



WASECA COUNTY BOARD OF COMMISSIONERS

September 19, 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, September 19, 2023 in the Commissioners' Room, 300 North State Street, Waseca, Minnesota. Members present were Chair Brian Harguth, DeAnne Malterer, Doug Christopherson, and Brad Krause.

Other members present were Michael Johnson, County Administrator; Beth Weimert, Administrative Coordinator; Tammy Spooner, Property and Election Services Director; Melissa Sexton, Human Resources Director; Jim Kollar, Public Works Director/County Engineer; Chris Howard, Land and Water Resources Manager; Eric Miller, Watershed Coordinator; Rachel Cornelius, County Attorney; Lori Anderson, Paralegal; Sheriff Jay Dulas

Others present Tristan Gehring, Waseca County Pioneer, Brad Milbrath

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.

Rachel Cornelius, County Attorney, introduced Lori Anderson who has been hired as the new paralegal in the County Attorney's Office.

2. Approval of Agenda

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

3. Ditch Authority

a. Approve findings and order, appoint viewers and engineer for redetermination of benefits and damages for CD26

Chris Howard, Land and Water Resources Manager, discussed CD26 which was established in 1953. Since the determination of benefits and damages at the time of construction, land uses and drainage practices have changed to accelerate and increase the flow of water to the drainage system, changing the nature and value of benefits accruing to lands from the construction of CD26.

Motion to adopt the draft findings and order to initiate redetermination of benefits, appointing viewers and engineers to initiate redetermination of benefits and damages for CD26 by Commissioner Malterer, seconded by Commissioner Krause. A roll call was taken and the motion passed 4-0 by the following: Commissioner Christopherson - aye; Commissioner Harguth - aye; Commissioner Krause - aye; Malterer - aye.

b. Approve findings and order, appoint viewers and engineer for redetermination of benefits and damages for CD32

Howard also discussed CD32 which was established in 1956. Since the determination of benefits and damages at the time of construction, land uses and drainage practices have changed to accelerate and increase the flow of water to the drainage system, changing the nature and value of benefits accruing to lands from the construction of CD32.

Motion to adopt the draft findings and order to initiate ROB, appointing viewers and engineers to initiate redetermination of benefits and damages for CD32 by Commissioner Christopherson, seconded by Commissioner Malterer. A roll call was taken and the motion passed 4-0 by the following: Commissioner Christopherson - aye; Commissioner Harguth - aye; Commissioner Krause - aye; Malterer - aye.

4. Approval of County Board Minutes

Motion to approve the August 1, 2023 budget work session meeting minutes, August 1, 2023 regular meeting minutes, and August 8, 2023 work session meeting minutes by Commissioner Malterer, seconded by Commissioner Krause with the correction to the August 1, 2023 regular meeting minutes, action item 6d. Riaparian Funds. It states to pay Waseca County and it should be changed to state pay SWCD. Motion carried 4-0. This change was made prior to this meeting.

a. Waseca County Board of Commissioner Budget Work Session August 1, 2023

- b. Waseca County Board of Commissioner Meeting Minutes August 1, 2023
- c. Waseca County Board of Commissioner Work Session August 8, 2023

5. Consent Agenda

Motion to approve the consent agenda by Commissioner Krause, seconded by Commissioner Christopherson. Motion carried 40. Commissioner Christopherson asked to discuss the standardization of leases being 3 years and noted the Archery final term will be December 31, 2026, as well as the Boy Scouts lease agreement.

Amended motion to reflect term agreements of 3 years from January 1, 2024 to December 31, 2026 for Archery and Boy Scouts by Commissioner Krause, seconded by Commissioner Christopherson. Motion carried.

a. Approval of Bills

The following bills were audited and allowed:

