

WASECA COUNTY BOARD OF COMMISSIONERS — APRIL 20, 2021

The Waseca County Board of Commissioners met in regular session on Tuesday, April 20, 2021, in the boardroom, 300 North State Street, Waseca, Minnesota. Members present were Chair DeAnne Malterer, Doug Christopherson Brian Harguth, Blair Nelson, and Brad Krause.

Others present were Michael Johnson, Administrator; Tammy Spooner, Auditor-Treasurer; Brad Milbrath, Sheriff; Rachel Cornelius, County Attorney; Jon Schiro, Court Services Director; Alan Forsberg, Interim County Engineer; Brian Tomford, Building & Grounds Director; Clinton Rogers, Janesville City Administrator; and Matthew Stamness.

Chair Malterer called the meeting to order at 9:30 a.m. Roll call was taken and the Pledge of Allegiance was recited.

There was no Public Comment.

Harguth moved and Nelson seconded to amend the Agenda to add item 11c Memorandum of Understanding between Waseca County and Greg Jewison. Motion carried unanimously.

Christopherson moved and Krause seconded to approve the Minutes from April 1, 2021 Work Session. Motion carried unanimously.

Jonathan Schiro, Court Services Director, requested renewal of the Sentencing to Service Contract for fiscal years 2022 and 2023. Nelson moved and Christopherson seconded to approve renewal of the two-year Sentencing to Service Contract with a total cost of \$76,351.21 to Waseca County. Motion carried unanimously.

Harguth moved and Nelson seconded to approve the Consent Agenda. Motion carried unanimously.

- a. Approval of Bills
- b. March 2021 Electronic Funds Report
- c. Temporary Road Closure Co Rd 13 / 8<sup>th</sup> Avenue NE on May 22, 2021 from 8:00 a.m.-10:00 p.m.
- d. Planning Commission Meeting Update 4-01-2021
- e. Jason & Catherine Eldeen and Jon and Cassie Eldeen Transfer of Development Rights
- f. Partial Release of Agricultural Use Zone Restrictive Covenant; Altair Community Solar Garden
- g. Adopt Resolution 2021-20 approving the collective bargaining agreements

**RESOLUTION #2021-20**

WHEREAS, the negotiation team representing Waseca County and Minnesota Public Employees Association representing the Waseca County Highway and Solid Waste & Recycling Unit have reached a tentative settlement on the terms of an agreement for the period of January 1, 2021 through December 31, 2021; and

WHEREAS, representatives of the Highway and Solid Waste & Recycling Unit have ratified the agreement; and

WHEREAS, the settlement is recommended by the Human Resources Director, Melissa Sexton, and the County Administrator, Michael Johnson.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners, in and for the County of Waseca, Minnesota, hereby authorize to execute and implement the terms of the Bargaining Agreements.

A Public Hearing commenced at 9:40 a.m. to consider amendments to the Unified Development Code (UDC). Mark Leiferman, Planning & Zoning Administrator, provided an overview of proposed changes. The Public Hearing was opened to Public Comment at 9:46 a.m. There were no comments and the comment period was closed at 9:47 a.m. After discussion, Nelson moved and Krause seconded to table action on § 2.04 Nonconforming Structures and the definition of the term Occupancy in § 8.03. These proposed amendments to the Waseca County UDC § 2.04 were referred back to the Waseca County Planning Commission for their review of the escrow provisions required in the proposed amendment and consideration of the term Occupancy. Motion carried unanimously.

Christopherson moved and Harguth seconded to adopt Ordinance 146 amending the Waseca County Unified Development Code Article 6 § 2.04 and Article 8 § 8.03 Definitions and Acronyms describing the term Contractor and Contractor's Yard. Motion carried unanimously.

**ORDINANCE: 146  
AN ORDINANCE AMENDING §6.08 and §8.03 OF THE  
WASECA COUNTY UNIFIED DEVELOPMENT CODE**

The County Board of Commissioners for Waseca County hereby ordains as follows:

**WHEREAS**, Waseca County Planning and Zoning requested an amendment to the Waseca County Unified Development Code §6.08 and §8.03; and

**WHEREAS**, the Waseca County Planning Commission conducted a public hearing on March 4, 2021 and April 1, 2021 regarding the proposed amendment to the Waseca County Unified Development Code, and recommends its approval as depicted in Exhibit B and C to the Waseca County Board of Commissioners; and

**WHEREAS**, the Waseca County Board of Commissioners held a public hearing at their meeting on April 20, 2021 to adopt the amendment to the Waseca County Unified Development Code as shown in Exhibit B and C;

**NOW, THEREFORE**, Waseca County Board of Commissioners does ordain that the Waseca County Unified Development Code shall be amended as shown in Exhibit B and C appended to this Ordinance.

