

REDWOOD COUNTY, MINNESOTA

SEPTEMBER 17, 2019

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

Present for all or portions of the meeting were Commissioners Bob VanHee, Dave Forkrud, Jim Salfer, Lon Walling, Denny Groebner and County Administrator Vicki Knobloch. Also present were Auditor/Treasurer Jean Price; Human Resources Coordinator Peter Brown; County Engineer Anthony Sellner; Assistant County Engineer Jeff Bommersbach; Veteran Service Officer Dustin Hunter; Economic Development Coordinator Briana Mumme; County Attorney Jenna Peterson; Environmental Director Scott Wold; Ditch Technician Josh Sell; Ditch Inspector Brent Lang; Maintenance Supervisor Loren Gewerth; Maintenance Specialist Jerome Jenniges; Redwood Falls Library Director Teri Smith; Lamberton Library Director Alicia Vogel; Wabasso Library Director Scott Sobocinski; Morgan Library Director Mandi Kuehn; Census Representative Jim Accurso; Redwood County Fair Board Representatives Jeff Potter; Jeff Sandgren; Kirby Josephson and John Welu; Redwood Falls City Administrator Keith Muetzel and Redwood Falls City Attorney Amy Busse;

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

On motion by Walling, second by Groebner, the Board voted unanimously to approve the September 17th 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 Walling, second by Groebner, the Board voted unanimously to approve the consent agenda.
 - September 3th minutes
 - Per Diem for Lon Walling to attend meeting with Renville County regarding CSAH 101 Bridge Replacement on 8-28-19.
 - Payment of bills as follows:

General Fund	\$ 18,381.34
Building Fund	\$ 1,857.84
Ditch Fund	\$ 28,223.17
Insurance Fund	\$ 250.00
Soil and Water Fund	\$ 1,208.01
Solid Waste Fund	\$ 135.96

- Bills exceeding \$2,000: Estebo, Frank, Munshower \$3,170.50; Kramer Attorney at Law \$11,161.50; Redwood Gazette \$2,303.40; American Communications \$2,250.00; Counties Providing Technology \$3,670.00; SHI International Corp. \$7,000.00; Nobles County \$2,540.00; MEND Correctional \$3,885.84; Redwood County Hwy. Department \$3,952.16; Tersteeg's \$7,187.80; Geo-Comm \$5,230.00; Custom Mfg. \$2,933.00; Maas Construction \$5,592.00; WOLD Architects \$43,223.73; Country Enterprises \$3,486.65; M & K Bridge \$27,127.50; Schmidt Construction \$12,817.25.

PUBLIC HEARING – COUNTY DITCH AUTHORITY

- At 8:37 a.m., the Board entered into County Ditch Authority for the Public Hearing for proposed ditch levies in 2020.
- Wold presented the Affidavit of Publication. Present were Redwood County Commissioners Walling, Forkrud, Salfer, Van Hee and Groebner, Administrator Knobloch and Environmental Director Wold; and Landowners Herbert Panitzke and John Dallenbach.
- Wold presented the proposed ditch levies for 2020.
- Dallenbach had questions about ditch maintenance and past maintenance activities and was advised to talk to Ditch Inspector after the meeting.
- On motion by Van Hee, second by Groebner, the Board voted unanimously to approve the 2020 Ditch Levies as presented.
- Chair Walling declared Ditch Authority adjourned at 8:45 a.m.

RECONVENED

- The Board reconvened into regular session at 8:45 a.m.

EMPLOYEE RECOGNITION

- The Board recognized Jerome Jenniges, Highway Department, for 25 years of service to Redwood County.

REDWOOD COUNTY FAIR BOARD

- Fair Board Members Jeff Potter; Jeff Sandgren; Kirby Josephson and John Welu reported on the 2019 Redwood County Fair.