A.H. HERMEL COMPANY	525.92
ADVANCED CORRECTIONAL HEALTHCARE INC	4,386.29
AMAZON CAPITAL SERVICES	237.32
AMBER LEWER	87.86
APG MEDIA OF SOUTHERN MN LLC	541.23
ASSOC OF MN COUNTIES	175.00
BAKER TILLY LLP	22,347.00
BLOOMING PRAIRIE FARM RADIO, INC	450.00
BOB BARKER COMPANY INC	489.80
BOCKS SERVICE INC	611.50
BORCHERT CONSTRUCTION	525.00
BRUCE & MATT FOELS	750.00
BRUCE W NESS	275.00
CALEB FRANCIS LANGESLAG	540.00
CAPITAL ONE	240.83
CDW GOVERNMENT INC	62.52
CHRISTENSEN TIRE & AUTO REPAIR	875.75
COLLEEN HOWARD	100.00
CURT KEYES	80.00
DEML FORD INC	7,167.83
DENNIS-STEFFEL-OMTVEDT FUNERAL & CREMATION SERVICE	620.00
DHS-DCT-ARC-476	1,435.00
DOUGLAS CHRISTOPHERSON	83.84
DUANE RATHMANN	81.31
EVANS LANDSCAPE	31,601.68
EXCEL BALER LLC	5,693.02
FASTENAL CO	111.00
FERNBROOK FAMILY CENTER INC	525.00
FIRST NATIONAL BANK	106.40
FIRST NATIONAL BANK 4135	502.84
FIRST NATIONAL BANK 9655	534.70

FIRST NATIONAL BANK 3975	30.49
FIRST NATIONAL BANK OMAHA 7265	22.49
FIRST NATIONAL BANK 5529	248.23
FIRST NATIONAL BANK 9593	51.67
FIRST NATIONAL BANK OF OMAHA	197.16
FIRST NATIONAL BANK OF OMAHA 0792	268.00
FIRST NATIONAL BANK OF OMAHA 1344	202.10
FIRST NATIONAL BANK OMAHA 4669	120.00
FIRST NATIONAL BANK OMAHA 7462	23.49
FIRST NATIONAL BANK OMAHA 2000	8.56
FIRST NATIONAL BANK OMAHA 2000	601.49
FIRST NATIONAL BANK OMAHA 1325	210.00
FIRST NATIONAL BANK OMAHA 2173	22.55
FIRST NATIONAL BANK OMAHA 2431	170.73
FIRST NATIONAL BANK OMAHA 3744	313.30
FIRST NATIONAL BANK OMAHA 3979	300.00
FIRST NATIONAL BANK OMAHA 4316	381.06
FIRST NATIONAL BANK OMAHA 5640	1,433.20
FIRST NATIONAL BANK OMAHA 6072	949.78
FIRST NATIONAL BANK OMAHA 6667	536.12
FIRST NATIONAL BANK OMAHA 6742	695.56
FIRST NATIONAL BANK OMAHA 6755	5.00
FIRST NATIONAL BANK OMAHA 8264	1,479.95
FRONT LINE INDUSTRIES	120.00
GINA PETERSON	75.00
GMS INDUSTRIAL SUPPLY INC	497.33
GOPHER STATE ONE CALL	10.80
GUARDIAN SUPPLY	97.04
HOME SWEET HOME HARDWARE LLC	42.98
HOUCK MOTORCOACH ADVERTISING	300.00
HVVEE FOOD STORES	297.28
INNOVATIVE OFFICE SOLUTIONS LLC	848.62
JEFFREY TODD RATZLOFF	100.00
JETTER CLEAN INC	372.50
JOHN THOMPSON	412.50
JONES HAUGH & SMITH	300.00
JULIE POEHLER	95.00
KARPEL COMPUTER SYSTEMS INC	8,050.00
KIM KROEGER-BABCOCK	91.79
LESUEUR CO SHERIFF-CIVIL DIVISION	862.50
MACATFO (MN ASSOC CO	100.00
AUDITORS,TREAS,FIN)	
MARK BEHREND	3,066.48
MATHESON	91.88
MEI TOTAL ELEVATOR SOLUTIONS	470.15

