

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
OCTOBER 20, 2015

The Faribault County Board of Commissioners met pursuant to the recess of October 6, 2015 at the Courthouse in the City of Blue Earth at 9:00 a.m. on October 20, 2015. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator John Thompson and County Attorney Troy Timmerman were also present.

The meeting was called to order by Chair Groskreutz.

The pledge of allegiance was recited.

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Warmka/Young motion carried unanimously to approve the synopsis and official proceedings of the October 6, 2015 regular meeting.

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Warmka/Roper motion carried unanimously to approve the agenda of October 20, 2015.

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The calendar was updated. No member of the public appeared to make comment.

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Committee reports were given. Loveall reported on Region Nine, Warmka reported on GBERBA, Roper reported on SHIP, Young reported on Prairieland and Groskreutz reported on MVAC executive meeting and the Community Health conference.

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Vicki Savick of Bricelyn met regarding the repayment agreement on Parcel No. 22.010.1020.

Warmka/Young motion carried unanimously to release Parcel No. 22.010.1020 from the 2007 Small Cities Development Program Housing Repayment Agreements as recorded on Document 345673 in the amount of \$15,088.00 and Document 345680 in the amount of \$4,600 contingent upon completion of sale of property and payment of delinquent property taxes.

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Sheriff Mike Gormley and Chief Deputy Scott Adams met regarding office business.

Loveall/Warmka motion carried unanimously to approve the 2015 Federal Boating Safety Supplemental Equipment Grant (CFDA 97.012) from the Minnesota Department of Natural Resources in the amount of \$1,000.

Roper/Loveall motion carried unanimously to approve an Off Highway/All Terrain Vehicle grant of \$9,822 for 2016 and 2017.

Warmka/Roper motion carried unanimously to approve the quote received from Lake Mills Water Sports for a 2015 Sportsman 570 SP EPS ATV for \$4,809.96. One other quote was received from Northstar Powersports and Marine of Albert Lea for \$4,900.00.

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Soil and Water Program Administrator Michele Stindtman met regarding office business. Discussion was held regarding the Safe to School project in Wells and the Woods Lake well replacement.

Roper/Warmka motion carried unanimously to direct the planning and zoning committee to draft a Renewable Energy Ordinance that includes solar energy.

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Public Works Director Mark Daly met regarding public works business. A construction update was given.

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Extension Regional Director LuAnn Hiniker and Technical Administrative Assistant Cassandra Lewis met regarding office business.

Warmka/Young motion carried unanimously to approve Resolution 15-CB-43 for a three year agreement with the University of Minnesota for providing Extension programs locally and employing Extension staff. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

WHEREAS, Minn. Stat. §38.34 authorizes a Board of County Commissioners to incur expenses and spend money for County Extension work; and

WHEREAS, the money set aside and appropriated by the County Board in the County Extension Fund may be paid out by orders of the University's Director of Extension, or the Director's designee, as identified in Minn. Stat §38.36, Subd. 3; and

WHEREAS, Minn. Stat. §38.37 provides that Extension educators must be employed according to University personnel procedures and must be University employees; and

WHEREAS, it is the intention of the County and University that the University shall provide Extension services on behalf of the County in exchange for considerations as detailed herein.

NOW THEREFORE, in consideration of the mutual undertakings and agreements contained within this Agreement, the County and University hereby agree as follows:

1. In accordance with Minn. Stat §38.37 County desires to augment University's state-wide Extension programs. The programs that the County will augment are detailed in Table A below.

Table A

Program	FTE	2016 Price	FTE	2017 Price	FTE	2018 Price
4-H Program Coordinator	1.0	\$68,881	1.0	\$70,431	1.0	\$72,192

2. County recognizes that University costs for supporting these positions may increase from year to year. The costs payable for these positions are reviewed by the Association of Minnesota Counties (AMC) Extension Committee and University's Extension central administration, at which time the parties will agree on an appropriate inflation factor for the coming year(s). Unless County and University otherwise agree, the inflation factor will be as agreed to by AMC and University.
3. Based on the County's funding commitment, University will be responsible for providing salary and fringe benefits for the positions, enhanced programming from regional extension educator staff, program supervision, travel (mileage, meals, and lodging), in-service training within program area, payroll, and accounting services.

The County agrees to provide local support in the form of office space, telephone, computer, network connections for email and other communications, software, support staff, and other general office supplies. The University will recommend technology needs and other office standards. Nevertheless, the level of availability and type of such support will be determined by the County.

4. University will bill the County on a quarterly basis and the County will submit payment within 35 days of receipt of the bill. The total annual amount to be paid by the County shall be paid in four equal quarterly payments.
5. As vacancies occur, and if the County and University agree to continue to support the desired program and position, University will hire new personnel with involvement and concurrence of the County Extension Committee. The County will not be billed for a position during the time that position is vacant.
6. The University will complete an annual performance evaluation of each University Extension employee working in the County and supporting the programs identified in paragraph 1. The County Extension Committee will have the option to provide input to University on such evaluation. The University in accordance with University personnel guidelines will determine salary adjustment of each University Extension employee.
7. Annually, the County Extension Committee, in coordination with University, will be responsible for approving the County Extension educational programming and services, as provided for in Minn. Stat §38.34. The parties acknowledge that County extension educational programming includes University's Nutrition Education Program educational programming.
8. Nothing in this Agreement precludes the County or University at any time during the term of this Agreement from requesting a modification of the County Extension program, including an adjustment of the number of University Extension personnel working in the County. The County or University will provide a minimum of 90

days' notice if either party desires a change in programs that results in a decrease in the staffing or funding level, and both parties agree to enter into good faith discussions to address such request.

