



WASECA COUNTY BOARD OF COMMISSIONERS

July 18, 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 18, 2023 in the Commissioners' Room, 300 North State Street, Waseca, Minnesota. Members present were Chair Brian Harguth, DeAnne Malterer, Doug Christopherson, Brian Harguth, and Brad Krause.

Other members present were Michael Johnson, County Administrator; Beth Weimert, Administrative Coordinator; Tammy Spooner, Property and Election Services Director; Jim Kollar, County Engineer/Public Works Director; Sheriff Jay Dulas; Tara Reich, MNPrairie

Others present were Barb Kaus, Mankato Area United Way; Elizabeth Harstad, Mankato Area United Way; Brad Milbrath; Amelia Roesler, Waseca County Pioneer; Eric Hudspeth, Waseca Schools Superintendent

1. Call to Order and Pledge of Allegiance

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

There was no public comment.

2. Approval of Agenda

Motion to approve the Waseca County Board of Commissioners agenda by Commissioner Malterer, seconded by Commissioner Krause. Motion carried 3-0.

3. Consent Agenda

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

a. Approval of Bills

The following bills were audited and allowed:

ADVANCED CORRECTIONAL HEALTHCARE INC	3,525.45
ALLINA HEALTH SYSTEM	1,400.00
AMAZON CAPITAL SERVICES	426.74
APG MEDIA OF SOUTHERN MN LLC	84.35
BAKER TILLY LLP	4,046.00
BLOOMING PRAIRIE FARM RADIO, INC	450.00
BOSS SUPPLY OF JANESVILLE INC	153.00
BRIAN HARGUTH	181.16
BRUCE W NESS	302.50
CALEB FRANCIS LANGESLAG	385.69
CAPITAL ONE	167.86
CARVER COUNTY	1,430.00
CEMSTONE CONCRETE MATERIALS	4,120.50
CHERYL CLEVINGER	11.29
CHRISTENSEN TIRE & AUTO REPAIR	1,627.08
CHRISTOPHER LLOYD OSTERLOH	91.14
CITY OF WASECA FINANCE DEPARTMENT	13,362.99
CRYSTEEL TRUCK EQUIPMENT	940.00
DEANNE MALTERER	150.85
DEJA WEBER	175.91

DEML FORD INC	644.66
DON LOKEN EXCAVATING INC	4,203.94
DONAHUE ELECTRIC LLC	4,613.03
FIRST HOSPITAL LABORATORIES INC	61.16
FIRST NATIONAL BANK	1,702.11
FIRST NATIONAL BANK 4135	71.49
FIRST NATIONAL BANK 9655	394.73
FIRST NATIONAL BANK 3975	23.45
FIRST NATIONAL BANK OMAHA 7265	29.49
FIRST NATIONAL BANK 5529	866.13
FIRST NATIONAL BANK OF OMAHA	110.00
FIRST NATIONAL BANK OF OMAHA	246.93
FIRST NATIONAL BANK OF OMAHA	21.50
FIRST NATIONAL BANK OF OMAHA 0237	25.54
FIRST NATIONAL BANK OF OMAHA 0792	2,432.55
FIRST NATIONAL BANK OF OMAHA 1344	1,120.47
FIRST NATIONAL BANK OF OMAHA 3849	1,337.28
FIRST NATIONAL BANK OMAHA 4669	1,396.00
FIRST NATIONAL BANK OMAHA 7462	1,215.46
FIRST NATIONAL BANK OMAHA 2000	47.99
FIRST NATIONAL BANK OMAHA 9296	661.42
FIRST NATIONAL BANK OMAHA 0710	3,056.00
FIRST NATIONAL BANK OMAHA 2173	1,026.99
FIRST NATIONAL BANK OMAHA 2905	628.64
FIRST NATIONAL BANK OMAHA 3744	313.16
FIRST NATIONAL BANK OMAHA 4404	44.61
FIRST NATIONAL BANK OMAHA 5640	661.00
FIRST NATIONAL BANK OMAHA 6742	50.08
FIRST NATIONAL BANK OMAHA 6755	868.83
FIRST NATIONAL BANK OMAHA 8264	492.00
FLEET PRIDE	653.57
GARCIA CLINICAL LABORATORY	46.00
GMS INDUSTRIAL SUPPLY INC	517.06
GOPHER STATE ONE CALL	22.95
GREAT KIDS	185.00
GREG HUBER	39.96
HEALTHY SMILES INC	1,628.60
HODGMAN DRAINAGE COMPANY INC	1,447.00
HOME SWEET HOME HARDWARE LLC	67.96
INNOVATIVE OFFICE SOLUTIONS LLC	197.12
INTERNET CONNECTIONS	250.00
J SCOTT BRADEN LAW OFFICE	1,672.00
JANESVILLE TILE SUPPLY	744.39
JETTER CLEAN INC	400.00
JIM KOLLAR	52.01

