

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
NOVEMBER 5, 2019

The Faribault County Board of Commissioners met in regular session at the Courthouse in the City of Blue Earth at 9:00 a.m. on November 5, 2019. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. Auditor/Treasurer/Coordinator Darren Esser, County Attorney Kathryn Karjala, Central Services Director Lexi Scholten, and Acting Clerk to the Board Clara Vereide were also present.

The meeting was called to order by Chair Groskreutz. The pledge of allegiance was recited.

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Young/Warmka motion carried unanimously to approve the synopsis and official proceedings of the October 15, 2019 regular meeting.

\* \* \* \* \*

Loveall/Young motion carried unanimously to approve the amended agenda of November 5, 2019.

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The calendar was updated. No member of the public appeared during public comment.

\* \* \* \* \*

Committee reports were given. Loveall reported on AMC District VII; Roper reported on Workforce Development and AMC District VII; Groskreutz reported on EDA, MVAC exec, County Library board, child care meeting in Wells, HRA, personnel, and AMC District VII; Young reported on CD21 bid, Human Services exec; and Warmka reported on personnel.

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Central Services Director Lexi Scholten met regarding office business.

Warmka/Loveall motion carried unanimously to hire Amy Scholtes as Senior Auditor Clerk in the Auditor-Treasurer office.

Loveall/Young motion carried unanimously to approve advertising for a full-time Property Appraiser in the Assessor's office.

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Sheriff Mike Gormley and Chief Deputy Scott Adams met regarding office business.

Warmka/Young motion carried unanimously to approve the purchase of a 2020 Chevrolet Silverado from Hawkins Chevrolet in Fairmont for the price of \$18,425 after trade, a 2020 Ford Police Interceptor (Explorer) SUV from Fairmont Ford for the price of \$34,385, and a 2020 Chevrolet Silverado for the price of \$40,925 from the 2019 budget.

Warmka/Roper motion carried unanimously to approve the 2021 Snowmobile equipment grant of \$8,178 for two years.

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Tax Clerk Lorrie Bosma met regarding SSTS business.

Roper/Warmka motion carried unanimously to approve an SSTS grant of \$3,000 to Keith and Margery Larson on Parcel 01.032.0400.

\* \* \* \* \*

Public Works Director Mark Daly met regarding office business. Construction update was given.

Warmka/Young motion carried unanimously to approve Resolution 19-RB15-49 entering into an agreement with MnDOT to detour TH30 to CSAH 20 for State Project No. 8105-21. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

### **RESOLUTION**

**BE IT RESOLVED**, that Faribault County enter into Agreement No. 1035666 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the state to the county for the use of County State Aid Highway (CSAH) 20 as a detour route during the construction to be performed upon, along, and adjacent to Trunk Highway No. 30 from 140 feet east of Trunk Highway No. 22 to 1,200 feet east of CSAH No. 1 under State Project No. 8105-21.

**BE IT FURTHER RESOLVED**, that the Faribault County Auditor-Treasurer-Coordinator and the Faribault County Engineer are authorized to execute the agreement and any amendments to the agreement.

Young/Roper motion carried unanimously to enter into a joint power agreement with the City of Blue Earth for SAP 022-616-027 on Leland Parkway for a total estimated cost of \$2,786,235 with the county portion being \$2,397,125.

\* \* \* \* \*

No member of the public appeared during public comment for Drainage Board.

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Roper/Warmka motion carried unanimously to approve issuing a credit card to Building Maintenance Supervisor Troy Beckman with a limit of \$5,000.00 for the uses approved in the Faribault County Credit Card Policy.

\* \* \* \* \*

Loveall/Young motion carried unanimously to approve Resolution 19-CB-50 granting re-purchase of forfeited tax Parcel No. 23.200.0480 by owner Richard Lampman. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

### RESOLUTION

**WHEREAS,** Parcel 23.200.0480 was forfeited to the State of Minnesota in favor of the Taxing Districts and

**WHEREAS,** the prior owner, Richard Lampman has applied to repurchase the parcel for pursuant to Minn. Stat. 282.241 to 282.324, and

**WHEREAS,** the Faribault County Board of Commissioners has considered the application to repurchase the parcel and finds that it would be hardship for the owner to lose his home and that the repurchase would be in the public's best interest,

