



WASECA COUNTY BOARD OF COMMISSIONERS

December 20, 2022 - 5:30 PM

East Annex Public Meeting Room

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

Members present were Chair Brad Krause, DeAnne Malterer, Doug Christopherson, Brian Harguth and Blair Nelson.

Other members present were Michael Johnson, County Administrator; Tammy Spooner, Property & Election Services Director; Sheriff Brad Milbrath; Jim Kollar, Public Works Director/County Engineer; Denise Wright, Emergency Management Director; Jonathan Schiro, Court Services Director; Melissa Sexton, Human Services Director; Jane Hardwick, MnPrairie County Alliance Director; Deja Weber, Assistant County Attorney; Chris Howard, Drainage Management Coordinator; Robert Pearce; and Tristan Jensen, Waseca County Pioneer.

1. Call to Order and Pledge of Allegiance

Chair Krause called the meeting to order at 5:30 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

Commissioner Nelson moved and Commissioner Christopherson seconded to approve the agenda as presented. Motion carried 5-0.

3. Approval of County Board Minutes

Commissioner Malterer moved and Commissioner Harguth seconded to approve the minutes from November 15, 2022 Commissioner Meeting; November 22, 2022 Work Session; November 30, 2022 Work Session; December 8, 2022 Work Session; December 8, 2022 Commissioner Meeting; and December 13, 2022 Work Session. Motion carried 5-0.

- a. Waseca County Board of Commissioner's Meeting Minutes November 15, 2022
- b. Waseca County Board of Commissioners Work Session Meeting Minutes November 22, 2022
- c. Waseca County Board of Commissioners Work Session Meeting Minutes November 30, 2022
- d. Waseca County Board of Commissioners Budget Work Session Meeting Minutes December 8, 2022
- e. Waseca County Board of Commissioners Meeting Minutes December 8, 2022
- f. Waseca County Board of Commissioners Budget Work Session Meeting Minutes December 13, 2022

4. Consent Agenda

Commissioner Harguth moved and Commissioner Christopherson seconded to approve the Consent Agenda as follows:

Motion carried 5-0.

a. Approval of Bills

The following bills were audited and allowed:

A.H. HERMEL COMPANY	687.19
AMAZON CAPITAL SERVICES	2,134.34
ANDY LINDER	3,040.00
APG MEDIA OF SOUTHERN MN LLC	153.00
ASSOC OF MN COUNTIES	129.00
BAKER TILLY LLP	671.00
BARBARA J. BUKER	51.00
BARTA MACHINE LLC	357.80
BLAIR NELSON	816.87
BOCKS SERVICE INC	56.00
BOMGAARS SUPPLY	286.22
BRITTON PLUMBING & HEATING LLC	8,100.00
BRUCE JOHNSON	4,948.00
BRUCE W NESS	495.00
BUDACH IMPLEMENT INC	14.16
CAPITAL ONE	76.46
CDW GOVERNMENT INC	393.02
CHRISTENSEN TIRE & AUTO REPAIR	833.89
CIT INC	2,376.58
COLE'S ELECTRIC INC	200.00
COMMUNITY COMPLIANCE MONITORING	534.00
DEANNE MALTERER	137.56
DELL MARKETING L.P.	74.38
DEML FORD INC	1,714.68
DLT SOLUTIONS INC	3,697.65
DONAHUE ELECTRIC LLC	2,765.47
DUANE RATHMANN	81.25
EINHAUS, MATTISON, CARVER & HABERMAN, PA	420.00
EJL PUBLICATIONS	406.26
EXPRESS CARE INC	78.29
FARM & HOME PUBLISHERS LTD	500.00
FERNBROOK FAMILY CENTER INC	225.00
FIRST NATIONAL BANK	2,123.13
FIRST NATIONAL BANK 4135	59.08
FIRST NATIONAL BANK 3975	556.63
FIRST NATIONAL BANK OMAHA 7265	2.99
FIRST NATIONAL BANK OF OMAHA	101.98
FIRST NATIONAL BANK OF OMAHA	21.95
FIRST NATIONAL BANK OF OMAHA 0237	210.00
FIRST NATIONAL BANK OF OMAHA 0792	263.48
FIRST NATIONAL BANK OF OMAHA 1344	59.97
FIRST NATIONAL BANK OF OMAHA 2967	31.23

