

WASECA COUNTY BOARD OF COMMISSIONERS—DECEMBER 2, 2004

The Waseca County Board of Commissioners met on Thursday, December 2, 2004, as previously approved by the board. The meeting was called to order at 9:30 a.m. by Chairperson, Jim Peterson in the Commissioner's Room, East Annex, City of Waseca, Minnesota.

Members present were Jim Peterson, Chairperson; Al Ruhland, Rick Morris, Wendell Armstrong and Richard Androli. Also present were Bruce Boyce, Coordinator; Joan Manthe, Auditor; Nathan Richman, Highway Engineer; Jerry Lehman, Assessor; Larry Collins, Attorney; Angie Knish, Planning and Zoning Administrator; Carl Guse; Joe Britton and Rod Joyce, Alton Town Board; Joel Anderson, Dept of Natural Resources.

Androli moved and Armstrong seconded the motion to approve the minutes of November 16, 2004. Motion carried unanimously.

Armstrong moved and Ruhland seconded the motion to accept a petition requesting a moratorium on residential building in Janesville Township and set a public hearing at a later date. Motion carried unanimously.

Armstrong moved and Androli seconded the motion to amend the agenda by adding Larry Collins on radio towers lease and a few other miscellaneous items. Motion carried unanimously.

Jerry Lehman, County Assessor, spoke to the board during department head time to request reappointment to the position of County Assessor for the next four years. Morris moved and Ruhland seconded the motion to reappoint Jerry Lehman to a 4 year term as County Assessor beginning January 1, 2005. Motion carried unanimously.

Larry Collins, County Attorney, presented the tower lease agreements. Morris moved and Androli seconded the motion to authorize the chairperson to sign two leases, one for the LEC tower site and the second for the Hoehn tower site with Millennium Tower with an agreement to assign the lease to Bremer Bank. Motion carried unanimously.

Nathan Richman, County Engineer, addressed the proposed agreement between Waseca and Sibley County for Engineer services. Ruhland moved and Morris seconded the motion to approve the Engineering Services Agreement as presented at the last meeting to commence on December 6, 2004 and terminate on April 8, 2005. Motion carried unanimously.

Nathan Richman, County Highway Engineer, presented a resolution from Mn DOT for the extension of the archaeology study around Clear Lake Drive. Androli moved and Ruhland seconded the motion to adopt the resolution. Motion carried unanimously.

RESOLUTION

WHEREAS, the County of Waseca is constructing a recreational trail around Clear Lake adjacent to Clear Lake Drive; and

WHEREAS, a Phase I Archeological survey was needed as part of the environmental assessment process; and

WHEREAS, Waseca County has entered into Agreement No. 86248 with the Minnesota Department of Transportation; and

WHEREAS, The Phase I work of the Agreement and the work described in Amendment #1 to the Agreement, has been completed; and

WHEREAS, The Phase II testing and survey work has been recommended and is described in Amendment No.2 to Agreement No. 86248.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Waseca that it hereby accepts said Amendment No 2 of said Agreement No 86248 and authorizes the Assistant County Engineer to execute said agreement.

Joel Anderson, DNR Area Wildlife Manager, told of their plan to purchase a 160 acre parcel in the SE1/4 of Section 4, Alton Township. In accordance with Minnesota Statutes 97A.145 Subd. 2, the Commissioner of the Department of Natural Resources on December 2, 2004, provided the county board and the appropriate town officers with a description of lands to be acquired by the State of Minnesota for water and wildlife conservation purposes. Lands to be acquired are described as follows: The SE1/4 of Section 4, Township 107 North, Range 24 West. Morris moved and Armstrong seconded the motion to approve the purchase of the Quade property in Section 4, Alton township. Motion carried unanimously.

Angie Knish, Planning and Zoning Administrator, presented the preliminary plat for Pat Mende to subdivide 6 lots and 2 outlots on 29 acres in Section 9, Janesville Township. Pat Mende was present. Also present were Doris Berger, an adjoining landowner, and Dick Willis. After some discussion, Rick Morris moved and Androli seconded the motion to send the plat back to the Planning Commission for re-evaluation and resolve the issue of the hunting area. The motion passed by the following roll call: Morris, yes; Ruhland, no; Armstrong, yes; Androli, yes and Peterson, no.

Morris moved to extend the time limit for the filing of the preliminary plat for Pat Mende for an additional 60 days. Androli seconded the motion and it was passed by the unanimous vote of all members.

Angie informed the board that in order to receive Ag Best Management Practices loan money, it is necessary to go to the multi lender system. Presently the Round bank is

the sole loan agency. Androli moved and Ruhland seconded the motion to give the Planning and Zoning Administrator authority to apply for the competitive grant in February and use the multi-lender system. Motion carried unanimously.

