

PROCEEDINGS OF THE STEELE COUNTY BOARD OF COMMISSIONERS

SPECIAL SESSION

January 23, 2018

STATE OF MINNESOTA)

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COUNTY OF STEELE )

The Steele County Board of Commissioners met in Special Session at 5:00 p.m. on January 23, 2018 with Commissioners Krueger, Abbe, Gnemi, Glynn and Brady present. Also present were County Attorney Dan McIntosh, Emergency Management Director Mike Johnson, Steele County Sheriff Lon Thiele, Planning & Zoning Director Dale Oolman, County Engineer Greg Ilkka, County Treasurer Catherine Piepho, County Assessor Bill Effertz, County Administrator Scott Golberg and County Auditor Laura Ihrke.

Call to Order and Pledge of Allegiance.

Motion by Commissioner Krueger, seconded by Commissioner Gnemi to approve the agenda with additions. Ayes all.

Motion by Commissioner Brady, seconded by Commissioner Gnemi to approve the following consent agenda items. Ayes all.

- A. Approve the minutes of January 2, 2018.
- B. Approve the Listing of Bills.
- C. Approve the following personnel actions:

**New Hires/Promotions:**

<i>Name</i>	<i>Position-Dept</i>	<i>Step</i>	<i>Start Date</i>
Stephen Tschopp (promotion)	Engineering Technician - Hwy	4	12/23/17
Lyudmila Danilyuk	Custodian - Building & Grounds	1	01/02/18
Josh Andrist (promotion)	Sr. Mechanic - Hwy	4	01/06/18
Dawn Grunklee	Asst Program Coordinator - Det Ctr	11+	01/08/18
Stacie Peterson	Correctional Officer - Det Ctr	1	01/08/18
Joshua Johnson	Maintenance Tech -Hwy	6	01/17/18
Michele Swanson	Administrative Support Asst - Veterans	1	01/22/18
Greg Born	Maintenance Tech - Hwy	3	01/22/18
Gabriel Kasper	Mechanic - Hwy	6	01/22/18

**Resignations/Retirements/Terminations:**

<i>Name</i>	<i>Position</i>	<i>Department</i>	<i>End Date</i>
Karen Soukup	Legal Administrative Assistant	County Attorney	01/19/18
Karen Hofstad	Administrative Support Assistant	Extension	01/26/18

**Anniversaries:**

<i>Name</i>	<i>Position-Dept</i>	<i>Step</i>	<i>Anniv. Date</i>
Bradley Busho	Correctional Officer - Det Ctr	4	01/02/18
Julie Forbes	Assistant County Attorney 1	8	01/02/18
Laura Isenor	Asst County Attorney 1	7	01/05/18
Linda Skala	Corporal - Det Ctr	4	01/05/18
Lon Thiele	County Sheriff	10	01/05/18
Laura Ihrke	County Auditor	13	01/05/18
Daniel McIntosh	County Attorney	13	01/05/18
Catherine Piepho	County Treasurer	7	01/05/18
Catherine Piepho	Finance Director	5	01/05/18
Alicyn Hinze	Correctional Officer - Det Ctr	4	01/06/18
Brian Rinehart	Correctional Officer - Det Ctr	2	01/17/18
Nicholas Golbuff	Correctional Officer - Det Ctr	3	01/21/18
Dale Oolman	Planning & Zoning Director	8	01/22/18
Julie Johnson	Human Resources Director	5	01/23/18
Christy Hormann	Chief Deputy - County Attorney	10	01/23/18
Joyce Hartle	Chief Deputy - Treasurer	3	01/27/18
Jeremy Deplitch	Correctional Officer - Det Ctr	4	01/29/18
Steven Gjerald	Correctional Officer - Det Ctr	11	01/31/18

- D. Accept Internal Central Services Committee Minutes.
- E. Accept Public Safety Committee Minutes
- F. Accept Public Works Committee Minutes.
- G. Accept Land Use and Records Committee Minutes.

Peter Lindstrom from the U of M Regional Sustainable Development Partnership gave a presentation on the Property Assessed Clean Energy Financing (PACE) program, a financing tool available to commercial, business and non-profits.