L & L STREET ROD & SPORTS TRUCK	640.00
L&D AG SERVICE, INC	337.67
L&M BOILER SYSTEMS INC	840.20
LESUEUR CO SHERIFF-CIVIL DIVISION	1,207.50
LIBERTY TIRE SERVICES LLC	5,149.69
MANKATO LEGAL GROUP	20.00
MANKE'S OUTDOOR EQUIPMENT	899.00
MATHESON	155.21
MATTEA DANN	34.06
MAYO CLINIC ST LOUIS MO	100.00
MEI TOTAL ELEVATOR SOLUTIONS	470.15
MIDWEST MOTOR SUPPLY CO INC	921.40
MIDWEST SPECIAL INSTRUMENTS	75.00
MN COMM OF TRANSPORTATION	443.04
MN COUNTY ATTORNEY ASSOC	100.00
MNCCC LOCKBOX	17,763.76
MOXXIM LLC	1,775.00
NAPA AUTO PARTS MPEC	3,439.37
NORTH MEMORIAL AMBULANCE	1,887.00
PATRICIA PECORE	263.25
PATRICK DUNN	528.48
PATTI SCHUCH	80.00
PATTON HOVERSTEN & BERG PA	660.00
PEMBERTON LAW PLLP	15,109.00
PLUNKETT'S PEST CONTROL INC	231.92
REGENTS OF UNIVERSITY OF MN	19,670.25
RELIANCE TELEPHONE INC	500.00
RIVER BEND BUSINESS PRODUCTS	735.52
RIVER VALLEY FORENSIC SERVICES PA	250.00
RWV SIGNS INC	175.00
SAFETY MAGNETS	282.43
SCHILLING SUPPLY COMPANY	18.17
SCOTT CO TREASURER	2,646.54
SHERRY ROOT	533.22
SMITHS MILL IMPLEMENT INC	34.10
SOUTHSIDE MARINE INC	437.61
SQUIRES, WALDSPURGER & MACE PA	23.00
ST FRANCIS MEDICAL CENTER	1,400.00
STATE OF MN BUREAU OF CRIM APPREHEN CJIS	630.00
STEPHANIE JOHNSON	4,648.00
SUBSURFACE, INC	26,200.00
TECTA AMERICA CORPORATION	2,200.00
TESCH SERVICE CENTER INC	47.88
THIRTY YEAR VENTURES LLC	1,403.75
THOMSON REUTERS	525.89

TOPPERS PLUS INC	1,222.00
TRANE US INC	948.00
TREASURER, STATE OF MINNESOTA	50.00
TRUCK CENTER COMPANIES	334.00
ULINE	825.05
US BANK-ST PAUL	550.00
US VENTURE INC	632.00
VOIANCE LANGUAGE SERVICES LLC	136.52
WASECA CO PROPERTY & ELECTION SERVICES	314.40
WASECA HARDWARE LLC	1,633.39
WASECA MOTOR CO	62.35
WILDLIFE FOREVER	1,135.20
ZARNOTH BRUSH WORKS INC	740.00

b. Transfer Between Funds

Transfer \$480.85 from Fund 89 (Benefit Account) to Fund 01 (General Fund).

c. Approve using Recorder Compliance fund for ESRI maintenance

Our current ESRI contract has expired. This is a 3yr contract. For Year 1 (due November 2023), the payment of \$28,400 from Recorder Compliance fund.

