



WASECA COUNTY BOARD OF COMMISSIONERS

July 5, 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, July 5, 2023 in the Commissioners' Room, 300 North State Street, Waseca, Minnesota. Members present were Chair Brian Haguth, DeAnne Malterer, Doug Christopherson, and Brad Krause.

Other members present were Michael Johnson, County Administrator; Beth Weimert, Administrative Coordinator; Jim Kollar, County Engineer/Public Works Director; Sheriff Jay Dulas; Rachel Cornelius, County Attorney; Doug Gerdtz, Chief Deputy; Judy Hiller, IT Director; Travis Swanberg, GIS Coordinator; Maame Yorke, Senior Land Use Planner; Erin Heitkamp, Sheriff's Office Intern

Others present include Brad Milbrath; Deb Bentley, Waseca County Pioneer; Bob Pearce; Steve Herman Netwave; Steven Tate, Jill Boundas and Kent Wilkening, Next Generation 911; Steve Kraus.

1. Call to Order and Pledge of Allegiance

Chair Harguth called the meeting to order at 9:31 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 as presented by Commissioner Krause, seconded by Commissioner Christopherson. Motion carried 4-0.

3. Approval of County Board Minutes

Motion to approve June 6, 2023 work session meeting minutes, June 6, 2023 regular meeting minutes, June 20, 2023 work session meeting minutes, June 20, 2023 regular meeting minutes, and June 20, 2023 Board of Appeal and Equalization meeting minutes with three corrections to spelling of names, by Commissioner Christopherson, seconded by Commissioner Malterer. Motion carried 4-0. Corrections to the spelling of names on the Board of Appeal minutes were made and posted online prior to today's meeting.

- a. Waseca County Board of Commissioner Work Session Minutes June 6, 2023
- b. Waseca County Board of Commissioners Meeting Minutes June 6, 2023
- c. Waseca County Board of Commissioner Work Session Minutes June 20, 2023
- d. Waseca County Board of Commissioner Meeting Minutes June 20, 2023
- e. Waseca County Board Of Appeal and Equalization Minutes June 20, 2023

4. Consent Agenda

Motion to approve the consent agenda with the removal of the extra map on item E by Commissioner Malterer, seconded by Commissioner Christopherson. Motion carried 4-0.

a. Approval of Bills

The following bills were audited and allowed:

A.H. HERMEL COMPANY	190.45
ADVANCED CORRECTIONAL HEALTHCARE INC	300.00
AMAZON CAPITAL SERVICES	393.62

ANCOM COMMUNICATIONS INC	1,420.00
APG MEDIA OF SOUTHERN MN LLC	1,295.00
ASPEN MILLS	593.04
ASSOC OF MN COUNTIES	129.00
BLUE EARTH CO	24,328.00
BOLTON & MENK INC	178.00
BOMGAARS SUPPLY	120.32
BOMGAARS SUPPLY	32.95
BOMGAARS SUPPLY	149.99
BOMGAARS SUPPLY	119.46
BRIAN SCHANIL	132.40
BRITTON PLUMBING & HEATING LLC	3,234.00
CAPITAL ONE	25.11
CDW GOVERNMENT INC	35,106.07
COLE PAPERS INC	1,199.57
COMMUNITY COMPLIANCE MONITORING	400.00
DEML FORD INC	174.90
DENNIS-STEFFEL-OMTVEDT FUNERAL & CREMATION SERVICE	620.00
DOUGLAS FREY KILGORE II	600.00
EINHAUS, MATTISON, CARVER & HABERMAN, PA	310.00
EJL PUBLICATIONS	375.00
EMERGENCY AUTOMOTIVE TECHNOLOGIES, INC	23,161.62
FERNBROOK FAMILY CENTER INC	225.00
FLOORCOAT MIDWEST LLC	4,441.00
GUTTER PROS LLC	9,444.00
HOUCK MOTORCOACH ADVERTISING	300.00
INNOVATIVE OFFICE SOLUTIONS LLC	67.92
INNOVATIVE OFFICE SOLUTIONS LLC	1,371.65
INTRADO LIFE & SAFETY SOLUTIONS CORP	28,042.44
JAVENS MECHANICAL CONTRACTING CO INC	110.00
JOHN DEERE FINANCIAL	5,104.32
KENDELL INTERMEDIATE CORPORATION	376.00
LARKSTUR ENGINEERING & SUPPLY INC	680.55
LIBERTY TIRE SERVICES LLC	23,795.33
LIME VALLEY ADVERTISING INC	31,821.25
MANKATO LEGAL GROUP	50.00
MCA (MN CORRECTIONS ASSOC)	325.00
MENARDS-MANKATO	841.38
MESSICK LAW PLLC	240.00
MID-NET SOLUTIONS	108.00
MIDWEST MONITORING & SURVEILLANCE	22,848.55
MJB HANSEN FAMILY LP	1,616.78
MN STATE BAR ASSOC	223.00
NATIONAL ASSOCIATION OF COUNTY VETERANS SERVICE	350.00
NUTRIEN AG SOLUTIONS INC.	3,620.92

