

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
JANUARY 19, 2021

The Faribault County Board of Commissioners met pursuant to the recess of January 5, 2021 in regular session via teleconference in the City of Blue Earth at 9:00 a.m. on January 19, 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: County Attorney Kathryn Karjala, Central Services Director Lexi Scholten, K. Anderson, Blair, Daly, Hauskins, Lewis, Lore, Rauenhurst, and Rebuffoni; members of public: Brad Bruegger, Brenda Baldwin, Garth Carlson, and Kevin Mertens.

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

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Groskreutz/Young motion carried unanimously to approve the synopsis and official proceedings of the January 5, 2021 regular and drainage authority meetings and January 8, 2021 emergency meeting.

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Young/Anderson motion carried unanimously to approve the agenda of January 19, 2021.

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The calendar was updated.

Brad Bruegger spoke during public comment regarding R & R Hogs conditional use permit.

Committee reports were given. Young reported on planning and zoning meeting; and Groskreutz reported on planning and zoning, EDA, transit, and Environmental Health.

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Planning and Zoning Administrator Loria Rebuffoni met regarding office business. An update of planning and zoning issues was given.

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Central Services Director Lexi Scholten met regarding office business.

Young/Groskreutz motion carried unanimously to hire Dalton Potter as part-time dispatch jailer in the Sheriff Department.

Discussion was held regarding a combined technology and cell phone stipend.

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Solid Waste Manager Billeye Rabbe met regarding office business.

Young/Groskreutz motion carried unanimously to grant the following 2021 solid waste hauling licenses: B&B Sanitation and Recycling of Winnebago, Hansen Sanitation, Inc. of Kasota, Hometown Sanitation of Windom, LJP Enterprises, Inc. of North Mankato, City of Minnesota Lake, Peterson Refuse & Demo of Wells, Thompson Sanitation of Clarks Grove, and Waste Management of Fairmont; and the following 2021 recycling licenses to B&B Sanitation and Recycling of Winnebago, Hometown Sanitation of Windom, LJP Enterprises, Inc. of North Mankato, Thompson Sanitation of Clarks Grove, and Waste Management of Fairmont.

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Public Works Director Mark Daly met regarding office business.

Young/Anderson motion carried unanimously to accept quote from Minnesota Cooperative Purchasing Venture of Stepp Mfg. for a crack seal kettle for \$57,340.00.

Groskreutz/Loveall motion carried unanimously to accept quote from Minnesota Cooperative Purchasing Venture of Midwest Lift for a truck lift for \$168,876.00.

Young/Anderson motion carried unanimously to accept quote from Yeager Implement for a trailer for \$7,600.00. One other quote was received from Zac Sales & Services for \$8,003.12.

Loveall/Anderson motion carried unanimously to accept quote from Minnesota Cooperative Purchasing Venture of Marthaler Dodge for a 2021 2500 Dodge for \$42,805.00. One other quote was received from Ford for \$42,950.00.

Loveall/Young motion carried unanimously to approve a cooperative agreement with Blue Earth County on Faribault County CSAH 1 regarding TH 30 bituminous overlay.

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Anderson/Groskreutz motion carried unanimously to approve Resolution 21-CB-03 granting an intoxicating on-sale liquor license with Sunday sales to Ann Erickson of the Golden Bubble in Foster Township. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

WHEREAS, Minnesota Counties have the authority to issue liquor licenses to establishments located in organized townships and;

WHEREAS, Ann Erickson of the Golden Bubble located in Foster Township has applied for an on-sale intoxicating liquor with Sunday sales license and;

WHEREAS, on January 6, 2021 the Foster Town Board approved issuance of said license and;

WHEREAS, the Faribault County Board of Commissioners has considered the nature of the business to be conducted and its impact upon any municipality, the character and reputation of the applicant, and the propriety of the location.

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NOW, THEREFORE, BE IT RESOLVED that an intoxicating on-sale liquor license with Sunday sales be granted, pending proof of proper liability insurance and commission approval, to Ann Erickson of the Golden Bubble located in Foster Township for the period of April 1, 2021 through March 31, 2022.

