



WASECA COUNTY BOARD OF COMMISSIONERS

December 8, 2022 - 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 8, 2022 in the Commissioners' Room, 300 North State Street, Waseca, Minnesota. Members present were Chair Brad Krause, DeAnne Malterer, Doug Christopherson, Brian Harguth, and Blair Nelson.

Other members present were Michael Johnson, County Administrator; Beth Weimert, Administrative Coordinator; Tammy Spooner, Property and Election Services; Sheriff Brad Milbrath; Rachel Cornelius, County Attorney; Kari Gerhing, Executive Assistant; Chris Howard, Ditch Management Coordinator; Brian Zabel, Land Use Planner; Jon Schiro, Court Services Director;

Others present were Tristen Jensen, Waseca County Pioneer.

1. Call to Order and Pledge of Allegiance

Chair Krause called the meeting to order at 9:34 a.m. A roll call was taken and the Pledge of Allegiance was recited.

Public Comment

Sheriff Milbrath recognized Kari Gerhing for her work and noted she was awarded the MSA Staff Person of the Year on Monday evening.

2. Approval of Agenda

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

3. Ditch Authority

a. Amendment to 2023 Ditch Assessments

Chris Howard, Drainage Management Coordinator, discussed the Board of the Commissioners approving the multi-year assessment to payback accrued costs of the CD19 project at the November 15, 2022 board meeting. After further investigation, staff is now proposing an amendment to the original assessment. Howard noted a 10 year assessment term at 6% of the benefit value of the system is now being proposed. The term would start in 2023 and the amount to be collected annually would be \$38,127.00 for a total amount to be collected over the 10 year assessment term of \$381,270.00. Staff proposed using the same annual interest rate of 2.5% for the assessment on any funds not paid off early. Motion to approve the CD 19 multi-year assessment by Commissioner Malterer, seconded by Commissioner Christopherson. Motion carried 5-0. Motion to approve the amendment to the 2023 ditch assessments by Commissioner Christopherson, seconded by Commissioner Malterer. Motion carried 5-0.

2023 Ditch Assessments

Ditch #	Original Benefits	% to Levy	Total Amount to Collect	2023 Amount to Collect	Duration of Assessment
CD 3	\$7,441,255.00	1%	\$74,412.55	\$74,412.55	1 Year
CD 3-IMP	\$151,129.00	3%	\$4,533.87	\$4,533.87	1 Year