FIRST NATIONAL BANK OHAMA 3678	2,766.44
FIRST NATIONAL BANK OMAHA 7462	59.12
FIRST NATIONAL BANK OMAHA 2000	210.00
FIRST NATIONAL BANK OMAHA 2000	712.36
FIRST NATIONAL BANK OMAHA 1325	34.65
FIRST NATIONAL BANK OMAHA 2173	224.00
FIRST NATIONAL BANK OMAHA 3979	40.76
FIRST NATIONAL BANK OMAHA 5295	50.20
FIRST NATIONAL BANK OMAHA 5348	268.44
FIRST NATIONAL BANK OMAHA 5640	107.28
FIRST NATIONAL BANK OMAHA 6742	32.25
FIRST NATIONAL BANK OMAHA 6755	176.67
FIRST NATIONAL BANK OMAHA 7801	520.00
FIRST NATIONAL BANK OMAHA 8006	9.90
FIRST NATIONAL BANK OMAHA 8264	439.23
FORCE AMERICA DISTRIBUTING LLC	502.73
GREG HUBER	103.58
HY-VEE OWATONNA	407.64
INNOVATIVE OFFICE SOLUTIONS LLC	154.86
JAMES BROTHERS CONSTRUCTION INC	8,364.80
JANESVILLE HARDWARE LLC	6.49
JANESVILLE TILE SUPPLY	1,137.58
JONATHAN SCHIRO	197.50
KENDALL LANGSETH	2,153.75
LENOVO (UNITED STATES(INC	161.00
LEON SCHOENROCK	97.50
M PETERS ENTERPRISES	33.04
MARK BEHREND	896.26
MARK SOMMERS	91.63
MAYO CLINIC ST LOUIS MO	491.00
MEI TOTAL ELEVATOR SOLUTIONS	447.77
MESSICK LAW PLLC	500.00
MICHAEL MOUNTAIN	800.00
MIDWEST MONITORING & SURVEILLANCE	233.88
MINNESOTA PAVING & MATERIALS	4,394.68
MJB HANSEN FAMILY LP	1,451.96
MN DEPT OF CORRECTIONS STS	19,406.87
MN SOUTH CENTRAL INVESTIGATORS COALITION	875.00
MNCCC LOCKBOX	4,648.11
NAPA AUTO PARTS MPEC	2,205.12
NORTH CENTRAL INTERNATIONAL INC	10,026.37
NUSS TRUCK GROUP INC	209.53
PEMBERTON LAW PLLP	436.50
PENMAC STAFFING SERVICES INC	1,665.00
PHILLIP L SCHLEICHER	5,844.50
PRIME GARAGE DOORS & MORE LLC	2,395.00
PROFESSIONAL PORTABLE RADIOLOGIC SERVICES INC	105.00

RECOVERY TREK LLC	360.00
RICHARD POSSIN	98.13
RINKE-NOONAN ATTORNEYS AT LAW	1,256.00
RIVER BEND BUSINESS PRODUCTS	36.99
ROBERT VOGELSANG	103.13
RS EDEN	104.40
RUFFRIDGE-JOHNSON EQUIP CO INC	5,533.69
RUPP ANDERSON SQUIRES & WALDSPURGER PA	1,828.60
RUSSELL J FREDERICK	83.88
SANCO EQUIPMENT	1,485.52
SEACHANGE PRINTING & MARKETING SERVICES LLC	103.33
SF ENTERPRISES LLC	11,290.00
SNAP ON INCORPORATED	463.59
STEELE CO DETENTION CENTER	1,207.50
STEPHANIE ROEMHILDT	168.38
STRUCTURAL SPECIALTIES INC	3,831.00
TERRANCE MCCLUNE	625.00
THIRTY YEAR VENTURES LLC	56.80
THOMSON REUTERS	1,055.55
TOM BORNEKE CONSTRUCTION	10,047.20
TOTAL GLASS-LOCK INC	81.45
US VENTURE INC	1,086.92
VOIANCE LANGUAGE SERVICES LLC	25.00
WALDORF, CITY OF	35,240.69
WASECA CO LANDFILL	85.00
WASECA CO PIONEER	1,500.00
WASECA GLASS INC	239.95
WASECA HARDWARE LLC	644.16
WENZEL LAND PARTNERS LP	800.00
ZIEGLER INC	2,160.69

