

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
APRIL 3, 2018

The Faribault County Board of Commissioners met in regular session at the Courthouse in the City of Blue Earth at 9:00 a.m. on April 3, 2018. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator John Thompson was also present.

The meeting was called to order by Chair Young. The pledge of allegiance was recited.

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Warmka/Roper motion carried unanimously to approve the synopsis and official proceedings of the March 20, 2018 regular meeting.

Groskreutz/Roper motion carried unanimously to approve the synopsis and official proceedings of the March 27, 2018 drainage authority CD 3 final hearing, and March 27, 2018 drainage authority CD 64 final hearing.

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Warmka/Roper motion carried unanimously to approve the agenda of April 3, 2018.

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

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Brian Roverud met regarding a request from Sod House Theater to use the courthouse in early August with county board and court administration's approval.

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Committee reports were given. Loveall reported on Windlocked LLC meeting; Roper reported on Workforce joint meeting; Groskreutz reported on health meeting and MRCI; Warmka reported on MNDOT meeting with farmer and county ditch; and Young reported on RMEB and City of Blue Earth meetings.

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Malinda Quittem was sworn in as Faribault County Assistant County Attorney.

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Central Services Director Dawn Fellows met regarding office business.

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County Attorney Kathryn Karjala-Curtis met regarding Crime Victim Witness Coordinator business.

Groskreutz/Warmka motion carried unanimously to approve Resolution 18-CB-10 proclaiming the week of April 8-14, 2018 as Crime Victims' Rights Week. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

## R E S O L U T I O N

**WHEREAS,** Americans are the victims of 20 million crimes each year, affecting individuals and communities,<sup>1</sup>

**WHEREAS,** years of investment in crime victims' rights and services have developed a system of victim response that can help victims recover from crime;

**WHEREAS,** reaching and serving all victims of crime is essential to supporting thriving communities, because those who receive holistic services and support are more likely to remain invested in their communities;

**WHEREAS,** dedicated victim service providers are working every day to meet the needs of crime victims, yet there are still too many victims without meaningful access to rights and services;

**WHEREAS,** many victims face barriers – such as isolation, distrust of authorities, language limitations, lack of transportation, or cultural barriers – that keep them from accessing the services and criminal justice systems that can help them recover from crime;

**WHEREAS,** we must make a dedicated effort to expand the circle of those prepared to respond to victims and link them to the resources that can help them recover;

**WHEREAS,** engaging a broader array of healthcare providers, community leaders, faith organizations, educators, and businesses can provide new links between victims and services that improve their safety, healing, and access to justice;

**WHEREAS,** National Crime Victims' Rights Week provides an opportunity to recommit to ensuring that all victims of crime – especially those who are challenging to reach or serve – are afforded their rights and receive a trauma-informed response; and

**WHEREAS,** Faribault County Victim Witness' Office is hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim responders, and working for justice for all victims and survivors.

**NOW THEREFORE,** the Faribault County Board of Commissioners do hereby proclaim the week of April 8-14, 2019 as Crime Victims' Rights Week and reaffirm this County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year; and to express our sincere gratitude and appreciation for those community members, victims service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.

<sup>1</sup> NCVS Victimization Analysis Tool, 2015, (Bureau of Justice Statistics, U.S. Department of Justice), [www.bjs.gov/index.dfm?ty=nvat](http://www.bjs.gov/index.dfm?ty=nvat)

\* \* \* \* \*

Soil and Water Program Administrator Michelle Stindtman and Conservation Technician Nate Carr met regarding buffer strip compliance. The Faribault County Soil and Water Conservation District is charged by statute to identify non-compliance parcels according to the buffer law. Twenty-two parcels have been identified as Buffer Law Non-Compliant in Faribault County for land along the public waters. Landowners will have 11 months to correct the issues from the date a letter is received from the enforcement buffer enforcement department which is the duty of the County by statute.

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County Assessor Gertrude Paschke met regarding office business.

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Public Works Director Mark Daly met regarding office business.

