

WASECA COUNTY BOARD OF COMMISSIONERS — JULY 20, 2021

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

Others present were Michael Johnson, Administrator; Tammy Spooner, Auditor-Treasurer; Melissa Sexton, Human Resources Manager; Linda Karst, Recorder; Robin Nelson, Chief Deputy Auditor-Treasurer; Jon Schiro, Court Services Director; Brian Zabel, Planning & Zoning Technician; Brad Milbrath, Sheriff; Rachel Cornelius, County Attorney; Jim Kollar, Public Works Director/County Engineer; Mark Leiferman, Planning & Zoning Director; Brian Tomford, Buildings & Grounds Director; John M. Flor; Donald E. Tune; Ginger Tune; Jeff Nelson; Julie Espe; Thomas McCrady; Todd Sauvegeau; Bill Hacker; Alma Kallisen; Dennis D. Knutson; Carolyn Norman; Rick Schultz; Paul Johnson; and Jim Halsey.

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 Krause seconded to approve the Agenda as presented. Motion carried unanimously.

Tammy Spooner, Auditor-Treasurer, presented bids for the Improvement to County Ditch 19. Tammy shared that the Consulting Engineer, Steve Penkava, recommends awarding the bid to the lowest responsible bidder, Hodgman Drainage Company. Christopherson moved and Krause seconded to award the bid to Hodgman Drainage in the amount of \$249,721.50. Motion carried unanimously.

Christopherson moved and Nelson seconded to approve the Minutes from June 15, 2021 Board of Equalization; June 22, 2021 Work Session and July 6, 2021 Commissioner Meeting. Motion carried unanimously.

Harguth moved and Christopherson seconded to approve the Consent Agenda as presented. Motion carried unanimously.

- a. Approval of Bills
- b. Electronic Funds Transfer Report
- c. Investment Report
- d. City of New Richland temporary closure of Cty Rd 1 on July 24, 2021
- e. Planning Commission Meeting Update July 1, 2021
- f. Partial Release of Agricultural Covenant; Howard and Eva Grunzke / Moody 2320 LLC

Michael Johnson, Administrator, provided an overview of Minnesota Statute § 375A.1205 outlining the process for appointment of County Auditor/Treasurer. Notice was published in the Waseca County News, the official county newspaper, for two consecutive weeks per statute. Waseca County and Tamara J. Spooner have agreed on

terms for a contract. The public hearing for appointment was opened at 9:42 a.m. There was no public comment. Christopherson moved and Krause seconded to close the public hearing. Motion carried unanimously and the public hearing was closed at 9:43 a.m.

Harguth moved and Christopherson seconded to adopt Resolution 2021-28 Appointment of Auditor/Treasurer Position Pursuant to Minn. Stat. § 375A.1205. Nelson expressed that having the position appointed rather than elected loses the requirement of living in the county, which concerns him. Motion carried unanimously.

**RESOLUTION #2021-28  
APPOINTMENT OF AUDITOR/TREASURER POSITION PURSUANT TO  
MINN. STAT. § 375A.1205**

**WHEREAS**, the Auditor/Treasurer position is currently an Elected Officer of Waseca County; and

**WHEREAS**, the parties acknowledge that Minn. Stat. § 375A.1205 permits the Board to appoint the Officer by following the process outlined in Section 375A.1205; and

**WHEREAS**, the parties further acknowledge that the Officer is an incumbent who was previously elected to the Officer's position; and

**WHEREAS**, the parties wish to execute a Contract to provide that the incumbent Officer will be appointed to the position and retain tenure, pay and benefits equal to or greater than the Officer's length of service; and

**WHEREAS**, the Contract is effective as of August 23, 2021, and shall remain in full force and effect unless (a) modified by mutual consent of the County Board and Officer, (b) terminated as provided in the Contract or (c) the County Board adopts a resolution to provide for the election to the Officer's position pursuant to Minn. Stat. §375A.1205, Subd. 7; and

**WHEREAS**, the person elected at the last general election to an office made appointive under Minn. Stat. § 375A.1205 must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected, or until a vacancy occurs in the office, whichever occurs earlier; and

**WHEREAS**, pursuant to Minn. Stat. § 375A. Subd. 6, before the adoption of the resolution to provide for the appointment of an office as described in subdivision 1 for the same chapter, the county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week, for two consecutive weeks, in the official publication of the county; and

