

WASECA COUNTY BOARD OF COMMISSIONERS—SPECIAL MEETING
July 12, 2011

The Waseca County Board of Commissioners met in a special session on Tuesday, July 12, 2011. Members present were Mike Hintz, Chairperson; Blair Nelson; Richard Androli; Jim Peterson and Dan Kuhns.

Others present were Laura Elvebak, County Administrator; Joyce Oliver, Auditor-Treasurer; Ruth Ann Hager, News Reporter; Russ Guse, Ditch Inspector Intern; Mike Schraad & Keith Wyman, Welsh Construction; Paul Dressler, County Attorney; Mark Vagts, Assessor; Russ Stammer, Waseca City Engineer; Marilee Reck, Human Services Director; Cheri Lewer, Public Health Director; Adam Worke, Gary Worke and Eric Worke, Fox Meadows Development; Judy Hiller, IT Director; Brad Milbrath, Sheriff; Mark Leiferman, Planning & Zoning Administrator; Nathan Richman, Highway Engineer; Linda Karst, Recorder.

Chair Hintz called the meeting to order at 9:30 a.m. Roll call was taken and the Pledge of Allegiance was recited.

A motion was made by Androli and seconded by Peterson to approve the agenda as presented. Motion passed unanimously.

Joyce Oliver, Auditor-Treasurer, introduced the issue of a development project at Fox Meadows Subdivision on 22nd Avenue NW in Waseca and the possible impact the construction may have on County Ditch 18. There may be a storm water pipe placed over the county ditch tile system. The Ditch Authority needs to be advised and approve of any repairs or changes to the ditch system.

Mike Schraad, Vice President, Welsh Construction LLC, presented a plan which would remove 130 feet of 22" concrete drain tile and replace it with 24" HDPE Dual Wall.

Russ Guse discussed what needs to be done, in his opinion, to maintain the integrity of the ditch at a cost of between \$8,500.00-\$9,300.00, which depends on using dual wall plastic or reinforced concrete.

Discussion ensued and the question was brought up as to who was responsible to pay for the repairs.

Gary Worke inquired why this was all coming up now after the project was started. He stated that 1: All parties (city and county) approved all the permits and plats; 2: No where, in the abstract or deed, did it refer to a county ditch and they didn't know it was there; 3: This issue is not the fault of the developer so how can they be responsible and 4: How is this repair going to affect the future planning of the City of Waseca?

Joyce Oliver addressed the issue of the ditch not showing up on the abstract or deed by stating that the recording of ditches across the state of Minnesota is rare and that counties are just beginning to get them recorded. The recording is costly and will take time. Waseca County is looking into recording as we have ditches redetermined. County Ditches have their own unique set of laws and take priority on any land development. Richard Androli added that it is up to the landowner to know what is on the land he purchases.

Russ Stammer, City Engineer, stated that the repairs done at this project will impact city plans that will be brought forward soon and it will be dealt with at that time.

Nelson moved and Hintz seconded the motion that the approximately 130 ft. repair be done according to the plan but using reinforced concrete at a cost of \$9,300.00 and the cost is to be split between the ditch system (13 sticks of 8 foot by 24 inch=\$7,136.00) and the developer/contractor (4 sticks of 8 foot by 24 inch=\$2,164.00). Motion failed by the following roll call: Nelson=yes; Androli-no; Peterson-no; Kuhns-no; Hintz=yes.

Androli moved and Peterson seconded the motion that the approximately 130 ft. repair be done according to the plan but using reinforced concrete at a cost of \$9,300.00 which is to be paid in full by the developer/contractor. Motion passed by the following roll call: Nelson-no; Androli=yes; Peterson=yes; Kuhns=yes; Hintz-no.

Paul Dressler requested a closed session be scheduled to discuss pending litigation. Androli moved and Kuhns seconded the motion that Tuesday, August 23, 2011, at 2:00 p.m. be set for the closed session with an alternate date of Tuesday, September 6, 2011, at 1:30 p.m. Motion carried unanimously.

Mike Hintz spoke about an AMC presentation regarding the state shutdown and asked staff for their comments.

Nathan Richman talked about risk assessment on deciding whether to finish projects and allow or discontinue county services while the state is shutdown.

Laura Elvebak said other counties are meeting week to week as we are and some have issued a notice of layoff because of union requirements, but does not mean there will be an actual layoff. She also mentioned risk assessments, balanced budgets, and that if the bond rating for the state goes down, it could have repercussions for us.

Marilee Reck spoke about Mower County which has laid off staff in Human Services and Public Health and the fall out of that decision.

Cheri Lewer suggested that we look at programs that create revenues and also risk assessments if we discontinue services.

Jim Peterson asked if each department could bring forth a risk assessment if we discontinue some services. Mike Hintz suggested that we create a Continuity of Operations Plan. Laura Elvebak will work with department heads on developing a Risk Assessment Worksheet and Operations Plan.

It was also suggested to invite area legislators to the July 26, 2011, board meeting. Laura will contact them.

Discussion ensued about rescheduling the July 19, 2011 board meeting because Commissioners Androli and Kuhns will be out of town at the NACO Conference. It was decided not to reschedule.

Kuhns moved and Nelson seconded the motion to adopt the following resolution to close the meeting to discuss negotiations. Motion carried unanimously and the resolution was adopted.

RESOLUTION 2011-33

**RESOLUTION TO CLOSE A PORTION OF THE WASECA COUNTY BOARD
MEETING ON JULY 12, 2011**

WHEREAS, the Waseca County Board of Commissioners desires to close a portion of the meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.

WHEREAS, pursuant to Minn. Stat. §13D.03, the County Board by resolution may close a meeting as permitted by Minnesota law to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.

NOW, THEREFORE, BE IT RESOLVED, that the Waseca County Board of Commissioners hereby closes a portion of the County Board meeting on July 12, 2011, to consider strategy for labor negotiations, including negotiation strategies or developments or discussion, and review of labor negotiation proposals.

The meeting was closed at 11:06 a.m. Present for the closed session were Commissioners Hintz, Androli, Nelson, Peterson, and Kuhns; County Administrator, Laura Elvebak; Auditor-Treasurer, Joyce Oliver and County Attorney Paul Dressler.

The closed meeting was adjourned at 11:32 a.m. and the regular meeting reopened.

Kuhns moved and Peterson seconded the motion to adjourn the meeting. Motion carried unanimous and the meeting was adjourned at 11:33 a.m.

S/ _____
Michael Hintz, Chairman
Waseca County Board of Commissioners

ATTEST:

S/ _____
Joyce Oliver
Waseca County Auditor/Treasurer