OLMSTED COUNTY	360.00
RICHARD MORRIS	1,193.50
RICKWAY, INC	1,089.01
RIVER BEND BUSINESS PRODUCTS	432.87
RONALD J ANDERLY	1,500.00
RS EDEN	16.30
SCHILLING SUPPLY COMPANY	1,866.71
SF ENTERPRISES LLC	14,104.00
STERICYCLE INC	47.25
STREICHERS	716.99
SWANSTON EQUIPMENT CORP	172.44
TECTA AMERICA CORPORATION	536.00
TESCH SERVICE CENTER INC	35.00
TRANE US INC	3,991.00
TRUCK CENTER COMPANIES	28.16
W.D. LARSON COMPANIES	374.60
WASECA CO PIONEER	240.00
WASECA COUNTY NEWS (SUBSCRIPTION)	76.75
WILLIAMS FARMS	1,662.20

b. Sale of Smiths Mill Park

c. First Half 2023 Appropriation

New Richland Ambulance	01.282.6910	\$2,500.00
Historical Society	01.501.6911	\$35,000.00
Southern MN Tourism Assoc.	01.501.6913	\$478.50
Minn. Agricultural Interpretive Center – Farm America	01.501.6914	\$7,500.00
Tourism Advisory Committee*	01.501.6919	\$1,500.00
Waseca Art Council	01.501.6923	\$6,000.00
Senior Citizens	01.501.6925	\$2,500.00
Minnesota Valley Action Council	01.501.6926	\$4,500.00
Open Door Health Center	01.501.6927	\$250.00
Neighborhood Service Center	01.501.6928	\$5,000.00
Cannon River Watershed Partnership	01.601.6916	\$250.00
Soil & Water Conservation District	01.601.6917	\$52,837.50
Agricultural Society	01.601.6918	\$23,887.50
Small Business Development Center	01.701.6909	\$1,000.00
Southern MN Initiative Foundation	01.701.6925	\$2,650.00

d. Payment Schedule for the First Half 2023 Taxes – Residential Tax Abatement

Brent and Julianna Brass 17.535.0500 / \$272.00
 Royer/Grunwald (sold home)
 Frank Wenzel 17.451.0010 / \$466.00
 Joe and Kristi Nelson 17.535.0480 / \$224.00
 Thomas and Jean Glaser 17.711.0200 / \$409.50

