

PROCEEDINGS OF THE COUNTY BOARD OF JACKSON COUNTY, MINNESOTA

September 21, 2021

The County Board of Jackson County, Minnesota met in regular session, in the Jackson County Government Resource Center, Cafeteria Room (Door 7), 402 White Street, City of Jackson, Minnesota, on September 21, 2021. The following members of the Jackson County Board of Commissioners were present: Catherine Hohenstein, James Eigenberg, Scott McClure, Philip Nasby and Don Wachal. County Administrator, Ryan Krosch and Assistant to the Administrator, Brandi Bourquin were also in attendance.

CALL TO ORDER

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

Motion was made by Commissioner McClure and seconded by Commissioner Eigenberg to adopt the agenda with consent agenda item 2.7 Board Action – Approve Subsurface Sewage Treatment System Loan for Tim Daberkow Construction, LLC moved to regular agenda.

EMPLOYEE INTRODUCTIONS

Carrie Dose, Library Director introduced new Library Assistant, Jesika Mitchell.

CONSENT AGENDA

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

Board Action 21-235: Approve September 7, 2021 Board of Commissioner Regular Meeting Minutes

Board Action 21-236: Approve all Commissioner disbursements in accordance with Minnesota Statutes 130.01, subd. 4(b), recorded on warrants numbered 96434 through 96585 in the amount of \$2,969,802.88 for the following funds: Revenue, \$144,211.55; Public Works, \$2,439,923.84; Ditch, \$350,481.97; Revolving Loan Fund, \$615.00; Septic Systems Revolving Loan, \$26,334.79; Agency Fund, \$3,899.50; Library Fund, \$6,257.34; Taxes & Penalties Fund, \$100.00; and Forfeited Land Fund, \$340.00. A detailed list of claims paid is available at the Auditor/Treasurer's office upon request.

Vendor	Total
Knife River Corporation - North Central	1,925,178.05
M & K Bridge Construction, Inc.	453,360.82
Noomen Excavating LLC	239,792.29
Bolton & Menk Inc	82,873.00
Northern Natural Gas Company	33,868.64
MCCC Mi 33	18,723.16

OPG-3 Inc	18,082.60
Black Strap Inc.	15,815.40
Jasper/James Mitchell	14,927.60
Sanford Health - Sioux Falls	13,365.75
Heron Lake Watershed District	12,577.88
Hohenstein Septic Services LLC	11,717.86
CentralSquare Technologies, LLC	10,100.60
Livewire Printing Co	8,484.84
Duininck, Inc.	8,031.40
Federated Rural Electric Association	7,695.26
Jackson's Heavy Equipment Training, LLC	7,060.00
Erickson Engineering Co LLC	6,613.50
H2Over Viewers LLC	6,230.88
R A Muecke Sand & Gravel, Inc.	5,690.08
Rinke Noonan, Ltd.	4,912.50
CORPORATE PAYMENT SYSTEMS	4,113.14
Treasury Division Of Mn Dept Of Finance	3,857.00
Jackson County Highway Department	3,631.42
Maximus Inc	3,350.00
Jackson County Agricultural Society	3,252.00
Streamworks, LLC	2,700.00
MEI Total Elevator Solutions	2,617.46
Jackson/City Of	2,437.95
Lewis Drug Stores	2,176.18
Shreffler/Lawrence	2,000.00
Total Claims Over \$2000	2,935,237.26
88 Claims Under \$2000	34,565.62
Total Claims Submitted	2,969,802.88

Board Action 21-237: Approve Utility Permit(s)

Board Action 21-238: Approve Wage Step Increase for Doug Bratrud, Crew Chief, Per End of Evaluation Period, August 7, 2021 – policy #400

Board Action 21-239: Accept Anonymous Donation of \$100.00 to Jackson County Sheriff’s Department for K-9 Supplies

Board Action 21-240: Approve Credit Card Request for Jailer Dispatcher Supervisor

Board Action 21-241: Approve Subsurface Sewage Treatment System loan for Jordan & Deanna Sornberger

Resolution 21-041: Approve Police Officer declaration requesting that Caleb Cihak be accepted as a member of the Public Employees Retired Association – Policy and Fire, as a part-time office.