Angie informed the board of upcoming appointments for the Planning Commission and the Board of Adjustment.

Bruce Boyce gave an overview of the preliminary budget for 2005. A request was made by Commissioner Peterson to hire the 4-H Coordinator at a full time position, rather than the present $\frac{3}{4}$ time position. There was no motion made to support this at the present time.

Bruce Boyce informed the board that supervisor salaries have not been set for 2004. Ruhland moved and Armstrong seconded the motion to award a 0% increase in supervisor salaries for 1-1-04 to 6-30-04 and then to award 2 $\frac{1}{4}$ % increase for the period of 7-1-04 to 12-31-04 except for Patrick Moen, which is in a previous agreement. Motion carried unanimously.

Jim Peterson explained a Ditch matter on C.D. 43. Tim Nelson and Janet Rudolph were present as landowners on the ditch. Tim Nelson is requesting some work be done to the ditch. The board directed the auditor to contact Kurt Deter, contracted ditch attorney for the ditch systems to see if this work is a repair or improvement.

Bruce Boyce reported on the 2004 job evaluation update. The committee met and has submitted their recommendations. Peterson moved and Armstrong seconded the motion to approve the committee recommendations for job evaluations. Motion carried unanimously.

Ruhland moved and Morris seconded the motion to approve the 2nd half of Waseca County Agency Appropriations. The amounts are listed below. Motion carried unanimously.

Agricultural Society	\$22,050.00
Historical Society	22,950.00
MN Ag Interpretive Center	4,950.00
New Richland Ambulance	1,350.00
Region 9 Sm Business Dev. Ctr	900.00
SE MN Initiative Fund	1,800.00
Soil & Water Conservation Dist.	29,700.00
Southern MN Tourism Assoc.	437.50
Tourism Advisory Committee	1,082.50
Waseca Arts Council	3,150.00
Three Rivers RC & D	225.00
Economic Dev. Assist.	
Janesville	1,800.00
New Richland	1,800.00

	Waldorf	900.00
TOTAL		\$93,095.00

Ruhland moved and Morris seconded the motion to approve the 2nd Half Waseca County Economic Development Tax Abatements. The amounts are listed below. Motion carried unanimously.

	REPNET	\$1,669.00
	Nielsen Chrysler Center	2,528.00
	Delta Truck	4,500.00
	Waseca Optometric	2,301.50
	Twin Oaks	2,799.50
TOTAL		\$13,798.00

Androli moved and Morris seconded the motion to approve a maternity leave for Charlena Overland beginning December 14, 2004 for a 6 week period of time, as requested. Motion carried unanimously.

Morris introduced the following resolution and moved for its adoption. Ruhland seconded the motion and it was adopted by the unanimous vote of all members.

RESOLUTION

WHEREAS, Waseca County (the "Employer") provides employees with an opportunity to pay for certain employee welfare benefits on a pre-tax basis through the Waseca County Flexible Benefit Plan (the "Plan"); and

WHEREAS, the Employer considers it desirable and in the best interests of the Plan to make the following amendment to the Plan;

NOW, THEREFORE, pursuant to the authority reserved in the Plan to allow amendments to the Plan, the Plan is amended as follows:

The Plan will operate using the Final COBRA Regulations issued May 26, 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Waseca County Flexible Benefit Plan be and the same is amended effective January 1, 2005;

BE IT FURTHER RESOLVED, that any proper members of the Board of Commissioners are hereby authorized to make such contributions from the funds of the Employer as are necessary to carry out the provisions of said plan at any time; and

BE IT FURTHER RESOLVED, that in the event any conflict arises between the provisions of said Plan and the Employee Retirement Income Security Act of 1974 (ERISA) or any other applicable law or regulation (as such law or regulation may be

interpreted or amended), the Company shall resolved such conflict in a manner which complies with ERISA or such law or regulation.

Armstrong moved and Androli seconded the motion to approve the Veterans Report. Motion carried unanimously.

Armstrong moved and Androli seconded the motion to approve the Auditor, Commissioner, Human Services and expense bills as presented. Motion carried unanimously.

The meeting was closed to the public at 11:50 a.m. in order to discuss pending litigation.

The meeting was opened again at 12:30. No action was taken concerning the closed meeting. Androli moved and Morris seconded the motion to adjourn the meeting.

The next regular board meeting will be held December 21, 2004.

James Peterson, Chairperson, Waseca
County Board of Commissioners

ATTEST

Joan Manthe, Waseca County Auditor