4. Action Items

a. Youth Mental Health Navigator Program - Greater Mankato Area United Way

Elizabeth Harstad, Youth Mental Health Navigator Program, shared program goals which include increased access and increasing direct school support staff services for students. By doing this, young people are connected to more resources at school and outside of school. Harstad discussed the role of a Navigator, which includes identifying students needing mental health support and making referrals to mental health services, as well as providing communication and support to families. Additional successes for the program include a one month average wait time for therapy for the family working with the navigator. The Youth Mental Health Navigator Program is asking Waseca County for 5 years of funding at \$10,000.00 a year to help support the funding for the county schools. Waseca County would be able to utilize opioid settlement dollars, which would not affect the levy.

Waseca County Board of Commissioners directed staff to bring a resolution to the August 1, 2023 meeting to designate the \$50,000.00 to the Youth Mental Health Navigator Program.

b. Contract No. 812307 Acceptance and Final Payment

Jim Kollar, County Engineer/Public Works Director, discussed Contract No. 812307, the pavement marking contract awarded to Sir Lines-A-Lot, LLC earlier this year. The contract included pavement markings and messages on approximately 67 miles of Waseca County roads. The contract was awarded for the full amount of \$105,508.13 with direction from the Board to monitor costs as only \$70,000.00 had been budgeted for this service in 2023. Approximately 825 lineal feet of 24" cross-hatching on CSAH 14 and 5-miles of striping on CSAH 37 were eliminated from the project. All other work has been completed. The final contract amount is \$76,764.30 and final payment in the amount of \$3,838.22 is due to the contractor.

Motion to accept the work and authorization to make final payment to Sir Lines-A-Lot, LLC in the amount of \$3,838.22 by Commissioner Krause, seconded by Commissioner Malterer. Motion carried 3-0.

c. Public Hearing to consider Residential Tax Abatement for Leo J. & Sabrina L. Nissen

As part of the joint Residential Tax Abatement Program with the City of Waseca, (which was approved by the Waseca County Board of Commissioners on May 16, 2023) staff have received an application for new residential development for Leo J. Nissen and Sabrina L. Nissen on Parcel with Identification Number 17.285.0220 described as Lot 2 Block 2 of Fox Meadows 2nd Addition. The County Property and Elections Department has reviewed the market value of the property and has determined the County's yearly share of taxes for the building improvement portion of the taxes. This abatement agreement and resolution abates only the County's share of property taxes for the above mentioned property owners for six (6) years, commencing with taxes payable in 2025. The abatement shall not exceed half of the County's portion of taxes on the referenced property of \$945.07 per year or the amount \$1,908.14 or \$11,448.84 in total for the duration of the abatement.

Chair Harguth opened the Public Hearing at 10:01 a.m. There was no public comment.

A motion to close the Public Hearing by Commissioner Krause, seconded by Commissioner Malterer. The Public Hearing was closed at 10:02 a.m.

Motion to adopt Resolution #2023-23 by Commissioner Malterer, seconded by Commissioner Krause. Motion carried 3-0.