County of Jackson)
) SS.
State of Minnesota)

**Resolution No. 21-041
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 Caleb Cihak, 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 21-242: Approve Subsurface Sewage Treatment System loan for Ethan Miller

Board Action 21-243: Approve Pay Request #3 Judicial Ditch 13 Noomen Excavating LLC

The motion carried unanimously.

Motion was made by Commissioner Nasby and seconded by Commissioner McClure to adopt Board Action 21-244: Approve Subsurface Sewage Treatment System loan for Tim Daberkow Construction, LLC. The motion carried 4-0 in favor with Commissioner Hohenstein recusing herself from voting due to a conflict of interest.

SUMMIT CARBON SOLUTIONS

Jessie Harris, Christina Brusven and Bruceanne Phillips from Summit Carbon Solutions presented on their \$4.5 billion carbon capture and storage project in Minnesota, which includes Jackson County.

PUBLIC HEARING
ESTABLISHING THE APPOINTED OFFICE OF COUNTY RECORDER

Chair Eigenberg opened the public hearing and comment session to receive comments regarding establishing the appointed office of County Recorder at 9:32 a.m.

Mike Handzus was present and inquired about creating education and skill requirements for individuals that wish to file for elected county recorder.

With no other public comments provided, Chair Eigenberg declared the public hearing closed at 9:36 a.m.

Motion by Commissioner McClure and seconded by Commissioner Hohenstein to adopt Resolution 21-042 Approve Establishing the Appointed Office of County Recorder. On a roll call vote the motion carried 5-0 in favor.

County of Jackson)
) SS.
State of Minnesota)

Resolution No. 21-042

RESOLUTION ESTABLISHING THE APPOINTED OFFICE OF COUNTY RECORDER

WHEREAS, Minnesota Statute 382.01 states the office of county recorder shall be elected; and

WHEREAS, Minnesota Statute 375A.1205 provides a process for making certain county elected offices appointed; and

WHEREAS, the current elected Jackson County Recorder, Becky McCann, provided written notice dated September 2, 2021 to the Jackson County Board that she will not be filing for another term of office; and

WHEREAS, the Jackson County Board accepted by resolution on September 7, 2021 said written notice provided by County Recorder McCann; and

WHEREAS, pursuant to Minnesota Statute 375A.1205, the Jackson County Board of Commissioners notified the public by publishing a resolution adopted September 7, 2021 of its intent to make the Office of Jackson County Recorder appointed; and

WHEREAS, said resolution was published in the Jackson County Pilot on September 9 and 16, 2021; and

WHEREAS, the Jackson County Board of Commissioners provided an opportunity for public comment related to appointing the Office of Jackson County Recorder at its meeting on September 21, 2021; and

WHEREAS, pursuant to Minnesota Statute 375A.1205 and after said public comment, a county board can approve a resolution to make an elective office become appointed; and

WHEREAS, said resolution must be approved by at least 80 percent (4/5th) of the members of the county board; and

WHEREAS, said resolution will take effect 30 days after it is adopted unless a petition is filed pursuant to Minnesota Statute 375A.1205; and

WHEREAS, in an office made appointed under Minnesota Statute 375A.1205, County Recorder McCann would continue to serve as elected county recorder until the completion of her current term of office, or until a vacancy occurs in the office, whichever occurs first.

NOW, THEREFORE, BE IT RESOLVED, the Jackson County Board of Commissioners hereby establishes the Office of Jackson County Recorder as an appointed position instead of elected.

BE IT FURTHER RESOLVED, the Jackson County Board of Commissioners orders that the effective date of establishing the appointed Office of Jackson County Recorder be 30 days after adoption of this resolution (October 21, 2021) unless a petition is filed pursuant to Minnesota Statute 375A.1205.

BE IT FURTHER RESOLVED, the appointed Office of Jackson County Recorder will also fulfill the duties required in Minnesota Statute of a county registrar of titles and deeds.

Motion was made by Commissioner Wachal and seconded by Commissioner Nasby to adopt Board Action 21-245 Approve the job description and hiring of an Appointed County Recorder. The motion carried unanimously.

SHERIFF/EMERGENCY MANAGEMENT

Motion was made by Commissioner Nasby and seconded by Commissioner McClure to adopt Board Action 21-246 Approve Memorandum of Understanding “School Resource Officer Agreement” as presented, personnel request to create and fill the school resource officer position and backfill any empty position created by the filling of the school resource officer position. The motion carried unanimously.