CD 8	\$16,354,545.00	0.25%	\$40,886.36	\$40,886.36	1 Year
CD 15-1	\$604,317.00	5%	\$30,215.85	\$30,215.85	1 Year
CD 15-2	\$6,391,238.00	0.50%	\$31,956.19	\$31,956.19	1 Year
CD 16	\$839,897.00	5%	\$41,994.85	\$41,994.85	1 Year
CD 18	\$257,179.00	7%	\$18,002.53	\$18,002.53	1 Year
CD 19-IMP	\$635,450.00	6%	\$381,270.00	\$38,127.00	10 Years
CD 21	\$1,554,932.00	1%	\$15,549.32	\$15,549.32	1 Year
CD 22	\$1,134,939.00	0.50%	\$5,674.70	\$5,674.70	1 Year
CD 23	\$1,783,160.00	1%	\$17,831.60	\$17,831.60	1 Year
CD 26	\$26,725.00	15%	\$4,008.75	\$4,008.75	1 Year
CD 28	\$747,918.00	0.50%	\$3,739.59	\$3,739.59	1 Year
CD 29	\$3,437,843.00	1%	\$34,378.43	\$34,378.43	1 Year
CD 30	\$4,929,802.00	1%	\$49,298.02	\$49,298.02	1 Year
CD 31	\$4,108,329.00	1%	\$41,083.29	\$41,083.29	1 Year
CD 31-IMP	\$741,524.00	4%	\$29,660.96	\$29,660.96	1 Year
CD 32	\$32,622.00	20%	\$6,524.40	\$6,524.40	1 Year
CD 33	\$43,874.00	20%	\$8,774.80	\$8,774.80	1 Year
CD 34	\$1,036,617.00	2%	\$20,732.34	\$20,732.34	1 Year
CD 35	\$5,120,362.00	0.50%	\$25,601.81	\$25,601.81	1 Year
CD 36	\$2,304,038.00	1%	\$23,040.38	\$23,040.38	1 Year
CD 38	\$8,355,464.00	0.25%	\$20,888.66	\$20,888.66	1 Year
CD 40	\$32,230.00	20%	\$6,446.00	\$6,446.00	1 Year
CD 42	\$6,920.00	20%	\$1,384.00	\$1,384.00	1 Year
CD 43	\$39,936.20	20%	\$7,987.24	\$7,987.24	1 Year
CD 44	\$917,156.00	5%	\$45,857.80	\$45,857.80	1 Year
CD 45	\$11,362,248.00	1%	\$113,622.48	\$113,622.48	1 Year
CD 46	\$522,137.00	0.50%	\$2,610.69	\$2,610.69	1 Year
CD 47	\$123,471.00	10%	\$12,347.10	\$12,347.10	1 Year
CD 50	\$1,695,900.00	1.5%	\$25,438.50	\$25,438.50	1 Year
JT CO 1-BE	\$1,832,068.00	4%	\$73,282.72	\$73,282.72	1 Year
JT CO 3-BE	\$92,443.67	2%	\$1,848.87	\$1,848.87	1 Year
JD CO 83-BE	\$254,426.00	5%	\$12,721.30	\$12,721.30	1 Year
JD 1-S	\$220,690.00	20%	\$44,138.00	\$44,138.00	1 Year
JD 5-S	\$42,432.00	20%	\$8,486.40	\$8,486.40	1 Year
JD 8-FR	\$239,786.00	2%	\$4,795.72	\$4,795.72	1 Year
JD 10-S	\$30,328.16	20%	\$6,065.64	\$6,065.64	1 Year

JD 11-BE	441,977.35	20%	\$88,395.47	\$88,395.47	1 Year
JD 24-S	\$9,165,485.00	3%	\$274,964.55	\$274,964.55	1 Year
JD 51-BE	\$142,990.60	20%	\$28,598.12	\$28,598.12	1 Year

b. CD 30 Improvement Petition Dismissal

Howard noted the original petitioners had requested dismissal of their proposed improvement project for CD 30. Findings and Order were drafted to document the timeline along with a summary of accrued costs showing how much of the original deposited cash bond can be returned to the petitioners. It is recommended the board accept the drafted Findings and Order to dismiss the improvement petition. Motion to approve CD 30 Improvement Petition Dismissal by Commissioner Malter, seconded by Commissioner Harguth. A roll call was taken and the motion passed 5-0 by the following: Commissioner Christopherson - aye; Commissioner Harguth - aye; Commissioner Nelson - aye; Commissioner Krause - aye; Malterer - aye.

c. CD 43 Improvement Petition Dismissal

Howard noted the original petitioners had requested dismissal of their proposed improvement project for CD 43. Findings and Order were drafted to document the timeline along with a summary of accrued costs showing how the original deposited cash bond was spent and the petitioners' obligation to pay the remaining debt. It is recommended the board accept the drafted Findings and Order to dismiss the improvement petition. Motion to approve CD 43 Improvement Petition Dismissal by Commissioner Christopherson, seconded by Commissioner Malterer. A roll call was taken and the motion passed 5-0 by the following: Commissioner Christopherson - aye; Commissioner Harguth - aye; Commissioner Nelson - aye; Commissioner Krause - aye; Malterer - aye.

4. Approval of County Board Minutes

a. Waseca County Board of Commissioner Budget Work Session Minutes November 15, 2022

Motion to approve the Waseca County Board of Commissioner Budget Work Session meeting minutes of November 15, 2022 as presented by Commissioner Malterer, seconded by Commissioner Harguth. Motion carried 5-0.