COUNTY ENGINEER ANTHONY SELLNER

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

RESOLUTION

APPOINTING ANTHONY SELLNER AS REDWOOD COUNTY ENGINEER FOR A ONE-YEAR TERM EFFECTIVE SEPTEMBER 17, 2019 THROUGH APRIL 30, 2020

WHEREAS, Keith Berndt, Redwood County Engineer resigned from his position effective August 16, 2019 thereby creating a vacancy of the office of the County Highway Engineer; and

WHEREAS, the County Administrator has recommended to the County Board of Commissioners that Anthony Sellner be appointed as replacement; therefore,

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Redwood, Minnesota, that, in accordance with Minn. Stat. 163.07 that Anthony Sellner be and hereby is appointed to a one-year term beginning September 17, 2019 and continuing through April 30, 2020.

BE IT FURTHER RESOLVED, that a copy of this resolution be included with the personnel file held by the County Administrator's Office.

- County Administrator Knobloch bestowed the Oath of Office to County Engineer, Anthony Sellner.

ROAD AND BRIDGE

- On motion by Van Hee, second by Forkrud, the Board voted unanimously to award SAP 064-715-006, CSAH 115 Overlay to OMG Midwest, Inc. in the amount of \$256,996.00.

All Bids Received:

Company	Amount
M.R. Paving & Excavating, Inc.	\$325,037.81
Duininck, Inc.	\$348,561.90
Central Specialties, Inc.	\$345,349.82
OMG Midwest Inc.	\$256,996.00

- Bommersbach provided an update on current Road and Bridge projects in Redwood County.
- Bommersbach discussed the different options regarding removal of the fuel tanks at the former Highway Building.

MAINTENANCE

- On motion by Forkrud, second by Groebner, the Board voted unanimously to not enter into new service agreements with IPS at this time.

PLUM CREEK LIBRARY SYSTEM

- Redwood Falls Library Director Teri Smith; Lamberton Library Director Alicia Vogel, Wabasso Library Director Scott Sobocinski and Morgan Library Director Mandi Kuehn presented a yearly update for the libraries in Redwood County.

VETERAN SERVICE OFFICE

- VSO Officer, Dustin Hunter, updated the Board on various events/activities occurring in the Veteran Service Department.

COMPLETE COUNT – 2020 CENSUS

- Accurso presented information on the upcoming 2020 census.

ENVIRONMENTAL

- Wold presented information on Minnesota Statutes for spraying noxious weeds in County Ditches.

TAX FORFEITED/BLIGHT POLICY

- Mumme presented first draft of Tax Forfeited/Blight Policy. The Board recommended changes for consideration at the October 1, 2019 meeting.

AUDITOR/TREASURER

- On motion by Groebner, second by Forkrud, the Board voted unanimously to approve the following:
 - Cash Balance Report
 - Investment Summary
 - Budget Reports, General Fund, Human Services, Building Fund, Ditch Maintenance, Ditch Bond Interest, Debt Service Fund; Health Fund; Insurance Fund and Solid Waste.
 - August 2019 Disbursements in the amount of \$2,173,057.91.
 - Bills exceeding \$2,000: Redwood Electric Cooperative \$2,432.56; Redwood Falls Public Utilities \$8,611.81; Further \$3,121.22, \$7,150.23, \$7,150.23; Preferred One \$19,386.75, \$475,987.54, \$5,448.36, \$2,789.64, \$22,108.03, \$8,362.16, \$6,050.70, \$12,039.09, \$8,948.64; BCBS \$2,260.00; Wells Fargo \$300,000.00; MN Dept. of Revenue \$40,478.76; Redwood County License Center \$3,604.50; Northern Natural Gas Company \$29,756.05; Estebo, Frank, Munshower \$374,700.95; Martin Law Firm \$4,170.98; MN Commission of Finance \$4,848.00; Healthpartners \$3,018.40; SWHHS \$6,529.73; Baune Plumbing and Heating \$10,000.00; Kropp Sewer Service \$11,925.00, \$11,919.00; Sun Life Financial \$2,419.39; M & K Bridge \$98,770.62, \$2,897.50; City of Morgan \$307,049.37; R & G Construction \$341,273.74.
- On motion by Van Hee, second by Walling, the Board voted unanimously to approve the Auditor/Treasurer's Office to set up a savings account for the Soil and Water Conservation District.
- On motion by Forkrud, second by Groebner, the Board voted unanimously to approve the order of County Board for Sale of Non-Conservation Lands Forfeited to the State for Taxes.
 - Parcel #72-030-4040 – 16959 State Hwy. 19, Vesta, MN
 - Parcel #74-032-3020 – 11069 220 Street, Milroy, MN
 - Parcel #75-012-3070 – Willow Lake Township
 - Parcel #81-200-0820 – 210 First Street, Clements, MN
 - Parcel #81-365-0120 – 551 Second Street, Clements, MN
 - Parcel #82-200-1160 – 450 Franklin Avenue, Delhi, MN
 - Parcel #83-434-0460 – 310 West Sixth Avenue, Lamberton, MN
 - Parcel #84-200-1000 – 203 Main Street, Lucan, MN
 - Parcel #85-200-1600 – 303 Euclid Avenue, Milroy, MN
 - Parcel #86-200-1640 – 212 Carleton Avenue, Morgan, MN
 - Parcel #89-200-0100 – 125 Main Street, Revere, MN

