LLC                    | 3,240.00  |
| DAVID R BORCHARDT                     | 2,800.00  |
| DEML FORD INC                         | 849.32    |
| DENNISON TECHNOLOGY GROUP             | 11,639.70 |
| DHS-DCT-ARC-476                       | 1,372.50  |
| DONAHUE ELECTRIC LLC                  | 390.00    |
| DORI PAPKE                            | 34.20     |
| EJL PUBLICATIONS                      | 162.00    |
| ERICKSON ENGINEERING LLC              | 6,271.50  |
| EXPRESS SERVICES INC                  | 1,691.21  |
| FIRST NATIONAL BANK 4135              | 245.64    |
| FIRST NATIONAL BANK 6946              | 248.75    |
| FIRST NATIONAL BANK 9655              | 2,519.46  |
| FIRST NATIONAL BANK 3975              | 275.00    |
| FIRST NATIONAL BANK OMAHA 7265        | 54.60     |
| FIRST NATIONAL BANK 5529              | 236.14    |
| FIRST NATIONAL BANK 9593              | 37.00     |
| FIRST NATIONAL BANK OMAHA 7462        | 35.41     |
| FIRST NATIONAL BANK OMAHA 2000        | 914.00    |
| FIRST NATIONAL BANK OMAHA 9296        | 682.30    |
| FIRST NATIONAL BANK OMAHA 1325        | 53.50     |
| FIRST NATIONAL BANK OMAHA 2173        | 11.36     |
| FIRST NATIONAL BANK OMAHA 2905        | 780.00    |
| FIRST NATIONAL BANK OMAHA 4986        | 254.06    |
| FIRST NATIONAL BANK OMAHA 5348        | 738.62    |
| FIRST NATIONAL BANK OMAHA 5640        | 315.72    |
| FIRST NATIONAL BANK OMAHA 6072        | 75.00     |
| FIRST NATIONAL BANK OMAHA 6171        | 15.91     |
| FIRST NATIONAL BANK OMAHA 6908        | 581.77    |
| FIRST NATIONAL BANK OMAHA 8006        | 26.10     |

|                                     |           |
|-------------------------------------|-----------|
| FIRST NATIONAL BANK OMAHA 8263      | 581.77    |
| FIRST NATIONAL BANK OMAHA 8264      | 277.07    |
| FLEET PRIDE                         | 813.07    |
| GFA                                 | 650.00    |
| GMS INDUSTRIAL SUPPLY INC           | 110.88    |
| H&L MESABI INC                      | 202.00    |
| HAWK ALARM SYSTEMS INC              | 159.88    |
| HY-VEE OWATONNA                     | 326.51    |
| INNOVATIVE OFFICE SOLUTIONS LLC     | 610.08    |
| IVY J ALVEAR                        | 120.00    |
| JANESVILLE HARDWARE LLC             | 19.74     |
| JANESVILLE JOURNAL                  | 102.00    |
| JONES HAUGH & SMITH                 | 16,395.60 |
| LENZ LAWN CARE INC                  | 145.00    |
| LITTLE FALLS MACHINE INC            | 2,972.67  |
| MARK BEHREND                        | 2,447.50  |
| MCAA EDUCATIONAL FOUNDATION         | 200.00    |
| MEI TOTAL ELEVATOR SOLUTIONS        | 656.30    |
| MESSICK LAW PLLC                    | 1,460.00  |
| MFSRC                               | 50.00     |
| MIDWEST MONITORING & SURVEILLANCE   | 60.55     |
| MIDWEST MOTOR SUPPLY CO INC         | 132.12    |
| MN COUNTIES INTERGOVERNMENTAL TRUST | 110.00    |
| MN COUNTY ATTORNEY ASSOC            | 3,527.00  |
| MN DEPT OF COMMERCE                 | 312.00    |
| MN VALLEY TESTING LAB               | 57.30     |
| MN.IT SERVICES                      | 1,338.65  |
| NAPA AUTO PARTS MPEC                | 224.21    |
| NEW RICHLAND FARM & HOME SUPPLY     | 17.53     |
| NORTHLAND BUSINESS SYSTEMS          | 2,009.36  |
| NORTHLAND TRANSCRIPTION             | 136.50    |
| NUSS TRUCK GROUP INC                | 543.70    |
| OERTEL ARCHITECTS LTD               | 31,663.86 |
| PATTON HOVERSTEN & BERG PA          | 880.00    |
| PEMBERTON LAW PLLP                  | 68.00     |
| POWERPLAN INC                       | 2,016.93  |
| PREMIER BIOTECH                     | 1,145.22  |
| REGENTS OF UNIVERSITY OF MN         | 18,814.00 |
| RIVER BEND BUSINESS PRODUCTS        | 168.58    |
| RS EDEN                             | 187.00    |
| SIGN SOLUTIONS USA                  | 188.52    |
| SOUTH CENTRAL COLLEGE               | 860.00    |
| STEELE CO COMMUNITY CORRECTIONS     | 75.00     |