b. Tobacco License

Tobacco License – Lonna L. Westphal-Klug, d.b.a Papa Olie’s Bar & Grill, LLC

c. November 2022 Monthly Electronic Funds Transfer Report

Waseca County Board of Commissioners - Monthly Electronic Funds Transfer Report - November 2022

Date	From Account	To Account	Amount	Description
11/07/22	Keen Bank	Bond Trust Services Corp	\$78,825.00	GO Capital Improvement Bonds 2020A
11/07/22	Keen Bank	Bond Trust Services Corp	\$327,725.00	GO Capital Improvement Bonds 2019A
11/10/22	Keen Bank	MinnWest	\$1,000,000.00	Cash Transfer
11/28/22	Keen Bank	1st Financial Bank USA	\$249,000.00	Investment
11/28/22	Keen Bank	Texas Republic Bank NA	\$249,000.00	Investment
11/29/22	Keen Bank	MinnWest	\$1,000,000.00	Cash Transfer
11/30/22	Keen Bank	ISD 829	\$1,468,679.65	Settlement
11/30/22	Keen Bank	ISD 2168	\$243,551.94	Settlement
11/30/22	Keen Bank	ISD 2835	\$551,579.42	Settlement
11/30/22	Keen Bank	ISD 2143	\$56,741.90	Settlement

11/30/22	Keen Bank	City of Waseca	\$2,780,972.48	Settlement
11/30/22	Keen Bank	MN Prairie	\$1,595,948.00	Settlement

Approved

- d. Request for Out of State Travel - Drainage Conference
Chris Howard to attend Drainage Conference in Des Moines, IA.
- e. Final Payment for City of Waldorf Reconstruction
Final Payment, for City of Waldorf Reconstruction, in the amount of \$27,740.69 to Holtmeier Construction.
- f. Transfer of County Construction Funds - Public Works
Public Works - \$5,910.79 from 13.000.2819 to 13.320.6280

5. Action Items

- a. Appointment of Interim Waseca County Sheriff from December 30, 2022 to January 3, 2023.
Commissioner Christopherson moved and Commissioner Harguth seconded to appoint Jay Dulas as Interim Sheriff effective 5:00 p.m. on December 30, 2022 until the new Sheriff is sworn in on January 3, 2023. Motion carried 5-0.
Jay Dulas was sworn in by Tammy Spooner, Waseca County Auditor.

APPOINTMENT FOR INTERIM COUNTY SHERIFF

I, Brad Krause, acting in my official capacity as the Chair of the Waseca County Board of Commissioners in and for this County of Waseca, State of Minnesota, do appoint Sheriff-elect Jay Dulas as the Interim County Sheriff. Said appointment is to become effective as of 5:00pm Friday, December 30, 2022, and remain in full force and effect until it is revoked by this Board or until the Sheriff-elect assumes his official capacity and is sworn in on Tuesday, January 3, 2023.

- b. Resolution 2022-51 Letter of Commitment for Border-to-Boarder Broadband Grant Funding Local Match
Michael Johnson, County Administrator, provided information regarding a grant for Broadband. The total estimated cost for the project is approximately \$2,268,000.00, with Waseca County being responsible for a 25% match, \$567,000.00 is being held in a special revenue account for this purpose. Commissioner Malterer moved and Commissioner Harguth seconded to adopt Resolution 2022-51 Commitment of Funding for Boarder-to-Boarder Program Local Match in the amount of \$567,000.000. Discussion was held regarding the scope of the project, which is to serve 200 homes and could possibly build out additional, the County has no further financial obligation. The motion carried 5-0.

