

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
SEPTEMBER 17, 2019

The Faribault County Board of Commissioners met pursuant to the recess of September 3, 2019 at the Courthouse in the City of Blue Earth at 9:00 a.m. on September 17, 2019. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator Darren Esser, County Attorney Kathryn Karjala, 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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Warmka/Young motion carried unanimously to approve the synopsis and official proceedings of the September 3, 2019 regular and drainage authority meetings.

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Roper/Loveall motion carried unanimously to approve the agenda of September 17, 2019.

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The calendar was updated. No one appeared during public comment.

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Committee reports were given. Loveall reported on Region Nine and AMC Fall Policy meeting; Young reported on Human Services exec and Transit exec; Roper reported on AMC Fall Policy meeting, Human Services exec, Career Force, and MVAC; Groskreutz reported on Community Health, MRCI, Transit exec, AMC Fall Policy meeting, and MVAC.

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Caesar Larson spoke on behalf of Charlie Carlson regarding CD 24 and Holtmeier ravine.

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Soil and Water Program Administrator Michele Stindtman met regarding soil and water business.

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Tax Clerk Lorrie Bosma met regarding SSTS business.

Loveall/Warmka motion carried unanimously to approve an SSTS loan of \$14,663.74 and a \$3,000 grant to Sandra Goehry on Parcel NO. 01.019.0400 in Barber Township.

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Jodell Sanders met regarding an application to repurchase forfeited property in Elmore.

Young/Loveall motion carried unanimously to approve Resolution 19-CB-41 for the repurchase of forfeited Parcel No. 25.033.0170 in the City of Elmore by prior owner. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

R E S O L U T I O N

WHEREAS, Parcel No. 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 No. 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	\$1,779.12
Repurchase Fee	\$ 100.00
Deed Tax	\$ 23.14
State Deed Fee	\$ 25.00
Forfeiture Fee	\$ 120.00
Electric Bills	\$ 179.00
County Recording Fee	<u>\$ 46.00</u>
Total Cost	\$7,504.26

BE IT FURTHER RESOLVED that the repurchase price must be paid in full by October 31, 2019 or repurchase agreement will be void.

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

Warmka/Roper motion carried unanimously to approve Resolution 19-RB11-42 to approve final payment on 2018 bridge projects. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

R E S O L U T I O N

WHEREAS, SAP 022-599-111, 480th Avenue bridge project has in all things been completed; and

WHEREAS, the final project amount is \$210,097.33 which is \$6,759.33 (3%) more than the original contract bid of \$203,338.00; and

WHEREAS, SAP 022-599-112, 60th Street Bridge project has in all things been completed.

WHEREAS, the final project amount is \$482,138.70 which is \$22,096.70 (5%) more than the original contract bid of \$460,042.00; and

WHEREAS, SAP 022-599-113, 425th Avenue bridge project has in all things been completed; and

WHEREAS, the final project amount is \$188,930.43 which is \$2,330.43 (1%) more than the original contract bid of \$186,600; and

WHEREAS, the final contract amount for all three projects is \$881,166.46 which is \$31,186.46 (3.7%) more than the original contract bid of \$849,980.00; and

WHEREAS, to date \$880,202.18 has been paid to the contractor leaving the balance of \$964.28; and

WHEREAS, the work has been performed satisfactorily and all necessary forms have been completed and received by the Highway Department.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners in and for the County of Faribault, Minnesota, that we do hereby accept said completed projects and authorize final payment to Midwest Contracting, LLC.

Warmka/Young motion carried unanimously to approve Resolution 19-RB12-43 designating Trunk Highway 254 as CSAH 17. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

R E S O L U T I O N

WHEREAS, it appears to the County Board of the County of Faribault that the road hereinafter should be designated County State Aid Highway under the provisions of Minnesota Law.

NOW THEREFORE BE IT RESOLVED, by the County Board of the County of Faribault that the road be described as follows, to-wit:

MNDOT TH 254 commencing at the intersection of south right of way line of the Chicago and Northwestern Railroad in the City of Frost, and terminating at the north ramps of i-90, a distance of 4.8 miles shown in attached Exhibit A.

