

**PROCEEDINGS OF THE COUNTY BOARD OF JACKSON COUNTY, MINNESOTA**  
**August 1, 2023**

The Jackson County Board of Jackson, Minnesota met in regular session, in the Jackson County Courthouse, Commissioners' Board Room, City of Jackson, Minnesota, on August 1, 2023. The following members of the Jackson County Board of Commissioners were present: Roger Pohlman, Phil Nasby, Scott McClure, and Don Wachal. County Administrator Ryan Krosch, Assistant to the Administrator Brandi Bourquin and County Attorney Kristi Meyeraan were also in attendance. Jackson County Commissioner James Eigenberg was absent.

**CALL TO ORDER**

Chair Nasby called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance.

**Motion was made by Commissioner McClure and seconded by Commissioner Wachal** to adopt the agenda. The motion carried unanimously.

**CONSENT AGENDA**

**Motion was made by Commissioner Pohlman and seconded by Commissioner Wachal** to approve the following Consent Agenda items:

**Board Action 23-116** – Approve July 18, 2023 Board of Commissioner Regular Meeting Minutes.

**Board Action 23-117** – Approve all Commissioner disbursements in accordance with Minnesota Statutes 130.01 subd. 4(b), recorded on warrants numbered 103408-103556 in the amount of \$5,542,389.35 for the following funds: Revenue, \$131,538.64; Public Works, \$3,768,063.80; Ditch, \$1,541,856.08; Insurance Trust, \$148.00; Revolving Loan, \$1,991.68; Septic Systems Revolving Loan, \$15,000; Library, \$4,685.72; and Tax & Penalties, \$79,105.43. A detailed list of claims paid is available at the Auditor/Treasurer's office upon request.

| <b>Vendor</b>                            | <b>Total</b> |
|------------------------------------------|--------------|
| Duininck, Inc.                           | 3,171,861.52 |
| Hodgman Drainage Co Inc                  | 652,050.86   |
| M & K Bridge Construction, Inc.          | 387,220.23   |
| Noomen Excavating LLC                    | 324,116.72   |
| Precision Farm Drainage & Excavating LLC | 271,590.66   |
| Towne & Country Excavating, LLC          | 149,974.17   |
| Nobles/County of                         | 131,761.25   |
| Brunz Construction Company Inc           | 131,279.09   |
| Department Of Corrections                | 38,813.74    |
| Rickert Excavating                       | 34,117.80    |
| Jackson Co Central School District 2895  | 22,789.01    |
| Burmeister Snow Removal LLC              | 22,315.88    |
| Windom Area Schools                      | 16,910.50    |
| CliftonLarsonAllen LLP                   | 15,540.00    |
| Stenzel Excavating LLC                   | 15,000.00    |
| Heron Lake - Okabena School Isd 330      | 10,975.10    |
| 66Degrees, LLC                           | 10,022.40    |
| DLT Solutions LLC                        | 9,549.27     |
| Minnesota Paving & Materials             | 7,943.54     |
| Stonebrooke Engineering, Inc             | 7,298.09     |
| Advanced Correctional Healthcare, Inc    | 6,666.58     |
| Marsden Bldg Maintenance LLC             | 6,558.40     |
| MN DVS-Deputy Registrar                  | 5,774.93     |
| S & J Cleaning                           | 5,558.50     |
| Sioux Valley Township                    | 4,401.65     |

|                                         |                     |
|-----------------------------------------|---------------------|
| Asmus Farm Supply, Inc                  | 4,267.13            |
| La Crosse Township                      | 4,170.67            |
| Minneota Township                       | 3,965.04            |
| Rons Electric Inc                       | 3,284.95            |
| Weimer Township                         | 3,034.32            |
| Delafield Township                      | 2,808.60            |
| Jackson Soil & Water Conservation Dist. | 2,509.08            |
| West Heron Lake Township                | 2,367.74            |
| Baker & Taylor, LLC                     | 2,357.93            |
| AUTO VALUE - JACKSON                    | 2,076.02            |
| <b>Total Claims over \$2000</b>         | <b>5,490,931.37</b> |
| <b>108 Claims Under \$2000</b>          | <b>51,457.98</b>    |
| <b>Total Submitted</b>                  | <b>5,542,389.35</b> |

**Board Action 23-118** – Approve subsurface sewage treatment loan for Dale & Jayne Kazemba for the amount of \$15,000.00.

**Board Action 23-119** – Informed of 2023 Confession of Judgement Update Report as required per MN State Statute # 279.37 subd. 3-5.

**Board Action 23-120** – Approve quote of \$39,045.00 submitted by MR Paving & Excavating, Inc. to pave handicapped parking stalls at the fairgrounds parking lot.

**Board Action 23-121** – Appoint Commissioner Scott McClure to replace Commissioner Don Wachal on the SRDC Board.

**Board Action 23-122** – Approve Planning Commission Bylaws changes.

The motion carried unanimously.

**CITIZEN/STAKEHOLDER/ORGANIZATION**

Anne Kilzner and Rob Vanasek from Minnesota Rural Counties presented on the organization’s activities and services provided.