- Parcel #89-200-0380 – Revere, MN
 - Parcel #90-200-0140 – 221 West Yaeger Street, Sanborn, MN
 - Parcel #90-200-0540 – 331 River Street, Sanborn, MN
 - Parcel #91-200-0340 – 305 Dewey Street, Seaforth, MN
 - Parcel #92-200-0880 – South Broadway Street, Vesta, MN
 - Parcel #92-200-1300 – South Broadway Street, Vesta MN
 - Parcel #92-360-0220 – 159 Schley Street, Vesta, MN
 - Parcel #92-733-0160 – 135 East High Street, Vesta, MN
 - Parcel #94-568-0320 – 851 Main Street, Walnut Grove, MN
- On motion by Forkrud, second by Van Hee, in a roll-call vote with Forkrud, Van Hee, Salfer, Walling and Groebner all voting aye, the Board adopted the following resolution:

RESOLUTION BY COUNTY BOARD AUTHORIZING AND FIXING TERMS OF SALE

BE IT HEREBY RESOLVED, that the parcels of land forfeited to the State for non-payment of taxes, appearing on the list filed with the County Auditor-Treasurer, which have been classified and appraised as provided by Laws 1935, Chapter 386, as amended, shall be offered for sale by the County Auditor-Treasurer; said sale to commence at 9:00 o'clock a.m. on October 22nd, 2019, at the County Board Room of the Government Center and the County Auditor-Treasurer is hereby directed to publish a notice of sale as provided by law.

BE IT FURTHER RESOLVED, that the terms and conditions of the sale of tax forfeited land will be as follows:

PUBLIC SALE:

All tax forfeited land will be offered at a public sale and sold to the highest bidder. The minimum bid acceptable is the appraised value.

TERMS:

All sales shall be for **“Cash or Credit Card (2.49% consumer fee), Day of Sale”**. All sales are final and no provisions will be made for a refund or exchange. Checks will be made payable to **“Redwood County”**.

OTHER CHARGES (PAYMENT MADE AT TIME OF SALE):

1. State Deed charge of \$25 per deed.
2. State Assurance Fund – 3% of the purchase price.
3. State Deed Tax. The tax is based on the amount of the sale at the rate of \$3.30 for each \$1,000, with a minimum of \$1.65.
4. \$46 Recording Fee per deed.
5. \$50 Fee if well certificate is needed.

CONDITIONS:

Sales are subject to existing leases, if any, to building restrictions appearing on record at the time of forfeiture; to easement obtained by any governmental subdivisions or agency thereof for any public purpose; to all applicable laws and ordinances, and to the condition that the appraised value does not represent as a basis for future taxes. Buyer is purchasing property **“AS IS”**.

Local improvement constructed, but not yet assessed, must be assumed by the purchaser.