Be, and hereby is established, located and designated in County State Aid Highway 17 of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward a certified copy of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the designation of said road or portion thereof, that same be contracted, improved and maintained as a County State Aid Highway of the County of Faribault to be numbered and known as County State Aid Highway 17.

Warmka/Roper motion carried unanimously to approve Resolution 19-RB13-44 designating Trunk Highway 253 as CSAH 23. Commissioner Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

R E S O L U T I O N

WHEREAS, it appears to the County Board of the County of Faribault that the road hereinafter should be designated County State Aid Highway under the provisions of Minnesota Law.

NOW THEREFORE BE IT RESOLVED, by the County Board of the County of Faribault that the road be described as follows, to-wit:

MNDOT TH 253 commencing at the intersection of County State Aid Highway 2 in the City of Bricelyn and terminating at the intersection of County State Aid Highway 21, a distance of 6.562 miles shown in Exhibit A, and hereby is established, located and designated as County State Aid Highway 23 of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward a certified copy of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the designation of said road or portion thereof, that same be contracted, improved and maintained as a County State Aid Highway of the County of Faribault to be numbered and known as County State Aid Highway 23.

Discussion was held regarding building repairs needed.

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Loveall/Young motion carried unanimously to close the meeting to discuss litigation on CD 24.

Warmka/Young motion carried unanimously to open the closed session.

Meeting was re-opened. Chair gave a synopsis of the closed session.

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Auditor/Treasurer/Coordinator Darren Esser met regarding Central Services business.

Warmka/Loveall motion carried unanimously to approve leave of absence without pay request from Jessica Blair from her current position of Senior Technical Clerk per the agreement of leave terms.

Young/Warmka motion carried unanimously to approve the appointment/hire of Jessica Blair as Auditor Chief Deputy and Accountant effective September 18, 2019.

Young/Warmka motion carried unanimously to approve reclassification of the Drainage Manager position to a C51 scale classification which will be effective on the next regular payroll.

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Young/Roper motion carried unanimously to approve Resolution 19-CB-45 setting proposed 2020 levy at \$11,951,873 after reduction of program aid and budget of \$26,164,093 in revenues and \$26,154,076 in expenditures. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

WHEREAS, the Faribault County Board of Commissioner has considered the financial needs of Faribault County,

BE IT THEREFORE RESOLVED, that the budget of Faribault County for 2019 will be set at \$26,164,093 in revenues and \$26,154,076 in expenditures.

BE IT FURTHER RESOLVED that a copy of said budget be kept on file in the Office of the County Auditor/Treasurer for public inspection.

BE IT THEREFORE RESOLVED that the levy of Faribault County for 2020 will be set at \$12,651,173 before state aid reductions.

BE IT FURTHER RESOLVED that the levy after reduction of program aid of \$699,300 be appropriated to the proper funds as follows:

General Fund (including Library)	\$6,942,915.00
Public Works Fund	1,321,280.00
Human Services Fund	2,693,773.00
Courthouse Bonds 2020	170,000.00
Courthouse Bonds 2018	115,055.00
Jail bonds	<u>708,850.00</u>
Total Net Levy	\$ 11,951,873.00

BE IT FURTHER RESOLVED, that a certified copy of said levy will be on file with the County Auditor/Treasurer of Faribault County.

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Young/Loveall motion carried unanimously to approve Resolution 19-CB-46 to approve the findings and order to set public hearing for petition for a lateral and repair for CD 10. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

BE IT RESOLVED that the County Board of Commissioners approves the following findings and order to set public hearing for petition for a lateral and repair for County Ditch 10.

Findings

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 10.
2. On January 23, 2017, a petition for lateral to County Ditch #10 was received by the drainage authority.
3. On February 7, 2017, the drainage authority adopted findings and an order accepting the petition and appointing Chuck Brandel, I&S Group, Inc. as the project engineer. Chuck Brandel was ordered to prepare a preliminary survey and file a preliminary survey report with the drainage authority.
4. The preliminary survey report with an addendum was filed with the Faribault County Auditor on February 5, 2018.

