

PROCEEDINGS OF THE COUNTY BOARD OF JACKSON COUNTY, MINNESOTA

August 20, 2024

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 20, 2024. The following members of the Jackson County Board of Commissioners were present: Don Wachal, Scott McClure, Phil Nasby and James Eigenberg. Commissioner Roger Pohlman was absent. County Administrator, Ryan Krosch; County Attorney, Kristi Meyeraan; and Assistant to the Administrator, Brandi Bourquin were also in attendance.

CALL TO ORDER

Chair Wachal 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 Nasby to adopt the agenda. The motion carried unanimously.

CONSENT AGENDA

Motion was made by Commissioner Nasby and seconded by Commissioner Eigenberg to approve the following Consent Agenda items:

Board Action 24-128 – Approve August 6th, 2024 Board of Commissioners’ Regular Meeting Minutes.

Board Action 24-129 – Approve all Commissioner disbursements in accordance with Minnesota Statutes 130.01 subd. 4(b), recorded on warrants numbered 107180-107316 in the amount of \$374,780.21 for the following funds: Revenue, \$83,536.11; Public Works, \$116,603.90; Ditch, \$149,224.02; Insurance Trust, \$854.56; Septic Systems Revolving Loan, \$15,000; Agency, \$3,090.50; and Library, \$6,471.12. A detailed list of claims paid is available at the Auditor/Treasurer’s office upon request.

Vendor	Total
I & S Group Inc	61,994.71
Brunz Construction Company Inc	58,814.50
Sir Lines-A-Lot, LLC	34,372.63
Waste Management	18,226.09
Jackson Co Auditor-Treasurer	17,457.65
Flint Hills Resources Lp	15,695.30
Guardian Fleet Safety LLC	15,680.00
Septic Services Unlimited	15,000.00
Cottonwood County Hwy Dept	14,285.00
Federated Rural Electric Association	12,165.54
H2Over Viewers LLC	10,629.91
CORPORATE PAYMENT SYSTEMS	10,056.80
Collins Engineers, Inc.	7,607.37
Marsden Bldg Maintenance LLC	5,456.46
Dell Marketing L P	5,125.30
Advanced Drainage Systems	5,123.30
Stonebrooke Engineering, Inc	4,694.11
Rapp Strategies, Inc	3,600.00
West Central Communications, Inc	3,335.39
Sanford Health - Sioux Falls	3,218.00
Treasury Division Of Mn Dept Of Finance	3,005.50
Truck Center Companies West	2,716.41
Kinser Law Office PLLC	2,570.00
SeaChange Print Innovations	2,565.00
Nickel Construction	2,268.08
Cooperative Energy Co.	2,205.32
Northland Business Systems, Inc	2,200.57
Family Services Network	2,090.81

Total Claims over \$2000	342,159.75
95 Claims under \$2000	32,620.46
Total Claims Submitted	374,780.21

Board Action 24-130 – Approve Subsurface Sewage Treatment loan for David and Janna Frodermann for the amount of \$15,000.

Resolution 24-017 – Approve re-appointing Karla Ambrose as Jackson County Assessor for a four-year term beginning January 1, 2025 through December 31, 2028.

County of Jackson)
) SS.
State of Minnesota)

RESOLUTION 24-017

RE-APPOINTMENT OF KARLA AMBROSE AS JACKSON COUNTY ASSESSOR

Whereas, Minnesota Statute 273.061 states every county in this state shall have a county assessor; and

Whereas, Minnesota Statute 273.061 states the county assessor shall be appointed by the board of county commissioners and appointment shall be approved by the commissioner of revenue before the same shall become effective; and

WHEREAS, Minnesota Statute 273.061 declares that the term of office as County Assessor shall begin on January 1 of every fourth year after 1973; and

WHEREAS, January 1, 2025, will begin a new four-year term of office for county assessors statewide; and

WHEREAS, a county board must notify its county assessor, no later than October 1, 2024, if it does not intend to reappoint the assessor; and

WHEREAS, Minnesota Statute 273.061 states a county assessor must have senior accreditation from the state Board of Assessors; and

WHEREAS, Karla Ambrose is senior accredited and currently serving as Jackson County Assessor.

NOW, THEREFORE, BE IT RESOLVED, that the Jackson County Board of Commissioners re-appoints Karla Ambrose as the Jackson County Assessor for a four-year term beginning on January 1, 2025, through December 31, 2028, pursuant to the provisions of Minnesota Statute 273.061, subject to the approval of the Commissioner of Revenue.

Resolution 24-018 – Approve police officer declaration requesting Destiny Mathews be accepted as a member of the Public Employee Retirement Association (PERA) Police and Fire plan as a part-time officer.

County of Jackson)
) SS.
State of Minnesota)

RESOLUTION 24-018

POLICE OFFICER DECLARATION

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below;

BE IT RESOLVED, that the Board of Commissioners of Jackson County hereby declares that the position of Deputy Sheriff, held by Destiny Mathews, meets all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position’s primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff’s department.

BE IT FURTHER RESOLVED, that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee’s initial Police and Fire Plan salary deduction by the governmental subdivision.

Board Action 24-131 – Approve Policy Number 721: Leave of Absence Without Pay revisions.

Board Action 24-132 – Accept the FY2025 CVSO Grant.

Board Action 24-133 – Approve 3.2% On Sale Malt Liquor Licenses for FR2, LLC DBA Jackson Motorplex and Horse Barn and Hunt Club effective October 1, 2024 until September 30, 2025

The motion carried unanimously.