Resolution 2022-51

Commitment of Funding for Border-to-Border Program Local Match in the Amount of \$567,000.00

WHEREAS, the American Rescue Plan Act, H.R. 1319 (ARPA) was signed into law by President Biden in March of 2021; and
WHEREAS, ARPA modifies provisions of Title VI of the Social Security Act (42 U.S.C. § 801 et seq.); and
WHEREAS, 42 U.S.C. § 803 (b)(2) appropriates \$65,100,000,000 to Counties to mitigate the fiscal effects stemming from the public health emergency with respect to COVID-19; and
WHEREAS, the appropriations under 42 U.S.C. § 803 (b)(2) are titled State and Local Fiscal Recovery Funds (SLFRF); and
WHEREAS, "Counties" are defined in 42 U.S.C. § 803 (3)(g)(1) as "... a county, parish, or other equivalent county division (as defined by the Bureau of the Census); and
WHEREAS, Waseca County (the County) has received its portion of the SLFRF; and
WHEREAS, 42 U.S.C. § 803 (c) permits the County to spend ARPA funds under one of four major categories, which include (A)

responses to the COVID-19 Pandemic and its negative economic impacts, (B) providing premium pay to essential employees, (C) for government services to the extent of the reduction in revenue, and (D) investments in water, sewer, and broadband; and **WHEREAS**, the Waseca County Board of Commissioners previously authorized a broadband feasibility study on April 21, 2020, to pursue solutions for unserved and underserved residents in light of the public health emergency; and **WHEREAS**, the Waseca County Board of Commissioners previously authorized Resolution 2021-39 setting aside \$1,000,000 of APRA funds to be used investment in broadband infrastructure and development; and **WHEREAS**, the Minnesota Employment and Economic Development (DEED) Office of Broadband Development has provided a state resource that help make the financial case for new and existing Internet Service Providers (ISPs) to invest in building broadband infrastructure into unserved and underserved areas of the State known as the Border to Border Broadband Development Grant Program pursuant to Minn. Stat. 116J.395; and **WHEREAS**, Waseca County staff and their consultants contacted many ISPs to gauge their interest in pursuing expanded services in Waseca County through joint application of the Border to Border Grant Program; and **WHEREAS**, Bevcomm responded to those inquiries with a construction plan and proposal that will provided in-ground fiber technology to a minimum of 200 homes in Waseca County; and **WHEREAS**, Bevcomm has had a regional presence in the telecom industry of over 100 years and has had more than 20 successful applications for grant dollars awarded; and **NOW, THEREFORE, BE IT RESOLVED** that the Waseca County Board of Commissioners authorizes \$567,000.00 of ARPA dollars to be spent installing fiber optic cable to provide additional broadband connectivity solutions to Waseca County residents. **BE IT FURTHER RESOLVED** that the Waseca County Board of Commissioners understands minor deviations to this amount of less than 10% (\$56,700) are possible and approve this amount in substantially the form provided without needing to be brought back for additional reconsideration; and **BE IT FURTHER RESOLVED** that the Waseca County Board of Commissioner has final discretionary authority on approval of all disbursements made and that any and all disbursement towards this project are contingent upon successful application and award of Border-to-Border grant dollars, and to be paid to Bevcomm upon completion of the project.

- c. **Approval of Annual Lease with MN Prairie County Alliance for 1000 West Elm**
Michael Johnson, County Administrator, presented the MN Prairie County Alliance 2023 Annual Lease for Space. After adjustments for space and increased costs, the annual cost will be \$209,347.96. Commissioner Nelson moved and Commissioner Christopherson seconded to approve entering into the lease with MnPrairie. Motion carried 5-0.
- d. **Year-End Check Run**
Tammy Spooner, Director of Property & Election Services, requested to process a year-end check-run on December 29, 2022 to clean up any outstanding bills. Commissioner Malterer moved and Commissioner Nelson seconded to approve the year-end check-run. Motion carried 5-0.
- e. **Contract with Anoka County for Secure Juvenile Detention Beds**
Jon Schiro, Court Services Director, presented a proposed agreement between MnPrairie County Alliance with Anoka County for services for juvenile detention. The agreement is for 547 bed-days with the cost shared between the counties of Dodge, Steele and Waseca. Commissioner Christopherson moved and Commissioner Malterer seconded to approve the contract. Motion carried 5-0.
- f. **Resolution 2022-50 Authorizing Participation in Planning Process and Execution of Agreement**
Denise Wright, Emergency Management Director, presented information regarding a hazard mitigation planning process and updating of the Waseca County All Hazard Mitigation Plan. The costs are split 75% FEMA and 25% Waseca County. The final cost to Waseca County is not to exceed \$9,250.00. Denise requested adoption of Resolution 2022-50 to approve the Hazard Mitigation Plan and execution of the FEMA Agreement. Commissioner Harguth moved and Commissioner Malterer seconded to adopt Resolution 2022-50 and enter into the agreement. Motion carried 5-0.

