

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
APRIL 6, 2021

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 April 6, 2021. The following members were present: Bruce Anderson, Bill Groskreutz, Tom Loveall, John Roper, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator Darren Esser and Acting Clerk to the Board Clara Vereide were also present. Also participating in the call were Faribault County employees: K. Karjala, J. Blair, K. Anderson, S. Hauskins, and L. Scholten; members of the public: Tony Acosta, Milton Steele and Kevin Mertens

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

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Young/Anderson motion carried unanimously to approve the synopsis and official proceedings of the March 16, 2021 regular and drainage meeting.

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Groskreutz/Young motion carried unanimously to approve the agenda of April 6, 2021.

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The calendar was updated.

No member of the public appeared during public comment.

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Committee reports were given. Loveall reported on CD10 with Lore and Goodrich's; Anderson reported on extension; Young reported on CSAH 31, bonding for building improvement, EDA, CD21, board representative on Safety committee, and Prairieland; Groskreutz reported on emergency communications board, HRA, and Environmental/Health; and Roper reported on drug court and RMEB.

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County Attorney Kathryn Karjala met regarding office business. Central Services Director Lexi Scholten also attended.

Loveall/Young motion carried unanimously to approve the rental lease for Suite 8A at Town & Country Plaza with the City of Blue Earth for March 1, 2021 through March 1, 2024.

Loveall/Young motion withdrawn on 1 year contract for provision of services between Faribault County and Faribault County Soil and Water Conservation District effective January 1, 2021.

Groskreutz/Young motion carried unanimously to table the Soil and Water Conservation District contract for provision of services to the April 20, 2021 board meeting.

Young/Anderson motion carried unanimously to accept the resignation of County Attorney Kathryn Karjala effective July 2, 2021.

Groskreutz/Anderson motion carried unanimously to approve advertising for County Attorney position.

Loveall/Groskreutz motion carried unanimously to approve the timeline of hiring the county attorney position as presented by Central Services Director Lexi Scholten.

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Faribault County EDA Director Annie Nichols met regarding EDA business. The community survey and annual report were presented.

Anderson/Young motion carried unanimously to approve Resolution 21-CB-32 in support of telecommuting opportunity and telecommuter forward certification. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

WHEREAS, Faribault County supports and commits to promote the availability of telecommuting options;

WHEREAS, Faribault County hereby appoints the Faribault County EDA as the single point of contact for coordinating telecommuting opportunities within Faribault County including the following responsibilities:

1. Coordination and partnership with broadband providers, realtors, economic development professionals, employers, employees, and other telecommuting stakeholders.
2. Collaboration with broadband providers and employers to identify, develop, and market telecommuter-capable broadband packages.
3. Communication and partnership with broadband providers and economic development professionals to develop common goals.
4. Promotion of telecommuter-friendly workspaces, such as business incubators with telecommuting spaces, if such a workspace has been established in the political subdivision at the time the political subdivision adopts the resolution.
5. Familiarity with broadband mapping tools and other state-level resources.
6. Maintaining regular communication with the state broadband office.
7. Making regular reports to the Faribault County Commissioners.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Faribault County Commissioners to support telecommuting opportunities for Faribault County in its application for Telecommuter Forward! Community certification.

Young/Anderson motion carried unanimously to approve hiring a summer intern at a cost of \$8,000.00 with EDA paying \$4,000.00.

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Public Works Director Mark Daly met regarding office business.

Young/Anderson motion carried unanimously to accept low bid of \$3,799,437.47 on SP 002-601-025 for 2021 overlays from Ulland Brothers. Other bids received were: \$4,489,130.57 from Knife River, \$4,698,653.02 from Minnesota Paving, \$4,706,683.48 from Central Specialties, and \$4,849,170.92 from Duininck, Inc.

Groskreutz/Young motion carried unanimously to approve Resolution 21-RB07-33 an agreement with Minnesota Department of Natural Resources maintenance and grooming of the snowmobile trails. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

For Grant Contract Agreement
Snowmobile Grant-In-Aid Program
FY 2022 Maintenance and Grooming Grants

BE IT RESOLVED, that the County of Faribault act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for maintenance and grooming of the snowmobile trails managed by Faribault County Trails/ Blue Earth Snow Rovers Snowmobile Club/ Stateliners Snowmobile Club.

BE IT FURTHER RESOLVED, that upon approval of its application by the State, The County of Faribault may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED, that Mark Daly Director/Engineer of the Public Works Department and Darren Esser County Auditor/Treasurer/Coordinator are authorized to sign such an agreement with the Department of Natural Resources.

BE IT FURTHER RESOLVED, that Mark Daly Director/Engineer of the Public Works Department is hereby authorized to serve as the fiscal agent for the above referenced project.

Loveall/Groskreutz motion carried unanimously to approve Resolution 21-RB08-34 for a grant from the Minnesota State Transportation Fund for construction of Bridge No.22623 on CR 109. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

For Agreement to State Transportation Fund
Local Bridge Replacement Program
Grant Terms and Conditions
SP 022-598-010
MnDOT Agreement 1045903

WHEREAS, Faribault County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No.22623 on CR 109; and

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

WHEREAS, the amount of the grant has been determined to be \$98,579.30 by reason of the lowest responsible bid;

NOW THEREFORE, BE IT RESOLVED that Faribault 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 bridge but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

Young/Loveall motion carried unanimously to approve Resolution 21-RB09-35 a grant from Minnesota State Transportation Fund for construction of Bridge No. 22J58 on CSAH 9. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

For Agreement to State Transportation Fund
Local Bridge Replacement Program
Grant Terms and Conditions
SP 022-609-009
MnDOT Agreement 1045902

