

PROCEEDINGS OF THE COUNTY BOARD OF JACKSON COUNTY, MINNESOTA

October 19, 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 October 19, 2021. The following members of the Jackson County Board of Commissioners were present: Catherine Hohenstein, Scott McClure, Philip Nasby and Don Wachal. County Administrator, Ryan Krosch and Assistant to the Administrator, Brandi Bourquin were also in attendance. Commissioner James Eigenberg was absent.

CALL TO ORDER

Vice Chair Nasby 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 Hohenstein to adopt the agenda with the addition of consent agenda item 2.12 Board Action – Approve Hiring Chadd Preuss, Building Operations Supervisors and the removal of consent agenda item 2.5 Board Action – Approve Subsurface Sewage Treatment System Loan for Denaldo Dressel.

CONSENT AGENDA

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

Board Action 21-261: Approve October 5, 2021 Board of Commissioner Regular Meeting Minutes

Board Action 21-262: Approve all Commissioner disbursements in accordance with Minnesota Statutes 130.01, subd. 4(b), recorded on warrants numbered 96685 through 96914 in the amount of \$1,497,289.95 for the following funds: Revenue, \$392,520.52; Public Works, \$401,875.88; Ditch, \$649,492.36; Septic Systems Revolving Loan, \$40,484.68; Agency Fund, \$3,725.00; Library Fund, \$2,293.51; Taxes & Penalties Fund, \$6,813.00 and Forfeited Land Fund, \$85.00. A detailed list of claims paid is available at the Auditor/Treasurer's office upon request.

Vendor	Total
Knife River Corporation - North Central	\$ 321,017.97
Jackson Co Auditor-Treasurer	\$ 249,000.00
Reker Construction & Aggregate, LLC	\$ 143,452.37
I & S Group Inc	\$ 88,055.58
Noomen Excavating LLC	\$ 80,743.11
Jackson/City Of	\$ 66,185.90
CHRISTOPHER/BRENT	\$ 50,190.96
GEESMAN/GENE D.	\$ 38,441.47
CHRISTOPHER/KEVIN	\$ 35,622.00
JONES/PAUL M.	\$ 33,389.65
Bolton & Menk Inc	\$ 32,692.00
SHEARER/LYNN R.	\$ 31,555.00
Wendland Sellers Law Office	\$ 28,068.00
H & F Precision Drainage LLC	\$ 26,563.12

JOHNSON/SCOTT WILLIAM	\$	19,680.00
Regents Of The University Of MN	\$	18,814.00
DIEKRAGER/WAYNE A.	\$	18,330.00
Northern Escrow Inc., FBO Dirt Proz LLC	\$	15,945.75
NAC Mechanical & Electrical Service	\$	14,572.27
Jasper/James Mitchell	\$	13,921.56
Morris Seal Coat And Trucking Inc	\$	13,866.39
Minnesota Paving & Materials	\$	8,630.70
Cooperative Energy Co.	\$	8,324.89
Whisney/Joe	\$	6,607.32
Marsden Bldg Maintenance LLC	\$	6,331.20
Corelogic Tax Service Refunds Dept	\$	5,571.00
Federated Rural Electric Association	\$	5,524.02
Rinke Noonan, Ltd.	\$	4,875.00
Equipment Blades Inc.	\$	4,640.00
Family Services Network	\$	4,541.67
MYRON L. ANDERSON REVOCABLE TRUST	\$	4,388.50
Brock White Co Llc	\$	3,751.60
Treasury Division Of Mn Dept Of Finance	\$	3,597.50
GEESMAN/CAROLYN J.	\$	3,484.67
Boekett Building Supplies Inc.	\$	3,441.94
Zebedee/Donald & Sons Inc.	\$	3,272.46
CORPORATE PAYMENT SYSTEMS	\$	3,205.91
MEnD Correctional Care PLLC	\$	3,199.23
Horizon Pet Care	\$	2,927.22
Whisney/Anita F/B/O Erica Whisney	\$	2,797.00
STALL/ROBERT LEE	\$	2,753.81
Culligan Water Conditioning	\$	2,725.57
Ziegler Inc.	\$	2,701.06
David Drown Associates Inc	\$	2,500.00
Bauer Built, Inc	\$	2,407.13
Apprize Technology Solutions	\$	2,376.30
Sign Solutions	\$	2,282.37
PRODUCTIVITY PLUS ACCOUNT	\$	2,190.00
Livewire Printing Co	\$	2,095.55
Texas Refinery Corporation	\$	2,032.80