**WHEREAS**, publication of this resolution occurred starting on June 30, 2021, and will occur again on July 7, 2021, in the Waseca County News; and

**WHEREAS**, following publication and prior to formally adopting the resolution, the county board shall provide an opportunity at its next regular meeting for public comment relating to the issue; and

**WHEREAS**, after the public comment opportunity, at the same meeting or a subsequent meeting, the county board of commissioners may adopt a resolution that provides for the appointment of the office or offices as permitted in this section; and

**WHEREAS**, the resolution must be approved by at least 80 percent of the members of the County Board upon which it may take effect 30 days after it is adopted.

**NOW, THEREFORE, BE IT RESOLVED**, the Waseca County Board of Commissioners appoints the Auditor/Treasurer position pursuant to Minn. Stat. § 375A.1205.

**BE IT FURTHER RESOLVED**, the Waseca County Board of Commissioners authorizes entering in a contract with Tamara J. Spooner that will become effective on August 23, 2021, and will retain all tenure, pay and benefits equal to or greater of her previously elected position.

**BE IT FURTHER RESOLVED**, the Waseca County Board of Commissioners may adopt a resolution in the future to provide for the election of an office that was made an appointed position pursuant to Minn. Stat. § 375A.1205, but not until at least three years after the office was made an appointed position.

Nelson moved and Harguth seconded to authorize entering into a contract between Waseca County and Tamara J. Spooner effective August 23, 2021. Motion carried unanimously.

Mark Leiferman, Planning & Zoning Director, gave an overview of property owned by The Marti Wilson Revocable Family Trust on the shore of St. Olaf Lake. The family is considering donation of the land to Waseca County. The Wilson Family has requested input regarding a potential donation of 3 parcels of land totally 3.69 acres (known as Tracts A, B & C).

At 10:23 a.m., a Public Hearing was opened for public comment to provide the Wilson family with information to assist them in their decision regarding the future of their property. Chair Malterer clarified for the public that Waseca County does not have a decision to make and they do not have any control over the property.

John Flor, Chairman of St. Olaf Lake Association, expressed that he believes the St. Olaf Lake Association is the more proper recipient than the county.

William Hacker questioned the intention for future use if the property is donated. Mr. Hacker feels that the association of members that live on the lake and would be better able to manage the property.

Julie Espe, Secretary of the St. Olaf Lake Association, is in favor of the lake association being the recipient. Ms. Espe is opposed to a walking path that would go through her property.

Rick Schultz stated that the association would be the best caretaker of the property, government works best when people with the highest stakes, take care of things.

Ginger Tune feels the lake association should have the property.

Jeff Nelson, owner of the property east of Wilson property, expressed concern about losing access to his property and hopes the property will go to the association.

Commissioner Christopherson requested it be noted that everyone in attendance at the meeting are in favor of the Wilson property going to the lake association.

Krause moved and Christopherson seconded to close the public hearing at 10:39 a.m. Motion carried unanimously.

Michael Johnson, County Administrator, shared the following concerns that were expressed to him outside of the meeting:

Steve Schroeder was unable to attend the meeting, but expressed concerns about the lake association having ownership and the cost of ongoing maintenance.

Wayne & Karen Nielsen shared concerns about costs and maintenance.

Skip and Pamela Hein expressed concern about costs and maintenance and feel the St. Olaf Lake Association would not have the resources to cover the ongoing maintenance.

All of the correspondence shared with Mr. Johnson expressed concern over the road and the cost of maintenance, but all want to see continued conservation of the area.

Commissioner Christopherson stated that all of the information and/or concerns are good to know if a decision does come to the Board of Commissioners. Christopherson also thanked everyone for attending the meeting and stated that in his opinion, the lake association would be the best recipient.

Commissioner Nelson shared that there could possibly be some legacy grants available to help the association with the costs. Nelson is not in favor of a bike path going through everyone's lot.

Commissioner Harguth stated that he thinks the lake association is best suited to handle the guiding principles.

Chair Malterer was contacted by Stephanie and Scott Oxley, who have similar concerns about costs for maintenance and upkeep if the land is gifted to the association. They also expressed concern about non-uniformity of the opinions of the members of the association.

Chair Malterer was also contacted by Gary Johnson. Mr. Johnson is a proponent of the lakes association being the recipients of the donated land.