|                                   |           |
|-----------------------------------|-----------|
| STEELE CO DETENTION CENTER        | 2,932.50  |
| STONEBROOKE ENGINEERING INC       | 4,656.40  |
| TAFT STETTINIUS & HOLLISTER LLP   | 3,258.80  |
| TERRANCE MCCLUNE                  | 14,500.00 |
| THOMPSON SANITATION               | 21,708.40 |
| THOMSON REUTERS                   | 972.21    |
| TYLER TECHNOLOGIES, INC           | 640.00    |
| ULINE                             | 131.56    |
| UNIQUE PAVING MATERIALS CORP      | 2,141.83  |
| US VENTURE INC                    | 1,190.56  |
| VOIANCE LANGUAGE SERVICES LLC     | 25.00     |
| WALDORF WELDING & MACHINE         | 454.98    |
| WASECA COUNTY NEWS (SUBSCRIPTION) | 68.95     |
| WASECA HARDWARE LLC               | 227.42    |
| WASECA HARDWARE LLC               | 279.74    |
| ZIEGLER INC                       | 4,580.82  |

b. Year End Check Run

Year end check run was done on December 29, 2021.

c. Riparian Aid (Buffer) Fund Transfer

Funds from the Riparian Aid account will reimburse \$1,500.84 to Planning and Zoning staff for time spent on Riparian Aid activities in 2021 .

d. Veterans Services Travel Pay Transfer

Transfer travel pay that has been collected in the amount of \$3,100.00 from 01.121.5860 to 01.121.2824.

e. Aquatic Invasive Species Fund Transfer

Transfer funds in the amount of \$5,441.72 from Aquatic Invasive Species (AIS) Prevention Aid account to Planning and Zoning.

f. Natural Resources Block Grant Fund Transfer

Transfer of funds from the Natural Resources Block Grant account to Planning and Zoning to reimburse staff for time spent administering the following programs:

\$14,271 Local Water Management

\$3,006 Shoreland

\$12,118 Wetland Conservation Act

Total - \$29,395

g. 2022 Board of Commissioner Meeting Calendar

h. Transfer Between General Fund and Ditch Fund

Transfer \$436,000.00 from the General Fund (01) to the Ditch Fund (41) to cover deficit balances on individual ditches.

i. ~~Personnel Policy Hours of Work and Pay Practices~~

- j. Minnesota Pollution Control Agency Fund Transfer  
Transfer annual funds from the County Program Base Grant Award of \$27,992.24 from account 25-125-000-6905 to the department 01-107-000-6103 account.
- k. Approve Reimbursement Payment Voucher to the SWCD from the Riparian Protection Aid Funds
- l. Release of Easement Agreement - Jason M. Eldeen & Catherine J. Eldeen and Jon R. & Cassie M. Eldeen

## 5. Action Items

- a. Personnel Policy Hours of Work and Pay Practices  
Motion to adopt Resolution 2021-26 Personnel Policy Hours of Work and Pay Practices by Commissioner Harguth, seconded by Commissioner Krause. Motion carried 5-0.

### **RESOLUTION # 2021-26**

#### **PERSONNEL POLICY HOURS OF WORK AND PAY PRACTICES**

**WHEREAS**, the Waseca County Board of Commissioners has authority to establish and revise county personnel policies; and

**WHEREAS**, these policy recommendations have been reviewed in consultation with the Labor Committee, Labor Attorney; and

**WHEREAS**, the County Human Resources Department recommends the adoption of updated policy to promote positive, productive, safe, and effective workplace culture and practices, and to support continued compliance with applicable law and regulations, and effective delivery of public services; and

**THEREFORE, BE IT RESOLVED**, Waseca County shall adopt policy #2006 – Hours of Work and Pay Practices effective January 1, 2022 and in doing so supersedes the following policies:

- 1. Section VII – Work Schedule, Overtime, and Compensatory Time
- 2. Flexible Schedule
- 3. Voluntary Leave without Pay (VLOP) Policy.