Total Claims Over \$2000 \$ 1,453,283.52

87 Claims Under \$2000 \$ 44,006.43

Total Claims Submitted \$ 1,497,289.95

Board Action 21-263: Approve Courthouse Campus Snow Removal Contract with Dave's Snow Removal

Board Action 21-264: Approve Subsurface Sewage Treatment System Loan for Dylan and Shelby Lucht

Board Action 21-265: Approve Subsurface Sewage Treatment System Loan for Brennen Sandgren

Board Action 21-266: Approve Agreement(s) with Certified Payments, Inc. to Replace Official Payments as County Credit Card Payment Processing Vendor

Board Action 21-267: Approve Pay Request #4 Judicial Ditch 13 Noomen Excavating LLC

Resolution 21-047: Accept Recommending the Appointment of Mike Carlson and Jay Mickelson to the Red Rock Rural Water System Board of Commissioners

County of Jackson)
) SS.
State of Minnesota)

Resolution No. 21-047
RESOLUTION RECOMMENDING THE APPOINTMENT OF
MIKE CARLSON AND JAY MICKELSON
TO THE
RED ROCK RURAL WATER SYSTEM
BOARD OF COMMISSIONERS

BACKGROUND INFORMATION

WHEREAS, Mike Carlson's 4-year term as a Commissioner on the Red Rock Rural Water System ("RRRWS") Board of Commissioners is scheduled to expire at midnight on December 31, 2021; and

WHEREAS, Jay Mickelson's 4-year term as a Commissioner on the RRRWS Board of Commissioners is scheduled to expire at midnight on December 31, 2021; and

WHEREAS, on August 21, 2021 the RRR WS Board of Commissioners unanimously adopted a Motion which recommends that Mike Carlson and Jay Mickelson each be re-appointed to another 4-year term on the RRR WS Board of Commissioners; and

WHEREAS, the County Board of Commissioners believe that Mike Carlson and Jay Mickelson are qualified to act as Commissioners on the RRR WS Board of Commissioners and are both worthy of re-appointment.

NOW BE IT NOW RESOLVED, that the Jackson County Board of Commissioners hereby recommends that Mike Carlson and Jay Mickelson be appointed to the Red Rock Rural Water System Board of Commissioners pursuant to and provided for by Minnesota Statutes §116A et seq. for a 4-year term which shall commence on January 1, 2022 and shall expire at midnight on December 31, 2025.

Board Action 21-268: Approve Policy F090-Petty Cash and Change Funds Policy

Board Action 21-269: Approve Pay Request #1 Judicial Ditch 13 Reker Construction and Aggregate, LLC

Board Action 21-270: Approve hiring Chadd Preuss, Building Operations Supervisors at Grade 14, Step E/5.

The motion carried unanimously.

NEXTERA ENERGY RESOURCES

Clay Cameron, Project Director of Development for NextEra Energy Resources and representatives from Ellingson Infrastructure Management presented on the process regarding drain tile and the Three Waters Wind Energy project.

BOARD OF COMMISSIONERS

Motion was made by Commissioner Nasby and seconded by Commissioner Wachal to accept Resolution 21-048: Approve Second Amendment Dedicated County Resolution. The motion carried unanimously.

County of Jackson)
) SS.
State of Minnesota)

**Resolution No. 21-048
Second Amendment Dedicated County Resolution**

WHEREAS, the Second Amendment of the United States Constitution reads, “A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed”; and

WHEREAS, the Jackson County Board of Commissioners wishes to express opposition to any law that would restrict the constitutional rights of the citizens of Jackson County to keep and bear arms.

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Jackson County, Minnesota, that:

The Jackson County Board of Commissioners hereby expresses its intent to uphold and protect the Second Amendment rights of the citizens of Jackson County; and

The Jackson County Board of Commissioners hereby declares Jackson County as a "Second Amendment Dedicated County"; and

The Jackson County Board of Commissioners hereby declares its intent to oppose any infringement on the rights of law-abiding citizens to keep and bear arms; and

The Jackson County Board of Commissioners will use any means, within their power, to protect the Second Amendment rights of the citizens of Jackson County.