5. Consent Agenda

Motion to approve the consent agenda as presented by Commissioner Harguth, seconded by Commissioner Christopherson. Motion carried 5-0.

a. Approval of Bills

The following bills were audited and allowed:

A.H. HERMEL COMPANY	769.37
AFFORDABLE LAWN CARE INC.	2,738.06
AMAZON CAPITAL SERVICES	937.55
AMBER LEWER	87.50
APG MEDIA OF SOUTHERN MN LLC	270.00
ASSOC OF MN COUNTIES	515.00
B & D METAL WORKS INC	1,022.60
BARBARA J. BUKER	491.56

BIESANZ CHEMICALS INC	252.87
BLAIR NELSON	140.00
BLUE EARTH CO HUMAN SERVICES	1,343.75
BOCKS SERVICE INC	125.00
BOMGAARS SUPPLY	158.37
BOMGAARS SUPPLY	73.47
BRIDGET SOUTHWICK	11.97
CANADIAN PACIFIC RAILWAY COMPANY	4,574.90
CAPITAL ONE	51.79
CARDINAL HEALTH 110, LLC	70.05
CDW GOVERNMENT INC	206.82
CENTRAL STATES WIRE PROD INC	5,409.78
CHARLES BENSON	80.88
CHOSEN VALLEY TESTING INC	1,128.50
CHRIS OSTERLOH	90.63
CIT INC	1,986.00
CLARIS INTERNATIONAL INC	3,305.00
COLE PAPERS INC	715.34
COLE'S ELECTRIC INC	250.00
COMMUNITY COMPLIANCE MONITORING	614.00
CRYSTEEL TRUCK EQUIPMENT	1,192.82
CURT KEYES	80.00
DEML FORD INC	1,463.54
DOUGLAS CHRISTOPHERSON	106.25
DR MICHAEL D HARVEY PA	95.00
EHLERS & ASSOCIATES INC	750.00
ELECTION SYSTEMS & SOFTWARE LLC	4,535.92
GUARDIAN SUPPLY	3,664.92
INNOVATIVE OFFICE SOLUTIONS LLC	343.75
J SCOTT BRADEN LAW OFFICE	75.00
JAMES BROTHERS CONSTRUCTION INC	19,535.00
JANESVILLE TILE SUPPLY	516.54
JOHN DEERE FINANCIAL	2,391.97
JONES AND MAGNUS LLC	80.00
JULIE TESCH	100.00
KARPEL COMPUTER SYSTEMS INC	1,768.35
KIESLER POLICE SUPPLY	1,531.50
KIM KROEGER-BABCOCK	91.25
L&D AG SERVICE, INC	19.72
LA FLEUR LAW OFFICE, PLLC	430.00
MACO-AITKIN (MN ASSOC OF CO OFF)/MOMS	1,080.00
MANKATO MOTORSPORTS LLC	625.18
MATHESON	43.00
MATTHEW JIRELE	100.00
MCAA EDUCATIONAL FOUNDATION	420.00
MID-NET SOLUTIONS	108.00
MN ASSOC FOR CHILDREN'S MENTAL HEALTH	1,000.00

MN COMM OF TRANSPORTATION	57.60
MN DEPT OF LABOR & INDUSTRY-ST PAUL	10.00
MONROE TOWMASTER LLC	502.08
MOTOROLA SOLUTIONS, INC	27,018.68
NATIONAL WIC ASSOCIATION	50.00
NATL ASSOC OF COUNTIES (NACO)	450.00
NORTHLAND BUSINESS SYSTEMS	3,902.59
NOW MICRO	593.00
OFFICE OF MNIT SERVICES	1,338.65
ONSOLVE INTERMEDIATE HOLDING COMPANY	14,550.00
PANTHEON COMPUTER SYSTEMS INC	277.30
PAUL R SPYHALSKI	180.00
PEMBERTON LAW PLLP	103.50
POWERPLAN INC	1,918.73
PREMIER BIOTECH	1,785.77
QC SUPPLY	173.04
RAMSEY COUNTY	2,548.00
RDO EQUIPMENT CO	1,658.08
RINKE-NOONAN ATTORNEYS AT LAW	11,327.50
RIVER BEND BUSINESS PRODUCTS	2,142.52
RIVER VALLEY FORENSIC SERVICES PA	1,250.00
RS EDEN	55.40
RUSSELL J FREDERICK	83.88
SAMANTHA HOLICKY-JAMES	28.67
SCOTT CO TREASURER	2,611.68
SPEE-DEE DELIVERY SERVICE	20.38
STERICYCLE INC	4.50
STREAMLINE COMMUNICATIONS LLC	524.00
STREICHERS	1,782.00
TECH TRONIX INC	3,600.00
TECTA AMERICA CORPORATION	3,211.00
TEXAS REFINERY CORP	413.10
TREVOR L BROVOLD	1,875.00

