

REDWOOD COUNTY, MINNESOTA

December 14, 2021

The Board of County Commissioners met in regular session at 8:30 a.m. in the Commissioner's Room in the Government Center, Redwood Falls, Minnesota.

Present for all or portions of the meeting were Commissioners Dennis Groebner, Rick Wakefield, Jim Salfer, Bob Van Hee and Dave Forkrud. Also present were Administrator Vicki Kletscher; Assistant County Engineer Jeff Bommersbach; Maintenance Supervisor Jamie Larsen; Sheriff Randy Hanson; County Attorney Jenna Peterson; Environmental Director Scott Wold; Auditor/Treasurer Jean Price; Economic Development Coordinator Briana Mumme; Planning and Zoning Supervisor Nick Brozek; Recorder Joyce Anderson, Southwest Regional Development Commission Staff Rosemary Bruce-White and Jessica Welu; Lon Walling.

Chair Salfer called the Meeting to order asking for the Pledge of Allegiance to the Flag.

On motion by Groebner, second by Van Hee, the Board voted unanimously to approve the agenda.

Chair Salfer asked the Board members to identify any areas for which they had a Conflict of Interest. There were none.

CONSENT AGENDA

- On motion by Wakefield, second by Groebner, the Board voted unanimously to approve the following:
 - November 30, 2021 minutes.
 - Payment of bills as follows:

General Fund	\$ 79,008.07
Ditch Maintenance Fund	\$ 252,392.67
Insurance Fund	\$ 339.99
Soil and Water	\$ 227,952.72
Building Fund	\$ 16,230.20
Road and Bridge Fund	\$ 2,114.80
Solid Waste Fund	\$ 356.76

- Bills over \$2,000: MEND Correctional \$4,042.83; Redwood County Hwy. Dept. \$4,582.98; Southwest Sales and Service \$2,579.24; River Valley Forensic Services \$2,712.00; Pro West & Associates \$2,945.57; Schneider Geospatial \$12,300.00; G & R Controls \$8,236.00; Wold Architects \$7,944.20; M. Behrends \$5,037.48; Duinick Inc. \$80,634.95; R. Holmberg \$3,617.96; Kerkhoff Brothers \$16,550.80; L & S Construction \$24,096.71; Maas Construction \$2,324.42; Northland Erosion \$14,220.00; Schmidt Construction \$93,075.00; TNT Construction \$8,079.50; J. Bertsch \$17,573.93; E. Fultz \$7,912.20; K. Guetter \$2,502.90; Landuyt Land and Livestock \$72,772.99; M. Landuyt \$55,613.20; S. Meyer \$8,248.00; Renville County SWCD \$60,470.00.

SHERIFF

- Reviewed the November jail population.
- On motion by Forkrud, second by Wakefield, the Board voted unanimously to approve the Law Enforcement Contract with the City of Wabasso effective January 1, 2022 through December 31, 2022 for 15 hours per week at a rate of \$46/hour.

ROAD AND BRIDGE

- On motion by Van Hee, second by Wakefield, the Board voted unanimously to approve Road and Bridge bills in the amount of \$122,143.09.
- Bills exceeding \$2,000: Braun Intertec \$7,755.00; Chosen Valley Testing \$5,480.00; Farmward Cooperative \$3,525.72; GWL Farms \$9,825.90; Kris Engineering \$12,870.00; M & K Construction \$6,740.00; Meadowland Farmers Coop \$4,105.78; Schmidt Construction \$27,521.50; WSN \$29,793.12.
- On motion by Wakefield, second by Groebner, the Board voted unanimously to approve the purchase of snowplow truck equipment in the amount of \$139,801.00 through State Contract #193057.
- On motion by Groebner, second by Forkrud, the Board voted unanimously to approve the 2022 equipment rental rates.
- The Highway Department will defer the 2021 purchase of an excavator to 2022 due to lack of inventory and state contract pricing.