Resolution 2022-50
Authorizing Participation in Planning Process and Execution of Agreement

WHEREAS, the County of Waseca is participating in a hazard mitigation planning process as established under the Disaster Mitigation Act of 2000; and
WHEREAS, the Act establishes a framework for the development of a multi- jurisdictional hazard mitigation plan; and
WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and business; and
WHEREAS, the county will lead the planning effort with the assistance of consultants and State of Minnesota mitigation staff.
WHEREAS, the county will provide staff and resources from departments related to mitigation, will facilitate participation of jurisdiction within the county, and provide quarterly reporting on plan progress.
WHEREAS, the plan must include a risk assessment including past hazards, hazards that threaten the county. maps of hazards, an estimate of structures at risk, estimate of potential dollar losses for each hazard, a general description of land uses and future development trends; and
WHEREAS, the plan must include a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and
WHEREAS, the plan must include a maintenance or implementation process including plan updates, integration of plan into other planning documents and how the county will maintain public participation and coordination; and
WHEREAS, the draft plan will be shared with the State of Minnesota and the Federal Emergency Management Agency (FEMA) for coordination of state and federal review and comment on the draft; and
WHEREAS, approval of the all hazard mitigation plan will make the county eligible to receive Hazard Mitigation Assistance grants as they become available; and
NOW THEREFORE, Be it resolved that Waseca County Emergency Management will enter into an agreement with the Division of Homeland Security and Emergency Management in the Minnesota Department of Public Safety for the program entitled Hazard Mitigation Assistance (HMA) for the update of the Waseca County Hazard Mitigation plan. Denise Wright, Waseca County Emergency Management Director, is hereby authorized to execute and sign such agreements and any amendments hereto as are necessary to implement the plan on behalf of Waseca County.

g. Resolution 2022-47 Establishing 2023 County Attorney Annual Salary

Melissa Sexton, Human Resources Director, gave an overview of establishing salaries for elected officials. The Labor Committee, Human Resources Director, and County Administrator met with Rachel V. Cornelius, County Attorney, to set an annual salary. It was recommended by the labor committee, based on the discussions held previously, to set the 2023 salary for the County Attorney at \$137,500.00. Commissioner Harguth moved and Commissioner Nelson seconded to adopt Resolution 2022-47 to set the 2023 County Attorney salary at the recommended \$137,500.00. Discussion was held regarding comparative wages used in determining the recommendation. Motion carried 4-1 by the following roll call: Christopherson – no, Harguth – yes, Nelson – yes, Malterer – yes, and Krause – yes.

**RESOLUTION #2022-47
 ESTABLISHING 2023 COUNTY ATTORNEY SALARY**

WHEREAS, the County Board of Commissioners has the duty and responsibility, by law, to establish by resolution the minimum and annual salaries to be paid to its elected officials; and
WHEREAS, the County Board of Commissioners has considered the position responsibilities and duties, the tenure and performance of the incumbents, and the market salaries for similar positions in similar counties;
WHEREAS, under Minn. Stat. § 388.18 Subd. 2., at the January meeting prior to the first date on which applicants may file for the office of county attorney, the Waseca County Board of Commissioners shall set by resolution the minimum salary to be paid the county attorney for the term next following.
NOW, THEREFORE, BE IT RESOLVED, that the minimum salary as set by the Waseca County Board of Commissioners for the elected position of County Attorney shall for the next term set at \$105,000.
BE IT RESOLVED that the 2023 salary as set by the Waseca County Board of Commissioners for the elected position of County Attorney shall be set at \$137,500.

h. Resolution 2022- 49 Establishing 2023 Wage Increases for Non-Union Employees

Melissa Sexton, Human Resources Director, provide the information for the general practice of setting the salaries for non-union employees, unclassified employees, appointed positions and department head to follow the wage adjustments outlined in the union contract. Commissioner Malterer moved and Commissioner Christopherson seconded to adopt Resolution 2022-49 Establishing Wage Increases for Non-Union Employees for 2023. Motion carried 5-0.