Gerald and Kristi Fennert 17.712.0110 / \$264.50
 James and Mary Jo Boerboom 17.528.0340 / \$266.50
 Charles and Linda Cone 17.709.0030 / \$470.00
 Eric and Melanie Tedars 17.712.0120 / \$304.00
 Alan and Barbara Wilker 17.328.0050 / \$224.50
 Alan and Cathy Breitbarth 17.535.0630 / \$192.00
 Todd and Kathy Donahue 17.712.1900 / \$409.50
 Larry and Luanne Huber 17.535.0290 / \$357.00
 Jeramie and Julie Kelly 17.535.0400 / \$446.50
 Edward and Barbara Roesler 17.520.0100 / \$381.50
 Richard and Deborah Perreault 17.535.0490 / \$361.50
 Jonathan and Lyric Butler 12.004.0600 / \$593.50
 Scott Kramer 12.402.0010 / \$337.50
 Joshua and Megan Lynch 12.428.0140 / \$632.50
 Approved by the County Board on: Total \$6,612.50

e. Partial Release of Exclusive Agricultural Use Zone Restrictive Covenants

Owner	PID	Acres Removed (from Ag Covenant)	Acres Remaining (in Ag Covenant)
Randall O & Mary E Lewer	07.009.0110	5	-
Daniel R Lewer	07.009.0120	11.20	-

5. Action Items

a. Donations for Sheriff's Office

Motion to adopt Resolution #2023-22 Donations for Sheriff's Office by Commissioner Malterer, Commissioner Krause.
 Motion carried 4-0.

Resolution 2023-22

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; an

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:

<u>Name of Donor</u>	<u>Donation</u>	<u>Donation Purpose</u>
Gordon Christensen	\$20	Donation
Lyle Kuhns	\$100	Donation
Marty R Johnson	\$67	Donation For Police Week
Kelm's BBQ LLC	\$100	Donation For Police Week
All American Gyros	\$200	Donation For Police Week

b. Next Generation 911 Presentation to Board

Judy Hiller, IT Director, introduced Steven Tate, Jill Boundas and Kent Wilkening who presented to discuss ECN (Emergency Communications Network) and presented the effects on each agency with Next Generation 911 migration. Texting for emergency services, providing better community access, being able to access photos and videos and improving call processing and making it more reliable were discussed. The current network is not as accurate at NG 911.

c. Presentation from NetWave Broadband - CEO, Steve Herman

Steve Herman, NetWave Broadband CEO, presented to the Waseca County Board of Commissioners current and future County plans. Discussions on the project completion of the fiber tower technology southwest of the City of Janesville and future opportunities was discussed.

d. Public Hearing to consider Residential Tax Abatement for Gerald and Susan Schoenfeld

Chair Harguth opened the public hearing at 10:35 a.m. to consider adoption of Resolution No 2023-21 and the Abatement Agreement for Gerald and Susann Schoenfeld in substantially the form as provided.

Being no public comment, Commissioner Krause moved to close the public hearing and seconded Commissioner Christopherson. Motion carried 4-0.

Motion to adopt Resolution 2023-21 and approve the Abatement Agreement in substantially the form as provided by

Commissioner Malterer, seconded by Commissioner Christopherson. Motion carried 4-0.

e. Contract 812301 Acceptance and Final Payment

Jim Kollar, Public Works Director/County Engineer discussed contract 812301 noting Floorcoat Midwest, LLC has completed the rehabilitation of a 96" reinforced concrete pipe carrying CD-31 under CSAH No. 14, west of Janesville. The major items of work were to repair 24 joints, install pipe ties, and inject expansive chemical grout into the voids surrounding the pipe. All work was completed in accordance with the project specifications. The value of the work certified by the Engineer is \$88,820.00; 82.75% of the original contract amount of \$107,340.00. The under-run in the contract amount is directly attributable to the need for less chemical grout than provided for in the estimated quantities. Final payment in the amount of \$4,441.00 is due to Floorcoat Midwest, LLC. Motion to accept the project and authorize final payment to Floorcoat Midwest, LLC in the amount of \$4,441.00 by Commissioner Krause, seconded by Commissioner Malterer. Motion carried 4-0.

f. Contract No. 812311: Solid Waste & Recycling Driveway & Parking Lot Improvements

Kollar also discussed the project to widen the main driveway and resurface the bituminous parking lot at the Solid Waste and Recycling Center is programmed for 2023. The driveway is currently too narrow to safely accommodate two-way traffic, especially when truck & trailer combinations meet. In addition, the bituminous pavement has deteriorated as a result of traffic loading. Construction plans and project documents have been prepared and quotes directly solicited from area contractors. Major work items include removal of the existing deteriorated pavement, minor grading to widen the driveway and parking area, replacement of culverts, bituminous paving, and turf restoration.