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Loveall/Groskreutz motion carried unanimously to approve Resolution 21-CB-04 selling tax forfeited property to the City of Frost to correct blight. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

R E S O L U T I O N

WHEREAS, Parcel No. 26.200.1010 and 26.200.1040 forfeited to the State of Minnesota in favor of the Taxing Districts on November 16, 2020 and November 9, 2018, respectively, and

WHEREAS, the Faribault County Board of Commissioners has hereby classified the parcels as non-conservation property, and

WHEREAS, said parcels have structures that are in a blighted condition and said blight has caused the value of the parcel to be reduced, and

WHEREAS, the Faribault County Board of Commissioners has set the market value of said parcels at \$100.00 each, and

WHEREAS, the City of Frost has applied to the Faribault County Board of Commissioners pursuant to Minnesota Statute 282.01, Subd. 1a, par. (d) to purchase the parcels for the reduced value of \$1.00 each and has documented that the city plans to correct blighted conditions on the property,

THEREFORE, BE IT RESOLVED that the Faribault County Board of Commissioners hereby grants the request of the City of Frost to purchase Parcel No. 26.200.1010 and 26.200.1040 for \$1.00 each plus any associated fees involved in the transaction.

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Groskreutz/Anderson motion carried unanimously to approve Resolution 21-CB-05 to levy 2021 ditch assessments as corrected. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

R E S O L U T I O N

WHEREAS, Minnesota Statute 103E.705 subdivision 6, authorizes the County Board to levy assessments to meet the cost of ditch repair on county, judicial, and joint county ditches;

WHEREAS, the County Board levied 2021 assessments via a resolution passed on December 15, 2020,

WHEREAS, the County Auditor-Treasurer has identified errors in the December 15, 2020 resolution,

WHEREAS, the County Board has reviewed the assessments prepared by the County Auditor-Treasurer,

THEREFORE, BE IT RESOLVED that the assessments for more than one year be due and payable by December 31, 2020 and that unpaid balances at that time be charged a 4.0% annual rate of interest.

THEREFORE, BE IT resolved that the following assessment list replace that list approved in the December 15, 2020 resolution.

Ditch Name	Amount	Years to Run
Cd#1 Aka Jt Cd #301 F&F	175,000	10
Cd#3	125,000	5
Cd#12 & Imprv	10,000	7
Cd#16 & Imprv	14,000	2
Cd#17 (\$8780 roads only)	108,780 100,000	10
Cd#20	210,000	10
Cd#23 (AKA JCD#23)	2,000	1
Cd#25 & Imprv	300,000	15
Cd#25 Br A Imprv	45,000	10
Cd#31	15,000	1
Cd#32	3,000	1
Cd#33	2,500	1
Cd#37	175,000	15
Cd#44	40,000	5
Cd#45	3,000	1
Cd#49	30,000	10
Cd#52	9,000	1
Cd#55	175,000	15
Cd#56	8,000	10
Cd#60	255,000	15
Cd#64	45,000	5
Cd#70	12,000	3
Cd#80	5,000	1
Cd#87 (roads only)	4,013	1
Cd#89	2,500	1
Cd#90	6,000	1
Cd#94	72,000	10
Jd#1F & Imprv 1	340,000	10
Jd#2F	310,000	10
Jd#6F & Imprv 1	10,000	1
Jd#9 F&Be &Imprv	2,000	1
Jd#10F	65,000	15
Jd#14 F&F	2,700	40
Jd#19F	125,000	10

Jd#20F	4,000	1
Jd#22F	1,000	1
Total	2,711,493	2,700,013

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Garth Carlson of Veteran Enterprises, LTD met regarding a resolution declaring that Faribault County has adequate resources to handle COVID-19. Faribault County Attorney Kathryn Karjala recapped her written opinion given to the board regarding the resolution request.

Loveall/Young motion failed to amend the resolution removing a section and the addition of four paragraphs from Commissioner Loveall. Commissioner Loveall voted yes. Commissioners Anderson, Groskreutz, Roper, and Young voted no.

Loveall/Young motion carried to approve Resolution 21-CB-06 supporting the rights of Faribault County citizens as expounded within the Constitution of the United States of America and the Minnesota State Constitution as amended. Commissioners Anderson, Loveall, and Young voted yes. Commissioners Groskreutz and Roper voted no.

R E S O L U T I O N

WHEREAS, Faribault County, Minnesota, recognizes that the Constitution of the United States, as well as the Constitution of the State of Minnesota, enshrines certain rights of all Americans, including those fundamental liberty interests set forth in the Fourteenth Amendment of the US Constitution that prohibit the state from depriving any person of life, liberty, or property without due process of law; and,

WHEREAS, Faribault County recognizes that the US Declaration of Independence advances the "inalienable rights" of life, liberty, and the pursuit of happiness in the face of governmental overreach; and,

WHEREAS, each of the Faribault County duly elected and appointed public servants took a sacred oath to preserve, protect and defend the US Constitution and the Constitution of the State of Minnesota; and,