b. October 2022 Electronic Transfer Report

Monthly Electronic Funds Transfer Report

October 2022

Date	From Account	To Account	Amount
10/07/22	Keen Bank	US Bank/Magic	\$2,000,000.00
10/13/22	Keen Bank	US Bank/Magic	\$3,000,000.00
10/26/22	Keen Bank	US Bank/Magic	\$3,000,000.00
10/26/22	Keen Bank	ISD 829	\$892,481.73
10/26/22	Keen Bank	ISD 2143	\$35,867.61
10/26/22	Keen Bank	ISD 2168	\$94,476.41
10/26/22	Keen Bank	ISD 2835	\$301,129.75
10/26/22	Keen Bank	MN Department of Revenue	\$260,402.36

Approved

- c. Fund Transfer from 01-061-061-6660 (IT) to Assigned fund 01-2822
\$11,700.00 Funds transfer 01-061-061-6660 (IT) to Assigned fund 01-2822.
- d. Payment Schedule for the Second Half 2022 Taxes – Residential Tax Abatement

Waseca County Tax Abatement Program						
Schedule for Second Half 2022 Taxes						
Pay Ct Y	Tax Abatement Applications - 2022 Name:	PID	Percent Option	Years	Second Half 2022 Payment	Total Over Term
	of Waseca Abatements					
1	Brent and Julianna Brass	17.535.0500	50%	10	\$272.00	\$ 5,440.00
2	Royer/Grunwald (sold home)					
3	Frank Wenzel	17.451.0010	75%	6	\$466.00	\$ 5,592.00
4	Joe and Kristi Nelson	17.535.0480	75%	6	\$224.00	\$ 2,688.00
5	Thomas and Jean Glaser	17.711.0200	50%	10	\$409.50	\$ 8,190.00
6	Gerald and Kristi Fennert	17.712.0110	50%	10	\$264.50	\$ 5,290.00
7	James and Mary Jo Boerboom	17.528.0340	50%	10	\$266.50	\$ 5,330.00
8	Charles and Linda Cone	17.709.0030	75%	6	\$470.00	\$ 5,640.00
9	Eric and Melanie Tedars	17.712.0120	50%	10	\$304.00	\$ 6,080.00
10	Alan and Barbara Wilker	17.328.0050	50%	10	\$224.50	\$ 4,490.00
11	Alan and Cathy Breitbarth	17.535.0630	50%	10	\$192.00	\$ 3,840.00
12	Todd and Kathy Donahue	17.712.1900	50%	10	\$409.50	\$ 8,190.00
13	Larry and Luanne Huber	17.535.0290	50%	10	\$357.00	\$ 7,140.00
14	Jeremie and Julie Kelly	17.535.0400	75%	6	\$446.50	\$ 5,358.00
15	Edward and Barbara Roesler	17.520.0100	50%	10	\$381.50	\$ 7,630.00
16	Richard and Deborah Perreault	17.535.0490	50%	10	\$89.68	\$ 7,230.00
County Abatements						
17	Jonathan and Lyric Butler	12.004.0600	50%	10	\$593.50	\$ 11,870.00
18	Scott Kramer	12.402.0010	50%	10	\$337.50	\$ 6,750.00
19	Joshua and Megan Lynch	12.428.0140	75%	6	\$632.50	\$ 7,590.00
Approved by the County Board on:						
Total					\$6,340.68	
Tamara J. Spooner, Director of Property & Election Services						
Notes:						
1. Richard and Deborah Perreault tax abatements will be reduced in 2022 due to the fact the value of the home did not reach full market value by January 1, 2021 (the date the Assessor's market values was set to determine 2022 taxes). The County's share of taxes for 2022 are \$358.71). The approved tax abatement is for 50% of the County's share of taxes for 2022 is \$89.68 (\$179.36 x 50% = \$89.68). The 2022 payments should be \$89.68.						