Quotes were solicited from five (5) asphalt paving contractors and were due on Friday, June 30, 2023 at 10:00 am. Two quotes were received. WW Blacktopping, Inc. is the apparent low bidder with a bid amount of \$111,435.50, approximately 9.5% under the engineer's estimate of \$123,074.00. If awarded, monies from the Solid Waste (Fund 19) Investment Fund are intended to be used for the project. Motion to approve Contract No. 812311 Solid Waste and Recycling Driveway and Parking Lot Improvement to the low abider WW Blacktopping, Inc. in the amount of \$111,435.50 by Commissioner Christopherson, seconded by Commissioner Krause. Motion carried 4-0.

g. Schedule Public Hearing for July 18 to Consider Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Growth and Sale of Recreational Cannabis Products Until January 1, 2025.

Michael Johnson, County Administrator, discussed scheduling a public hearing for July 18 at 9:30 a.m. to consider an interim ordinance authorizing a study and imposing a moratorium on the growth and sale of recreational cannabis products until July 1, 2025. Motion to approve a public hearing for July 18, 2023 at 9:30 a.m. interim ordinance authorizing a study and imposing a moratorium on the growth and sale of recreational cannabis products until July 1, 2025 by Commissioner Christopherson, seconded by Commissioner Malterer. Motion carried 4-0.

h. Schedule Public Hearing for July 18 on the establishment of a Local Housing Trust Fund

Johnson, County Administrator, asked for another public hearing to be scheduled on July 18, 2023 at 9:30 a.m. Motion to schedule a public hearing for July 18, 2023 on the establishment of a Local House Trust Fund by Commissioner Krause, seconded by Commissioner Malterer. Motion carried 4-0.

i. Agreement of Fairgrounds Tower Space Rental with Radio Link Internet

Motion to approve the agreement of Fairgrounds Tower Space Use of Space and Services Provided between Waseca County and Radio Link Internet by Commissioner Malterer, seconded by Commissioner Krause. Motion carried 4-0.

j. Amendment to Bond Declaration for the Waseca Co. Landfill

Johnson noted the Waseca Co. Landfill is in the Minnesota Pollution Control Agency's Closed Landfill Program. That means the state is responsible for the long-term care of the landfill, which began in 1996. MPCA constructed a new cover for the landfill back in 2004 using state general obligation bonds. Because these bonds were used, state law required us to file a bond declaration on the property (the parcels) where the bonds were spent (see attached declaration). That was done in 2011. However, a recent review of that bond declaration by the State revealed that a parcel of land was not included in that declaration, but should have been. Attached is an amendment to that bond declaration that corrects the land affected by the use of the bonds (the New Legal Description in the amendment adds the additional parcel).

The State is requesting that the County review and approve the amendment and sign and notarize it, then mail the original to the MPCA. Because it will be recorded, all signatures will need to be in wet ink. Once MPCA signs it, County staff will arrange for it to be recorded. The County Attorney's Office has reviewed and approved this amendment. Motion to approve the amendment to a bond declaration for the Waseca Co. Landfill by Commissioner Krause, seconded by Commissioner Christopherson. Motion carried 4-0.

6. Administration

a. **Administration Update**

Johnson asked Commissioners to add a budget work session for July 11, 2023 at 8:30 a.m.

b. **Human Resources Announcements**

Nothing to report.

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 Krause moved and Commissioner Christopherson seconded the motion to adjourn the meeting. The motion was carried unanimously and the meeting adjourned at 11:16 a.m.

Brian Harguth, Chairperson
Waseca County Board of Commissioners

ATTEST:

Beth Weimert, Clerk
Waseca County Administration