AUDITOR/TREASURER

- On motion by Groebner, second by Forkrud, the Board voted to approve the following:
 - Cash Balance Report
 - Investment Summary
 - Budget Reports, General Fund, Road and Bridge Fund, Human Services Fund, Building Fund, Ditch Fund, Solid Waste Fund, Health Fund, Debt Service Fund and Insurance Fund, Soil and Water Conservation District Fund.
 - November, 2021 Disbursements in the amount of \$3,136,583.98.
- Bills exceeding \$2,000: Preferred One \$6,150.50, \$4,681.97, \$16,577.36, \$14,671.56, \$27,819.58, \$54,985.91, \$9,229.04, \$13,472.61, \$5,120.68, \$3,232.97; Redwood Electric Cooperative \$2,036.08; Redwood Falls Public Utilities \$8,855.72; Further \$8,004.24, \$8,004.24; BCBS of MN \$2,218.50; Wells Fargo \$750,000.00; \$1,000,000.00; MN Dept. of Revenue \$55,281.52; Redwood County License Center \$2,127.55; Lucan Hardware \$9,563.63; Baune Plumbing \$16,364.97; Lamberton Public Library \$7,115.18; MN Commission of Finance \$4,596.50; Morgan Public Library \$6,894.96; Redwood Falls Public Library \$20,333.25; SWHHS \$98,233.05; Wabasso Public Library \$18,693.11; Petracek Trust \$14,000.00; Hanson Brothers \$6,175.00; Kennedy & Graven Chartered \$15,000.00; Chosen Valley Testing \$2,452.00; Community Electric \$41,171.58; Contegrity Group \$28,188.95; Floor to Ceiling \$86,823.70; J & K Masonry \$42,987.50; Kendell Doors \$3,032.61; Masters Plumbing \$40,375.00; RTL Construction \$134,514.75; SW Sanitation \$2,070.37; Sussner Construction \$12,045.64; Thompson Construction \$23,638.85; Gag Sheet Metal \$416,880.90; Blackstrip \$8,495.53, \$15,432.16; Bolton & Menk \$2,646.00; Traffic Marking Service \$27,453.81.
- On motion by Forkrud, second by Groebner, the Board voted unanimously to approve the Auditor/Treasurer pay approved claims through December 30, 2021.

- On motion by Forkrud, second by Wakefield, in a roll-call vote with Groebner, Salfer, Wakefield, Forkrud and Van Hee all voting aye, the Board adopted the following resolution:

**Resolution Authorizing the Redwood County Auditor-Treasurer
To Make Electronic Funds Transfer in 2022**

WHEREAS, Minnesota Statute 471.38 Subd. 3. allows a local government to make an electronic funds transfer for the following:

- (1) for a claim for a payment from an imprest payroll bank account or investment of excess money;
- (2) for a payment of tax or aid anticipation certificates;
- (3) for a payment of contributions to pension or retirement fund;
- (4) for vendor payments; and
- (5) for payment of bond principal, bond interest and a fiscal agent service charge from the debt redemption fund.

WHEREAS, Minnesota Statute 471.38 Subd. 3a. authorizes electronic funds transfer to only those local governments that have enacted policy controls.

NOW, THEREFORE, BE IT RESOLVED, That the Redwood County Auditor/Treasurer is authorized to make electronic funds transfer per Minnesota Statute 471.38 Subd. 3.

BE IT FURTHER RESOLVED, that the authority to make electronic funds transfer is further extended to include the Auditor/Treasurer office staff under the supervision of the Auditor/Treasurer and payroll office staff under the supervision of the Administrator as necessary to initiate and complete electronic funds transfers to pay expenditures of and for Redwood County.

BE IT FURTHER RESOLVED, That as part of the policy control procedures, a list of all claims paid which includes electronic funds transfer be presented to the Board at its next regularly scheduled meeting.

- On motion by Van Hee, second by Wakefield, in a roll-call vote with Groebner, Salfer, Wakefield, Forkrud and Van Hee all voting aye, the Board adopted the following resolution:

**Resolution Authorizing the Redwood County Auditor-Treasurer
To Pay Certain Claims**

WHEREAS, Minnesota Statute 375.16 allows the County Board to authorize the County Auditor/Treasurer to pay incidental expenses of the county upon the presentation of a properly itemized and verified bill; and

WHEREAS, Minnesota Statute 375.18 allows delegation by the County Board for paying certain claims to a county administrative official;

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor/Treasurer is authorized to pay incidental expenses per Minnesota Statute 375.16 (such as postage, express, freight, telephone, water, light, and other utility charges);

BE IT FURTHER RESOLVED, that the County Board delegates and authorizes that the County Auditor/Treasurer may pay the following types of claims made against the County;