- e. Master Control Agreement between Waseca County Court Services & Waseca County IT
- f. Partial Release of Exclusive Agricultural Use Zone Restrictive Covenant; Keith A & Laurette Hendrickson

Owner	PID	Acres Removed (from Ag Covenant)	Acres Remaining (in Ag Covenant)
Keith A & Laurette Hendrickson	08.028.1100	16.96	35.84

- g. Approval for Court Services Director to attend the American Probation and Parole Regional Conference in Omaha, NE

6. Action Items

- a. Resolution 2022-43 Accepting Donation Lowell Nelson

Motion to adopt Resolution 2022-43 Accepting Donation in memory of Lowell Nelsin in the amount of \$2,796.37 by Commissioner Nelson, seconded by Commissioner Harguth. Motion carried 5-0.

Resolution 2022-43

Resolution Accepting Donations

WHEREAS, Minn. Stat. Sect. 465.03 allows counties to accept grants and donations of real or personal property for the benefit of its citizens in accordance with terms prescribed by the donor; and

WHEREAS, said donations must be accepted via resolution of the County Board of Commissioners by a two-thirds majority of its members; and

WHEREAS, the Board of Commissioners finds that it is appropriate to accept the donations offered

NOW, THEREFORE, BE IT RESOLVED that the Waseca County Board of Commissioners accepts, with sincere appreciation, the following listed donations on behalf of its citizens:

b. Transfer of Building Funds - Public Works

Jim Kollar, Public Works Director, discussed the request to transfer \$125,270.36 from the Assigned Building fund (13.000.2850) to the Building Expense account (13.340.6611). Motion to approve the transfer of \$125,270.36 from the Assigned Building fund (13.000.2850) to the Building Expense account (13.340.6611) by Commissioner Nelson, seconded by Commissioner Malterer. Motion carried 5-0.

c. Transfer of Equipment Funds - Public Works

Kollar also requested to transfer \$20,844.19 from the Equipment Assigned Fund (13.000.2851) to the Equipment Expense account (13.340.6670). Motion to approve the transfer of \$20,844.19 from the Equipment Assigned Fund (13.000.2851) to the Equipment Expense account (13.340.6670) by Commissioner Harguth, seconded by Commissioner Christopherson. Motion carried 5-0.

d. Transfer of Wheelage Tax Funds - Public Works

Kollar requested to transfer \$164,193.91 from the Wheelage Tax revenue fund (13.349.5018) to the Assigned Wheelage Tax fund (13.000.2881). Motion to approve the transfer of \$164,193.91 from the Wheelage Tax revenue fund (13.349.5018) to Assigned Wheelage Tax fund (13.000.2881) by Commissioner Malterer, seconded by Commissioner Christopherson. Motion carried 5-0.

e. Transfer of Local Option Sales Tax Funds - Public Works

Kollar requested to transfer \$104,175.01 from the Local Option Sales Tax revenue fund (13.349.5015) to Local Sales Tax Assigned fund (13.000.2852). Motion to approve the transfer of \$104,175.01 from the Local Option Sales Tax revenue fund (13.349.5015) to the Local Sales Tax Assigned fund (13.000.2852) by Commissioner Nelson, seconded by Commissioner Harguth. Motion carried 5-0.

f. Transfer of County Construction Funds - Public Works

Kollar requested to transfer \$ 63,465.28 from the County Construction Assigned fund (13.000.2819) to the County Expense fund (13.000.2819). Motion to approve the transfer of \$63,465.28 from the County Construction Assigned fund (13.000.2819) to the County Expense fund (13.000.2819) by Commissioner Christopherson, seconded by Commissioner Malterer. Motion carried 5-0.

g. Resolution 2022-45: MnDOT Contract No. 1052125

Kollar noted that this agreement is between the State of Minnesota and the County of Waseca with regard to roles and responsibilities associated with federal aid funds for transportation construction projects. Motion to adopt Resolution 2022-45 MnDOT Contract No. 1052125 by Commissioner Christopherson, seconded by Commissioner Harguth. Motion carried 5-0.