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5. Pursuant to Minn. Stat. § 103E.261, subd. 1, a public hearing must be noticed by mail to petitioners, owners of property, and political subdivisions likely to be affected by the proposed drainage project.
6. On May 18, 2018, a petition for repair of County Ditch 10 Branch 1 Lateral A was received by the drainage authority.
7. On June 19, 2018, the drainage authority adopted findings and an order accepting the petition and appointing Chuck Brandel, I&S Group, Inc. as the project engineer. Chuck Brandel was ordered to prepare a repair report and file the report with the drainage authority.
8. The repair report was filed with the Faribault County Auditor on April 9, 2019.
9. Pursuant to Minn. Stat. §103E.715 subd. 3, a public hearing must be noticed by mail to petitioners, owners of property, and political subdivisions likely to be affected by the proposed drainage project.

Order

Based on the foregoing findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for County Ditch 10, hereby orders as follows:

- a. A hearing on the preliminary survey report and repair report shall be held on October 7, 2019 at 9:00 a.m. at the Faribault County Ag Center conference room 415 South Grove Street Blue Earth, MN.
- b. At least ten days before the hearing, the Faribault County Auditor shall mail notice of the time and location of the hearing to petitioners, owners of property, and political subdivisions likely to be affected by the proposed drainage project in the preliminary survey report.

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Loveall/Warmka motion carried unanimously to approve Resolution 19-CB-47 to approve the findings and order to set public hearing for petition to use CD 12 as an outlet. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

BE IT RESOLVED that the County Board of Commissioners approves the following findings and order to set public hearing for petition to use County Ditch 12 as an outlet.

Findings

1. The Faribault County Board of Commissioners is the drainage authority for County Ditch 12.
2. On September 3, 2019, a petition for express authority to use County Ditch 12 as an outlet was received by the drainage authority.

3. Pursuant to Minn. Stat. §103E.401, subd. 3, a public hearing must be noticed by mail and noticed by publication.

Order

Based on the foregoing findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for County Ditch #12, hereby orders as follows:

- a. A hearing on the petition for express authority to use County Ditch 12 as an outlet for drainage shall be held on October 7, 2019 at 10:30 a.m. at the Faribault County Ag Center Conference Room 415 South Grove Street Blue Earth, MN.
- b. The Faribault County Auditor shall publish notice of the hearing at least once a week for three successive weeks in a legal newspaper in general circulation in each county affected by the notice. Notice by mail shall be sent to all benefited landowners on the drainage system concurrent with notice by publication.
- c. At least ten days before the hearing, the Faribault County Auditor shall give notice by mail of the time and location of the hearing to the owners of property and political subdivision likely to be affected by the project.

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Warmka/Roper motion carried unanimously to approve requests from L. Scholten to attend a 1-day Workers Compensation workshop in Mankato; C. Beaver to attend a 2-day Open Source Investigation for Anti-Trafficking Operations in Minneapolis; B. Schaper to participate in a 5-day online AutoDesk Auto CAD 2019, a 5-day online AutoDesk Civil 3D 2019, and a 2-day Excel 2019 training in Mankato; and L. Rebuffoni to attend a 1-day soils training in St. Peter.

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

ACH/EFT warrants for August 1 to August 31, 2019 totaling \$684,690.75 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
08/01/19	4,346.98	Auditor Warrants
08/06/19	350,185.88	Commissioner Warrants
08/08/19	66,028.42	Auditor Warrants
08/15/19	54,190.69	Auditor Warrants
08/20/19	197,519.19	Commissioner Warrants
08/29/19	12,419.59	Auditor Warrants

Auditor warrants for August 1 to August 31, 2019 totaling \$1,159,168.77 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
08/01/19	627,980.33	Auditor Warrants
08/05/19	2,465.51	Auditor Warrants

08/08/19	246,872.08	Auditor Warrants
08/15/19	166,920.53	Auditor Warrants
08/22/19	8,143.70	Auditor Warrants
08/29/19	106,786.62	Auditor Warrants

Audit list and auxiliary as follows:

GENERAL REVENUE FUND	\$ 70,375.71
PUBLIC WORKS FUND	72,874.92
DITCH FUND	23,452.74
FORFEITED TAX SALE FUND	46.00
NON REV/DISB A	<u>4,708.85</u>
	\$ 171,458.22

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The meeting was adjourned for September 2019.

Bill Groskreutz, Chair

Clara Vereide, Acting Clerk to the Board