Groskreutz/Loveall motion carried unanimously to approve Resolution 18-RB02-11 authorizing the Public Works Director to negotiate with Canadian Pacific Railroad on prices for CSAH 32 at-grade crossings in Wells during the 2019 construction season and to sign the agreement. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

**NOW THEREFORE BE IT RESOLVED** that Public Works Director Mark Daly is authorized to negotiate with Canadian Pacific Railroad on prices for CSAH 32 at-grade crossings in Wells during the 2019 construction season and to sign the agreement.

Loveall/Warmka motion carried unanimously to approve the purchase of a shop service truck: 2018 Ford 550 Chassis for \$35,163 from Fairmont Ford (state contract) and a Maintainer box for \$54,823 for a total price of \$89,986. One other bid was received for a Crysteel box for \$49,668.

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Loveall/Roper motion carried unanimously to approve Resolution 18-CB-12 approving the Findings and Fact and Order regarding redetermination of benefits of CD 3. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**STATE OF MINNESOTA**  
**Before the**  
**FARIBAULT COUNTY BOARD OF COMMISSIONERS**  
**SITTING AS THE DRAINAGE AUTHORITY FOR**  
**COUNTY DITCH 3**

<b>In the Matter of: Redetermination of Benefits of County Ditch 3</b>	<b>Findings and Fact and Order Regarding Redetermination of Benefits, Pursuant to Minnesota Statutes 103E.351</b>
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**WHEREAS,** on March 3, 2015 the Faribault County Board of Commissioners, acting as Drainage Authority for County Ditch #3 ordered the Redetermination of Benefits for County Ditch 3; and

**WHEREAS,** on March 3, 2015 viewers were appointed to determine and report benefits and damages for Faribault County Ditch 3; and

**WHEREAS,** the viewer's first meeting was held on December 1, 2016; and

**WHEREAS,** the viewers held an information meeting on the redetermination of benefits on September 9, 2017; and

**WHEREAS,** the Viewer's report was submitted to the Faribault County Auditor/Treasurer/Coordinator on February 2, 2018; and

**WHEREAS,** on February 20, 2018 the Faribault County Board of Commissioner ordered a final hearing for the proceedings; and

**WHEREAS,** on February 22, 2018 notices were sent to landowners and other affected parties for a second informational meeting with said mailing including the viewer's report and property owners report; and

**WHEREAS,** on March 2, 2018 notices of the final hearing for the redetermination of benefits were mailed and a notice was posted pursuant to Minnesota Statute 103E; and

**WHEREAS,** on March 2, 2018 the viewers held a second informational meeting; and

**WHEREAS,** the notice of public hearing was published in the official county newspaper on March 13, 20<sup>th</sup> and 26<sup>th</sup>; and

**WHEREAS,** a public hearing was held on March 27, 2018, at 9:00 a.m. in Hamilton Hall, Blue Earth, MN; and

**WHEREAS,** the viewers gave their report concerning the Redetermination of Benefits, which is attached and marked as Exhibit A; and

**WHEREAS,** public comment and questions were solicited from the public as follows;

David Ward, landowner questioned the number of acres in the entire watershed and was informed that there were approximately 42,880 acres in the entire watershed of CD 3 and systems out letting into CD 3.

Bruce Halverson, landowner, questioned how many acres in Blue Earth County outlet into CD 3 and was informed approximately 1,500 acres outlet into CD 3 via JD 9F&BE and would pay their share of an outlet fee charged to JD 9F&BE.

**NOW, THEREFORE**, the Faribault County Board of Commissioners, acting as Drainage Authority for Faribault County Ditch 3, makes the following Findings and Fact and Order

**FINDINGS OF FACT**

1. The Viewers' Report, attached as **Exhibit A**, has been made and other proceedings have been completed under Minnesota Statutes 103E.
2. The Viewers' Report, made and amended, is correct and complete.
3. The damages and benefits have been properly determined.

**ORDER**

**NOW, THEREFORE**, it is ordered that;

- A. the Viewers' Report, attached as **Exhibit A**, shall be used in place of the original benefits and damages in all subsequent proceedings related to Faribault CD 3.
- B. Buffer strip and construction easements shall be paid to landowners on October 1, 2018.
- C. The outlet fees as found in the viewer's report are approved.
- D. The County Board may bond to finance the cost of this proceeding.