**BE IT RESOLVED** that Richard Lampman, the former owner of parcel #23.200.0480 described as Lot Eight (8) and Lot Nine (9) in Block Three (3) in the Village (now city) of Delavan, Faribault County, Minnesota be allowed to repurchase said parcel with the payment in full of the reinstated taxes, assessments, fees and costs as follows;

Taxes	\$ 682.74
Special Assessments	1,404.26
Penalty & Interest	751.06
Repurchase Fee	120.00
Deed Tax	9.37
State Deed Fee	25.00
County Recording Fee	<u>46.00</u>
Total Cost	\$3,038.43

**BE IT FURTHER RESOLVED** that the repurchase price must be paid in full by November 30, 2019 or repurchase agreement will be void.

\* \* \* \* \*

Loveall/Young motion carried unanimously to approve Resolution 19-CB-51 to approve order for repair on CD10 to Branch 1 Lateral A. Commissioners Groskreutz, Loveall, Roper, Young, and Warmka voted yes.

### RESOLUTION

**WHEREAS,** a Petition was received requesting the repair of Lateral A to Faribault County Ditch 10; and

**WHEREAS,** Chuck Brandel of ISG was appointed the engineer to provide a Repair Report on Lateral A to Faribault County Ditch 10; and

**WHEREAS,** a public hearing was held on October 7, 2019; and

**WHEREAS,** Merissa Lore gave an overview of the history of Lateral A; and

**WHEREAS,** Chuck Brandel gave his recommendations as to options for a repair; and

**WHEREAS,** Attorney Kurt Deter asked for clarification to make sure this is a repair and not an improvement; and

**WHEREAS,** the hearing was open for public comment and a discussion was held whether the tile is working as originally designed and constructed.

**NOW, THEREFORE,** based on the engineer's recommendations and all other evidence presented, the Faribault County Board of Commissioners, acting as Drainage Authority for Faribault County Ditch #10, makes the following Order:

**ORDER**

**NOW, THEREFORE,** it is hereby ordered that any action on the repair hearing be tabled and that the repair hearing be held at a later date to allow further study and to also coordinate with the possible establishment of a Lateral.

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Loveall/Warmka motion carried unanimously to approve Resolution 19-CB-52 to approve Findings & Order for final engineer's report for establishment of lateral. Commissioners Groskreutz, Loveall, Roper, Young and Warmka voted yes.

**RESOLUTION**

**WHEREAS,** a Petition was submitted, along with a Bond, requesting the establishment of a Lateral to Faribault County Ditch 10; and

**WHEREAS,** Chuck Brandel of ISG was appointed the engineer to provide a Preliminary Engineer's Report; and

**WHEREAS,** the Preliminary Engineer's Report was filed with the Faribault County Auditor; and

**WHEREAS,** an initial preliminary hearing was held on April 10, 2019, and continued to October 7, 2019; and

**WHEREAS,** at the continued preliminary hearing on October 7, 2019, the Affidavit of Mailing, Affidavit of Posting and Affidavit of Publication was accepted into the record; and

**WHEREAS,** Engineer Chuck Brandel presented the Engineer's Preliminary Report, which contains several options for the Lateral, with costs ranging from \$84,339.00 to \$285,840.00; and

**WHEREAS,** Engineer Chuck Brandel recommended that the Lateral known as Option 1 or Option 2 be considered; and

**WHEREAS,** the DNR Advisory Report was read into the record; and

**WHEREAS,** the hearing was open for public comment and questions concerning who would benefit from the Lateral, how the Lateral would be paid for and issues on the Schmidt property were discussed. That further, there was a general discussion concerning the viewers'

determination of benefits and damages, but it was indicated that the viewers make that final recommendation; and

**WHEREAS,** landowners representing the Goodrich property indicate their desire for the Lateral so as to receive their benefits and have adequate drainage for their tile lines on their property.

**NOW, THEREFORE,** based on the Preliminary Engineer's Report and all other evidence submitted and discussed at the preliminary hearing, the Faribault County Board of Commissioners, acting as Drainage Authority for Faribault County Ditch #10, makes the following Findings and Order:

#### **FINDINGS OF FACT**

1. The proposed drainage project outlined in the Petition, or modified and recommended by the engineer, is feasible.
2. There is a necessity for the proposed drainage project.
3. The proposed drainage project will be of public benefit and promote the public health after considering the environmental and land use criteria in Section 103E.015, Subd. 1.
4. The outlet is adequate.