**BE IT FINALLY RESOLVED**, that the County reserves the right to make additional changes and updates to County Personnel Policies by amendment or future board actions.

- b. Ditch Assessments for 2022  
Motion to approve the certification of the ditch assessments to be placed on the tax rolls for taxes payable in 2022 by Commissioner Nelson, seconded by Commissioner Krause. Motion carried 5-0.
- c. Scheduling Public Hearing for 2022 County Fee Schedule  
Michael Johnson, County Administrator, discussed the updates to the County Fee Schedule. Motion to approve scheduling a public hearing for January 4, 2022, at 9:30 a.m. to set the County Fee Schedule for 2022 by Commissioner Krause, seconded by Commissioner Christopherson. Motion carried 5-0.
- d. Unified Development Code Violation; Nuisance Control Fund

The Waseca County Board of Commissioners have asked staff to work through a plan/policy and bring their plans back to the Commissioners' meeting for further review. Motion to table the recommendation of creating and funding a \$35,000.00 Nuisance Control Fund from excess funds from the budget of the Planning and Zoning Department by Commissioner Christopherson, seconded by Commissioners Nelson. Motion carried 5-0.

- e. Resolution 2021-60; Natural Resources Block Grant – Funding Year 2022 & 2023

Motion to adopt Resolution 2021-60, Natural Resources Block Grant Funding for 2022 and 2023 by Commissioner Nelson, seconded by Commissioner Krause. Motion carried 5-0.

Motion to approve grant signing permissions for Haley Byron to sign the reporting documents by Commissioner Harguth seconded by Commissioner Krause. Motion carried 5-0.

#### **WASECA COUNTY RESOLUTION NO. 2021 – 60**

##### **RESOLUTION AUTHORIZING NATURAL RESOURCES BLOCK GRANT**

**BE IT RESOLVED**, that the Waseca County Board of Commissioners authorizes the County of Waseca to enter into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its Subsurface Sewage Treatment System, Local Water Management, Shoreland Management, and Wetland Conservation Act programs under the terms of the Grant Agreement and applicable statutory requirements; and

**BE IT FURTHER RESOLVED**, that the Chair of the Waseca County Board of Commissioners and the County Auditor are authorized to execute the Grant Agreement together with all related documents.

- f. Resolution 2021- 59; Adoption of 2022 Aquatic Invasive Species Prevention Plan

Haley Byron, Water Resource Specialist, provided an overview of the Aquatic Invasive Species Prevention Plan. Motion to adopt Resolution 2021-59, Aquatic Invasive Species Prevention Plan for 2022 by Commissioner Krause, seconded by Commissioner Christopherson. Motion carried 5-0.

#### **WASECA COUNTY RESOLUTION NO. 2021 – 59**

##### **RESOLUTION TO ADOPT AQUATIC INVASIVE SPECIES PREVENTION PLAN**

**WHEREAS**, 2014 Session Law Chapter 308 enacted by the Legislature provides Minnesota counties a County Program Aid grant for Aquatic Invasive Species (AIS) prevention. The amount designated for each county is based on the number of watercraft trailer launches as well as the number of watercraft trailer parking spaces within each county. Waseca County was allocated \$46,918 for 2022 with potential funding for years following,

**WHEREAS**, the legislation requires that Waseca County must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds which are to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county, and

**WHEREAS**, the County may appropriate the proceeds directly or may use any portion of the proceeds to provide funding for a joint powers board or cooperative agreement with another political subdivision, a soil and water conservation district in the county, a watershed district in the county, or a lake association located in the county. Any money appropriated by the county to a different entity or political subdivision must be used as required under this section, and

**WHEREAS**, the county must submit a copy of its guidelines for the use of the proceeds to the Minnesota Department of Natural Resources by December 31st of the year the payments are received,

and

**WHEREAS**, prevention and limitation of Aquatic Invasive Species is one of the top three priority concerns identified to be included in the Waseca County Water Plan Update. The County Water Plan also includes Minnesota State's goal that the County provide leadership and in the fight against aquatic invasive species by developing proactive solutions aimed at educating and empowering local citizens to assist in these efforts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Waseca County Board of Commissioners furthers oversight of Waseca County's AIS prevention efforts to the Waseca County Planning & Zoning Department and delegates to them the responsibility to prepare, implement and report annually, a plan to allocate the funding in accordance with the above legislation, and

**BE IT FURTHER RESOLVED**, that Waseca County adopts Waseca County's Invasive Species Prevention Plan as attached and as presented at the County Board of Commissioners' meeting of December 21, 2021.