CITIZEN/STAKEHOLDER/ORGANIZATION

Sam Parker and Angie Piltaver presented the MnDOT 10-year Capital Highway Improvement Plan (CHIP).

PUBLIC HEARING
CANNABIS BUSINESS MORATORIUM ORDINANCE

Chair Wacahl opened the public hearing to receive comments regarding the cannabis business moratorium ordinance at 9:44 a.m.

Comments were made by citizen Mike Handzus with regards to licensing of cannabis retailers in Jackson County.

Chair Wachal declared the public hearing closed at 9:53 a.m.

Motion was made by Commissioner Eigenberg and seconded by Commissioner McClure to adopt Board Action 24-134: Approve enactment of an interim ordinance authorizing a study and imposing a moratorium on the operation of cannabis business in the unincorporated areas of Jackson County. The motion carried unanimously.

ORDINANCE NO. 112

AN INTERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON THE OPERATION OF CANNABIS BUSINESSES IN THE UNINCORPORATED AREAS OF JACKSON COUNTY - SUMMARY

The following is a summary, pursuant to Minnesota State Statutes 375.51 and 331A.01, of AN INTERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON THE OPERATION OF CANNABIS BUSINESSES IN THE UNINCORPORATED AREAS OF JACKSON COUNTY:

PURPOSE, INTENT AND STATUTORY AUTHORITY. This Ordinance is adopted by the Jackson County Board of Commissioners for the purpose of providing sufficient time to complete the study of the application, and impact of the 2023 Minnesota Session Laws Chapter 63 – H.F. No. 100 including enacted Minnesota Statute Chapter 342, and H.F. No. 4757 adopted in 2024 (hereinafter “Cannabis Legislation”), upon Jackson County; and to recommend and enact official controls applicable to and in the best interests of the residents’ health, safety, and welfare as provided for by Minnesota Statutes Chapter 342, and Minnesota Statutes section 394.34.

DEFINITIONS. “Cannabis Business” has the meaning given the term in Minnesota Statutes, section 342.01, subdivision 14. “Cannabis Legislation” means 2023 Minnesota Session Laws, Chapter 63 (House File No. 100) and Minnesota Statutes Chapter 342. “County” means Jackson County.

STUDY AUTHORIZED. The County Board of Commissioners hereby authorizes and directs the Jackson County Land Management Department to conduct a study regarding the adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses, as well as the other potential local regulations allowed under the Cannabis Legislation, and report to the County Board of Commissioners on the potential regulation of Cannabis Businesses under the Cannabis Legislation.

MORATORIUM. A moratorium is hereby imposed regarding the operation of Cannabis Businesses within the unincorporated areas of Jackson County. During the term of this Ordinance, the County shall not accept, process, nor act on any Cannabis Business application, site plan, building permit, zoning request, nor any related proposal from any person, or entity.

DURATION. This Ordinance shall become effective on the date of its enactment and shall remain in effect until January 1, 2025. This Ordinance may be repealed earlier upon the effective date of an ordinance adopting or amending reasonable restrictions on the time, place, and manner of the operation of a Cannabis Businesses within the County or by resolution of the County Board of Commissioners terminating this Ordinance prior to the expiration date.

EFFECTIVE DATE. This Ordinance shall be in full force and effect upon the date of its passage.

This is only a summary. The full ordinance is available for public inspection during regular office hours at the Jackson County Administrator’s Office or by standard or electronic mail. Contact the Jackson County Administrator, 405 Fourth Street, Jackson, MN, 56143, office hours 8 a.m. – 4:30 p.m. M-F, telephone (507) 847-4182 or email county.administrator@co.jackson.mn.us.

LAND MANAGEMENT/SWCD

Motion was made by Commissioner McClure and seconded by Commissioner Eigenberg to adopt Board Action 24-135: Approve the conditional use permit request for Ashley Schmit to locate a law firm business in the Agricultural Preservation District in Jackson County with five 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, Jackson County Soil and Watershed Conservation District, or Jackson County shall be secured and maintained.
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. The performance standards outlined in Jackson County’s Development Code shall be complied with. In particular, but not limited to: Sections 704, Screening; 706, Glare; 707, Parking; 716, Sewage Disposal Standards; 726, Access Drives and Access; 729, Sign Regulations.
4. If a business sign is placed on the property, the owner shall apply for and maintain a sign permit as dictated by the current standards in the Jackson County Development Code.
5. Office shall be designed and built in accordance with the Minnesota Accessibility Code.

The motion carried unanimously.

BOARD REPORTS

Commissioner Eigenberg reported on meetings/events involving Heron Lake City Council, DVHHS, Fort Belmont, Ditch 42, General Election Canvass Board, GBERBA and Okabena City Council.

Commissioner Wachal reported on meetings/events involving Law Library, Budget Committee, DVHHS, MCIT, Fair Board, Rural Minnesota Energy Board, General Election Canvass Board, and Planning and Zoning.

Commissioner Nasby reported on meetings/events involving Budget Committee, DVHHS, Southern Minnesota Adult Mental Health Consortium, Friends of the Jackson County Trails, SWMHC, and Prairie Ecology Bus.

Commissioner McClure reported on meetings/events involving DVHHS and SWMHC.

ADJOURN

Motion was made by Commissioner Eigenberg and seconded by Commissioner Wachal to adjourn the meeting at 10:15 a.m. The motion carried unanimously.

JACKSON COUNTY BOARD OF COMMISSIONERS

Board Chair

ATTEST: _____
Ryan Krosch, County Administrator