Chair Malterer expressed appreciation for all of the information, which seems to point to conserving lakeshore, but stressed that the County Board has no decision to make at this time.

Jon Schiro, Court Services Director, presented contracts for defense attorney services. The contract is basically a renewal with slight changes due to end of current funding, but future funding will be coming from State Judicial System after July 31, 2021. Nelson moved and Krause seconded to approve the contracts as presented. Motion carried unanimously.

Michael Johnson, County Administrator, requested consideration of quotes for a Courthouse reconstruction project. Brian Tomford, Buildings & Grounds Director, secured quotes from four architects. With consideration of the historic building; cost/benefit ratio; different firms having different approaches, staff recommended Oleson & Hobbie with a quote for design services in the amount of \$31,455.00. It was noted that county staff can do the demo work in 2-3 days. Material costs are unknown and material supplies make the timeline unknown. Staff is seeking approval to proceed with the project in an amount not to exceed \$750,000.00. There will not be an impact to the levy for this project.

Krause moved to move the requests as a slate, proceeding with Oleson & Hobbie Architects in the amount of \$31,455.00 and the full project not to exceed \$750,000.00. Motion died for lack of a second.

Christopherson moved and Nelson seconded to accept the bid from Oleson & Hobbie to provide architectural services for Courthouse renovations in the amount of \$31,455.00. Motion carried unanimously.

Christopherson moved to table setting the estimated cost of renovations to the next meeting. Motion died for lack of a second.

Nelson moved and Harguth seconded to approve moving forward with the renovation project in an amount not to exceed \$500,000.00 without further approval from the Board. Motion carried unanimously.

Melissa Sexton, HR Director; presented a recommendation for reorganization of the Auditor/Treasurer and Recorder's Offices effective August 1, 2021, with the Director position becoming effective August 23, 2021. Christopherson moved and Harguth seconded to adopt Resolution #2021-30 approving the reorganization of the Auditor/Treasurer and Recorder's Offices. Motion carried unanimously.

#### **RESOLUTION # 2021-30**

**WHEREAS**, Waseca County committed to deliver quality services for the people of Waseca County; and

**WHEREAS**, Waseca County continuously evaluates service delivery systems in order to maximize efficiency and enhance customer service; and

**WHEREAS**, Waseca County recently assessed services provided by the offices of Auditor/Treasurer and Recorder; and

**WHEREAS**, the assessment identified areas where organizational changes can be made which will improve and streamline services provided by these offices; and

**WHEREAS**, the study suggested the creation of a Property and Elections Services Division consisting of the Auditor/Treasurer and Recorder offices; and

**WHEREAS**, the Waseca County Administrator and Human Resource Director, in partnership with Auditor/Treasurer and Recorder, have prepared a recommendation for reorganization as follows:

- Create a Property and Election Services Division
- Include the Recorder and Auditor/Treasurer Departments in the new Division.
- Include Human Resources and Planning & Zoning in process improvements but not the organizational structure change.
- Finalize organizational chart once process improvements and cross training is complete.
- HR Director support the department heads in the implementation process.
- County Administrator to assist in concept design to create work space that best fits the effective delivery of service and utilize the Building Maintenance Director to oversee the project.

**WHEREAS**, the Waseca County Board of Commissioners participated in the organizational study and supports the recommendations.

**NOW THEREFORE BE IT RESOLVED**, that the Waseca County Board of Commissioners establishes a Property and Elections Services Division consisting of the Auditor/Treasurer and Recorder offices effective August 1<sup>st</sup>, 2021.

Jim Kollar, Public Works Director/County Engineer, requested awarding Contract #812108 for Aggregate Surfacing-North to Timm's Trucking, the only bid for the project. Krause moved and Nelson seconded to award the bid to Timm's Trucking in the amount of \$139,859.20. Motion carried unanimously.

Jim Kollar, Public Works Director/County Engineer, requested awarding Contract #812109 Aggregate Surfacing-South to Timm's Trucking, the only bid for the project. Harguth moved and Christopherson seconded to award the bid to Timm's Trucking in the amount of \$139,019.16. Motion carried unanimously.

