



WASECA COUNTY BOARD OF COMMISSIONERS

March 21, 2023 - 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, March 21, 2023 in the Commissioners' Room, 300 North State Street, Waseca, Minnesota. Members present were DeAnne Malterer, Doug Christopherson, Brian Harguth, and Brad Krause. Absent: Chair Blair Nelson

Other members present were Michael Johnson, County Administrator; Beth Weimert, Administrative Coordinator; Maame Yorke, Senior Land Use Planner; Tammy Spooner, Property and Election Services Director; Melissa Sexton, Human Resources Director; Brian Zabel, Land Use Planner; Chris Howard, Ditch Management Coordinator; Chris Dieker, IT, Brian Tomford, Building and Grounds Director; Leah Cameron, PH Business Manager; Sheriff Jay Dulas; Rusty Hardeman, Assistant County Attorney

Tristan Jensen, Waseca County Pioneer; John Donahue; Greg Jewison; and Robert Pearce

1. Call to Order and Pledge of Allegiance

In the absence of Chair Nelson, Vice Chair Harguth called the meeting to order at 9:30 a.m. A roll call was taken and the Pledge of Allegiance was recited.

Public Comment

John Donahue, Janesville resident, asked if it would be possible to provide data for yearly legal fees that are outsourced versus the cost of hiring a civil attorney for land management. Donahue also discussed the bridge northeast of Janesville and noted that Borneke Construction lost the bid on this project by approximately \$150.00. Donahue referenced state statute 16C.28 Contracts; Award and he reviewed 9 criteria and asked commissioners to consider best value when considering bids in the future.

2. Approval of Agenda

Motion to approve the Waseca County Board of Commissioners agenda as presented by Commissioner Krause, seconded by Commissioner Malterer. Motion carried 4-0.

3. Consent Agenda

Motion to approve the consent agenda as presented by Commissioner Christopherson, seconded by Commissioner Krause. Motion carried 4-0.

a. Approval of Bills

A.H. HERMEL COMPANY	248.69
ADVANCED CORRECTIONAL HEALTHCARE INC	3,735.84
AMAZON CAPITAL SERVICES	4,222.11
AMBER LEWER	87.86
ANCOM COMMUNICATIONS INC	650.00
APG MEDIA OF SOUTHERN MN LLC	388.26
ASSOC OF MN COUNTIES	2,100.00
BAKER TILLY LLP	2,123.00
BAKER TILLY VANTAGEN LLC	5,096.60
BLAIR NELSON	235.80
BOCK'S SERVICE INC	186.90
BRITTON PLUMBING & HEATING LLC	876.32
BRUCE W NESS	495.00
BUDACH IMPLEMENT INC	41.40
CDW GOVERNMENT INC	1,466.35
CHRISTENSEN TIRE & AUTO REPAIR	4,042.54
CITY OF WASECA FINANCE DEPARTMENT	11,185.90
COLE PAPERS INC	1,511.44

COLE'S ELECTRIC INC	1,256.42
COMMUNITY COMPLIANCE MONITORING	168.00
CURT KEYES	80.00
DELL MARKETING L.P.	65.38
DENNISON TECHNOLOGY GROUP	1,636.32
DOUGLAS CHRISTOPHERSON	87.77
DUANE RATHMANN	81.31
EINHAUS, MATTISON, CARVER & HABERMAN, PA	390.00
FAUL PSYCHOLOGICAL	3,250.00
FIRST NATIONAL BANK	1,923.73
FIRST NATIONAL BANK 4135	32.29
FIRST NATIONAL BANK 9655	582.62
FIRST NATIONAL BANK 3975	1,457.50
FIRST NATIONAL BANK OMAHA 7265	3.50
FIRST NATIONAL BANK 4208	28.59
FIRST NATIONAL BANK 9593	435.00
FIRST NATIONAL BANK OF OMAHA	182.12
FIRST NATIONAL BANK OF OMAHA 0237	51.07
FIRST NATIONAL BANK OF OMAHA 0792	366.71
FIRST NATIONAL BANK OF OMAHA 1344	1,932.46
FIRST NATIONAL BANK OF OMAHA 2967	37.34
FIRST NATIONAL BANK OF OMAHA 3849	990.00
FIRST NATIONAL BANK OHAMA 3678	2,529.30
FIRST NATIONAL BANK OMAHA 4669	11.97
FIRST NATIONAL BANK OMAHA 7462	46.98
FIRST NATIONAL BANK OMAHA 9296	119.88
FIRST NATIONAL BANK OMAHA 0710	385.00
FIRST NATIONAL BANK OMAHA 1325	558.10
FIRST NATIONAL BANK OMAHA 1745	585.00
FIRST NATIONAL BANK OMAHA 2173	443.29
FIRST NATIONAL BANK OMAHA 2905	61.27
FIRST NATIONAL BANK OMAHA 3979	34.35
FIRST NATIONAL BANK OMAHA 4316	37.45
FIRST NATIONAL BANK OMAHA 5295	29.00
FIRST NATIONAL BANK OMAHA 5640	1,526.00
FIRST NATIONAL BANK OMAHA 6667	655.77
FIRST NATIONAL BANK OMAHA 6742	7.28
FIRST NATIONAL BANK OMAHA 6755	444.00
FIRST NATIONAL BANK OMAHA 7236	338.62
FIRST NATIONAL BANK OMAHA 7801	904.57
GARCIA CLINICAL LABORATORY	23.00
GMS INDUSTRIAL SUPPLY INC	220.12
GREG HUBER	36.68
HAWK ALARM SYSTEMS INC	486.00
HHWG, INC	390.00

