

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
FEBRUARY 7, 2023

The Faribault County Board of Commissioners met in regular session at the Courthouse Annex in the City of Blue Earth at 9:00 a.m. on February 7, 2023. The following members were present: Tom Loveall, Bruce Anderson, Bill Groskreutz, John Roper, and Greg Young Commissioners. Auditor/Treasurer/Coordinator Darren Esser, County Attorney Cameron Davis, Deputy Tom Elmer, Acting Clerk to the Board Sarah Van Moer, and members of the public M. Steele, K. Mertens, B. Anderson, and T. Acosta also attended.

The meeting was called to order by Chair Anderson.

The pledge of allegiance was recited.

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Young/Groskreutz motion carried unanimously to approve the synopsis and official proceedings of the January 17, 2023 regular and drainage authority meetings.

\* \* \* \* \*

Groskreutz/Loveall motion carried unanimously to approve the agenda of February 7, 2023, with an addition.

\* \* \* \* \*

The calendar was updated.

B. Anderson spoke during public comment.

\* \* \* \* \*

Committee reports were given. Groskreutz reported on drainage, Transit, MVAC, HRA, Toward Zero Deaths and the AMC legislative update. Roper reported on Workforce and TdS Regional Library Systems Board. Young reported on Transit and Prairieland. Loveall reported on One Watershed, One Plan. Anderson reported on MRCI, Prairieland, Extension, and the AMC legislative update.

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Discussion was held regarding the commissioner wages. No action was taken.

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Nate Carr and Brandee Douglas met regarding the Le Sueur One Watershed, One Plan draft joint powers agreement. No action was taken.

\* \* \* \* \*

Chief Deputy Scott Adams met regarding Sheriff's Office business.

Young/Groskreutz motion carried unanimously adopting Resolution 23-CB-09 approving the amended communications facility lease with MnDOT. Commissioners Groskreutz, Roper, Young, Loveall, and Anderson voted yes.

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

**WHEREAS,** The Faribault County Board of Commissioners has considered the benefits and implications of entering into an amendment to the land lease agreement with the Minnesota Department of Transportation, and

**WHEREAS,** the Faribault County Board of Commissioners has determined that entering into the amendment would provide a proper public benefit,

**THEREFORE, BE IT RESOLVED,** that the Faribault County Board of Commissioner hereby approves the following amendment to the land lease between the Minnesota Department of Transportation and Faribault County.

MnDOT Contract Number: 95140

Tower Name: BLUE EARTH LAND

### AMENDMENT NUMBER 1 To MnDOT LEASE

**NUMBER: 95140 COMMUNICATIONS**

**FACILITY LEASE**

THIS AMENDMENT is made by and between the State of Minnesota, acting through its Commissioner of Transportation ("MnDOT") and County of Faribault, a political subdivision of the State of Minnesota, Address: 125 W. Second Street, Blue Earth, Minnesota 56013 ("County").

#### **Recitals**

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1. County and Mn DOT entered into a Land Lease identified as Mn DOT Contract Number 95140 ("Original Contract") dated, July 15, 2009, as participating in a partnership for the development and operation of a public safety radio communication system in Faribault County;
2. This Lease is being amended to clarify the terms and the option to renewal clause.
3. County and MnDOT are willing to amend the Original Contract as stated below.

#### **Contract Amendment**

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Unless otherwise noted, in this amendment, deleted contract terms will be struck out and the added contract terms will be bolded and underlined.

**REVISION 1. Article 3 is amended as follows:**

3. **TERM.** The term of this Agreement is ten (10) years, commencing August 1, 2009, and continuing through July 31, 2019, ("Agreement

Term"). The term of this Agreement may be automatically extended pursuant to section 4.1, and by this Amendment the Agreement is extended for the first ten-year renewal term.

REVISION 2. Article 4 is amended as follows:

**4. OPTION TO RENEW**

4.1 ~~County grants and Mn DOT accepts the right to one (1) option to renew this Agreement for a period of ten 10 years at the same terms an, conditions, and rent as this Agreement~~ County and Mn DOT agree that this Agreement will renew automatically on the expiration date at the same terms and conditions, unless otherwise terminated by one or both parties. Each renewal will be for ten years. In the event that either party elects not to renew this Agreement or desires to renegotiate the terms of the Agreement before the expiration date, that party shall give written notice to the other party informing that they wish to terminate or renegotiate the Agreement. Said notice must be received forty-five (45) days prior to the expiration date.