AUDITOR/TREASURER

Motion by Commissioner Wachal and seconded by Commissioner McClure to adopt Resolution 21-049 Accepting Proposal on the Sale of \$7,370,000 General Obligation Drainage Bonds, Series 2021A, providing for their Issuance and Pledging Special Assessments for the Payment. The motion carried unanimously.

County of Jackson)
) SS.
State of Minnesota)

**Resolution No. 21-049
RESOLUTION ACCEPTING PROPOSAL ON THE SALE OF \$7,370,000 GENERAL OBLIGATION
DRAINAGE BONDS, SERIES 2021A, PROVIDING FOR THEIR ISSUANCE AND PLEDGING SPECIAL
ASSESSMENTS FOR THE PAYMENT THEREOF**

A. WHEREAS, the contract for the construction of improvements and repairs to Judicial Ditch Number 14 and County Ditch Number 3 located in the County (the "Project") has been let, and it is necessary and desirable at this time to issue bonds to defray the cost of constructing such Project; and

B. WHEREAS, the Board of Commissioners (the "County Board") has heretofore determined that it is necessary and expedient to issue \$7,370,000 General Obligation Drainage Bonds, Series 2021A (the "Bonds" or individually, a "Bond") pursuant to Minnesota Statutes, Section 103E and Chapter 475 to provide funds to finance the Project; and

C. WHEREAS, the County has retained David Drown Associates, Inc., in Minneapolis, Minnesota ("David Drown"), as its independent municipal advisor for the sale of the Bonds and was therefore authorized to sell the Bonds by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9) and proposals to purchase the Bonds have been solicited by David Drown; and

D. WHEREAS, the proposals set forth on Exhibit A attached hereto were received by the County Administrator, or designee, at the offices of David Drown at 11:00 A.M. on October 18, 2021 pursuant to the Terms of Offering established for the Bonds; and

E. WHEREAS, it is in the best interests of the County that the Bonds be issued in book-entry form as hereafter provided.

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

1. Acceptance of Proposal. The proposal of the Robert W. Baird & Co., Inc., Milwaukee, Wisconsin (the "Purchaser"), to purchase the Bonds in accordance with the Terms of Offering established for the Bonds, at the rates of interest hereinafter set forth, and to pay therefor the sum of \$7,303,670.00, plus interest accrued to settlement, is hereby found, determined and declared to be the most favorable proposal received and is hereby accepted, and the Bonds are hereby awarded to the Purchaser.

2. Bond Terms.

(a) Original Issue Date; Denominations; Maturities; and Term Bond Option. The Bonds shall be dated November 2, 2021, as the date of original issue, shall be issued forthwith on or after such date in fully registered form, shall be numbered from R-1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity (the "Authorized Denominations") and shall mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2023	\$ 310,000	2033	\$ 365,000
2024	340,000	2034	370,000
2025	340,000	2035	375,000
2026	340,000	2036	380,000
2027	345,000	2037	390,000
2028	345,000	2038	395,000
2029	350,000	2039	400,000
2030	350,000	2040	410,000
2031	355,000	2041	420,000
2032	360,000	2042	430,000

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the forgoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

(b) Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

(i) The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered certificate for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 and 10 Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.

(ii) Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by the Registrar (as hereinafter defined) in the name of CEDE & CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

(iii) With respect to the Bonds neither the County nor the Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the County, nor the Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery

to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the County may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

(iv) The County and the Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the Holder of the Holders of the Bonds as shown on the register, and all such payments shall be valid and effective to fully satisfy and discharge the County's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

(v) Upon delivery by the Depository to the Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 10, references to the Nominee hereunder shall refer to such new Nominee.

(vi) So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Registrar or County, as the case may be, to the Depository as provided in the Letter of Representations to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

(vii) All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.

(viii) In connection with any notice or other communication to be provided to the Holders pursuant to this Resolution by the County or Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the County or the Registrar may establish a special record date for such consent or other action. The County or the Registrar shall, to the extent possible, give the Depository notice of such special record date not less than 15 calendar days in advance of such special record date to the extent possible.

(ix) Any successor Registrar in its written acceptance of its duties under this Resolution and any paying agency registrar agreement, shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.

(c) Termination of Book-Entry Only System. Discontinuance of a particular Depository's services and termination of the book-entry only system may be effected as follows:

(i) The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the County and discharging its responsibilities with respect thereto under applicable law. The County may terminate the services of the Depository with respect to the Bonds if it determines that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the County or the Beneficial Owners.