RESOLUTION # 2022-45

MnDOT Contract No. 1052125

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the County of Waseca to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the County Board Chair and the County Administrator are hereby authorized and directed for and on behalf of the County of Waseca to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1052125", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Kollar also provided the board a fuel island update.

h. Community Supervision Work Group Support

Michael Johnson, County Administrator, discussed the Community Supervision Work Group and the request for legislators to pass a new funding formula and a significant appropriation during the 2023 legislative session. Motion to adopt Resolution 2022-44 Community Supervision Work Group Support by Commissioner Nelson, seconded by Commissioner Malterer. Motion carried 5-0.

Endorsing the efforts of the Community Supervision Work Group and urging the legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

Resolution 2022-44

Community Supervision Work Group Support

WHEREAS, community supervision is a fundamental part of the criminal justice system in Minnesota and funding sufficient to ensure effective services is vital to public safety in all communities across the state; and

WHEREAS, community supervision includes services such as probation, supervised release, and intensive supervised release; and

WHEREAS, Minnesota's counties provide essential community supervision services both as mandated by M.S. Chapter 244.19 and as delegated by the Department of Corrections under M.S. Chapter 401; and

WHEREAS, when the Legislature decided that community supervision was best delivered through a state-county partnership, it stated a clear intent that the state would provide significant funding to the counties for operation of local programs; and

WHEREAS, over the past 20 years, Minnesota has become the state with the lowest level of corrections funding in the nation because the Legislature has not upheld its promise to provide adequate state resources to support community supervision; and

WHEREAS, a revised community supervision funding formula is necessary to ensure that all communities in Minnesota have enough state funding to provide a consistent standard for effective, evidence-based community supervision services regardless of local capacity to pay; and

WHEREAS, the Association of Minnesota Counties assembled the Community Supervision Work Group including county leaders and experts in community supervision from all three supervision delivery systems to study the needs of community supervision departments statewide and develop a single funding formula that is transparent, needs based, and equitable among county and state supervision providers; and,

WHEREAS, the Community Supervision Workgroup has taken up its charge to convene stakeholders across the three probation delivery systems to oversee a study to create a unified recommendation for an equitable and adequate funding formula and appropriation; and,

WHEREAS, the Board of Directors of the Association of Minnesota Counties that represents the diverse interests of Minnesota's 87 counties, voted to support a new funding formula that provide counties with the resources needed to keep communities safe; now, therefore,

BE IT RESOLVED, the Waseca County Board of Commissioners endorses the efforts of the Community Supervision Work Group and urges the Legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

i. Amended Contract Between Steele Waseca Drug Court and Third Judicial District

Jonathan Schiro, Court Services Director, discussed the annual contract, noting there is an additional \$8,223.99 due to unexpended funds from FY22 to amend the contract to the amount of \$172,023.99. Motion to approve the amended contract between Steele-Waseca Drug Court and Third Judicial District to \$172,023.99 by Commissioner Nelson, seconded by Commissioner Malteer. Motion carried 5-0.

7. Administration

Michael Johnson, County Administrator, noted the date and time of the upcoming public budget meeting which is scheduled for December 20, 2022 at 6:30 p.m. Johnson provided administrative updates to the Waseca County Board of Commissioners.

a. Administration Update

Commissioner Christopherson excused himself from the meeting at 10:33 a.m.

Michael Johnson, County Administrator, provided administrative updates to the board.

b. Human Resources Announcements

Johnson also provided updates to the board regarding recent Human Resource announcements.

8. Commissioner Reports

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

9. Adjourn

Having no further county board business, Commissioner Nelson moved and Commissioner Harguth seconded the motion to adjourn the meeting. The motion was carried unanimously and the meeting adjourned at 10:54 a.m.

Brad Krause, Chairperson
Waseca County Board of Commissioners

ATTEST:

Beth Weimert, Clerk
Waseca County Administration