HOME SWEET HOME HARDWARE LLC	37.99
HY-VEE OWATONNA	405.69
ICON ENTERPRISES, INC.	4,806.90
INNOVATIVE OFFICE SOLUTIONS LLC	5,221.48
J SCOTT BRADEN LAW OFFICE	146.50
JETTER CLEAN INC	347.50
JONES HAUGH & SMITH	5,895.00
JULIE TESCH	80.00
KARI GEHRING	12.94
KENDALL LANGSETH	1,149.11
KIM KROEGER-BABCOCK	91.79
LAKETOWN ELECTRIC CORPORATION	961.41
LAMPERT LUMBER	39.10
LENOVO (UNITED STATES(INC	3,640.00
LEON SCHOENROCK	98.34
MARK BEHREND	2,418.35
MARK SOMMERS	92.18
MARVIN PEARSON	96.77
MATHESON	47.00
MATTEA DANN	31.64
MESSICK LAW PLLC	930.00
MIDWEST MONITORING & SURVEILLANCE	13,857.18
MJB HANSEN FAMILY LP	1,451.96
MN CRIME PREVENTION ASSOCIATION	50.00
M-R SIGN COMPANY INC	4,729.80
NAPA AUTO PARTS MPEC	2,475.69
NORTH CENTRAL INTERNATIONAL INC	745.20
NUSS TRUCK GROUP INC	4,772.76
OFFICE OF MNIT SERVICES	1,338.65
OLMSTED CO	100.00
OLMSTED COUNTY	1,740.00
PEMBERTON LAW PLLP	1,023.50
PENMAC STAFFING SERVICES INC	657.87
POWERPLAN INC	3,251.98
PUBLIC SAFETY EQUIPMENT LLC	583.00
PUMP AND METER SERVICE INC	835.50
QC SUPPLY	165.30
RAMSEY COUNTY	1,575.50
RECOVERY TREK LLC	135.00
RICHARD POSSIN	99.00
RICKWAY, INC	1,599.99
RIVER BEND BUSINESS PRODUCTS	367.56
RIVER VALLEY FORENSIC SERVICES PA	250.00
ROBERT HANSEN	255.36
ROBERT VOGELSANG	104.24

RODNEY BORN	83.28
RUSSELL J FREDERICK	84.06
SIGN SOLUTIONS USA	10,319.98
SOFTWARE.HARDWARE.INTEGRATION	22,290.00
SOUTHERN MINNESOTA INSPECTION CO LLC	1,115.30
SOUTHSIDE MARINE INC	14,266.12
STEPHANIE ROEMHILDT	168.78
STREAMLINE COMMUNICATIONS LLC	11,877.00
TEE JAY NORTH	294.00
THE SHOP LLC	593.05
THOMSON REUTERS	525.89
TODD P CHRISTIANSON PROFESSIONAL CORP	1,031.00
WASECA COMMUNITY EDUCATION	20.00
WASECA GLASS INC	853.00
WASECA HARDWARE LLC	667.91
WASECA, CITY OF	39,482.83
ZAHL EQUIPMENT SERVICE INC	187.50
ZIEGLER INC	2,469.58

b. 2022 County Feedlot Officer Report

c. Request for Out of State Travel - Melissa Sexton

Approval of out-of-state travel for Melissa Sexton to San Antonio, Texas on May 7-10, 2023 for Tyler Training.

d. Partial Release of Exclusive Agricultural Use Zone Restrictive Covenants

Todd D. & Denise L. Joecks PID 03.007.0510, acres removed from ag covenant 15.16, acres remaining in ag covenant 299.64

Dale R. Joecks Trust & Judith K. Joecks 03.006.0320 acres removed from ag covenant 15.69 acres remaining in ag covenant 146.07

4. Action Items

a. Public Hearing - Fee Changes

Vice Chair Harguth opened the public hearing at 9:35 a.m for the fee schedule changes. There was no public comment. Motion to close the public hearing at 9:36 a.m. by Commissioner Christoperson, seconded by Commissioner Krause. Motion carried 4-0.