Reassessment of cancelled improvement assessments may be made in accordance with M.S. reading, in part, as follows:

M.S. 429.071 - Subd. 4. REASSESSMENT, TAX-FORFEITED LAND.

When a parcel of tax-forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the municipality that made the improvement may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

M.S. 435.23 REASSESS TAX-FORFEITED LAND BACK IN PRIVATE OWNERSHIP.

Any municipality, political subdivision, or other public authority may make a reassessment or new assessment pursuant to section [429.071, subdivision 4](#), notwithstanding that the original assessment may have been made pursuant to other general law or a special law.

M.S. 444.076 TAX-FORFEITED LAND RETURNED TO PRIVATE OWNERSHIP; CHARGES.

When tax-forfeited land is returned to private ownership and the land is benefited by a public improvement for which special assessments were canceled because of the forfeiture, the municipality or other public authority that made the improvement may impose fees or charges for the use or availability of the improvement or for connections therewith in an amount not to exceed the amount remaining unpaid on the canceled assessment. The municipality may make the fees or charges a charge against the owner, lessee, occupant, or all of them and may certify unpaid fees or charges to the county auditor with taxes against the property for collection as other taxes are collected.

IMPORTANT: To find out if a particular tax forfeited parcel may be assessed or re-assessed please contact the local municipality the parcel is located in.

PROHIBITED PURCHASERS:

The County Auditor per MN Statute 282.016 has the authority to prohibit a person or entity from purchasing a tax forfeited property if that person or entity owns property within the county for which there are delinquent taxes owing. A person prohibited from purchasing property must not directly or indirectly have another person purchase it on behalf of the prohibited purchaser for the prohibited purchaser's benefit or gain.

STRAW BUYERS:

Straw buyers are prohibited from purchasing or bidding on a tax forfeited property for the previous owner as described in MN Statute 282.241 for an amount less than the sum of all delinquent taxes and assessments computed under MN Statute 282.251, together with penalties, interest, and costs, that accrued or would have accrued if the parcel of land had not forfeited to the state.

RESTRICTIVE COVENANT:

Per MN Statute, Secs. 103F.535 and 282.018, Subd. 2.; parcels containing a restrictive covenant means the parcel has been determined to be a nonforested marginal land or wetland. The deed will include this restrictive covenant language and will preclude enrollment of the land in a state-funded program providing compensation for conservation of marginal land or wetlands.

TITLE:

The purchaser will receive a “receipt” at the time of purchase and will receive a deed from the State of Minnesota through the Commissioner of Revenue at a later date. The law provides that this conveyance shall have the force and effect of a patent from the State. Any further legal work is the responsibility of the purchaser.

BOUNDARIES:

Redwood County is not responsible for locating boundaries on Tax Forfeited Lands. Information regarding Tax Forfeited Lands may be obtained in the office of the Redwood County Auditor/Treasurer, 403 S Mill St, Redwood Falls, MN 56283. Telephone (507)637-4013.

COUNTY ATTORNEY

- On motion by Walling, second by Van Hee, the Board voted unanimously to withdraw request to the City of Redwood Falls to initiate a vacation of a portion of Courthouse Square on their 9-17-19 agenda at this time.

ADMINISTRATOR

- On motion by Walling, second by Forkrud, the Board voted unanimously to award the asbestos removal at the former highway building to Advanced Health, Safety and Security in the amount of \$21,207.50.
- On motion by Groebner, second by Forkrud, the Board voted unanimously to approve the Fall 2019 Redwood County Connection Newsletter for publication.
- Knobloch presented the August 2019 Jail Population.
- On motion by Forkrud, second by Van Hee, in a roll-call vote with Forkrud, Van Hee, Groebner, Salfer and Walling all voting aye, the Board adopted the following resolution:

RESOLUTION RECOMMENDING THE APPOINTMENT**OF BILL UFKIN AND MITCH KLING****TO THE****LINCOLN PIPESTONE RURAL WATER****SYSTEM**