(ii) Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository can be found which, in the opinion of the County, is willing and able to assume the functions of the Depository hereunder upon reasonable or customary terms, or if the County determines that it is in the best interests of the County or the Beneficial Owners of the Bonds that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with paragraph 10. To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with paragraph 10, the Bonds will be delivered to the Beneficial Owners.

(iii) Nothing in this subparagraph (c) shall limit or restrict the provisions of paragraph 10.

(d) Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part hereof. If and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

3. Purpose. The Bonds shall provide funds to finance the Project. The total cost of the Project, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Bonds. Work on the Project shall proceed with due diligence to completion.

a. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing August 1, 2022, calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates per annum set forth opposite the maturity years as follows:

<u>Maturity Year</u>	<u>Interest Rate</u>	<u>Maturity Year</u>	<u>Interest Rate</u>
2023	1.00%	2033	1.55%
2024	1.00%	2034	1.65%
2025	1.00%	2035	2.00%
2026	1.00%	2036	2.00%
2027	1.00%	2037	2.00%
2028	1.10%	2038	2.00%
2029	1.15%	2039	2.00%
2030	1.25%	2040	2.00%
2031	1.35%	2041	2.25%
2032	1.45%	2042	2.25%

b. Redemption. All Bonds maturing on February 1, 2025 and thereafter, shall be subject to redemption and prepayment at the option of the County on February 1, 2024, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the County and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds at least thirty (30) days prior to the date fixed for redemption.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the County or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the County and Bond Registrar duly executed by the holder thereof or his, her or its attorney duly authorized in writing) and the County shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of such Bond, without service charge, a new Bond or Bonds of the same series having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by such Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

c. Bond Registrar. U.S. Bank National Association, in St. Paul, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the County and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered holders (or record holders) of the Bonds in the manner set forth in the form of Bond and paragraph 12.

Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:

Motion by Commissioner McClure and seconded by Commissioner Wachal to adopt Resolution 21-050 Accepting Proposal on the Sale of \$5,890,000 General Obligation Drainage Refunding Bonds, Series 2021B, Providing for their Issuance and Pledging Special Assessments for the Payment. The motion carried unanimously.

County of Jackson)

State of Minnesota) SS.
)

Resolution No. 21-050

RESOLUTION ACCEPTING PROPOSAL ON THE SALE OF \$5,890,000 GENERAL OBLIGATION DRAINAGE REFUNDING BONDS, SERIES 2021B, PROVIDING FOR THEIR ISSUANCE AND PLEDGING SPECIAL ASSESSMENTS FOR THE PAYMENT THEREOF

I. WHEREAS, the County of Jackson, Minnesota (the "County"), hereby determines and declares that it is necessary and expedient to provide moneys for a current refunding of the County's:

- (a) General Obligation Drainage Bonds, Series 2014A, in the original principal amount of \$1,380,000, dated June 1, 2014 (the "Prior 2014A Bonds"); and
- (b) General Obligation Drainage Bonds, Series 2015A, in the original principal amount of \$915,000, dated October 1, 2015 (the "Prior 2015A Bonds"); and
- (c) General Obligation Drainage Bonds, Series 2016A, in the original principal amount of \$3,495,000, dated June 1, 2016 (the "Prior 2016A Bonds"); and
- (d) General Obligation Drainage Bonds, Series 2017A, in the original principal amount of \$3,370,000, dated August 1, 2017 (the "Prior 2017A Bonds", and together with the Prior 2014A Bonds, the Prior 2015A Bonds, and the Prior 2016A Bonds, the "Prior Bonds"); and

J. WHEREAS, \$565,000 principal amount of the Prior 2014A Bonds which matures on or is subject to mandatory redemption on and after February 1, 2022 (the "Refunded 2014A Bonds"), is callable on December 1, 2021 (the "Call Date"), at a price of par plus accrued interest, as provided in the resolution adopted by the Board of Commissioners on June 1, 2014 (the "Prior 2014A Resolution"); and

K. WHEREAS, \$730,000 principal amount of the Prior 2015A Bonds which matures on or is subject to mandatory redemption on and after February 1, 2022 (the "Refunded 2015A Bonds"), is callable on the Call Date, at a price of par plus accrued interest, as provided in the resolution adopted by the Board of Commissioners on September 15, 2015 (the "Prior 2015A Resolution"); and