Motion to adjust the fee schedule as requested by Commissioner Malterer, seconded by Commissioner Krause. Motion carried 4-0.

Public Health Fees	Current Fee
Commode bucket	\$7.00
Commode Splash Guard	\$7.00
Education - CarSeat (Free for Medicaid, MHCP Programs)	\$120.00
Education - Infant Safe Sleep (Free for Medicaid, MHCP Programs)	\$120.00
Education - Lactation Consultation (Free for Medicaid, MHCP Programs)	\$120.00
Equipment Rental - General	\$5/month (sliding scale available)
Equipment Rental (knee scooter)	\$10/month (sliding scale available)
Equipment Rental (wheelchair)	\$5/day up to \$25 (sliding scale available)
Flu Vaccine Administration	\$20.00
Flu Vaccine - FluZone High Dose	\$69.94
Flu Vaccine - FluBlok Quadrivalent	\$69.94

Flu Vaccine - FluZone Single Dose	\$21.52
Health Promotion - Blood Pressure Screenings	\$0.00
Health Promotion - Ear / Hearing Assessment	\$0.00
Health Promotion - Vision Assessment	\$0.00
Health Promotion - Head Lice / Rash Check	\$0.00
Health Promotion - Pregnancy Testing	\$0.00
Interpreter / .25 Hour	\$15.00
Mantoux Test (No charge if part of TB contact investigation)	\$35.00
Mother's Tent Rental	\$35.00
Public Health Home Nurse Visit	\$200.00
Public Health Nurse Clinic	\$50.00
Screenings (Depression, ASQ)	\$25.00
Vaccine Administration fee for vaccines through Minnesota Vaccines for Children and UUA Program	\$20.00 (sliding scale available)
Vaccine Administration	\$20.00
Vaccine - Hepatitis B	\$45.00
Vaccine - Tetanus	\$35.00

b. Resolution 2023-10 Personnel Policies

Melissa Sexton, Human Resources Director, discussed the changes to the holiday schedule, noting the addition of Juneteenth. Sexton also notes that the Identification and Facility Access Policy has been updated with the assistance of Brian Tomford, Building and Grounds Director. Sexton discussed the Acceptable Use of Technology Resources due to the issue of cybersecurity. Motion to approve Resolution 2023-10 Personnel Policies by Commissioner Malterer, seconded by Commissioner Christopherson. Motion carried 4-0.

RESOLUTION 2023-10

WHEREAS, the Waseca County Board of Commissioners has authority to establish and revise county personnel policies; and **WHEREAS**, the I.T. Director recommends the revised *Acceptable Use of Technology Resources Policy* and has been reviewed in consultation with the Labor Committee, Labor Attorney; and

WHEREAS, the Facilities Director recommends the revised *County Vehicle Policy* and *Identification and Facility Access Policy*, and both have been reviewed in consultation with the Labor Committee, Labor Attorney; and

WHEREAS, the County Human Resources Director recommends the adoption of updated policies 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 the following personnel policies effective March 22, 2023:

Section: Personnel Policies

#4000 Holidays

Section: County property & technology policies

#6000 Identification and Facility Access

#6001 County Vehicle Policy

#6002 Acceptable Use of Technology Resources

c. Microsoft M365 3 year maintenance - Year 1 of 3

Chris Dieker, IT, discussed the Microsoft M365, three (3) year maintenance agreement. Commissioner Malterer asked for assistance with educating Commissioners as the software gets rolled out. Motion to approve the three (3) year agreement for Microsoft M365 maintenance at a cost of \$56,075.00 per year by Commissioner Christopherson, seconded by Commissioner Krause. Motion carried 4-0.

d. Riparian Fund Recommendation

Chris Howard, Ditch Management Coordinator, discussed Riparian Fund recommendations from Land and Water Resources. Those recommendations included a list of recommended spending of funds from the Riparian Fund to purchase equipment and tools to aid in the establishment, repair and maintenance of Ch.103E buffer strips. Motion to approve the recommended spending of funds not to exceed \$164,000.00 as presented by Commissioner Krause, seconded by Commissioner Malterer. Motion carried 4-0.