PUBLIC WORKS

Motion was made by Commissioner Nasby and seconded by Commissioner McClure to adopt Board Action 21-247 Approve utilization of supplemental comp bank time per policy #303 – Hours of Work. The motion carried unanimously.

Tim Stahl, County Engineer provided an update on county road construction projects.

AUDITOR/TREASURER

Motion by Commissioner Hohenstein and seconded by Commissioner Wachal to adopt Resolution 21-043 Approve competitive negotiated sale of \$7,370,000 general obligation drainage bonds, series 2021A. The motion carried unanimously.

County of Jackson)
) SS.
State of Minnesota)

**Resolution No. 21-043
PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF
\$7,370,000 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BONDS, SERIES
2021A**

- A. **WHEREAS**, the County Board of County of Jackson, Minnesota (the "County") has agreed to issue its G.O. Drainage Improvement Bonds, Series 2021A, (the "Bonds") in order to finance drainage improvements and repairs associated with Judicial Ditch No. 14 and County Ditch 3; and
- B. **WHEREAS**, the County has retained David Drown Associates, Inc., in Minneapolis, Minnesota ("David Drown"), as its independent financial advisor for the Bonds and is therefore authorized to sell the Bonds by a competitive negotiated sale in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9):

NOW, THEREFORE, BE IT RESOLVED by the County Board of Jackson County, Minnesota, as follows:

A. Authorization. The County Board hereby authorizes David Drown to solicit bids for the competitive negotiated sale of the Bonds.

B. Meeting; Bid Opening. The Board shall meet at the time and place specified in the Terms of Offering attached hereto as Exhibit A for the purpose of considering sealed bids for, and awarding the sale of, the Bonds. The County Administrator, or designee, shall open bids at the time and place specified in such Terms of Offering.

C. Terms of Offering. The terms and conditions of the Bonds and the negotiation thereof are fully set forth in the "Terms of Offering" attached hereto as Exhibit A and hereby approved and made a part hereof.

D. Official Statement. In connection with said competitive negotiated sale, the officers or employees of the County are hereby authorized to cooperate with David Drown and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.

Motion by Commissioner McClure and seconded by Commissioner Hohenstein to adopt Resolution 21-044 Approve competitive negotiated sale of \$6,085,000 general obligation refunding drainage bonds, series 2021B. The motion carried unanimously.

County of Jackson)
) SS.

Resolution No. 21-044

**PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF
\$6,085,000 GENERAL OBLIGATION DRAINAGE REFUNDING BONDS, SERIES 2021B**

A. **WHEREAS**, the County Board of County of Jackson, Minnesota (the "County") has agreed to issue its G.O. Drainage Refunding Bonds, Series 2021B, (the "Bonds") in order to refinance the outstanding callable maturities of the County's following bonds:

\$1,380,000 General Obligation Drainage Bonds, Series 2014A
\$915,000 General Obligation Drainage Bonds, Series 2015A
\$3,495,000 General Obligation Drainage Bonds, Series 2016A
\$3,370,000 General Obligation Drainage Bonds, Series 2017A

And;

B. **WHEREAS**, the County has retained David Drown Associates, Inc., in Minneapolis, Minnesota ("David Drown"), as its independent financial advisor for the Bonds and is therefore authorized to sell the Bonds by a competitive negotiated sale in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9):

NOW, THEREFORE, BE IT RESOLVED by the County Board of Jackson County, Minnesota, as follows:

E. Authorization. The County Board hereby authorizes David Drown to solicit bids for the competitive negotiated sale of the Bonds.

F. Meeting; Bid Opening. The Board shall meet at the time and place specified in the Terms of Offering attached hereto as Exhibit A for the purpose of considering sealed bids for, and awarding the sale of, the Bonds. The County Administrator, or designee, shall open bids at the time and place specified in such Terms of Offering.

G. Terms of Offering. The terms and conditions of the Bonds and the negotiation thereof are fully set forth in the "Terms of Offering" attached hereto as Exhibit A and hereby approved and made a part hereof.

H. Official Statement. In connection with said competitive negotiated sale, the officers or employees of the County are hereby authorized to cooperate with David Drown and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.