#### **ORDER**

**NOW, THEREFORE,** it is hereby ordered that the Preliminary Engineer's Report is hereby approved and the engineer is ordered to complete a Final Engineer's Report. That specifically, the engineer is ordered to add Option 4 and Option 5, as discussed at the hearing and to not proceed further on Option 3. That Mark Behrends, Kendall Langseth, Robert Hanson, Dennis Distad and Bruce Ness are appointed viewers, with three of the viewers to complete a Viewers' Report, depending on availability of the viewer.

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Roper/Warmka motion carried unanimously to approve Resolution 19-CB-53 reflecting a two-week extension until November 15, 2019 on Resolution 19-CB-41 approved September 17, 2019 for the repurchase of a tax forfeited parcel in Elmore with updated payment amount. Commissioners Young, Roper, Loveal, Warmka Groskruetz voted yes.

#### **R E S O L U T I O N**

**WHEREAS,** Parcel 25.033.0170 was forfeited to the State of Minnesota in favor of the Taxing Districts and

**WHEREAS,** the prior owner, Jodell Sanders has applied to repurchase the parcel for pursuant to Minn. Stat. 282.241 to 282.324, and

**WHEREAS,** the Faribault County Board of Commissioners has considered the application to repurchase the parcel and finds that it would be a hardship for the owner to lose her home and that the repurchase would be in the public's best interest,

**BE IT RESOLVED** that Jodell Sanders, the former owner of parcel #25.033.0170 described as Auditor Lot 77 except the street in the City of Elmore, Faribault County, Minnesota. Section 33-

101-027 be allowed to repurchase said parcel with the payment in full of the reinstated taxes, assessments, fees and costs as follows:

Taxes	\$2,680.80
Special Assessments	2,551.20
Penalty & Interest	1,827.88
Repurchase Fee	100.00
Deed Tax	23.30
State Deed Fee	25.00
Forfeiture Fee	120.00
Electric Bills	195.00
County Recording Fee	<u>46.00</u>
Total Cost	\$7,553.18

**BE IT FURTHER RESOLVED** that the repurchase price must be paid in full by November 15, 2019 or repurchase agreement will be void.

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Warmka/Roper motion carried unanimously to approve requests of J. Howard, A. Noll, and M. Lacher to attend on-line DMT re-certification; C. Davis, B. Gehrking, A. Huston, M. Stevermer, P. Campbell, J. Anderson, and D. Bullerman to attend a 2-day MN South Central Investigator's Coalition conference in Mankato.; L. Olson to attend a 1-day MN Assoc. of Assessment Personnel meeting in Mantorville; T. Beckman to attend a 1-day boiler hydronics training in Eden Prairie; A. Wachlin to attend a 1-day FAST training in Faribault; and L. Scholten to attend a 1-day Government Personnel data workshop in St. Paul.

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Recessed to Drainage Authority meeting.

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Reconvened at 12:57 pm.

Warmka/Young motion carried unanimously to close the meeting to discuss labor negotiation.

Roper/Young motion carried unanimously to re-open the meeting.

Chair Groskreutz recapped the closed session of an AFSCME request for a memorandum of understanding.

Young/Warmka motion carried to approve the memorandum of understanding with AFSCME allowing Lorrie Bosma and Kathryn Anderson, upon severance of employment from Faribault County, to both receive a County contribution toward their retiree health insurance coverage equal to the amount of the County's contribution toward active employees. Commissioners Roper, Young, and Warmka voted yes. Commissioners Loveall and Groskreutz voted no.

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Loveall/Roper motion carried unanimously to pay the following bills:

Audit list and auxiliary totaling \$ 497,848.50 as follows:

GENERAL REVENUE FUND	\$ 95,867.34
PUBLIC WORKS FUND	102,289.20
HUMAN SERVICES FUND	231,853.34
ISTS LOAN FUND	14,663.74
FORFEITED TAX SALE FUND	3.3
DITCH FUND	<u>53,171.58</u>
	\$ 497,848.50

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The meeting was recessed to 9:00 a.m. November 19, 2019.

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Bill Groskreutz, Chair

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Clara Vereide, Acting Clerk to Board