- Payroll activity, including insurance (medical, dental, etc.), all other withholdings, and other taxable expenses
- Insurance costs of retirees
- Insurance claims/costs – medical, pharmacy, administrative services, etc.
- Insurance premiums and deductibles – workers’ comp, property casualty, liability, auto, etc.
- Court-ordered payments, including restitution
- Payments with statutory requirements (such as coroner and sexual assault)
- Expenses related to the jail canteen
- Subpoena/service fees
- Leased vehicle costs
- Monthly support and maintenance (CPT, SWHHS, copier leases, etc.)
- Credit cards and/or other charge cards or accounts with supporting detail for transaction(s) -- to company/business only; not reimbursements to employees for use of a personal card or account
- Expenses that would receive a discount if paid before claims submitted at the next regularly scheduled meeting would be issued by the County and reasonably expected to be received by the vendor
- Expenses that would incur a penalty if not paid before claims submitted at the next regularly scheduled meeting would be issued by the County and reasonably expected to be received by the vendor
- Miscellaneous taxes, including property tax and special assessment distributions
- State aid distributions (such as market value credit)
- Refunding overpayments, including tax
- Loans for septic system installations
- Payments to Recorder for document/lien recordings or releases
- Debt payments or other claims with fixed payment schedules (such as clean water partnership loans and capital leases)
- Expenses related to elections
- Payments on board approved contracts or agreements (such as highway projects), including final payments after board approval
- Registrations and dues approved by the department manager
- Reimbursement to employees for travel related expenses (hotel, mileage, parking, overnight meals, etc.) approved by the department manager
- Costs authorized by the County Board but not submitted that meeting as part of Commissioner warrants (such as ditch expenses, Commissioner mileage, and professional and technical services)

- Appropriations authorized by the County Board via the budget
- Pass-through state monies
- To reissue any Commissioner warrant, due to a lost check
- Post office box rental and/or safety deposit box rental
- Transactions authorized by other boards or those boards that have delegated authority for claim payment to the County Auditor/Treasurer (including, but not limited to, Southwest Health and Human Services);

BE IT FURTHER RESOLVED, that on considering the sum charged excessive or for any claims with other possible questions or issues, as determined by the County Auditor/Treasurer, those bills will not be issued but will be presented to the board for action at its next regularly scheduled meeting;

BE IT FURTHER RESOLVED, that the County Auditor/Treasurer will not be held personally liable for payment for any claim falling into the above authorized types the County Board later disagrees with, disapproves of, or questions;

BE IT FURTHER RESOLVED, the above delegation and authority conferred shall be and remain in full force and effect until written notice of any amendment or revocation thereof shall have been delivered to the County Auditor/Treasurer; and

BE IT FURTHER RESOLVED, that as part of internal accounting and administrative control procedures and for informational purposes, a list of all such claims paid be presented to the County Board on a monthly basis.

- On motion by Forkrud, second by Van Hee, in a roll-call vote with Wakefield, Groebner, Salfer, Forkrud and Van Hee all voting aye, the Board adopted the following resolution:

RESOLUTION TO ESTABLISH FUND BALANCE POLICY

WHEREAS, the Governmental Accounting Standards Board (GASB) issued GASB #54 Fund Balance Reporting; and

WHEREAS, the statement substantially changes how fund balances are categorized; and

WHEREAS, to provide a financial environment for Redwood County's operations which allows the County to provide quality services to its residents in a fiscally responsible manner designed to keep services and taxes as consistent as possible over time, a policy will serve as the framework upon which consistent operations may be built and sustained;

BE IT THEREFORE RESOLVED, that pursuant to GASB #54, Redwood County is committing fund balance for the following purposes stated below for the year ending 2021, and the dollars used to commit will be used from current fund balance:

- Encumbrances for contracts entered into at year end
- RCEDA Revolving Loan - 2008
- Septic System Revolving Loan - 2017
- Retiree Health Insurance
- Sheriff Canteen

- United Community Action Area Transit
- LINC Redwood County
- Westlake Properties Loan

BE IT FURTHER RESOLVED, the County Administrator and the County Auditor/Treasurer are hereby authorized and directed to adjust the amounts for each of the committed stated purposes above in regards to the transactions made during the 2021 year and amounts budgeted for the 2022 year; and

BE IT FURTHER RESOLVED, the County Administrator and the County Auditor/Treasurer are hereby authorized and directed to adjust and determine assigned balance amounts.

- Discussion held regarding mobile home tax abatement

PLANNING AND ZONING

- An application for an Extraction Interim Use Permit #15-21 filed by Schmidt Construction on behalf of Charles and Julie Chmelar on the following described real property, situated in the County of Redwood, State of Minnesota, to wit: W ½ of SE ¼ of Section 23, Twp. 113N, Range 36W, Delhi Township. On motion by Groebner, second by Forkrud, the Board voted unanimously to approve Extraction Interim Use Permit #15-21.
- Board consensus to review establishing a moratorium on solar panels.

SOUTHWEST REGIONAL DEVELOPMENT COMMISSION

- White and Welu presented information on the development of a strategic plan to establish a regional trail network in Southwest Minnesota. A request of \$3,000.00 was requested to help fund the projected cost of \$209,000.00. Request will be considered at the 12-28-21 board meeting.