**PUBLIC WORKS/PARKS**

**Motion was made by Commissioner Wachal and seconded by Commissioner McClure** to adopt Board Action 23-123 – Approve the bituminous paving at the Lakefield Public Works facility for the quoted price of \$90,712 from M.R. Paving & Excavating, Inc. The motion carried unanimously.

Luke Ewald, SHIP Health Educator with Des Moines Valley Health and Human Services and Matt Skaret, Jackson City Administrator presented the Master Parks and Trails Plan.

**LAND MANAGEMENT/SWCD**

**Motion was made by Commissioner Pohlman and seconded by Commissioner Wachal** to adopt Board Action 23-124 – Approve Farm Fest, Inc. conditional use permit (Located Pt. Section 21, Weimer Township; Parcel 18.021.0300; 90329 400<sup>th</sup> Ave, Heron Lake, MN) for recreational use in flood plain district with structures with the following conditions:

1. The storage of materials that are flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.

2. All refuse and waste must be properly disposed of. No on-site burning or burial of any materials. Any hazardous waste must be disposed of in a manner consistent with the Minnesota Pollution Control Agency's regulations.
3. Any new or replacement structures must meet the building requirements in the Flood Plain District of the Jackson County Development Code.
4. This Conditional Use Permit (CUP) satisfies the requirements in the Flood Plain District for "Public and Private Recreational Uses with Structures" and also the CUP requirements for "Semipublic or Private Recreation" in the Shoreland, General Use, Natural Environment District.
5. All County, State, and Federal laws, regulations, and ordinances shall be complied with. All necessary permits, licensures, and certifications, including but not limited to any that may be required by the Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Minnesota Department of Labor and Industry, Minnesota Department of Health, Minnesota Department of Transportation, or Jackson County shall be secured and maintained.

The motion carried unanimously.

**Motion was made by Commissioner Pohlman and seconded by Commissioner Wachal** to adopt Board Action 23-125 – Approve Veenker/Behrends Sand Pit conditional use permit (Location Pt. NE1/4 Section 7, Christiana Township; Parcel 03.007.0100; 92567 500<sup>th</sup> Ave, Windom, MN) with the following conditions:

1. All County, State, and Federal laws, regulations, and ordinances shall be complied with. All necessary permits, licensures, and certifications, including but not limited to any that may be required by the Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Minnesota Department of Labor and Industry, Minnesota Department of Health, Minnesota Department of Transportation, or Jackson County shall be secured and maintained.
2. Must obtain a driveway permit from Jackson County Public Works.
3. Must comply with all regulations in Section 730 (Mining and Extraction) of the Jackson County Development Code.
4. Must implement best management practices to keep dust leaving the site to a minimum.
5. Hours of Operation: 7:00 am to 7:00 pm - Must meet all MPCA noise level requirements during the hours of operation.
6. Mining sites shall be rehabilitated immediately after mining operations cease. Rehabilitation shall be complete within one year of non-use. Must follow standards of rehabilitation set forth in Section 730 (Mining and Extraction) of the Jackson County Development Code.
7. The mining site (as mapped and presented at the July, 2023 public hearing) shall be rehabilitated prior to any other mining on this parcel. If another site on this parcel is desired for mining and extraction, the applicant must file for a new Conditional Use Permit.
8. The applicant must work with local officials to determine the status of the wetland and subsequently determine the setbacks and regulations that apply to the mining and extraction project. This determination must happen prior to commencement of work.
9. Mining operations shall not be conducted closer than thirty (30) feet to the adjoining property line unless allowed by the written consent of the owner of such adjoining property and this written consent is on file with the Jackson County Land Management Office.
10. Any field tile, public or private, that are encountered during excavation must be either repaired and replaced or re-routed to ensure existing drainage is maintained.
11. All refuse and waste must be properly disposed of. No on-site burning or burial of any materials. Any hazardous waste must be disposed of in a manner consistent with the Minnesota Pollution Control Agency's regulations.

The motion carried unanimously.

**COUNTY ADMINISTRATOR**

**Motion was made by Commissioner McClure and seconded by Commissioner Wachal** to adopt Board Action 23-126 – Approve a 1% interest rate adjustment to 3% per the terms of a loan agreement with the Southwestern Mental Health Center dated May 24, 2012. The motion carried unanimously.

**BOARD REPORTS**

Commissioner Pohlman reported on meetings/events involving the Historical Society and Library Board.

Commissioner Wachal reported on meetings/events involving Area Transportation Partnership – District 7 (ATP7), Rural MN Energy Board.

Commissioner McClure reported on meetings/events involving the Behavioral Task Force, Missouri River Water Basin One Watershed/One Plan Policy Committee, Emergency Preparedness Task Force, Joint JD 13 and open house for the Southwest Initiative Foundation.

Commissioner Nasby reported on meetings/events involving the Des Moines River Watershed Planning Partnership Policy Committee, Prairie Ecology Bus and Planning & Zoning Board.

**ADJOURN**

**Motion was made by Commissioner Wachal and seconded by Commissioner McClure** to adjourn the meeting at 10:35 a.m. The motion carried unanimously.

JACKSON COUNTY BOARD OF COMMISSIONERS

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Board Chair

ATTEST:

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Ryan Krosch, County Administrator