

# PROCEEDINGS OF THE COUNTY BOARD OF JACKSON COUNTY, MINNESOTA

January 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 January 19, 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 Coordinator Steven Duncan and Trish Schulz, Deputy County Coordinator, 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 Hohenstein and seconded by Commissioner McClure** to adopt the agenda per revision #1 (addition of item 2.7: Approve the retroactive, emergency closing of all Jackson County offices on Friday, January 15, 2021). The motion carried unanimously.

## CONSENT AGENDA

**Motion was made by Commissioner Nasby and seconded by Commissioner Wachal** to approve the Consent Agenda. The motion carried unanimously.

Board Action 21-028: Approve the January 5, 2021 Board of Commissioners regular meeting minutes.

Board Action 21-029: Approve all Commissioner disbursements in accordance with Minnesota Statutes 130.01, subd. 4(b), recorded on warrants numbered 94034 through 94164 in the amount of \$371,232.79. For the following funds: Revenue, \$172,043.30; Public Works, \$128,325.27; Debt Service, \$1,000.00; Ditch, \$64,025.64; and Library Fund, \$5,838.58. A detailed list of claims paid is available at the Auditor/Treasurer's office upon request.

Midwest Contracting LLC	71,438.16
Jackson Ambulance Service-Jackson	52,436.00
Department Of Corrections	36,268.64
I & S Group Inc	28,974.66
Bolton & Menk Inc	17,407.50
Motorola Solutions Inc	15,539.52
Lakefield/City Of	10,740.00
Heron Lake Watershed District	10,123.98
R A Muecke Sand & Gravel Inc	7,598.13
Rinke Noonan Attorneys At Law	7,019.50
Heron Lake Ambulance	6,824.00
Schwickerts Tecta America LLC	6,633.11
Ziegler Inc	6,101.40

Mills & Miller Inc	6,098.40
Mn Sheriffs Assn	5,277.62
Jackson Soil Water Cons District	5,240.43
Jackson/City Of	5,160.39
Mn Co Intergovernmental Trust	5,129.00
Minnesota Paving & Materials	4,217.35
MEnD Correctional Care PLLC	3,199.23
Beyond Trust Corporation	3,090.03
Corporate Payment Systems	3,076.08
Minnesota Energy Resources	2,991.20
NAC Mechanical & Electrical Service	2,956.51
Federated Rea	2,955.92
Diamond Mowers Inc	2,623.79
Rural Minnesota Energy Board	2,500.00
Heat Tactical Team	2,260.85

28 Claims Over \$2000                      333,881.40

93 Claims Under \$2000                      37,351.39

Board Action 21-030: Approve personnel request authorizing County Coordinator’s Office to fill Public Works Department, Drainage Crew Chief position (full-time).

Board Action 21-031: Approve authorizing the County Coordinnator’s office to fill up to eleven seasonal summer worker positions in the Public Works Department.

Board Action 21-032: Approve 2021 Pay Equity Report.

Board Action 21-033: Approve appropriation to Jackson Ambulance Service, in the amount of \$35,000, and as approved in the Fiscal Year 2021 budget.

Board Resolution 21-006: Approve the retroactive, emergency closing of all Jackson County offices on Friday, January 15, 2021, and as occurring during the official business hours designated by Jackson County.

**County of Jackson**                      )  
                                                          ) SS.  
**State of Minnesota**                    )

**Resolution No. 21-006**

**Resolved by the Board of Commissioners, County of Jackson, and State of Minnesota:**

**WHEREAS**, Chapter 373.052 Subdivision 1 of the Minnesota Statues informs that a county board may authorize the closing of county offices if there is an emergency situation, and;

**WHEREAS**, on Friday, January 15, 2021, it was deemed necessary to close county offices due to a severe weather event, and;

**WHEREAS**, Chapter 373.052 Subdivision 1b of the Minnesota Statutes informs that a county board may retroactively approve such an emergency closing;

**IT IS HEREBY RESOLVED**, that the Jackson County Board of Commissioners does hereby approve, by resolution, the retroactive, emergency closing of all Jackson County offices on Friday, January 15, 2021 and as occurring during the official business hours designated by Jackson County.

Passed and adopted by the Board of Commissioners of the County of Jackson, Minnesota this 19th day of January 2021.

---

James Eigenberg  
Chairperson of the Jackson County, Minnesota Board of Commissioners

ATTEST:

---

(SEAL)  
Steven J. Duncan  
County Coordinator of Jackson County, Minnesota

**EMPLOYEE GRIEVANCE – HEATHER HUMMEL**

On January 19, 2021, the Jackson County Board of Commissioners heard the grievance of Heather Hummel in relation to the Personnel Committee’s December 23, 2020, decision to terminate her employment for gross misconduct.

Ms. Hummel was represented at the grievance hearing by attorney John Beckmann of Hoversten, Johnson, Beckmann & Hovey, LLP. Jackson County was represented by attorney Ann R. Goering, Ratwik, Roszak & Maloney, P.A. Also present for the hearing was attorney Nathan B. Shepherd of Ratwik, Roszak & Maloney, P.A., who conducted the fact investigation in this matter.

Information was presented by Mr. Beckmann, representing Ms. Hummel. Information was presented by Ms. Goering and Mr. Shepherd representing Jackson County. The information presented was considered, as were the County’s policies and the statements of Mr. Beckmann and Ms. Goering and Mr. Shepherd.

Motion was made by Commissioner Nasby and seconded by Commissioner Eigenberg to adopt Board Action 21-034: Approve referring the matter back to the Personnel Committee to review whether the issue rose to the level of gross misconduct. The motion failed with two “ayes” and three “nays”. (Commissioners Nasby and Eigenberg voted “aye”; Commissioners McClure, Wachal and Hohenstein voted “nay”).