ENVIRONMENTAL

- On motion by Wakefield, second by Van Hee, the Board voted unanimously to approve the Agreement Between Pictometry International and Redwood County.
- On motion by Forkrud, second by Groebner, the Board voted unanimously to declare the bathhouse near the lake at Plum Creek Park as excess property and remove the property.

COUNTY ATTORNEY

- On motion by Forkrud, second by Van Hee, the Board voted unanimously to approve the 2022-2023 Child Support Cooperative Arrangement with Redwood Offices of Human Services, County Sheriff and County Attorney.
- On motion by Van Hee, second by Wakefield, in a roll-call vote with Van Hee, Wakefield, Salfer, Forkrud and Groebner all voting aye, the Board adopted the following resolution:

A RESOLUTION TO EXPEND CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS UNDER THE AMERICAN RESCUE PLAN ACT FOR ATTORNEY

WHEREAS, Redwood County (“County”) received Federal Coronavirus Local Fiscal Recovery Funds under the American Rescue Plan Act (“ARP”), to provide relief to the county impacted by the coronavirus disease 2019 (“COVID-19”);

WHEREAS, County Attorney, Jenna Peterson has identified a necessary purchase to contract for attorney services, with Travis Smith, to address the backlog of court cases as a result of the COVID-19 pandemic;

WHEREAS, the authority under the ARP Act allows this expenditure, per the Department of the U.S. Treasury Frequently Asked Questions (“FAQ”) dated November 15, 2021; under Section 2.19:

Would expenses to address COVID-related backlog in court cases be an eligible use of funds as a response to the public health emergency [6/23] The Interim Final Rule recognizes that “decrease[s] to] a state or local government’s ability to effectively administer services,” such as cuts to public sector staffing levels, can constitute a negative economic impact of the pandemic. During the COVID-19 public health emergency, many courts were unable to operate safely during the pandemic and, as a result, now face significant backlogs. Court backlogs resulting from inability of courts to safely operate during the COVID-19 pandemic decreased the government’s ability to administer services. Therefore, steps to reduce these backlogs, such as implementing COVID-19 safety measures to facilitate court operations, hiring additional court staff or attorneys to increase speed of case resolution, and other expenses to expedite case resolution are eligible uses.

WHEREAS, entering into contract with Attorney Travis Smith will allow County Attorney and staff to address the substantial backlog of court cases as the department was unable to operate safely during the pandemic, and support the Minnesota Judicial Branch plan to address the backlog of cases. U.S. Treasury Compliance and Reporting Guidance, State and Local Fiscal Recovery Funds expenditure code 7.1, Administration;

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners is authorizing entering into contract with Attorney Travis Smith, beginning January 2022, terming December 2024, not to exceed \$144,000 over the three term; and certifies that the funds appropriated from the ARP Act fund will be used only in a manner consistent with the Department of the U.S. Treasury guidance and incurred during the covered period.

ADMINISTRATOR

- On motion by Forkrud, second by Van Hee, the Board voted unanimously to approve 2022 Liquor License renewal for Tracy Country Club.
- On motion by Van Hee, second by Wakefield, the Board voted unanimously to approve the 2022 Tobacco License renewals for Farmer’s Coop Oil for the Lamberton and Wabasso C-Stores.
- On motion by Groebner, second by Forkrud, the Board voted unanimously to approve the 2022 County Fee Schedule.
- On motion by Groebner, second by Forkrud, the Board voted unanimously to approve 2022 Solid Waste Hauler License renewals to Clobes Sanitation, CMF Tree Service, Mike Rasmussen, River View Sanitation and Southwest Sanitation.
- On motion by Forkrud, second by Van Hee, the Board voted unanimously to set the 2022 Board Meeting Dates.

- On motion by Wakefield, second by Groebner, the Board voted unanimously to adopt the Elected Officials Out of State Travel Policy.
- On motion by Wakefield, second by Groebner, in a roll-call vote with Wakefield, Groebner, Salfer, Forkrud and Van Hee all voting aye, the Board adopted the following resolution:

A RESOLUTION

Authorizing county staff to execute all necessary documents to ensure County participation in the multistate settlements relating to opioid distributors and manufacturers, and in the Minnesota Opioids State-Subdivision Memorandum of Agreement, and declaring support for an amendment to Minn. Stat. § 256.043, subd. 3(d).