**EXHIBIT B  
WASECA COUNTY UNIFIED DEVELOPMENT CODE**

**ARTICLE 6: ZONING DISTRICT REGULATIONS**  
**(Note: Proposed Changes with additions underlined)**

**§ 6.08 A-1 AGRICULTURAL PROTECTION DISTRICT STANDARDS.**

(C) Conditional uses (see Article 4 for accessory uses). Accessory uses are subject to the standards found in Articles 3, 4 and 6 of this ordinance:

(33) Kennels, private;

~~(34) Outdoor display;~~

(345) Other accessory uses and structures that are incidental to the principal use; and

(356) Solar farms.

(36) Trucking company or Contractor's Yard, as defined in Section 8.03, when located at least 500 feet from a residence, other than the owner of the company or Contractor's yard.

(D) Density standards. The base density permitted in the A-1 District is one dwelling unit per quarter-quarter section or parcel of record. Dwellings existing at the time of the adoption of this ordinance will be included when determining whether or not a quarter-quarter section is at its maximum density. The density within a quarter-quarter may be increased pursuant to the provisions of § 6.09 (Transfer of development rights (TDR)). Additional uses may be allowed through the conditional use process, which provides for:

**EXHIBIT C**  
**WASECA COUNTY UNIFIED DEVELOPMENT CODE**  
**ARTICLE 8: DEFINITIONS**  
**(Note: Proposed Changes with Additions Underlined)**

**§ 8.03 DEFINITIONS AND ACRONYMS.**

**CONTRACTOR.** An individual or company employed in the building trade or related businesses. Contractors include, but are not limited to, a general contractor, excavation contractor, landscaping or lawn care contractor, building contractor, to include electric, plumbing and heating contractor, demolition contractor, subsurface sewer treatment system installer or similar.

**CONTRACTOR'S YARD.** An establishment used for the outdoor repair, maintenance or storage of a contractor's vehicles, equipment or materials. A yard and/or building used by a general contractor, excavation contractor, landscaping or lawn care contractor, building contractor, to include electric, plumbing and heating contractor, demolition contractor, subsurface sewer treatment system installer or similar, where vehicles, equipment and materials are stored when not being used on a job site or where a contractor performs maintenance and repair on their own equipment. For the purposes of this definition, a Contractor's yard does not include assembly or manufacturing of products, or wholesale or retail sales or a temporary job construction site.

Sarah Berry, Public Health Director, requested to set a public hearing for May 4, 2021 for Licensed Establishment Fees. Nelson moved and Krause seconded to set the hearing for May 4, 2021 at 9:30 a.m. Motion carried unanimously.

Sarah Berry, Public Health Director, requested approval of a contract to provide limited SSTS services to Blue Earth County. Harguth moved and Nelson seconded to approve the Service Agreement with a flat fee of \$500.00. Motion carried unanimously.

Brian Tomford, Buildings & Grounds Director, requested approval of a road improvement project at Blowers Park over a two year period 2021 thru 2022. The total cost over the two-year period is \$52,000.00, with a split of \$19,000.00 in 2021 and \$33,000 in 2022. Nelson moved and Christopherson seconded to approve the 4” bituminous road project at a total cost of \$52,000.00. Motion carried unanimously.

Alan Forsberg, Interim County Engineer, provided an overview and requested acceptance of the 2020 Waseca County Highway Department Annual Financial Report. Nelson moved and Harguth seconded to accept the report as provided. Motion carried unanimously.

Alan Forsberg, Interim County Engineer, requested adoption of Bridge Replacement Priority Resolution 2021-19. Christopherson moved and Krause seconded to adopt Resolution 2021-19. Motion carried unanimously.

**RESOLUTION 2021-19**

**WHEREAS**, Waseca County has reviewed the pertinent data on bridges requiring replacement, rehabilitation or removal supplied by the local citizenry and local units of government; and

**WHEREAS**, Waseca County has identified those bridges that are high priority that require replacement, rehabilitation or removal within the next five years,

**NOW, THEREFORE BE IT RESOLVED** that the following deficient bridges are high priority and Waseca County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available.