Warmka/Roper motion carried unanimously to approve Resolution 18-CB-13 approving the Findings and Fact and Order regarding redetermination of benefits of CD 64. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**STATE OF MINNESOTA**  
**Before the**  
**FARIBAULT COUNTY BOARD OF COMMISSIONERS**  
**SITTING AS THE DRAINAGE AUTHORITY FOR**  
**COUNTY DITCH 64**

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**In the Matter of: Redetermination of Benefits  
of County Ditch 64**

**Findings and Fact and Order Regarding  
Redetermination of Benefits, Pursuant to  
Minnesota Statutes 103E.351**

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**WHEREAS**, on November 1, 2016 the Faribault County Board of Commissioners, acting as Drainage Authority for County Ditch 64 ordered the Redetermination of Benefits for County Ditch 64; and

**WHEREAS**, on November 1, 2016 viewers were appointed to determine and report benefits and damages for Faribault County Ditch 64; and

**WHEREAS**, the viewer's first meeting was held on December 1, 2016; and

**WHEREAS**, the viewers held an information meeting on the redetermination of benefits on September 6, 2017; and

**WHEREAS**, the Viewer's report was submitted to the Faribault County Auditor/Treasurer/Coordinator on February 2, 2018; and

**WHEREAS**, on February 20, 2018 the Faribault County Board of Commissioner ordered a final hearing for the proceedings; and

**WHEREAS**, on February 22, 2018 notices were sent to landowners and other affected parties for a second informational meeting with said mailing including the viewer's report and property owners report; and

**WHEREAS**, on March 2, 2018 notices of the final hearing for the redetermination of benefits were mailed and a notice was posted pursuant to Minnesota Statute 103E; and

**WHEREAS**, on March 2, 2018 the viewers held a second informational meeting; and

**WHEREAS**, the notice of public hearing was published in the official county newspaper on March 13, 20, and 26 of 2018; and

**WHEREAS**, a public hearing was held on March 27, 2018, at 9:00 a.m. in Hamilton Hall, Blue Earth, MN; and

**WHEREAS**, the viewers gave their report concerning the Redetermination of Benefits, which is attached and marked as Exhibit A; and

**WHEREAS**, public comment and questions were solicited from the public and no public comment was made.

**NOW, THEREFORE**, the Faribault County Board of Commissioners, acting as Drainage Authority for Faribault County Ditch 64, makes the following Findings and Fact and Order

#### **FINDINGS OF FACT**

1. The Viewers' Report, attached as Exhibit A, has been made and other proceedings have been completed under Minnesota Statutes 1064E.
2. The Viewers' Report, made and amended, is correct and complete.
3. The damages and benefits have been properly determined.

**ORDER**

**NOW, THEREFORE**, it is ordered that;

- A. The Viewers' Report, attached as Exhibit A, shall be used in place of the original benefits and damages in all subsequent proceedings related to Faribault County Ditch 64.
- B. Buffer strip and construction easements shall be paid to landowners on October 1, 2018.
- C. The County Board may bond to finance the cost of this proceeding.

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Loveall/Warmka motion carried unanimously to approve a gambling permit application by Riverside Town & Country Club to sell raffle tickets with no waiting period.

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Groskreutz/Roper motion carried unanimously to approve requests from B. Bonin and M. Purvis to attend a 4-day High Threat Close Quarter Battle training in Plymouth; K. Anderson and D. Esser to attend a 2-day MN Assoc. of County Auditors, Treasurers, and Finance Officers regional meeting in Morton; P. Campbell to attend a 1-day Traffic Signs 101 in Shoreview; L. Frommie to attend a 1-day South Central MN Emergency Preparedness Conference in Mankato; and M. Lore and D. Anderson to attend a 1-day MN Viewer's Association meeting in Morton, MN.

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Roper/Loveall motion carried unanimously to pay bills totaling \$ 421,249.66 as follows:

COUNTY REVENUE FUND	\$ 140,959.69
PUBLIC WORKS FUND	54,443.72
HUMAN SERVICES FUND	223,176.25
DITCH FUND	<u>2,670.00</u> \$ 421,249.66

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The meeting was recessed to 9:00 a.m. April 17, 2018 meeting.

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Greg Young, Chair

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John Thompson, Auditor/Treasurer/Coordinator