MICHAEL JOHNSON	225.27
MIDWEST MONITORING & SURVEILLANCE	127.50
MIDWEST MOTOR SUPPLY CO INC	1,290.78
MINNEAPOLIS FORENSIC PSYCHOLOGICAL SERVICES LLC	3,806.25
MN COUNTY ATTORNEY ASSOC	100.00
MN DEPT OF LABOR & INDUSTRY-ST PAUL	40.00
MOXXIM LLC	900.00
M-R SIGN COMPANY INC	555.95
NAPA AUTO PARTS MPEC	2,594.39
NATHANIEL BARTELT	225.00
NCH CORPORATION	1,400.25
NORTH CENTRAL INTERNATIONAL INC	1,694.23
NUSS TRUCK GROUP INC	3,392.52
PROPAC	2,762.10
RECOVERY TREK LLC	157.50
RICHARD POSSIN	99.00
RISE RESEARCH LLC	4,853.60
RIVER BEND BUSINESS PRODUCTS	14,195.15
RIVER VALLEY FORENSIC SERVICES PA	750.00
RODNEY BORN	83.28
RS EDEN	13.60
SAND CREEK EAP LLC	1,112.50
SANOFI PASTEUR INC	1,290.17
SOFTWARE.HARDWARE.INTEGRATION	3,548.16
STEPHANIE JOHNSON	3,864.00
STEPHANIE ROEMHILDT	88.78
STERICYCLE INC	47.25
STREICHERS	666.66
SUNBELT RENTALS INC	3,810.01
SWANSTON EQUIPMENT CORP	264.85
SYMBOL ARTS	692.57
TERRANCE MCCLUNE	3,000.00
TESCH SERVICE CENTER INC	35.95
TRUCK CENTER COMPANIES	191.36
UNIVERSAL RECYCLING TECHNOLOGIES,LLC	1,562.40
US VENTURE INC	632.00
VIRGINIA WENISCH	433.47
WASECA ABSTRACT COMPANY	919.00
WASECA GLASS INC	432.00
WASECA HARDWARE LLC	167.45
WASECA HARDWARE LLC	170.46
WASECA HARDWARE LLC	37.44
WESLEY STEVEN DAHL	1,320.00
ZIEGLER INC	1,486.53

- b. *August 2023 Monthly Electronic Funds*
Approval of August 2023 Monthly Electronic Funds Transfer
- a. *Archery Club Lease Agreement*
- b. *Boy Scouts Lease Agreement*
- c. *Waseca School District Lease Agreement*

6. Action Items

d. *Resolution 2023-32: Establishing an Absentee Ballot Board*

Tammy Spooner, Property and Election Services Director, discussed Resolution 2023-32 Establishing an Absentee Ballot Board for the Special Primary Election to be held on November 7, 2023 and Special Election to be held on February 13, 2024. Spooner noted that statutorily we are required to establish an absentee ballot board for each election cycle. The lists of eligible voters willing to serve as election judges, provided by the major political parties in 2022, will be used, together with auditor staff, to form the ballot board. All members of the Absentee Ballot Board will be trained election judges.

Motion to adopt Resolution 2023-32 Establishing an Absentee Ballot Board by Commissioner Malterer, seconded by Commissioner Christopherson. Motion carries 4-0.

RESOLUTION 2023-32

ESTABLISHING AN ABSENTEE BALLOT BOARD FOR THE SPECIAL PRIMARY ELECTION TO BE HELD ON NOVEMBER 7, 2023 AND SPECIAL ELECTION TO BE HELD ON FEBRUARY 13, 2024

WHEREAS, the Waseca County Board of Commissioners is required by Minnesota Statutes Section 203B.121, Subd. 1, to establish an Absentee Ballot Board Ballot, Mail Ballot and United States Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) Ballot Board for the 2023-2024 Special Election Cycle; and

WHEREAS, Waseca County is a county where the office of county auditor does not exist pursuant to special legislation enacted by the Minnesota Legislature on March 23, 1998, and Waseca County Board Resolution 98-131 dated December 3, 1998; and

WHEREAS, pursuant to said legislation and resolution, the Waseca County Board of Commissioners ("Board") designated the Waseca County Director of Property & Election Services ("Director") as the principal county officer charged with duties relating to elections, including the establishment of an absentee ballot board for ballots issued under Minnesota Statutes Sections 203B.16 to 203B.27 that implement the United States Uniformed and Overseas Citizens Absentee Voting Act; and