Bridge No.	Township/ Road No.	Estimated Project Cost	Federal Funds	State Aid Funds	Town Bridge Funds	Bond Funds	Local Funds	Proposed Year of Const.
7597	CSAH 5	\$350,990		\$150,000		\$150,000	\$50,990	2022
81506	CSAH 3	\$372,479		\$150,000		\$150,000	\$72,479	2022
7005	CSAH 3	\$372,479		\$150,000		\$150,000	\$72,479	2022
7604	CR 54	\$257,870		\$100,000		\$100,000	\$57,870	2023
7603	CR 54	\$257,870		\$100,000		\$100,000	\$57,870	2023
7598	CSAH 6	\$207,086		\$100,000		\$100,000	\$7,086	2023
7059	CSAH 15	\$710,010	\$568,000	\$142,100				2024

L573 7	TWP 692	\$154,722			\$134,72 2		\$20,000	2024
7607	CSAH 33	\$373,052		\$150,00 0		\$150,00 0	\$73,052	2025
2585	CSAH 14	\$259,780		\$100,00 0		\$100,00 0	\$59,780	2025
8850 9	CR 53	\$92,451		\$45,000		\$45,000	\$2,451	2025
8150 7	CSAH 33	\$676,200	\$540,00 0	\$100,00 0			\$36,200	2026
8150 9	CR 55	\$540,960		\$250,00 0		\$250,00 0	\$40,960	2027
7596	CSAH 1	\$349,557		\$150,00 0		\$150,00 0	\$49,557	2028
8849 8	CSAH 1	\$210,116		\$100,00 0		\$100,00 0	\$10,116	2028
8849 7	OLD 14	\$282,532				\$140,00 0	\$142,53 2	2028
7008	CR 54	\$229,218				\$209,21 8	\$20,000	2029
L411 7	TWP 176	\$334,276			\$314,27 6		\$20,000	2029
8851 0	CR 63	\$439,530				\$400,00 0	\$39,530	2030

**FURTHERMORE,** Waseca County does hereby request authorization to replace, rehabilitate or remove said bridges; and

**FURTHERMORE,** Waseca County does request financial assistance with eligible approach grading and engineering costs on townships bridges, as provided by law.

Alan Forsberg, Interim County Engineer, presented a Cooperative Agreement between Waseca County and the City of Janesville for a salt shed relocation and sharing of sand / salt mixture for winter road maintenance. Clinton Rogers, Janesville City Administrator, provided history and information regarding the salt shed agreement. Krause moved and Christopherson seconded to enter into the Cooperative Agreement. Motion carried unanimously.

Mr. Forsberg provided updates on ongoing county road projects.

Alan Forsberg, Interim County Engineer, informed the Board that he has drafted letter to townships regarding township signage. Currently there are agreements in place with 4 townships. Alan feels that the county should rethink installing and maintaining signage for townships as the county does not have adequate time or resources to continue this practice. A good option would be for townships to use a private sign company. Harguth moved and Nelson seconded to give 6 month notice to the townships that services will be discontinued, but Waseca County will still sell signs and posts to them. Motion carried unanimously.

Michael Johnson, County Administrator, shared updates regarding early budget preparation, CIP project list, ARPA considerations, and Human Resources announcements.

Michael Johnson, County Administrator, presented a Memorandum of Understanding between Waseca County and Greg Jewison for a short-term agreement on 1.2 acres of agricultural land. The County will provide the short-term agreement together with hold harmless and indemnification agreements to Mr. Jewison for signatures. Christopherson moved and Krause seconded to approve the Memorandum of Understanding, contingent upon acceptance of the hold harmless agreement. Motion carried unanimously.

Commissioner reports were shared. Commissioner Krause left the meeting at 12:07 p.m.

Having no further county board business, Harguth moved and Nelson seconded the motion to adjourn the meeting. Motion carried 4-0 and meeting adjourned at 12:14 p.m.

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DeAnne Malterer, Chairperson  
Waseca County Board of Commissioners

ATTEST:

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Tamara J. Spooner, Clerk  
Waseca County Auditor/Treasurer

The following bills were audited and allowed:

ALAN FORSBERG	\$1,008.00
ALVIN GRAMS	80.00
AMAZON CAPITAL SERVICES	18.44
ANCOM COMMUNICATIONS INC	3,399.00
APH STORES, INC.	984.01
BAKER TILLY LLP	930.00
BARBARA J. BUKER	182.90
BOCKS SERVICE INC	434.99
CHRISTENSEN TIRE & AUTO REPAIR	2,333.85
COLE PAPERS INC	1,684.54
COMMUNITY COMPLIANCE MONITORING	806.00