Jim Kollar, Public Works Director/County Engineer, requested awarding Contract #812110 for CSAH 15 culvert replacement to Heselton Construction, LLC, the lowest responsible bid for the project. Christopherson moved and Krause seconded to award the bid to Heselton Construction in the amount of \$312,885.90. Motion carried unanimously.

Michael Johnson, County Administrator, recommended the appointment of Kim Kroeger-Babcock, to the County Extension Committee. Harguth moved and Christopherson seconded to approve the appointment. Motion carried unanimously.

Michael Johnson, County Administrator, requested to enact a Proclamation of Waseca County Staff Appreciation Day. Harguth moved and Christopherson seconded to adopt Resolution #2021-29 Proclaiming June 27, 2021 Waseca County Staff Appreciation Day. Motion carried unanimously.

**RESOLUTION 2021-29**  
**PROCLAMATION OF WASECA COUNTY STAFF APPRECIATION DAY**

**WHEREAS**, county staff serve as the cornerstone of this community, dedicating their time, skills, and expertise for the benefit of their neighbors; and

**WHEREAS**, county staff went beyond expectations, taking on personal risks, to continue delivering essential services to the citizens of our county during the COVID-19 pandemic; and

**WHEREAS**, in addition to their regular duties, many county staff were called upon and accepted new and challenging responsibilities during the pandemic such as expediting the distribution of thousands of dollars in economic recovery appropriations, empowering the survival of our local business community; successfully managing a deluge of mail-in ballots in an unprecedented federal election; and, retooling local public health education outreach to flatten the curve; and

**WHEREAS**, although the state has turned the corner on the COVID-19 pandemic, county staff continue their exemplary work, assisting with recovery through vaccination roll outs and preparing for the American Rescue Plan's multi-year recovery effort; and

**WHEREAS**, the work of county staff over the past year and a half have kept the doors of the county open and our community safer, healthier, and productive throughout months of unprecedented global transition; and

**WHEREAS**, President Sve and the Board of the Association of Minnesota Counties requested the Office of Governor Walz and Lt. Governor Flanagan to proclaim July 27, 2021 as County Staff Appreciation Day and their request was granted;

**NOW, THEREFORE, BE IT RESOLVED** we, the Waseca County Board of Commissioners, proclaim July 27, 2021, as County Staff Appreciation Day and extend our thanks to the staff of our county and express deep gratitude for their commitment to excellence in public service during the COVID-19 pandemic.

Michael Johnson, Administrator, provided updates on recent activities, legislative priorities and 2021 budget.

Human Resource Announcements were shared.

Commissioner Malterer shared information from the NACO Conference.

Having no further county board business, Harguth moved and Christopherson seconded the motion to adjourn the meeting. Motion carried unanimously and meeting adjourned at 12:27 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:

A.H. HERMEL COMPANY	494.36
AAA STRIPING SERVICE	8,230.23
ADVANCED CORRECTIONAL HEALTHCARE INC	3,261.14
AMANDA PFLUEGER	252.00
ANCOM COMMUNICATIONS INC	2,720.00
ANY WAY YOU WANT IT MOVING	300.00
APG MEDIA OF SOUTHERN MN LLC	130.90
APH STORES, INC.	453.65
ASSOC OF MN COUNTIES	140.00
BAKER TILLY LLP	9,640.00
BARBARA J. BUKER	205.60
BAUER BUILT INC	1,102.00
BLAIR NELSON	49.28
BOCKS SERVICE INC	241.50
BRAUN INTERTEC CORP	2,200.00
BUDACH IMPLEMENT INC	65.98
CAPITAL ONE	102.40
CHRISTENSEN TIRE & AUTO REPAIR	5,107.80
CONTINENTAL RESEARCH CORPORATION	983.59
DEANNE MALTERER	64.74
DEML FORD INC	408.54
DENNISON TECHNOLOGY GROUP	708.83
DONAHUE ELECTRIC LLC	100.00
DOUGLAS CHRISTOPHERSON	127.68
ENVIRONMENTAL SYSTEMS RESEARCH INST INC	55,000.00
EXPRESS CARE INC	37.79
EXPRESS SERVICES INC	1,162.91
FIRST NATIONAL BANK 6946	548.75
FIRST NATIONAL BANK 9655	500.00
FIRST NATIONAL BANK OMAHA 7265	334.01
FIRST NATIONAL BANK 8194	18.51
FIRST NATIONAL BANK OMAHA	60.00
FIRST NATIONAL BANK OMAHA 9296	425.22
FIRST NATIONAL BANK OMAHA 0710	1,237.55