Resolution 2022-49
ESTABLISHING 2023 WAGE INCREASES FOR NON-UNION EMPLOYEES

WHEREAS, the Board established an intent to maintain a competitive compensation schedule for County employees within the County's Classification and Compensation system; and

WHEREAS, the compensation adjustments of non-union employees, unclassified employees, appointed positions and department heads for 2023 need to be established; and

WHEREAS, the Human Resource Director has recommended to the Waseca County Board of Commissioners that the potential salary adjustments of non-union employees, unclassified employees, appointed positions and department heads be increased as described below, except for specific exclusions as are on file in Human Resources.

NOW, THEREFORE, BE IT RESOLVED that effective January 1, 2023, non-union employees, unclassified employees, appointed positions and department heads shall be adjusted as follows: Eligible employees shall receive a 3.0% general wage adjustment within their salary grade, effective at the beginning of the first full pay period following January 1, 2023. Employees' wages will be adjusted by 2.0% within their salary grade, effective at the beginning of the first full pay period in July 2023. In no event may an employee move beyond the max pay of the pay grade; and

BE IT FURTHER RESOLVED that the 2022 Salary Ranges for the Waseca County Classification and Compensation Plan shall be adjusted by 3% effective January 1, 2023.

i. **Resolution 2022-48 Establishing 2023 Salary and Per Diems for Commissioners**

Melissa Sexton, Human Resources Director, introduced 2023 salaries for Commissioners. Michael Johnson, County Administrator, recommended an annual salary of \$34,000.00 with \$100.00 per day for per diems. Commissioner Nelson moved to set the 2023 salary for Commissioners at \$34,000.00, with a \$100.00 per day per diem. Motion died for lack of a second.

After further discussion, Commissioner Harguth moved and Commissioner Malterer seconded, to adopt Resolution 2022-48 setting the 2023 commissioner's salary at \$29,777.00 with per diem of \$95.00 per day and the Board Chair receiving an additional \$2,000.00. Motion carried 4-1 by the following roll call: Christopherson – no, Harguth – yes, Nelson – yes, Malterer – yes, and Krause yes. Commissioner Christopherson stated that he is choosing not to take the increase.

Resolution 2022-48
ESTABLISHING 2023 SALARY AND PER DIEMS FOR COMMISSIONERS

WHEREAS, Minnesota Statute 375.055, Subdivision 1, requires the County Board of Commissioners to set salaries and per diem payments for its members prior to January 1 of the effective year; and

WHEREAS, the County Board of Commissioners desires to set salaries and per diem payments for its members prior to January 1 of the effective year.

NOW, THEREFORE, BE IT RESOLVED that the salary rate for Waseca County Commissioners be up to a maximum of \$29,777.00 per year with the chair receiving an additional \$2,000.00, effective January 1, 2023.

BE IT FURTHER RESOLVED that the Waseca County Commissioner's 2023 per diem is set as follows: A county commissioner may collect one per diem of \$95.00 for each day spent in performing the official duties pertaining to county business as per resolution appointing commissioners to boards and committees. Regularly scheduled county board meetings are exempt from per diems. Per Diem reimbursement requests should be turned in for payment within six (6) months after the per diem was incurred and no later than January 31st of the following year.

6. Administration

- a. Administration Update
No report given.
- b. Human Resources Announcements
No report given.

7. Commissioner Reports

No reports given.

8. Adjourn

With there being no further county business, Commissioner Harguth moved and Commissioner Nelson seconded to adjourn the meeting at 6:28 p.m. Motion carried 5-0.

Brad Krause, Chairperson
Waseca County Board of Commissioners

ATTEST:

Tammy Spooner, Property and
Election Services Director