The Public Hearing for the Steele County Buffer Ordinance and the amendment to the Zoning ordinance was called to order at 5:40 p.m.

Planning & Zoning Director Dale Oolman reviewed and explained the Buffer Ordinance and the changes to the Zoning Ordinance.

The hearing was then open to questions from those in attendance.

Motion by Commissioner Krueger, seconded by Commissioner Gnemi to close the hearing at 5:47 p.m. Ayes all.

Commissioner Krueger offered the following **Resolution** seconded by Commissioner Brady

## **RESOLUTION ADOPTING THE STEELE COUNTY BUFFER ORDINANCE**

**WHEREAS**, provisions in Minnesota Statute 103F.48 (Buffer Law) allow a county to affirm jurisdiction to carry out the compliance provisions regarding riparian vegetated buffers and alternative water quality practices for those waterbodies identified on the Department of Natural Resources' Buffer Protection Map; and

**WHEREAS**, a county with jurisdiction over a noncompliant site shall enforce corrective actions through a coordinated approach under the authority granted in Minnesota Statute 103B.101, subd. 12a, the Buffer Law or other authority granted by statute; and

**WHEREAS**, Steele County has elected jurisdiction on all public drainage ditches for which it is the drainage authority and public waters, located within its boundaries, identified on the Department of Natural Resources' Buffer Protection Map; and

**WHEREAS**, the Buffer Law requires that each Local Government Unit affirming jurisdiction adopt a rule, ordinance, or other official controls that will be used to carry out the compliance provisions of the buffer requirements.

**THEREFORE, BE IT RESOLVED** that Steele County adopts the Steele County Buffer Ordinance.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Brady offered the following **Resolution**, seconded by Commissioner Gnemi

## **AMENDING SECTION 1407.02 of the STEELE COUNTY ZONING ORDINANCE #22**

**WHEREAS** the Steele County Zoning Ordinance was adopted on November 9<sup>th</sup>, 1993 and filed with the Steele County Recorder as Document # 239700; and,

**WHEREAS** Minnesota Statute 394.25 allows for amendments to the Zoning Ordinance following a recommendation by the planning commission; and,

**WHEREAS** the Planning Commission held a public hearing on December 4<sup>th</sup>, 2017 and forwarded its recommendation to the Steele County Board of Commissioners.

**NOW THEREFORE BE IT RESOLVED:** that the Steele County Board of Commissioners amend Section 1407.02 of the Steele County Zoning Ordinance to read as follows:

### 1407.02– Agriculture Use Standards

1. General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in perennial vegetation or operated under an approved conservation that includes alternative riparian water quality practices consistent with the field office technical guides of the local soil and water conservation districts or the Natural Resource Conservation and as approved by the local soil and water conservation district.
2. The shore impact zone for parcels with permitted agricultural land uses is an area with a 50-foot average width and a 30-foot minimum width, as measured from the ordinary high water level if identified, or the top or crown of bank or normal water level as provided in Minnesota Statutes, section 103F.48, subd. 3(c), whichever is applicable.

3. Animal feedlots, in addition to being required to meet all standards in Minnesota Rules, Chapter 7020, must meet the following standards:
  - a) New animal feedlots are a prohibited use in any shore land or flood plain area of Steele County. No new animal feedlots are allowed to locate within any bluff impact zone.
  - b) Modifications or expansions to existing feedlots that are located within 300 feet of the ordinary high water level or within a bluff impact zone are allowed if they do not further encroach into the existing ordinary high water level setback or encroach on bluff impact zones.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Krueger offered the following **Resolution**, seconded by Commissioner Gnemi

Affirming Steele County's support for state capital investments for regional behavioral health crisis program facilities and permanent supportive housing for people with behavioral health needs.