9. If University or the County in good faith determines that funding is no longer available to support the programs or positions providing services locally, either party may terminate this Agreement. Termination of the Agreement in its entirety requires a minimum of 90 days prior notice. Notice shall be dated and provided in writing to the parties listed below as the contacts for this Agreement.

If to County: Faribault County
 Auditor Treasurer
 Faribault County Courthouse
 P.O. Box 130
 Blue Earth, MN 56013-0130
 E-mail: john.thompson@co.faribault.mn.us

If to University: University of Minnesota
 Minnesota Extension
 Attn: Director of Field Operations
 240 Coffey Hall
 1420 Eckles Avenue
 St. Paul, MN 55108
 Facsimile No.: 612-625-6227
 E-mail: byrne007@umn.edu

10. Each party agrees that it will be responsible for its own actions and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other partner or the results thereof. The County's liability is governed by the provisions of Minn. Stat. Chap. 466 and other applicable laws. The University's liability is governed by the provisions of the Minnesota Tort Claims Act, Minn. Stat. §3.736 and other applicable law.
11. Pursuant to Minn. Stat. §16C.05, Subd. 5, the University agrees that County, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonable deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of relating to this Agreement. University agrees to maintain these records in accordance with applicable law.
12. All data collected, created, received, maintained, or disseminated for any purposes by the activities of University because of this Agreement is governed by the Minnesota Government Data Practices Act, Minn. Stat. Chap. 13, as amended, the Minnesota

Rules implementing such Act now in force or as adopted, as well as Federal Regulations on data privacy.

13. The University is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, sexual orientation, or other classifications protected by state or federal law. In adhering to this policy, the University abides by the Minnesota Human Rights Act, Minnesota Statute Ch. 363A; by the Federal Civil Rights Act, 42 U.S.C. 2000e; by the requirements of Title IX of the Education Amendments of 1972; by Sections 503 and 504 of the Rehabilitation Act of 1973; by the Americans With Disabilities Act of 1990; by Executive Order 11246, as amended; by 38 U.S.C 2012, the Vietnam Era Veterans Readjustment Assistance Act of 1972, as amended; and by other applicable statutes and regulations relating to equality of opportunity.

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Faribault County Recorder Sherry Asmus met regarding office business.

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Warmka/Loveall motion carried unanimously to close the meeting. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young; County Attorney Troy Timmerman, Auditor-Treasurer-Coordinator John Thompson, and Assessor Lynn Krachmer attended.

Meeting was re-opened. Auditor/Treasurer/Coordinator John Thompson gave a short synopsis of the closed meeting regarding negotiation of a settlement in tax court litigation.

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Young/Loveall motion carried unanimously to approve the following financial institutions as depositories of funds for Faribault County for a one-year period: First Bank of Blue Earth, Wells Fargo Bank, First Financial Bank of Winnebago, Peoples State Bank of Wells, and State Bank of Easton.

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Warmka/Loveall motion carried unanimously to approve the bid from Beemer Companies of Fairmont of \$175,560.00 for the improvement to County Ditch No. 62. Other bids received were from Ground Works Backhoe Service, LLC for \$194,224.50, Brunz Construction Company Inc. for \$206,850.00, MPI Farms/Caesar Larson for \$212,525.50, Gustafson Drainage LLC for \$216,680.50, Landwehr Construction, Inc. for \$242,678.50, Forsberg Drainage and Excavation for \$245,247.00, Ellingson Drainage for \$249,669.50, and Land Pride Construction for \$257,000.00.

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Warmka/Roper motion carried unanimously to approve the requests of M. Durkee to attend a 1-day concrete field recertification in Owatonna, a 1-day bridge construction recertification in Arden Hills, and a 1-day bituminous street recertification in Mankato; D. Babcock to attend a 1-day bituminous plant recertification in Arden Hills; A. Murphy and C. Vereide to attend a 1-day passport acceptance agent

training in Glencoe; G. Paschke to attend a 2-day National Uniform Standards of Professional Appraisal Practice class in St. Cloud; J. Franzen to attend a 1-day bituminous street recertification in Mankato and a 1-day concrete field recertification in Owatonna.

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The Chair appointed Commissioners Roper and Loveall, Auditor/Treasurer/Coordinator John Thompson, and County Attorney Troy Timmerman to meet with Cargill representatives on the possible demolition of buildings on the former Cargill site in Elmore.

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Warmka/Loveall motion carried unanimously to pay bills totaling \$292,863.71 as follows:

COUNTY REVENUE FUND	\$ 77,677.77
PUBLIC WORKS FUND	17,479.52
HUMAN SERVICES FUND	168,801.00
FORFEITED TAX SALE FUND	598.00
NON REV/DISB A	4,560.60
SETTLEMENT AGENCY FUND	<u>23,746.82</u>
	\$ 292,863.71

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The meeting was adjourned for October 2015.

William Groskreutz Jr., Chair

John Thompson, Auditor/Treasurer/Coordinator