- g. Resolution No. 2021 – 57; Resolution Granting Signing Authority to the Waseca County Planning & Zoning Specialist in absence of Planning And Zoning Administrator  
Motion to adopt Resolution 2021-57 Granting signing authority to the Waseca County Planning and Zoning Specialist in the absence of the Planning and Zoning Administrator by Commissioner Christopherson, seconded by Commissioner Harguth. Motion carried 5-0.

**WASECA COUNTY RESOLUTION NO. 2021 – 57  
RESOLUTION GRANTING SIGNING AUTHORITY TO  
THE WASECA COUNTY PLANNING & ZONING SPECIALIST  
IN ABSENCE OF PLANNING AND ZONING ADMINISTRATOR**

**WHEREAS**, on July 21, 2009, the Waseca County Board of Commissioners approved Waseca County Ordinance No. 97 creating the Waseca County Unified Development Code (UDC); and

**WHEREAS**, the UDC designates the Waseca County Planning and Zoning Administrator as the party to authorize and approve various permits, applications, forms and agreements and to enforce the provisions of the UDC; and

**WHEREAS**, the current Planning and Zoning Administrator will leave the position on December 31, 2021; and

**WHEREAS**, the County will need to establish an acting signatory to replace the Planning and Zoning Administrator for documents requiring approval within the UDC.

**NOW, THEREFORE, BE IT RESOLVED**, that in the absence of and upon the departure of the current Planning and Zoning Administrator, the County hereby designates Maame Yorke, the Waseca County Planning and Zoning Specialist, to function as the Acting Planning and Zoning Administrator and shall assume the authority to execute, confirm or deny all documents necessary to enforce the Waseca County Unified Development Code until the Planning and Zoning Administrator Position is filled. The authority to execute Planning and Zoning Department documents is extended to Planning and Zoning Department payment vouchers, Agricultural Land Preservation Program (Agricultural Covenant) forms and agreements, Agriculture Best Management Practices (AgBMP) loan application documents, transfer of development rights documents and other documents as authorized from time to time by the County Administrator. This Resolution shall become effective immediately upon its passage and without publication.

- h. Conditional Use Permit (CUP) for a Nursery, Tree Farm, Agritourism and Agricultural Direct Market Business - Scott A. Ewert (Owner) & Amber Bianchi-Ewert (Applicant).  
Motion to approve the Criteria for Approval and the Findings of Facts by Commissioner Christopherson, seconded by Commissioner Harguth. Motion carried 5-0.

Motion to approve the Conditional Use Permit of the Ewert Nursery, Tree Farm, Agritourism and Agricultural Direct Market with the proposed conditions by the Planning Commission by Commissioner Krause, seconded by Commissioner Christopherson. Motion carried 5-0.

## **6. Administration**

The Waseca County Board of Commissioners recessed at 10:58 a.m.

The Waseca Board of Commissioners reconvened at 11:07 a.m.

### **a. Administration Update**

Michael Johnson, County Administrator, provided updates on mask mandates, courthouse remodeling, bid openings for the remodeling project, and the public data request from the Chamber. Johnson noted he was asked to represent the county on the MACA executive team and a leadership role for the south west region.

### **b. Human Resources Announcements**

Michael Johnson, County Administrator, provided updates to the board regarding recent Human Resource announcements.

## **7. Commissioner Reports**

The Waseca County Board of Commissioners in attendance at today's meeting shared commissioner reports.

## **8. Adjourn**

Having no further County Board business, Commissioner Harguth moved and Commissioner Krause seconded the motion to adjourn the meeting. The motion was carried unanimously and the meeting adjourned at 11:53 a.m.

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DeAnne Malterer, Chairperson  
Waseca County Board of Commissioners

ATTEST:

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Beth Weimert, Clerk  
Waseca County Administration