RESOLUTION #2023-23 APPROVING THE LEO J. AND SABRINA L. NISSEN RESIDENTIAL PROPERTY TAX ABATEMENT BE IT RESOLVED

by Waseca County, Minnesota, a political subdivision of the State of Minnesota (the "County"), as follows: Section 1. Authorization and Recitals. 1.01. The County, pursuant to Minnesota Statutes, Sections 469.1812 to 469.1815, as amended (the "Act"), is authorized to grant an abatement of the property taxes imposed by the County on a parcel of property, if certain conditions are met, through the adoption of a resolution, specifying the terms of the abatement. 1.02. Leo J. and Sabrina L. Nissen, married to each other, (the "Owner") has proposed that they undertake a project (the "Project") consisting of the development of a single-family home and related facilities on certain property located in Waseca County and legally described as according to the Plat thereof on file and of record in the Office of the County Recorder (the "Property"). The Owner has requested that the County provide financial assistance to the Owner for the Project. 1.03. Pursuant to the Act, the Waseca County Board on July 18, 2023, conducted a public hearing on the desirability of granting the abatement. Notice of the public hearing was duly published as required by law in the Waseca County News, a newspaper of general circulation in the County, on July 5, 2023. Section 2. Findings. On the basis of the information provided by the Owner and elicited at the public hearing referred to in Section 1.03, it is hereby found, determined and declared: 2.01. Granting the proposed abatement is in the public interest because it will: 1) provide employment opportunities for residents of the County; and 2) increase the tax base of the County. 2.02. The County Board expects that the benefits to the County of the proposed abatement to at least equal or exceed the costs to the City of the proposed abatement. The public benefits that the County expects to result from the abatement are additional construction jobs and an increased in the net tax capacity of the County. 2.03. The Property is not located in a tax increment financing district. 2.04. This County Board hereby finds that the Project conforms to the general plan for the development of the County as a whole. 3 2.05. In any year, the total amount of property taxes abated by the County by this and other resolutions, if any, does not exceed the greater of ten percent (10%) of the current levy or \$200,000. 2.06. It is in the best interests of the County to grant the tax abatement authorized in this Resolution. Section 3. Terms of the Tax Abatement. 3.01. A property tax abatement is hereby approved to the for half of the property taxes levied by the County on the Property for six (6) years, commencing with taxes payable in 2025, through and including taxes payable in 2030 (the "Abatement"). The Abatement shall be subject to all the terms and limitations of the Act. 3.02. The terms of the Abatement shall be as set forth in this Resolution and in the Development Agreement to be approved by the County Board, by and between the County and the Owner; provided, however, that the Abatement shall be payable solely from the property taxes paid with respect to the Property and actually received by the County and shall not be payable from any other funds of the City. In no event shall the amount of the Abatement in a year exceed half of the total amount of property taxes levied by the County on the Property and received by the County from the collection thereof in such year. 3.03. Notwithstanding anything to the contrary contained in this Resolution, the Abatement shall not to exceed half of the County's portion of the taxes on the property of \$954.07 per year, or the annual amount of \$1,908.14, or \$11,448.84 in total for the duration of the Abatement outlined above. 3.04. The Abatement shall be payable to the Owner of the Property. 3.05. The Abatement may be modified or changed during its term.

d. **Public Hearing on the Establishment of Waseca County Ordinance 154 Establishing a Local Housing Trust Fund**

Chair Harguth opened the Public Hearing for the Establishment of Waseca County Ordinance 154 Establishing a Local Housing Trust Fund at 10:04 a.m.

There was no public comment.

Motion to close the Public Hearing by Commissioner Malterer, seconded by Commissioner Krause at 10:05 a.m.

Motion to adopt Ordinance 154 by Commissioner Malterer, seconded by Commissioner Krause. Motion carried 3-0.

Ordinance: 154

The Waseca County Board of Commissioners does hereby ordain:

An Ordinance establishing a Local Housing Trust Fund to address needs for affordable housing within the County of Waseca

SECTION 1.0 PURPOSE, AUTHORITY AND JURISDICTION

1.1 TITLE

This Ordinance shall be known, cited, and referred to as the "Waseca County Local Housing Trust Fund Ordinance". When referred to herein, it shall be known as "this Ordinance".

1.2 STATEMENT OF PURPOSE

This Ordinance is adopted for the purpose of establishing a fund which allows for the flexibility to respond in innovative ways to address local affordable housing needs.

1.3 STATUTORY AUTHORITY

This Ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, section 462C.16 and Minnesota Statutes 462A.201.

1.4 JURISDICTION

This ordinance shall apply to all areas in Waseca County.