CONTINENTAL RESEARCH CORPORATION	979.26
CRESCENT ELECTRIC SUPPLY CO INC	91.09
DEANNE MALTERER	21.39
DEB WESTPHAL	129.92
DEML FORD INC	2,106.47
DONNELLY LAW FIRM PLLC	1,652.31
DRIVERS LICENSE GUIDE COMPANY	31.95
EMERGENCY AUTOMOTIVE TECH, INC	973.75
EXPRESS CARE INC	35.99
FASTENAL CO	11.66
FIRST NATIONAL BANK 4135	774.00
FIRST NATIONAL BANK 9655	1,014.40
FIRST NATIONAL BANK OMAHA 7265	1,129.86
FIRST NATIONAL BANK 4208	44.45
FIRST NATIONAL BANK 8194	400.00
FIRST NATIONAL BANK OMAHA 9296	75.00
FIRST NATIONAL BANK OMAHA 0710	65.00
FIRST NATIONAL BANK OMAHA 1957	1,101.58
FIRST NATIONAL BANK OMAHA 4986	224.60
FIRST NATIONAL BANK OMAHA 5215	116.00
FIRST NATIONAL BANK OMAHA 5295	30.06
FIRST NATIONAL BANK OMAHA 5348	677.53
FIRST NATIONAL BANK OMAHA 5640	1,139.80
FIRST NATIONAL BANK OMAHA 6072	50.00
FIRST NATIONAL BANK OMAHA 6171	1,019.02
FIRST NATIONAL BANK OMAHA 6908	370.00
FIRST NATIONAL BANK OMAHA 8006	61.23
FIRST NATIONAL BANK OMAHA 8263	1,265.94
FIRST NATIONAL BANK OMAHA 8264	891.97
FSSOLUTIONS	500.00
HANCOCK CONCRETE PRODUCTS LLC	1,365.00
HOWARD E NYHART CO INC	2,550.00
HUMBOLDT MFG CO	25.83
INNOVATIVE OFFICE SOLUTIONS LLC	499.21
JAGUAR COMMUNICATIONS	250.00
JANESVILLE HARDWARE LLC	26.62
JANESVILLE TIRE SERVICE	182.00
JEAN STEFFENS	40.78
JOBS PLUS INC	213.38
JOEL D EATON	600.00
JONES AND MAGNUS LLC	125.00

KIMBERLY SHERMO	10.84
LEON SCHOENROCK	95.68
LINDA LARES	100.00
LOCATORS & SUPPLIES INC	1,037.04
LOFFLER	283.41
LOUISE LUND	382.72
LOWMARKUP INC	499.80
MAIRS CHIROPRACTIC INC	168.00
MANKATO MOTORSPORTS LLC	195.10
MARK SOMMERS	90.42
MARVIN PEARSON	94.34
MATHESON	124.68
MAYO CLINIC ST LOUIS MO	253.00
MEGAN KIRBY	49.84
MEI TOTAL ELEVATOR SOLUTIONS	430.55
MICHAEL MOUNTAIN	400.00
MIDWEST MONITORING & SURVEILLANCE	638.43
MINNESOTA TRUCK & EQUIPMENT REPAIR	467.35
MN BUREAU OF CRIMINAL APPREHENSION	510.00
MN COUNTIES COMPUTER COOP	17,656.64
MN SHERIFFS ASSOC	120.00
M-R SIGN COMPANY INC	1,679.91
NAPA AUTO PARTS MPEC	677.31
NCH CORPORATION	145.19
NEW RICHLAND FARM & HOME SUPPLY	39.95
NEWRICH FOODS	11.98
NORTHSTAR COMPUTER FORMS INC	520.65
NUSS TRUCK GROUP INC	1,365.55
ONSOLVE INTERMEDIATE HOLDING CO	700.00
PATTON HOVERSTEN & BERG PA	670.00
PLUNKETT'S PEST CONTROL INC	96.75
POMP'S TIRE SERVICE	300.00
POWERPLAN INC	13,201.76
RAMSEY COUNTY	1,601.69
REGENTS OF UNIVERSITY OF MN	18,814.00
RIVER BEND BUSINESS PRODUCTS	59.62
RS EDEN	316.70
RUSSELL J FREDERICK	83.47
SALAMANDER TECHNOLOGIES LLC	85.00
SANCO EQUIPMENT LLC	2,280.81
SMITH TOLLEFSON RAHRICK & CASS	5,943.80

SPORTSMAN STOP	17.00
STATE MN BUREAU CRIM APPREHEN CJIS	1,270.00
STEELE CO DETENTION CENTER	2,817.50
STEPHANIE ROEMHILDT	87.50
SWANSTON EQUIPMENT CORP	1,697.10
THE SHOP LLC	95.00
THOMPSON SANITATION	19,129.62
THOMSON WEST	496.96
UNIVERSAL RECYCLING TECH LLC	1,831.40
WALDORF WELDING & MACHINE	165.25
WASECA CO AUDITOR-TREASURER	240.24
WASECA HARDWARE LLC	603.05
WASECA HARDWARE LLC	325.94
WINFRIED G LUTZ	275.00
WRIGHT & ASSOCIATES LLC	2,217.80