**WHEREAS**, Minnesota's mental health continuum of care is underdeveloped, creating harmful and expensive gaps in an individual's treatment; and

**WHEREAS**, Minnesota's mental health system does not have the capacity to consistently respond to the needs of individuals in crisis with appropriate treatment options; and

**WHEREAS**, individuals experiencing a mental health crisis are often diverted to jails and other facilities ill-equipped for their care while awaiting inpatient treatment; and

**WHEREAS**, individuals ready for discharge from inpatient treatment can be detained at inpatient facilities because there is a scarcity of supportive housing units to transition to; and

**WHEREAS**, the gaps in Minnesota's mental health system are not only damaging to individuals and their families, but also result in an inefficient use of taxpayer dollars; and

**WHEREAS**, Minnesota has an opportunity to improve its mental health continuum of care through investments in new permanent supportive housing and regional behavioral health crisis program facilities; now, therefore,

**BE IT RESOLVED**, Steele County supports state capital investments for regional behavioral health crisis program facilities and permanent supportive housing for people with behavioral health needs.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Krueger offered the following **Resolution**, seconded by Commissioner Gnemi

#### **Resolution Declaring a State of Emergency**

**WHEREAS**, the blizzard conditions and heavy snowfall event on January 22, 2018 impacted the population of Steele County and its cities; and

**WHEREAS**, the blizzard conditions and heavy snowfall event has caused a significant impact on public safety and travel; and

**WHEREAS**, the Steele County Department of Emergency Management requests the Steele County Board of Commissioners to declare Steele County in a STATE OF EMERGENCY for the blizzard conditions and heavy snowfall event on January, 22 2018;

**NOW, THEREFORE, BE IT RESOLVED**, that the Steele County Board of Commissioners declare Steele County in a State of Emergency for conditions resulting from the blizzard conditions and heavy snowfall event of January 22, 2018.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Brady offered the following Resolution, seconded by Commissioner Gnemi

#### **Resolution Ending the State of Emergency**

**WHEREAS**, the blizzard conditions and heavy snowfall event on January 22, 2018 impacted the population of Steele County and its cities have ended; and

**WHEREAS**, the blizzard conditions and heavy snowfall event has caused a significant impact on public safety and travel have ended; and

**WHEREAS**, the Steele County Department of Emergency Management requests the Steele County Board of Commissioners to end the STATE OF EMERGENCY for the blizzard conditions and heavy snowfall event in Steele County on January, 23 2018;

**NOW, THEREFORE, BE IT RESOLVED**, that the Steele County Board of Commissioners declare end of the State of Emergency in Steele County from the conditions resulting from the blizzard conditions and heavy snowfall event of January 22, 2018.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Brady offered a **Resolution**, seconded by Commissioner Gnemi to approve the Delegation Agreement with the DNR for Aquatic Invasive Species (AIS) Prevention Inspection of Water-related Equipment.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Krueger offered the following **Resolution**, seconded by Commissioner Gnemi

**WHEREAS**, the Southeastern Minnesota Recyclers Exchange (SEMREX) is a Joint Powers Board, and has the ability to assist counties and cities in management of solid waste; and

**WHEREAS**, Steele County is a member of SEMREX Joint Powers Board; and,

**WHEREAS**, all Minnesota counties are required to develop and adopt a Solid Waste Management Plan in accordance with Minnesota Statutes in accordance with Minn. Stat. §§115A.46; 115A.471; 115A.551, subds. 6-7; 115A.552; 115A.557, subds. 2-3; 115A.63; 115A.84; 115A.914; 115.96, subds. 6-7; 115A97; 115A.917; 115A.94; Minn. Rules Part 9215 and all other applicable statutes and rules; and

**WHEREAS**, on December 1, the SEMREX Joint Powers Board voted in favor of developing a Regional Solid Waste Management Plan to satisfy each member's statutory responsibility and to define where cooperative management improves efficiencies and services within the region;

**WHEREAS**, the SEMREX Technical Committee is tasked with seeking available grant funding to prepare the Regional Solid Waste Management Plan

**NOW THEREFORE BE IT HEREBY RESOLVED**, that Steele County agrees to participate in developing a Regional Solid Waste Management Plan if SEMREX can secure grant or other funding for at least 50% of the overall expense with total cost to Steele County, not to exceed \$10,000.