Asset	Grant Amount	Purchase Price
Cat 259 D3		84,216.57
Towmaster T20 Trailer		22,000.00
Virrig Grapple Bucket		8,099.50
Eterra Sickle Mower	5,000.00	6,600.00

Herd Grass Seeder	1,200.00
CMP Hyd Disc Harrow	9,622.00
Chain Saw& Acc	1,500.00
Trimble Ag GPS Unit	2,600.00
Fuel Barrel/tool Box	1,950.00
Chains/Binders/Straps	850.00
Repairs & Rentals	20,000.00
Spray Equipment	5,000.00
	163,638.07

e. Conditional Use Permit (CUP) Request for a Kennel – Seth D. & Nicole A. Hollerman

Maame Yorke, Senior Land Use Planner, discussed the Conditional Use Permit request for a Kennel for Seth D. and Nicole A Hollerman. The planning commission requested 11 conditions to be placed on the applicant's Conditional Use Permit.

Motion to approve the Criteria for approval and the Findings of Fact by Commissioner Krause, seconded by Commissioner Malterer. Motion carried 4-0.

Motion to approve the Conditional Use Permit with the recommended conditions in substantially the form as appended to the report by Commissioner Malterer, seconded by Commissioner Christopherson. Motion carried 4-0.

f. Conditional Use Permit (CUP) Request for a Recreational Camping Area – NNL Properties LLC

Maame Yorke, Senior Land Use Planner, also discussed the Conditional Use Planner for a Recreational Camping Area in Section 4 of AltonTownship. There were a total of 8 conditions to be placed on the applicant's conditional use permit.

Motion to approve the Criteria for approval and the Findings of Fact by Commissioner Christopherson, seconded by Commissioner Krause. Motion carried 4-0.

Motion to approve the Conditional Use Permit with conditions as appended to the report by Commissioner Malterer, seconded by Commissioner Krause. Motion carried 4-0.

g. Authorization for Advertisement of Sale of County Owned Land

Michael Johnson, County Administrator, discussed the authorization for an advertisement for sale of county-owned land seeking approval to proceed with advertising the sale of PID 06.029.1600 Smith's Mill Park.

This is a continuation on previous discussions with the County Board on February 21, 2023. Waseca County staff consulted Rupp, Anderson, Squires, Waldspurger & Mace, P.A on the legal implications of selling County-owned properties and requested a directive on how the County should proceed in the future on similar sales of real estate. Zachary J. Cronen from Rupp, Anderson, Squires, Waldspurger & Mace, P.A provided two alternative approaches for the sale of County fee-owned land as stipulated in Minnesota Statutes Section 373.01 subd.1(f). Discussions were held on the County's options.

Smith's Mill Park, located in Section 29 of Janesville Township (PID 06.029.1600) and subsequently authorizes staff to communicate with landowners abutting these properties.

Motion to authorize Waseca County Staff to communicate with landowners abutting Smith's Mill Park (located in Section 29 of Janesville Township (PID 06.029.1600)), with the restriction that the property stays in its natural state and no agricultural practice is done, for a sale price of \$57,100.00 by Commissioner Christopherson, seconded by Krause. Motion carried 4-0.
Note: A Resolution authorizing the sale of County Owned parcels will need to be passed by the County Board of Commissioners prior to any sale of these parcels.

The Board recessed at 11:05 a.m.

The Board reconvened at 11:10 a.m.

5. Administration

a. Administration Update

Michael Johnson, County Administrator, provided administrative updates to the Waseca County Board of Commissioners.

b. Human Resources Announcements

Melissa Sexton, Human Resources Director, provided updates to the board regarding recent Human Resource

announcements.

6. Commissioner Reports

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

A motion by Commissioner Malterer, seconded by Commissioner Christopherson to move into closed session at 11:43 a.m. per Minn. Stat. §13D.5 subd. 3(a).

7. Closed Session - Performance Evaluation of Michael Johnson, pursuant to M.S.13D.05, sub.3(a)

Present during the closed session were Commissioners Harguth (acting chair), Nelson (via online platform), Christopherson, Krause, and Malterer; Michael Johnson, County Administrator.

The closed session ended at 12:46 p.m and the regular session resumed. Motion by Commissioner Christopherson to follow the strategy as discussed in the closed session, seconded by Commissioner Krause. Motion carried 5-0.

8. Adjourn

Having no further county board business, Commissioner Christopherson moved and Commissioner Krause seconded the motion to adjourn the meeting. The motion was carried unanimously and the meeting adjourned at 12:46 p.m.

Blair Nelson, Chairperson
Waseca County Board of Commissioners

ATTEST:

Beth Weimert, Clerk
Waseca County Administration