WHEREAS, the Board also authorized the Director to delegate said duties to employees working within the Director's department; and

WHEREAS, only two of the major political parties provided lists of eligible voters willing to act as election judges during the last regular election cycle; and

WHEREAS, the Director is in possession of said list of eligible voters willing to act as election judges during the last regular election cycle; and

WHEREAS, the Director has determined that the volume of work to be performed by the Absentee Ballot Board cannot be accomplished solely by election judges; and

WHEREAS, Minnesota Statutes Section 203B.121 permits the Board to appoint the Director's deputy auditor employees to the Absentee Ballot Board if they have received adequate training in the processing and counting of absentee ballots.

NOW THEREFORE, BE IT RESOLVED, that the Waseca County Board of Commissioners hereby establishes an Absentee Ballot Board pursuant to Minnesota Statutes Section 203B.121 that consists of: (i) election judges who have been appointed from the provided party lists pursuant to Minnesota Statutes Sections 204B.19 through 204B.22 and have received adequate training in the processing and counting of absentee ballots, and (ii) any of the Director's deputy auditor employees who have received adequate training in the processing and counting of absentee ballots.

BE IT FURTHER RESOLVED, that the Waseca County Board of Commissioners hereby directs the Director to establish an absentee ballot board for ballots issued under Minnesota Statutes Sections 203B.16 to 203B.27 that implement the United States Uniformed and Overseas Citizens Absentee Voting Act.

e. *Resolution 2023-30: MnDOT Agreement No. 1053452 for Local Bridge Replacement Program Grant Agreement*

Jim Kollar, Public Works Director/County Engineer discussed the contract for the replacement of Bridge No. 7597 over the Litte Le Sueur River on CSAH No. 5 has been awarded to Ulland Bros., Inc., the low responsible bidder. Ulland's bid price

was \$520,549.59. Based on this amount, federal BROS funding, state Local Bridge Replacement Program (LBRP) grant funding, and local match determinations have been made. \$416,439.67 of Federal BROS funds, \$86,009.78 of 2021 State LBRP funds, and \$18,100.14 of County CSAH funds have been allocated for the project. The federal allocations are administered through the Delegated Contract Process with the State of Minnesota. The LBRP funds require a separate grant agreement to be executed between the state and county. MnDOT Agreement No. 1053452 has been prepared, reviewed, and is attached herein for the LBRP funds. Resolution No. 2023-30, if adopted, resolves that Waseca County agrees to the grant terms and conditions for receipt of \$86,009.78 in state LBRP funding, and authorizes county officers to execute the grant agreement.

Motion to adopt Resolution 2023-30 MnDOT Agreement No. 1053452 for Local Bridge Replacement Program Grant Agreement by Commissioner Christopherson, seconded by Commissioner Krause. Motion carries 4-0.

RESOLUTION # 2023-30

LOCAL BRIDGE REPLACEMENT PROGRAM GRANT AGREEMENT GRANT TERMS and CONDITIONS SP 081-605-024

WHEREAS, Waseca County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund related to Bridge No. 81J20; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$86,009.78 by reason of the lowest responsible bid; and

NOW, THEREFORE BE IT RESOLVED, that Waseca County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above referenced grant. Adopted

c. **Resolution 2023-31: Adopt and Implement the Le Sueur River Watershed Comprehensive Watershed Management Plan**

Eric Miller, Watershed Coordinator, noted the Le Sueur River Watershed Comprehensive Watershed Management Plan will replace the Waseca County Local Water Management Plan. With the adoption of the Le Sueur Plan, all parts of Waseca County will be covered with a Comprehensive Watershed Management Plan. Additionally, the attached Joint Power Agreement and Bylaws executes Waseca County's commitment to the Le Sueur River Watershed Joint Powers Collaboration and adoption of the Bylaws of the Collaboration.

Motion to join the Joint Powers Board, adopting the agreement and accepting the bylaws by Commissioner Malterer, seconded by Commissioner Christopherson. Motion carried 4-0.

Motion to adopt Resolution 2023-31 Implement the LeSueur River Watershed Comprehensive Watershed Management Plan by Commissioner Malterer, seconded by Commissioner Krause. Motion carries 4-0.