SECTION 2.0 DEFINITIONS

Affordability Period. The amount of time the project must meet affordability criteria.

Affordable Housing. Refers to housing that costs 30% or less of a household's gross income.

Community Advisory Committee. A committee comprised of a mix of elected officials, administrator entity staff, housing organization staff, and residents with lived experience or some other housing expertise tasked with providing oversight of the Local Housing Trust Fund.

Elected officials. Refers to County Commissioners.

Fiscal Agent. The entity which establishes the Local Housing Trust Fund Account.

Fund Administrator. Entity responsible for administration of the Local Housing Trust Fund in accordance with Minnesota Statutes and the local County ordinance.

Local Homeless Prevention Aid. funding distributed to counties to help local governments ensure no child is homeless within a local jurisdiction by keeping families from losing housing and helping those experiencing homelessness find housing.

Local Housing Trust Fund. A fund established by a local government with one or more dedicated sources of public revenue for housing.

SECTION 3.0 ADMINISTRATION OF LOCAL HOUSING TRUST FUND

3.1 THE AUTHORITY

Minnesota Prairie County Alliance (the "Fund Administrator") shall administer the Local Housing Trust Funds on behalf of Waseca County.

3.2 REPORTING AND DOCUMENTATION REQUIREMENTS

The Fund Administrator shall report annually to the County on the use of the Local Housing Trust Fund, including total amount expensed, types of expenses, number of households served, and number of new affordable housing units established.

3.3 ADMINISTRATIVE EXPENSES

The Authority may charge up to 10% of the balance of the fund for program administrative expenses.

SECTION 4.0 OVERSIGHT AND ADVISORY

4.1 COMMUNITY ADVISORY COMMITTEE

A Community Advisory Committee will be established to provide oversight of a LHTF

4.12 The Community Advisory Committee will provide recommendations to the County board regarding general provisions of the Local Housing Trust Fund.

4.13 The Community Advisory Committee will meet one time per year minimally.

4.14 Annually, the Community Advisory Committee will recommend Housing Trust Fund funding priorities and present a budget proposal to the County Board.

4.13 Members may include:

1. Elected officials
2. Administrator entity staff
3. Housing organization staff
4. Residents with lived experience
5. Residents with housing expertise

4.2 COUNTY BOARD OF COMMISSIONERS

The County Board will make the final decision regarding:

1. Defining Housing Trust Fund Funding Priorities
2. Defining the housing activities eligible for support from the Local Housing Trust Fund
3. Defining target population(s) and establishing parameters about which types of households will be eligible to be served by Local Housing Trust Fund dollars.
4. Specify the types of organizations that are eligible to apply for and utilize the proceeds of funding awards.
5. Determine the form that a Local Housing Trust Fund award will take, such as grants or loans as well as the specific terms and conditions of these funding awards

6. Determine the required affordability period – the amount of time the project must meet affordability criteria.
7. Determine the responsibility of a loan grantee if the required affordability period is not fulfilled.

SECTION 5.0 GENERAL PROVISIONS

5.1 FUNDING SOURCES

5.12 Public revenues from one or more sources must be dedicated to the Local Housing Trust Fund. Allocated revenues are protected for housing uses in the community.

5.13 90% of the annual County Local Homeless Prevention Aid will be dedicated to the Local Housing Trust Fund through 2028.

5.14 Prior to December 31, 2028, will take additional action to determine whether to continue with a Local Housing Trust Fund. If a decision is made to continue, the board will determine one or more sources of public revenues that will be dedicated to the Local Housing Trust Fund.