**NOW THEREFORE BE IT FURTHER RESOLVED**, if grant funding meeting these conditions is not secured, by December 1, 2018, Steele County may opt out of participation in the development of a Regional Solid Waste Management Plan by providing 30 days written notice to the other members of SEMREX. However, opting out of participation in the development of the Plan shall mean that the member remains a member of SEMREX for all other purposes.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Motion by Commissioner Gnemi, seconded by Commissioner Abbe to approve the County Recorder and a Deputy to attend the annual Fiddlar Symposium May 21 – 23, 2018 in Davenport, IA. Ayes all.

Motion by Commissioner Gnemi, seconded by Commissioner Krueger to approve Nick Flatgard to attend the 2018 ESRI Users Conference July 9 – 13, 2018 in San Diego, CA. Ayes all.

Motion by Commissioner Brady, seconded by Commissioner Gnemi to approve renewing a one-year contract with Roger Krause to provide GED services to inmates at the Detention Center from January 1, 2018 through December 31, 2018. Ayes all.

Motion by Commissioner Krueger, seconded by Commissioner Gnemi to approve the Steele County Emergency Management program to accept a donation on behalf of the Steele County CERT program from the Owatonna Eagles Club to help fund equipment and supplies for CERT volunteers. Ayes all.

Commissioner Krueger offered a **Resolution**, seconded by Commissioner Gnemi to approve final payment to Ulland Brothers in the amount of \$34,495.16 for Contract No. 171705.

Upon the vote being taken four Commissioners voted in favor thereof, Commissioner Brady abstaining. A copy of the Resolution is on file in the Auditor's office.

Commissioner Brady offered the following **Resolution** seconded by Commissioner Gnemi

**RESOLUTION FOR AGENCY AGREEMENT**

**BE IT RESOLVED**, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Steele County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

**BE IT FURTHER RESOLVED**, the Chairman and the Auditor are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1030074“, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor’s office.

Motion by Commissioner Abbe, seconded by Commissioner Krueger to approve the low quote from Street Smart Rental to purchase a Ver-Mac portable changeable message sign in the amount of \$15,670 for the Highway Department. Ayes all.

Motion by Commissioner Krueger, seconded by Commissioner Gnemi to approve the low quote from Huber Supply Co. Inc to purchase a Welder with Spool Gun and a Plasma Cutter in the amount of \$5,185.54 for the Highway Department. Ayes all.

Commissioner Krueger offered the following **Resolution** seconded by Commissioner Gnemi

**RESOLUTION DESIGNATING MUNICIPAL ADVISOR**

**WHEREAS**, the Board of Commissioners of Steele County (“County Board”) determines it is necessary to retain a municipal advisor with substantial experience and knowledge of Steele County (“County”) debt, for Capital Improvement Plan for the Public Works Facility Project, Credit Rating analysis & assistance with Credit Rating Calls and the Issuance of \$3,190,000 GO Steele County CIP Bond, finances generally, and

**WHEREAS**, Northland Securities, Inc. has served the County for more than ten years and has been actively involved important projects facing the County,

**NOW, THEREFORE, BE IT RESOLVED** that:

1. Northland Securities, Inc. (“Northland”) is hereby appointed as Municipal Advisor to the County. This appointment shall continue until terminated by the County Board.
2. Northland is designated as Dissemination Agent for the purposes of assisting the County with meeting the continuing disclosure requirements of federal securities regulations.
3. Northland will provide debt issuance services relating to the creation of a Capital Improvement Plan providing for the issuance of \$3,190,000 GO Bonds and related services;
4. Northland will provide financial management, financial planning, economic development and other advisory services as requested by the County Board.
5. For the services for which Northland will receive compensation, Northland will provide the County with a service agreement that describes the scope of services, compensation to Northland and other information required by applicable federal securities regulations.
6. The County Administrator is directed to terminate all existing agreements and contracts with other firms related to municipal advisor and continuing disclosure services and to execute agreements with Northland needed to provide these services.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor’s office.

Motion by Commissioner Brady, seconded by Commissioner Gnemi to approve the Municipal Service Agreement with Northland Securities Inc. in the amount of \$20,975. Ayes all.