4.2 ~~To exercise the above noted option, MnDOT must indicate in writing its intent to exercise said~~

~~option ninety 90 days prior to the expiration date of this Agreement~~

The Original Contract and any previous amendments are incorporated into this amendment by reference. Except as amended herein, the terms and conditions of the Original Contract and any previous amendment remain in full force and effect.

\* \* \* \* \*

Buildings & Grounds Director Saxon Warmka met regarding office business.

Young/Roper motion carried unanimously to accept low bid from Mavo Systems, Inc. in the amount of \$15,100.00 for asbestos abatement in the garage space of the old jail building.

One other bid from Sterling Systems was received in the amount of \$24,960.00.

\* \* \* \* \*

Mark Daly met regarding Public Works business. Project updates were given.

Loveall/Roper motion carried unanimously to approve the order of equipment in the 2023 budget as listed.

A parks board meeting was set for March 8<sup>th</sup>, 2023 at 3:00pm in the Public Works Department.

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\* \* \* \* \*

Groskreutz/Loveall motion carried unanimously to set the 2023 beaver bounty for waters that are not a public drainage system at \$50 per tail.

\* \* \* \* \*

Roper/Groskreutz motion carried unanimously to approve liquor license renewal for American Legion 192 Sanford Post for the period of April 1, 2023 through March 31, 2024.

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Groskreutz/Young motion carried unanimously to extend the temporary move of the regular County Board meetings to the Annex Minnesota Room at 412 North Nicollet Street, Blue Earth, MN and extending the temporary pause of the teleconferencing option both through March 2023.

\* \* \* \* \*

Young/Roper motion carried unanimously approving courthouse HVAC Mechanical change order #7 for relocation of floor drains in the boiler room.

\* \* \* \* \*

Young/Loveall motion carried unanimously approving courthouse HVAC Demolition change order #6 for additional underground fuel tank removal charges of \$11,113.00.

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Groskreutz/Loveall motion carried unanimously approving a 12-month rental agreement extension with Metro Sales, Inc. for the Ricoh MP6503SP copier/printer/scanner at \$196.21 per month.

\* \* \* \* \*

Young/Loveall motion carried unanimously directing the County Auditor to attempt to negotiate a sales price with the DNR for 26.84 acres of tax forfeited parcel 09.008.0800 in lieu of donating the land.

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Groskreutz/Roper motion carried to approve training requests from B. Bonin and M. Purvis to attend a Handgun & Patrol Rifle New Instructor Certification in Maple Grove; J. Pettit to attend a Baton/Impact Weapon Instructor training in Elk River; L. Frommie to attend the 2023 Governor's Homeland Security and Emergency Management Conference in Brooklyn Center; B. Bromeland to attend a Mandatory Inspection Program Recertification in Mankato; M. Lore and D. Anderson to attend the Mn Assoc of Drainage Inspectors Annual Meeting & Conference in St. Cloud; V. Do to attend an Advanced Gun Laws Training in St. Paul; K. Amundson to attend the 2023 Mn PSAP 911 Conference in Alexandria; S. Hauskins to attend the 2023 Mn Assoc of County Feedlot Officers Annual Conference in Winona; C. Davis to attend a Cellular Technology Mapping & Analysis Training in Brainerd; and D. Wick to attend an online Essential Skills for Supervisors training.

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

Audit list and auxiliary totaling \$ 443,328.83 as follows:

GENERAL REVENUE FUND	\$ 658,853.99
PUBLIC WORKS FUND	155,800.59
HUMAN SERVICES FUND	233,518.58
DITCH FUND	9,338.75
SETTLEMENT AGENCY FUND- REC	5,137.00
NON REV/ DISB A FUND	2,611.74
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	\$ 443,328.83

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The meeting was recessed to February 21<sup>st</sup>, 2023.

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Bruce Anderson, Chair

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Sarah Van Moer, Acting Clerk to the Board