WHEREAS, Faribault County welcomes, honors and respects the contributions of all businesses and employees of said businesses, regardless of their size and regardless of whether they have been deemed "essential" by some government decree or not; and,

WHEREAS, Faribault County's diverse and entrepreneurial businesses positively contribute to the economic, cultural and social fabric of the County; and,

WHEREAS, agriculture and all businesses in the County have not only been a catalyst for the County's economic health, but have been the backbone of the County throughout its long history; and,

WHEREAS, Faribault County businesses are socially responsible and are capable and willing to maintain adequate health protocols to ensure that Faribault County remains one of the most vital COVID-19 success stories in Minnesota; and,

WHEREAS, fostering a relationship of trust, respect, and open communication between county officials and businesses is essential to the County's mission of delivering effective public services in partnership with the community, thereby advancing a high quality of life for residents; and,

WHEREAS, Faribault County seeks to foster trust, not fear, between County officials and businesses and citizens, while properly allocating limited local resources and encouraging cooperation and open communication, to ensure public safety and due process for all, irrespective of business status; and,

WHEREAS, Faribault County desires to demonstrate its commitment to its businesses and citizens by providing a safe community and by assuring them that, in accordance with federal and state laws and all state licensing authorities, the County will not of its own accord abridge such freedoms and rights; and,

WHEREAS, Faribault County recognizes and honors the inalienable rights of individuals, as individuals, to earn a living, to employ others or to be employed, to provide income for their families, to give back to the community, to treat neighbors with respect and care, and contribute to the overall health and well-being of the community, without the need for undue government overreach, coercion, and control; and,

WHEREAS, the Faribault County Board of Commissioners understands, respects, and has a duty to protect the United States Constitution and the Minnesota Constitution.

WHEREAS, Minnesota Statute 12.31 Subd. 2. reads: "Declaration of peacetime emergency. (a) The governor may declare a peacetime emergency. A peacetime declaration of emergency may be declared only when an act of nature, a technological failure or malfunction, a terrorist incident, an industrial accident, a hazardous materials accident, or a civil disturbance endangers life and property and local government resources are inadequate to handle the situation.

THEREFORE BE IT HEREBY RESOLVED, that the Faribault County Board of Commissioners supports the right of the citizens of Faribault County to freely avail themselves of those rights expounded within the Constitution of the United States of America and the Minnesota State Constitution.

BE IT FURTHER RESOLVED, that the Faribault County Board of Commissioners acknowledges the ability of the individuals and business of Faribault County, to determine their best course of action to respond to the COVID-19 pandemic.

BE IT FURTHER RESOLVED, that the Faribault County Board of Commissioners shall in accordance with Minnesota State law and United States of America federal law, exercise it's expressly granted powers to protect the constitutionally expounded rights of it's citizens.

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Young/Anderson motion carried unanimously to updated lease with the City of Blue Earth for Faribault County EDA office space in the Ag Center building reflecting a rent increase of 2.5% effective February 1, 2021 through January 31, 2022.

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Groskreutz/Young motion carried unanimously to approve request from M. Purvis to a 3-day Advanced Law Enforcement Sniper training in Tekamah, NE.

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

Auditor warrants for December 1 to December 31, 2020 totaling \$ 6,568,746.44 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
12/01/2020	4,663,412.68	Auditor warrants
12/03/2020	375,952.28	Auditor warrants
12/10/2020	39,752.65	Auditor warrants
12/17/2020	706,154.96	Auditor warrants
12/24/2020	183,727.81	Auditor warrants
12/31/2020	599,746.06	Auditor warrants

ACH-EFT warrants for December 1 to December 31, 2020 totaling \$ 4,435,653.60 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
12/01/2020	3,785,780.04	Auditor&Comm.warrants
12/03/2020	141,271.40	Auditor warrants
12/10/2020	4,858.43	Auditor warrants
12/15/2020	143,381.04	Commissioner warrants
12/17/2020	226,837.25	Auditor warrants
12/24/2020	20,109.04	Auditor warrants
12/31/2020	113,416.40	Auditor warrants

Audit list and auxiliary totaling \$ 412,876.06 as follows:

GENERAL REVENUE FUND	\$ 278,884.83
PUBLIC WORKS FUND	21,122.32
FORFEITED TAX SALE FUND	197.42
SETTLEMENT AGENCY FUND	53,975.89
NON REVENUE/DISB A	6,023.00
DITCH FUND	<u>52,672.60</u>
	\$ 412,876.06

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The meeting was adjourned for January 2021.

John Roper, Chair

Clara Vereide, Acting Clerk to the Board

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