WHEREAS, Faribault County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No.22J58 on CSAH 9; and

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

WHEREAS, the amount of the grant has been determined to be \$116,092.98 by reason of the lowest responsible bid;

NOW THEREFORE, BE IT RESOLVED that Faribault 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 bridge but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

Anderson/Young motion carried unanimously to approve Resolution 21-RB10-36 a grant from Minnesota State Transportation Fund for construction of Bridge No. 22622 on CSAH 21. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

For Agreement to State Transportation Fund
Local Bridge Replacement Program
Grant Terms and Conditions
SP 022-621-027
MnDOT Agreement 1045164

WHEREAS, Faribault County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No.22622 on CSAH 21; and

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

WHEREAS, the amount of the grant has been determined to be \$110,927.40 by reason of the lowest responsible bid;

NOW THEREFORE, BE IT RESOLVED that Faribault 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 bridge but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

Discussion was held regarding county wide pavement condition.

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Groskreutz/Young motion carried unanimously to close the meeting for attorney-client privilege regarding CD21 litigation. Present were Commissioners Anderson, Groskreutz, Loveall, Roper, and Young, Auditor/Treasurer/Coordinator Esser, Drainage Manager Lore, Acting Clerk to the Board Vereide, County Attorney Karjala, and Attorney Roger Justin.

Young/Anderson motion carried unanimously to end closed session.

County Attorney Karjala reviewed closed session.

Young/Groskreutz motion carried unanimously to return to open session.

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Public Works Director Mark Daly returned to the meeting to continued discussion on county wide pavement condition.

Anderson/Groskreutz motion carried unanimously to approve a full depth reclamation with bituminous overlay on CSAH 31 at a total cost of \$3,135,799.00.

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Groskreutz/Anderson motion carried unanimously to approve Resolution 21-CB-37 approving State of Minnesota Joint Powers Agreement on behalf of Faribault County Attorney and Sheriff. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

**APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE
COUNTY OF FARIBAULT ON BEHALF OF ITS COUNTY ATTORNEY AND SHERIFF**

04-06-21

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WHEREAS, the County of Faribault on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five-year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Faribault, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Faribault on behalf of its County Attorney and Sheriff are hereby approved.
2. That the Sheriff, Michael Gormley, or his successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Chief Deputy Scott Adams, or his successor, is appointed as the Authorized Representative's designee.

3. That the County Attorney, Kathryn Karjala, or her successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Mary Eckhardt, Legal Assistant, or her successor, is appointed as the Authorized Representative's designee.

4. That John Roper, the Chair of the County of Faribault, and Lexi Scholten, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

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Young/Groskreutz motion carried unanimously to approve subordination of an SSTS loan to Ryan and Angela O'Hara recorded on September 9, 2016 as Document No. 372458 to First Bank of Blue Earth.

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Groskreutz/Anderson motion carried unanimously to approve training request from M. Sonnek for a 1-day Minnesota Jail Programs and Services spring training day online.

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Groskreutz/Young motion carried unanimously to recess at 12:01 to drainage authority meeting.

Regular meeting came back in session at 12:38.

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Public Works Director Mark Daly returned to the meeting on office business.

Anderson/Young motion carried unanimously to approve Resolution 21-RB11-37 amending a request of an advance of County State Aid Highway funds to up to \$3,832,654.00 from the Commissioner of Transportation. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

WHEREAS, the County of Faribault is planning to implement County State Aid Street Project(s) in 2021 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

		CSAH Reg	CSAH Mun
Account Balance as of date	<u>3/31/2021</u>	\$ <u>3,351,489</u>	\$ <u>150,748</u>
Less estimated disbursements:			
Project #'s	<u>SAP 022-616-028</u>	\$ <u>2,726,789</u>	\$ <u>270,000</u>
	<u>SAP 022-601-024</u>	\$ <u>116,512</u>	\$ <u></u>
	<u>SAP 022-601-025</u>	\$ <u>1,258,881</u>	\$ <u></u>
	<u>SAP 022-669-002</u>	\$ <u></u>	\$ <u>291,926</u>
	<u>SAP 022-621-027</u>	\$ <u>252,961</u>	\$ <u></u>
	<u>SAP 022-609-009</u>	\$ <u>222,285</u>	\$ <u></u>
	<u>SAP 022-631-001</u>	\$ <u>3,111,339</u>	\$ <u>88,661</u>
Project Finals (overruns-if any)		\$ <u></u>	\$ <u>178,935</u>
Total Estimated Disbursements		\$ <u>7,688,467</u>	\$ <u>829,522</u>
Advance Amount (amount in excess of acct balance)		<u>4,336,978</u>	
Maximum Advance Amount		\$ <u>3,153,880</u>	\$ <u>678,774</u>

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

04-06-21

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NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Faribault in an amount up to \$3,832,654.00 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

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Groskreutz/Young motion carried unanimously to pay bills as follows:
Audit list and auxiliary totaling \$ 484,431.98 as follows:

GENERAL REVENUE FUND	\$ 119,478.40
PUBLIC WORKS FUND	94,853.61
HUMAN SERVICES FUND	222,521.37
ECONOMIC DEVELOPMENT AUTH.	1,640.25
COUNTY LIBRARY FUND	496.00
HUNTLEY SEWER DISTRICT	1,288.50
FORFEITED TAX SALE FUND	92.00
TAX AND PENALTIES (ODD)	15,705.27
NON REV/DISB A	6,744.10
DITCH FUND	<u>21,612.48</u>
	\$ 484,431.98

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The meeting was recessed to 9:00 a.m. April 20, 2021.

John Roper, Chair

Clara Vereide, Acting Clerk to the Board