WHEREAS, the State of Minnesota and numerous Minnesota cities and counties are engaged in nationwide civil litigation against manufacturers and distributors of prescription opioids related to the opioid crisis; and

WHEREAS, the Minnesota Attorney General has signed on to multistate settlement agreements with several pharmaceutical distributors, McKesson, Cardinal Health, and AmerisourceBergen, as well as opioid manufacturer Johnson & Johnson, but those settlement agreements are still subject to sign-on by local governments and final agreement by the companies and approval by the courts; and

WHEREAS, there is a deadline of January 2, 2022, for a sufficient threshold of Minnesota cities and counties to sign on to the above-referenced multistate settlement agreements, and failure to timely sign on may diminish the amount of funds received by not only that city or county but by all Minnesota cities and counties from the settlement funds; and

WHEREAS, representatives of Minnesota's local governments, the Office of the Attorney General, and the State of Minnesota have reached agreement on the intrastate allocation of these settlement funds between the State, and the counties and cities, as well as the permissible uses of these funds, which will be memorialized in the Minnesota Opioids State-Subdivision Memorandum of Agreement (the "State-Subdivision Agreement"); and

WHEREAS, during negotiations of the State-Subdivision Agreement, representatives of Minnesota's counties prioritized flexibility in how local governments may use settlement funds for opioids abatement and remediation and advocated for counties to receive settlement allocations directly rather than using the distribution mechanism detailed in Minn. Stat. § 256.043, subd. 3(d); and

WHEREAS, in order to achieve the goals of flexibility and direct allocation, Minn. Stat. § 256.043, subd. 3(d), must be amended to remove a provision which would otherwise appropriate approximately 50 percent of the state's settlement allocation to county social service agencies for statutorily-prescribed use(s); and

WHEREAS, the State-Subdivision Agreement creates an opportunity for local governments and the State to work collaboratively on a unified vision to deliver a robust abatement and remediation plan to address the opioid crisis in Minnesota; now, therefore,

BE IT RESOLVED, Redwood County supports and agrees to the State-Subdivision Agreement; and

BE IT FURTHER RESOLVED, Redwood County supports and opts in to the multistate settlements with McKesson, Cardinal Health, and AmerisourceBergen, and with Johnson & Johnson; and

BE IT FURTHER RESOLVED, Redwood County authorizes county staff to execute all necessary documents to ensure County participation in the multistate settlements, including the Participation Agreement and accompanying Release, and in the State-Subdivision Agreement; and

BE IT FURTHER RESOLVED, Redwood County, supports the amending of Minn. Stat. § 256.043, subd. 3(d), to remove a provision which would appropriate approximately 50 percent of the state's settlement allocation to county social service agencies via the existing Opiate Epidemic Response Fund distribution mechanism for statutorily-prescribed use(s).

- Acknowledged the Redwood-Renville Regional Solid Waste Authority Joint Powers Agreement was amended by the County Attorney. Will present at future board meeting for approval.

Personnel

- On motion by Van Hee, second by Groebner, the Board voted unanimously to approve the Paycom Agreement for a vaccine mandate tracker module at an approximate cost of \$1,300.00 only to be implemented if mandate is enacted.
- On motion by Van Hee, second by Groebner, the Board voted unanimously to acknowledge the resignation/retirement of Marvin Gilb from the Highway Department effective 12-31-21.
- On motion by Forkrud, second by Groebner, the Board voted unanimously to acknowledge the resignation/retirement of Paul Christensen from the Highway Department effective 1-28-22.
- On motion by Forkrud, second by Van Hee, the Board voted unanimously to approve the 2022 Drug Testing Contracts with Shelly Koenig and Steve Gramstad.
- On motion by Van Hee, second by Forkrud, the Board voted unanimously to approve a wellness challenge prize of 4 hours paid time off for up to 4 employees.
- On motion by Forkrud, second by Van Hee, the Board voted unanimously to hire Doug Bunting as FT Highway Maintenance Specialist at Grade 10/Step 1 of the Non-Union Salary Schedule at \$19.72/hour effective December 20, 2021.

COMMISSIONER REPORTS

- The Commissioners reported on meetings they attended:

Forkrud: Annual AMC Conference

Wakefield: JD 15 Joint Ditch Meeting with Lyon County; Area II/RCRCA; Counties Providing Technology

Van Hee: Transportation Meeting at AMC; Primewest; Southwest Regional Development Commission

Salfer: Annual Township Meeting; AMC Annual Conference

Groebner: Annual Township Meeting

ADJOURN

There being no further business, Chair Salfer declared the meeting adjourned at 11:20 a.m.

Jim Salfer, Chair
Board of County Commissioners

Attest: _____
Vicki Kletscher
County Administrator