FIRST NATIONAL BANK OMAHA 1325	67.83
FIRST NATIONAL BANK OMAHA 2173	225.00
FIRST NATIONAL BANK OMAHA 3979	19.32
FIRST NATIONAL BANK OMAHA 4404	29.91
FIRST NATIONAL BANK OMAHA 4986	1,196.82
FIRST NATIONAL BANK OMAHA 5215	819.77
FIRST NATIONAL BANK OMAHA 5295	82.57
FIRST NATIONAL BANK OMAHA 5348	40.02
FIRST NATIONAL BANK OMAHA 5640	2,445.90
FIRST NATIONAL BANK OMAHA 6171	134.04
FIRST NATIONAL BANK OMAHA 6742	38.26
FIRST NATIONAL BANK OMAHA 6755	186.63
FIRST NATIONAL BANK OMAHA 7236	515.00
FIRST NATIONAL BANK OMAHA 8006	23.85
FIRST NATIONAL BANK OMAHA 8263	38.44
FIRST NATIONAL BANK OMAHA 8264	728.70
FIRST STATE TIRE RECYCLING	7,125.07
FREMAREK INC	1,734.39
GALE-TEC ENGINEERING INC	5,594.50
HARLANDS TIRE & AUTO CENTER	665.80
IDENTISYS, INC	75.02
INNOVATIVE OFFICE SOLUTIONS LLC	1,347.30
JOBS PLUS INC	185.30
JOHN DEERE FINANCIAL	1,034.53
JONES HAUGH & SMITH	4,124.19
KNXR-FM	450.00
LEON SCHOENROCK	95.68
MARK SOMMERS	90.42
MARVIN PEARSON	94.34
MATHESON	72.81
MEI TOTAL ELEVATOR SOLUTIONS	430.55
MESSICK LAW PLLC	320.00
METRO FIBERNET LLC	252.25
MICHAEL JOHNSON	61.38
MIDWEST MONITORING & SURVEILLANCE	607.75
MN BUREAU OF CRIMINAL APPREHENSION	510.00
MN COUNTIES COMPUTER COOP	18,741.64
MN DEPT OF LABOR & INDUSTRY-ST PAUL	30.00
MN DEPT OF TRANSPORTATION	300.00
MN SUPPLY CO	177.12
MN VALLEY COUNCIL OF GOVTS	266.00

MN VALLEY TESTING LAB	114.60
MN.IT SERVICES	1,300.00
MOTOROLA SOLUTIONS, INC	1,741.50
NAPA AUTO PARTS MPEC	280.25
NORTHLAND FARM SYSTEMS	289.22
NUSS TRUCK GROUP INC	577.99
PLUNKETT'S PEST CONTROL INC	216.75
RAMSEY COUNTY	3,346.00
REGENTS OF UNIVERSITY OF MN	1,556.80
RIVER BEND BUSINESS PRODUCTS	3,670.98
RIVER VALLEY FORENSIC SERVICES PA	750.00
RUSSELL GUSE	1,349.32
RUSSELL J FREDERICK	83.47
RWV SIGNS INC	300.00
SAMANTHA HOLICKY-JAMES	28.00
SPEE-DEE DELIVERY SERVICE	10.14
STATE OF MN BUREAU OF CRIM APPREHEN CJIS	995.00
STEELE CO DETENTION CENTER	345.00
STEPHANIE ROEMHILDT	87.50
STREAMLINE COMMUNICATIONS LLC	1,035.00
THIRTY YEAR VENTURES LLC	29.40
THOMPSON SANITATION	25,962.50
THOMSON REUTERS	496.96
TRUCK CENTER COMPANIES	383.33
ULINE	860.16
UNITED RENTALS INC	270.00
UNIVERSAL RECYCLING TECHNOLOGIES,LLC	1,191.40
US BANK-ST PAUL	500.00
VOIANCE LANGUAGE SERVICES LLC	25.00
WASECA CO AUDITOR-TREASURER	951.44
WASECA GLASS INC	120.00
WASECA HARDWARE LLC	237.77
WASECA HARDWARE LLC	235.60
ZAHL EQUIPMENT SERVICE INC	100.00
ZIEGLER INC	37,614.57