Resolution 2023-31

Resolution to Adopt and Implement the Le Sueur River Watershed Comprehensive Watershed Management Plan

Whereas, the Waseca County (county) has been notified by the Minnesota Board of Water and Soil Resources that the Le Sueur River Watershed Comprehensive Watershed Management Plan has been approved according to Minnesota Statutes §103B.801 and Board Resolution #18-14:

Now; Therefore, Be it Resolved, the county hereby adopts and will begin implementation of the approved Comprehensive Watershed Management Plan for the area of the county identified within the Plan.

Be it Further Resolved after the adoption of the Plan, the county shall amend existing water and related land resources plans and official controls as necessary to conform them to the Comprehensive Watershed Management Plan.

Be it Further Resolved after the adoption of the Comprehensive Watershed Management Plan or amendments to the plan, Waseca County shall notify local units of government within the Le Sueur River Watershed. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the county for review as per Minnesota Statutes, Section 103B.321.

Be it Further Resolved that within 180 days, the county shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls and the Comprehensive Watershed Management Plan. Waseca County shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the Comprehensive Watershed Management Plan

Be it Further Resolved if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after

receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

Be it Further Resolved after receiving the recommendations of the county, or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the county for review and recommendations.

d. **Resolution 2023-34: 2024 Preliminary Budget and Levy Approval**

Michael Johnson, County Administrator, discussed valuation takeaways for payable 2024 with the Waseca County Board of Commissioners.

Motion to adopt Resolution 2023-34 Preliminary 2024 Budget and Levy Approval at 1.5% by Commissioner Malterer, seconded by Commissioner Krause. Motion carries 4-0.

Resolution 2023-34

Resolution Establishing a Preliminary Levy and Budget for the Purpose of Preparing the 2024 Proposed Property Tax Statements

WHEREAS, the Waseca County Board of Commissioners annually reviews the types and levels of service Waseca County must provide along with associated costs; and

WHEREAS, the Waseca County Board of Commissioners is annually challenged with the task of balancing needs and desires of those serviced and the ability to pay for these services; and

WHEREAS, the Waseca County Board of Commissioners is committed to maintaining reliable and consistent property tax levels; and

WHEREAS, Minnesota Statutes 275.065 Subd.1 requires that the proposed property tax levy for the coming year be certified to the County Auditor/Treasurer by September 30.

NOW, THEREFORE, BE IT RESOLVED by the Waseca County Board of Commissioners in and for the County of Waseca, Minnesota, does hereby adopt a maximum net tax levy of \$18,010,262 as shown in the below table, a 1.5% increase compared to 2023, which shall be used to prepare the Proposed Property Tax Statements and public hearing notice; and

BE IT FURTHER RESOLVED the Waseca County Board of Commissioners in and for the County of Waseca, Minnesota, hereby certifies this preliminary levy to the Waseca County Auditor/Treasurer and authorizes the preparation and distribution of the proposed 2024 Property Tax Statements and public hearing notice.

BE IT FURTHER RESOLVED the Waseca County Board of Commissioners adopts \$39,564,949 as the proposed 2024 budget for Waseca County under Minnesota Statutes 375A.06 Subd.4 (e) that provides the County Administrator shall prepare and submit to the County Board a proposed annual budget.

BE IT FURTHER RESOLVED the Waseca County Board of Commissioners set Tuesday, December 19 at 6:00 p.m. as the Budget Hearing Meeting date and time for the 2024 Final Levy and Budget to be discussed. The meeting will be held in the Board of Commissioners Room located within the East Annex at 300 North State Street, Waseca, Minnesota.

7. Administration

d. **Administration Update**

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

e. **Human Resources Announcements**

Michael Johnson, County Administrator, 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 Krause moved and Commissioner Christopherson seconded the motion to adjourn the meeting. The motion was carried unanimously and the meeting adjourned at 10:51 a.m.

Brian Harguth, Chairperson
Waseca County Board of Commissioners

ATTEST:

Beth Weimert, Clerk
Waseca County Administration