BOARD OF COMMISSIONERS

BACKGROUND INFORMATION

WHEREAS, Bill Ufkin's 4-year term as a Commissioner on the Lincoln Pipestone Rural Water System ("LPRW") Board of Commissioners is scheduled to expire at midnight on December 31, 2019; and

WHEREAS, Mitch Kling's 4-year term as a Commissioner on the LPRW Board of Commissioners is scheduled to expire at midnight on December 31, 2019; and

WHEREAS, on April 29, 2019 the LPRW Board unanimously adopted a Motion which recommends that Bill Ufkin and Mitch Kling each be re-appointed to another 4-year term on the LPRW Board of Commissioners; and

WHEREAS, the County Board of Commissioners believes that Bill Ufkin and Mitch Kling are qualified to act as Commissioners on the Lincoln Pipestone Rural Water System Board of Commissioners and are both worthy of appointment.

NOW BE IT NOW RESOLVED, that the Redwood County Board of Commissioners hereby recommends that Bill Ufkin and Mitch Kling be appointed to the Lincoln Pipestone Rural Water System Board of Commissioners pursuant to and provided for by Minnesota Statutes §116A et seq. for a 4-year term which shall commence on January 1, 2020 and shall expire at midnight on December 31, 2023.

- On motion by Walling, second by Groebner, the Board voted unanimously to approve the CGI Contegrity Agreement for the construction manager for the Court Security Project.
- On motion by Van Hee, second by Groebner, the Board voted unanimously to award the Real Estate Broker for the sale of PID #63-007-4040 of 108 acres tillable farmland to Kerkhoff Auction and Real Estate.
- Knobloch presented the 2020 Preliminary Tax Levy for approval.
- On motion by Walling, second by Forkrud, the Board voted unanimously to set the Redwood County 2020 Preliminary Certified Tax Levy at \$13,670,606 with the adjusted tax levy for the 2020 budget set at \$12,959,508 representing a 3.6% increase from the 2019 Levy. The Truth in Taxation hearing is set for Tuesday, November 26, 2019 at 6:00 p.m.

Personnel

- On motion by Forkrud, second by Walling, the Board voted unanimously to hire Grey Jensen as full-time Assistant County Attorney effective September 23, 2019 on the 2019 non-union scale, grade 16, step 1 at \$29.64/hour.
- On motion by Walling, second by Groebner, the Board voted unanimously to hire Kerstin Karels as part-time Dispatcher in the Sheriff's Office effective September 23, 2019 at the Dispatcher Grade/Step 1 of the 2019 LELS non-licensed salary schedule at \$17.91/hour.
- On motion by Walling, second by Groebner, the Board voted unanimously to acknowledge the resignation of Tyler Christensen as full-time Deputy Administrator for the Soil and Water Conservation District effective 9-13-19.

CLOSED SESSION

- On motion by Van Hee, second by Forkrud, the Board voted unanimously to enter into closed session at 12:08 p.m. for the purpose of a real estate consideration, Parcel #88-200-1160. Present were Commissioners Forkrud, Salfer, Walling, Groebner and Van Hee; County Administrator Knobloch and Economic Development Coordinator Mumme. No action was taken. Closed session ended at 12:23 p.m.
- The commissioners reported on meetings they attended:

Groebner: Ditch Meeting with Brown County

VanHee: Restorative Justice; Annual Township Meeting; Primewest; AMC Policy Committee Meeting – Transportation Funding

Walling: Redwood/Renville Regional Solid Waste Authority, Chief Elected Officers Board – Workforce Council; Milroy School Board – Tax Levy; Wetland Restoration Project; Area II; Annual Township Meeting; Building Committee

Salfer: AMC Fall Policy Committee Meeting; Redwood/Renville Regional Solid Waste Authority; Annual Township Meeting; Southwest Health and Human Services; DNR Letter

Forkrud: Explore Southwest Minnesota

ADJOURN

- There being no further business, Chair Salfer declared the meeting adjourned at 1:13 p.m.

Jim Salfer, Chair
Board of Commissioners

Attest: _____
Vicki Knobloch
County Administrator