Commissioner Brady offered the following **Resolution** seconded by Commissioner Gnemi

**Resolution calling for a Public Hearing on a Capital Improvement Plan and the Issuance of General Obligation Capital Improvement Plan Bonds**

**BE IT RESOLVED** by the Board of Commissioners (the Board) of Steele County, Minnesota (the Issuer), as follows:

1. Adoption of Capital Improvement Plan. The Capital Improvement Plan (the “CIP”) has been prepared pursuant to Minnesota Statutes, Section 373.40 (the “Act”). The CIP covers a five-year period beginning with the date of its adoption; sets forth the estimated schedule, timing, and details of specific capital improvements by year, together with the estimated costs, the need for the improvements, and sources of revenue to pay for the improvements. The CIP must be approved by the County Board following published notice and a public hearing.
2. Approval of the Issuance of Capital Improvement Plan Bonds. The County intends to issue its capital improvement plan bonds, in one or more series (the “Bonds”) in an amount not to exceed \$3,190,000 to finance the construction of various capital improvements and the acquisition of capital equipment, as described in the CIP, pursuant to Minnesota Statutes, Section 373.40.
3. Public Hearing. A public hearing is hereby scheduled to be held on the approval of the CIP and the issuance of the Bonds on February 13, 2018, and notice thereof in substantially the form attached hereto shall be published in the official newspaper of the County at least 14 days, but not more than 28 days prior to the hearing. The hearing will afford any interested party an opportunity to discuss the CIP and the Bonds.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor’s office.

Commissioner Reports:

Commissioner Gnemi reported on his attendance at the Public Safety Committee, SEMCAC, US Hwy 14 Partnership, Cannon River Watershed and Land Use and Records meetings.

Commissioner Brady reported on his attendance at the Internal Central Services, Weed Mgt., 911 Rice/Steele Joint Powers, SE MN Water Resources, Steele County Soil and Water, Public Works and MNPrairie meetings.

Commissioner Krueger reported on his attendance at the SCHA and US Hwy 14 Partnership meetings and Owatonna Chamber of Commerce dinner.

Commissioner Abbe reported on his attendance at the 911 Rice/Steele Joint Powers, US Hwy 14 Partnership, Public Works and Multi Co Solid Waste meetings.

Commissioner Glynn reported on his attendance at Internal Central Services, MNPrairie, Fair Board, IT Director, Community Corrections, Land Use and Records and CD 22 information meetings.

Motion by Commissioner Abbe seconded by Commissioner Krueger to approve the following listing of bills. Ayes all.

LISTING OF BILLS  
01/23/2018

30 <sup>th</sup> Place LLC	19,160.61
3D Specialties	2,207.07
Aurora Township	22,598.00
Balzer/Larry	44,490.00
Bravo Company USA Inc	4,125.15
Central Farm Services	6,943.84
City of Blooming Prairie	7,701.05
City of Ellendale	5,294.47
City of Medford	7,304.67
City of Owatonna	46,971.03
Compass Minerals America	20,929.31
CRK Properties LLC	6,680.42
Erickson Engineering Co LLC	2,730.50
Four Seasons Centre	6,460.00
Four Seasons Electric	3,135.95

Honeywell Inc	2,700.14
HP Inc	15,236.46
Kronos Incorporated	3,111.45
Larson/Jeff	3,900.00
Loken Excavating & Drainage	3,410.98
Marco Technologies LLC	2,258.50
MCCC MI 33	16,200.59
Microsoft	16,471.76
MN Sheriffs Assn	9,538.00
Oertel Architects	31,277.50
Owatonna Groundmasters Inc	7,876.66
Owatonna Public Utilities	40,547.35
Short Elliott Hendrickson Inc	9,607.97
Southern Minnesota Enterprises Inc	103,484.19
Steele County Soil & Water Conserv Dist	8,200.00
Steele County Treasurer	12,641.20
Summit Food Service Management	4,885.40
The Transportation Alliance	2,540.00
Waste Management of Wi-Mn	48,967.77
102 Warrants under \$2,000	63,499.13
<b>Total:</b>	<b>\$ 613,087.12</b>

Motion by Commissioner Gnemi, seconded by Commissioner Krueger to adjourn to the Call of the Chair at 6:58 p.m. Ayes all.

\_\_\_\_\_  
CHAIRMAN

ATTEST: \_\_\_\_\_  
AUDITOR