L. WHEREAS, \$3,045,000 principal amount of the Prior 2016A Bonds which matures on or is subject to mandatory redemption on and after February 1, 2022 (the "Refunded 2016A Bonds"), is callable on the Call Date, at a price of par plus accrued interest, as provided in the resolution adopted by the Board of Commissioners on May 17, 2016 (the "Prior 2016A Resolution"); and

M. WHEREAS, \$2,960,000 principal amount of the Prior 2017A Bonds which matures on or is subject to mandatory redemption on and after February 1, 2022 (the "Refunded 2017A Bonds", and together with the Refunded 2014A Bonds, the Refunded 2015A Bonds, and the Refunded 2016A Bonds, the "Refunded Bonds"), is callable on February 1, 2022 (the "2017A Call Date"), at a price of par plus accrued interest, as provided in the resolution adopted by the Board of Commissioners on July 18, 2017 (the "Prior 2017A Resolution", and together with the Prior 2014A Resolution, the Prior 2015A Resolution, and the Prior 2016A Resolution, the "Prior Resolutions"); and

N. WHEREAS, the refunding of the Refunded Bonds on the call dates specified above is consistent with covenants made with the holders thereof, and is necessary and desirable for the reduction of debt service cost to the County; and

O. WHEREAS, the Board of Commissioners (the "County Board") hereby determines and declares that it is necessary and expedient to issue \$5,890,000 General Obligation Drainage Refunding Bonds, Series 2021B (the "Bonds" or, individually a "Bond"), pursuant to Minnesota Statutes, Chapter 475, to provide moneys for a current refunding of the Refunded Bonds; and

P. WHEREAS, the County has retained David Drown Associates, Inc., in Minneapolis, Minnesota ("David Drown"), as its independent municipal advisor for the sale of the Bonds and was therefore authorized to sell the Bonds by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9) and proposals to purchase the Bonds have been solicited by David Drown; and

Q. WHEREAS, the proposals set forth on Exhibit A attached hereto were received by the County Administrator, or designee, at the offices of David Drown at 11:30 A.M. on November 18, 2021, pursuant to the Terms of Offering established for the Bonds; and

R. WHEREAS, it is in the best interests of the County that the Bonds be issued in book-entry form as hereafter provided.

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

30. Acceptance of Proposal. The proposal of Piper Sandler & Co. (the "Purchaser"), to purchase the Bonds in accordance with the Terms of Offering, at the rates of interest hereinafter set forth, and to pay therefor the sum of

\$6,038,928.63, plus interest accrued to settlement, is hereby found, determined and declared to be the most favorable proposal received and is hereby accepted, and the Bonds are hereby awarded to the Purchaser. The County Administrator is directed to retain the deposit of the Purchaser and to forthwith return to the unsuccessful bidders their good faith checks or drafts.

31. Bond Terms.

a. Original Issue Date; Denominations; Maturities; and Term Bond Option. The Bonds shall be dated November 18, 2021, as the date of original issue, shall be issued forthwith on or after such date in fully registered form, shall be numbered from R-1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity (the "Authorized Denominations") and shall mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2022	\$ 265,000	2031	\$ 360,000
2023	305,000	2032	370,000
2024	315,000	2033	375,000
2025	320,000	2034	380,000
2026	325,000	2035	390,000
2027	335,000	2036	355,000
2028	340,000	2037	305,000
2029	345,000	2038	310,000
2030	355,000	2039	140,000

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the forgoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

b. Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

i. The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered certificate for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 and 12 Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.

ii. Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by the Registrar (as hereinafter defined) in the name of CEDE & CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

iii. With respect to the Bonds neither the County nor the Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the County, nor the Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the County may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

iv. The County and the Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the Holder of the Holders of the Bonds as shown on the register, and all such payments shall be valid and effective to fully satisfy and discharge the County's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

v. Upon delivery by the Depository to the Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 12, references to the Nominee hereunder shall refer to such new Nominee.

vi. So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Registrar or County, as the case may be, to the Depository as provided in the Letter of Representations to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

vii. All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.