Motion by Commissioner Hohenstein and seconded by Commissioner Wachal to adopt Board Action 21-248 Approve payment to northern natural gas in the amount of \$33,868.64 as ordered by the state of Minnesota tax court. The motion carried unanimously.

COUNTY ADMINISTRATOR

Motion by Commissioner Hohenstein and seconded by Commissioner Eigenberg to adopted Board Action 21-249 Approve retaining legal services from Scott T. Anderson, senior partner

at the Rupp, Anderson, Squires & Waldspurger Law Firm, to assist the County in following the proper methodology and process in addressing the County Attorney’s salary request and in representing the County Board in any possible appeal to the Court of any final Board action on the County Attorney’s request. The motion carried unanimously.

Motion by Commissioner McClure and seconded by Commissioner Nasby to adopt Resolution 21-045 Approve adopting the 2022 Jackson County preliminary property tax levy and setting the budget and levy public comment meeting. The motion carried unanimously.

County of Jackson)
) SS.
State of Minnesota)

Resolution No. 21-045
RESOLUTION ADOPTING THE
2022 JACKSON COUNTY PRELIMINARY PROPERTY TAX LEVY AND SETTING THE
BUDGET AND LEVY PUBLIC COMMENT MEETING

WHEREAS, the Jackson County Budget Committee met on several occasions to review the 2022 Jackson County preliminary budget and property tax levy; and

WHEREAS, to be in compliance with Minnesota Statute 275.065, the 2022 preliminary levy must be adopted and certified on or before September 30, 2021, and

WHEREAS, in further accordance with M.S. 275.065, taxing authorities must provide the county auditor, on or before the time it certifies its preliminary levy, with the time and place of a meeting in which the budget and levy will be discussed and public input allowed, and

WHEREAS, said meeting must occur after November 24, must not be held before 6:00 p.m. and must occur before the final 2022 budget and levy are approved.

NOW THEREFORE, BE IT RESOLVED, that the Jackson County Board of Commissioners does hereby adopt the 2022 initial property tax levy for Jackson County in the amount of \$11,446,656 (3.64% increase).

	<u>Preliminary Levy</u>
General Fund	\$ 7,768,859
Road & Bridge Fund	\$ 2,377,388
Library Fund	\$ 503,350
Bond Fund	\$ 797,059
	<u>\$ 11,446,656</u>

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Jackson County Board of Commissioners does hereby establish Thursday, December 9, 2021 at 6:00 p.m. at the Cafeteria Room, Jackson County Resource Center, 402 White Street (Door #7), Jackson, MN as the designated meeting to discuss the 2022 proposed County levy and budget and to allow public input regarding these items.

Motion by Commissioner Hohenstein and seconded by Commissioner Wachal to adopt Board Action 21-250 Approve the 2022 health insurance contribution rates and VEBA/HSA contributions. The motion carried unanimously.

Motion by Commissioner Eigenberg and seconded by Commissioner McClure to adopt Board Action 21-251 Approve National Insurance Services (NIS) Consulting agreement contingent on agreement review by the County Attorney. The motion carried unanimously.

Motion by Commissioner Nasby and seconded by Commissioner McClure to adopt Board Action 21-252 Approve cleaning/custodial services contract with S & J Cleaning contingent on contract review by the County Attorney. The motion carried unanimously.

BOARD REPORTS

Commissioner Eigenberg reported on meetings/events involving the Heron Lake Watershed District, Building Project Committee and DVHHS.

Commissioner McClure reported on meetings/events involving the Building Project Committee, Southwest Mental Health Center and DVHHS.

Commissioner Wachal reported on meetings/events involving the Benefits Committee, Budget Committee, MCIT and Private Industry Council (PIC).

Commissioner Hohenstein reported on meetings/events involving Benefits Committee, Budget Committee, Library and DVHHS.

Commissioner Nasby reported on meetings/events involving the Southwest Mental Health Center, Des Moines River Watershed, Fair Board, Friends of the Jackson County Trails, Family Service Network, DVHHS and Association of Minnesota Counties Policy Conference.

ADJOURN

Motion was made by Commissioner McClure and seconded by Commissioner Wachal to adjourn the meeting at 10:33 a.m. The motion carried unanimously.

JACKSON COUNTY BOARD OF COMMISSIONERS

James Eigenberg, Chair

ATTEST:

Ryan Krosch, County Administrator