**Motion was made by Commissioner McClure and seconded by Commissioner Wachal** to adopt Board Action 21-035: Approving adoption of the Summary of Findings provided by Ms. Goering as its Findings of Facts, deny Ms. Hummel’s grievance and uphold the Personnel Committee recommendation to uphold the termination for gross misconduct.

A roll call vote was called, as follows:

McClure, “aye”  
Hohenstein, “aye”  
Nasby, “nay”  
Eigenberg, “nay”  
Wachal, “aye”

The motion passed with three “ayes” and two “nays”.

### **HERON LAKE WATERSHED DISTRICT**

Motion was made by Commissioner Nasby and seconded by Commissioner Eigenberg to adopt Board Action 21-036: Approve appointment of Lloyd Kalfs to the Heron Lake Watershed Board of Managers for a three (3) year term to expire February 24, 2024.

A roll call vote was called, as follows:

McClure, “nay”  
Hohenstein, “nay”  
Nasby, “aye”  
Eigenberg, “aye”  
Wachal, “nay”

The motion failed with two “ayes” and three “nays”.

**Motion was made by Commissioner McClure and seconded by Commissioner Hohenstein** to adopt Board Action 21-037: Approve appointment of Jason Freking to the Heron Lake Watershed District Board of Managers for a three (3) year term to expire February 24, 2024.

A roll call vote was called, as follows:

McClure, “aye”  
Hohenstein, “aye”  
Nasby, “nay”  
Eigenberg, “aye”  
Wachal, “aye”

The motion passed with four “ayes” and one “nay”.

## LAND MANAGEMENT

**Motion was made by Commissioner Eigenberg and seconded by Commissioner Wachal** to adopt Board Resolution 21-007: Approve resolution to adopt and implement the Watonwan River Watershed Comprehensive Watershed Management Plan. The motion carried unanimously.

### **Resolution 21-007 to Adopt and Implement the Watonwan River Watershed Comprehensive Watershed Management Plan**

**Whereas**, the Jackson County (county) has been notified by the Minnesota Board of Water and Soil Resources that the Watonwan River Comprehensive Watershed Management Plan (Plan) has been approved according to Minnesota Statutes §103B.801 and Board Resolution #18-14.

**Whereas**, Minnesota Statutes §103B.101, subd. 14 allows a local water management plan developed or amended, approved and adopted, according to chapter 103B to be replaced with a comprehensive watershed management plan but only to the geographic area of the Plan and consistent with the One Watershed, One Plan suggested boundary map.

**Now; Therefore, Be it Resolved**, the county hereby adopts and will begin implementation of the approved Plan for the area of the county identified within the Plan and the plan replaces the local water management plan for that geographic area of the county within the Watonwan River Watershed for the duration of the state approved Plan.

**Be it Further Resolved** after the adoption of the Plan, the county shall amend existing water and related land resources plans and official controls as necessary to conform them to Plan.

**Be it Further Resolved** after the adoption of the Plan or amendments to the plan, Jackson County shall notify local units of government within the Watonwan River Watershed. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the county for review as per Minnesota Statutes, Section 103B.321.

**Be it Further Resolved** that within 180 days, the county shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls and the Plan. The Jackson County shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the Plan.

**Be it Further Resolved** if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

**Be it Further Resolved** after receiving the recommendations of the county or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the county for review and recommendations.

Passed and adopted by the Board of Commissioners of the County of Jackson, Minnesota this 19th day of January 2021.

---

James Eigenberg  
Chairperson of the Jackson County, Minnesota Board of Commissioners

ATTEST:

---

(SEAL)  
Steven J. Duncan  
County Coordinator of Jackson County, Minnesota

### **COUNTY COORDINATOR**

**Motion was made by Commissioner Wachal and seconded by Commissioner McClure** to adopt Board Action 21-038: Approve memorandum of agreement with AFSCME Local 925 as presented and as related to applicable holidays. The motion carried unanimously.

### **BOARD REPORTS**

Commissioner Wachal reported on meetings/events involving Minnesota Counties Intergovernmental Trust, Des Moines Valley Health and Human Services (DVHHS) and Southwest Regional Development Commission.

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

Commissioner McClure reported on meetings/events involving County Building Committee, Drainage Committee, Southwest Mental Health Center Governing Board and DVHHS.

Commissioner Eigenberg reported on meetings/events involving District 8 Land Use & Environment Advisory Task Force, DVHHS and County Building Committee.

Commissioner Hohenstein reported on meetings/events involving DVHHS and Drainage Committee.

### **CLOSED MEETING**

**Motion was made by Commissioner Eigenberg and seconded by Commissioner Wachal** to close the meeting at 10:52 a.m., as permitted by Minnesota Statutes Section 13D.05, Subd. 3(a), to conduct performance evaluations of Land Management Director, Andy Geiger; Court Services Director, Bob Jirele; County Coordinator, Steve Duncan; and County Assessor, Karla Ambrose. The motion carried unanimously.

**Motion was made by Commissioner Wachal and seconded by Commissioner McClure** to re-open the meeting at 11:54 a.m. The motion carried unanimously.

**ADJOURN**

**Motion was made by Commissioner Hohenstein and seconded by Commissioner Nasby to adjourn the meeting at 11:54 a.m. The motion carried unanimously.**

JACKSON COUNTY BOARD OF COMMISSIONERS

---

James Eigenberg, Chair

ATTEST: \_\_\_\_\_  
Steven Duncan, County Coordinator