viii. In connection with any notice or other communication to be provided to the Holders pursuant to this Resolution by the County or Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the County or the Registrar may establish a special record date for such consent or other action. The County or the Registrar shall, to the extent possible, give the Depository notice of such special record date not less than 15 calendar days in advance of such special record date to the extent possible.

ix. Any successor Registrar in its written acceptance of its duties under this Resolution and any paying agency registrar agreement, shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.

x. In the case of a partial prepayment of a Bond, the Holder may, in lieu of surrendering the Bonds for a Certificate of a lesser denomination as provided in paragraph 5, make a notation of the reduction in principal amount on the panel provided on the Bond stating the amount so redeemed.

c. Termination of Book-Entry Only System. Discontinuance of a particular Depository's services and termination of the book-entry only system may be effected as follows:

i. The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the County and discharging its responsibilities with respect thereto under applicable law. The County may terminate the services of the Depository with respect to the Bonds if it determines that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the County or the Beneficial Owners.

ii. Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository can be found which, in the opinion of the County, is willing and able to assume the functions of the Depository hereunder upon reasonable or customary terms, or if the County determines that it is in the best interests of the County or the Beneficial Owners of the Bonds that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with paragraph 12. To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with paragraph 12, the Bonds will be delivered to the Beneficial Owners.

iii. Nothing in this subparagraph (c) shall limit or restrict the provisions of paragraph 12.

d. Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part hereof. If and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

32. Purpose. The Bonds shall provide funds for a current refunding of the Refunded Bonds (the "Refunding"). It is hereby found, determined and declared that the Refunding is pursuant to Minnesota Statutes, Section 475.67, and shall result in a reduction of debt service cost to the County.

33. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2022, calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates per annum set forth opposite the maturity years as follows:

<u>Maturity Year</u>	<u>Interest Rate</u>	<u>Maturity Year</u>	<u>Interest Rate</u>
2022	2.00%	2031	2.00%
2023	2.00	2032	2.00
2024	2.00	2033	2.00
2025	2.00	2034	2.00
2026	2.00	2035	2.00

<u>Maturity Year</u>	<u>Interest Rate</u>	<u>Maturity Year</u>	<u>Interest Rate</u>
2027	2.00	2036	2.00
2028	2.00	2037	2.00
2029	2.00	2038	2.00
2030	2.00	2039	2.00

34. Redemption. All Bonds maturing on February 1, 2029 and thereafter, shall be subject to redemption and prepayment at the option of the County on February 1, 2028, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the County and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds at least thirty (30) days prior to the date fixed for redemption.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the County or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the County and Bond Registrar duly executed by the holder thereof or his, her or its attorney duly authorized in writing) and the County shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of such Bond, without service charge, a new Bond or Bonds of the same series having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by such Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

35. Bond Registrar. U.S. Bank National Association in St. Paul, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the County and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered holders (or record holders) of the Bonds in the manner set forth in the form of Bond and paragraph 12 of this resolution.

36. Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:

COUNTY ADMINISTRATOR

Motion by Commissioner Nasby and seconded by Commissioner McClure to adopt Board Action 21-271 Amend Jackson County Finance Policy F085 – Contracting Policy and Procedure as presented. The motion carried unanimously.

Motion by Commissioner McClure and seconded by Commissioner Hohenstein to adopt Board Action 21-272 Amend Board Actions 21-251 and 21-252 as follows:

Board Action 21-251 Approve National Insurance Services (NIS) Consulting agreement.

Board Action 21-252 Approve cleaning/custodial services contract with S & J Cleaning.

The motion carried unanimously.

BOARD REPORTS

Commissioner Wachal reported on meetings/events involving MCIT, Jackson/Cottonwood Transit Advisory Board, County Open Enrollment, Rural Minnesota Energy Board & SW Regional Solid Waste Commission and DVHHS.

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

Commissioner Hohenstein reported on meetings/events involving PrimeWest and DVHHS.

Commissioner Nasby reported on meetings/events involving Friends of the Jackson County Trails, Southwest Mental Health Center, Prairie Ecology Bus Center, Drainage Authority, and DVHHS.

ADJOURN

Motion was made by Commissioner Wachal and seconded by Commissioner Hohenstein to adjourn the meeting at 10:02 a.m. The motion carried unanimously.

JACKSON COUNTY BOARD OF COMMISSIONERS

James Eigenberg, Chair

ATTEST: _____
Ryan Krosch, County Administrator