5.15 Other one-time or ongoing funding sources may include, but are not limited to:

1. Donations
2. Bond proceeds
3. Grants and loans from a state, federal or private source
4. Appropriates by a local government to the fund
5. Investment earnings of the fund
6. Housing and redevelopment authority levies
7. Matching funds from a federal or state program designed to fund an affordable housing trust fund

5.2 DISTRIBUTIONS

5.21 Authorized expenditures outlined in MN Statutes 462C.16

1. Administrative expenses, but not more than ten percent of the balance of the fund may be spent on administration
2. Make grants, loans and loan guarantees for the development, rehabilitation, or financing of housing
3. Match other funds from federal, state, or private resources for housing projects
4. Provide down payment assistance, rental assistance, and home buyer counseling services

5.3 ANNUAL REPORTING

5.31 The Local Housing Trust Fund administrator entity must report annually to the County Board.

1. Illustrate the impact on the community's housing needs
2. Characterize the nature of the housing projects and programs supported by the Local Housing Trust Fund
3. Accomplishments in terms of households served

5.32 The County must post the annual report on its public website.

SECTION 6.0 EXCEPTION AUTHORITY.

The County Board of Commissioners may review the Trust Fund at any time in its sole and unfettered discretion so long as such exceptions do not violate Minnesota Statutes 462C.16.

e. Appointment of Local Housing Trust Fund Administrator

Motion to appoint MNPrairie as the fund administrator by Commissioner Krause, second by Commissioner Malterer. Motion carried 3-0.

f. Appropriation of Local Homeless Prevention Aid Funding Allocation

Motion to appropriate 90% of the County local prevention aid funding to the local housing trust fund and the remaining 10% towards purchase of hotel shelter vouchers to be utilized for individuals by Commissioner Malterer, seconded by Commissioner Krause. Motion carried 3-0.

g. Public Hearing to Consider Ordinance Authorizing a Study and Imposing a Moratorium on the Commercial Sale of Adult Recreational Cannabis Products Until January 1, 2025.

Michael Johnson, County Administrator, discussed the passing of HF100. This legislative session provides for a number of administrative challenges regarding the production, sale and use of adult recreational use of cannabis in the near future.

Adoption of the interim ordinance will allow Waseca County Public Health to conduct a study on the impacts of adult recreational cannabis use, and give the State of Minnesota sufficient time to publish the guidance and rules surrounding the administrative requirements that the County has regarding licensure, zoning and limitations.

The public hearing notice attached to this Board action is scheduled to be published in the Waseca County News on July 5. No specific ordinance is being brought forward for recommended approval at this time. Only information is being gathered.

HF 100 Bill Summary: The bill includes provisions to provide for a certain level of local control. Local units of government should consider the bill in its entirety, but listed below are some of the key provisions that directly impact or call out local units of government: Article 1, Section 13: defines the limits and controls local units of government may or may not impose on cannabis businesses. Article 1, Section 22: requires cannabis retailers and hemp retailers to register with the local unit of government before making retail sales, specifies what may be charged for registration, specifies conditions for issuance of registrations, requires compliance checks by local units of government, and allows for suspension or cancellation of registrations. Article 1, Sections 39 & 40: allows cannabis events and provides for local approval of such events. Article 4: changes criminal penalties related to cannabis. Article 5, Section 3, Subd 5: allows the Cannabis Expungement Board (CEB) free access to records, files, documents, etc. that relate to the charge and conviction or stay of adjudication for possession of controlled substances. Article 5, Section 3, Subd 12: requires the court to send a copy of expungement orders to each agency and jurisdiction whose records are affected by the terms of the order of expungement.

Chair Harguth opened the Public Hearing to consider 10:13 a.m.

There was no public comment.

Motion to close the Public Hearing at 10:14 a.m by Commissioner Krause, seconded by Commissioner Malterer. Motion carried 3-0.

Johnson noted additional ordinance action would be brought back to the Waseca County Board of Commissioners meeting at the second meeting in August.

5. Administration

a. Administration Update

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

b. Human Resources Announcements

Nothing reported.

6. Commissioner Reports

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

7. Adjourn

Having no further county board business, Commissioner Krause moved and Commissioner Malterer seconded the motion to adjourn the meeting. The motion was carried unanimously and the meeting adjourned at 10:34 a.m.

Brian Harguth, Chairperson
Waseca County Board of Commissioners

ATTEST:

Beth Weimert, Clerk

