

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: August 20, 2024

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Dewey Severson, Eric Johnson, Robert Burns, Bob Schuldt, and Greg Myhre

Others Present: Interim Auditor/Treasurer Polly Heberlein, Fillmore County Journal Reporter Charlene Selbee, The Caledonia Argus Associate Editor Rose Korabek, Interim Administrator Carol Lapham, Board Clerk/EDA Director Allison Wagner, Recorder Mary Betz, Public Health and Human Services Director John Pogleasa, Deputy Auditor/Treasurer Eliana Babinski, Deputy Auditor/Treasurer Amy Sylling, Engineer Brian Pogodzinski, Assessor Lucas Onstad, Houston County Appraiser Mark Bennett, and Human Resources Director Theresa Arrick-Kruger

Presiding: Chairperson Johnson

Call to order.

Pledge of Allegiance.

Prior to any motions being made Action Item No. 3 was removed from the agenda as it had been discussed at the workgroup session the previous week. Motion was made by Commissioner Burns, seconded by Commissioner Johnson motion unanimously carried to approve the agenda with the change.

Motion was made by Commissioner Myhre, seconded by Commissioner Schuldt, motion carried to approve the meeting minutes from August 6, 2024. All Commissioners voted in favor of the motion, except for Commissioner Johnson who abstained as he had been absent from the meeting.

Motion was made by Commissioner Schuldt, seconded by Commissioner Burns, motion carried unanimously to approve the workgroup session minutes from August 13, 2024.

Public Comment:

None.

APPOINTMENTS

Commissioner Myhre moved, Commissioner Severson seconded, motion carried unanimously to go into closed session pursuant to Minn. Stat. §13D.03, Subd. 1, (b) to discuss

labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25. All the Commissioners, Interim Administrator Lapham, Interim Auditor/Treasurer Heberlein, and Human Resources Director Kruger attended the closed session.

At 10:45 a.m. Commissioner Severson moved, Commissioner Burns seconded, motion unanimously carried to return to regular session. Human Resources Director Kruger gave a summary of the closed session saying there had been general discussion regarding negotiations with various unions. They had also discussed the tentative agreement between Houston County International Union of Operating Engineers, Local No. 49.

Motion by Commissioner Burns, seconded by Commissioner Severson to accept the tentative agreement between Houston County and Houston County International Union of Operating Engineers, Local No. 49. After further discussion Commissioner Burns decided to take back his motion, and instead abstain due to a conflict of interest.

Motion by Commissioner Severson, seconded by Commissioner Schuldt to accept the tentative agreement between Houston County and Houston County International Union of Operating Engineers, Local No. 49. The Commissioners voted by roll. All Commissioners voted yes, except for Commissioner Burns who abstained due to a conflict of interest. The motion passed.

CONSENT AGENDA

Prior to any motions being made Commissioner Johnson said he had discussed the matter with Interim Administrator Lapham and the banding pay rate changes for the Administrative Legal Assistants should be retroactive as of 5/6/2024 instead of 8/26/2024 as the matter was first looked into in May. Motion by Commissioner Burns, seconded by Commissioner Myhre, motion unanimously carried to approve the consent agenda. Items are listed below.

- 1) Approve unpaid leave for Cindy Augedahl mid September until mid October 2024.
- 2) Review 2023 Annual Disclosure Statements for City of Spring Grove Tax Increment Financing (TIF) Districts for the year ended December 21, 2023.
- 3) Change Darlene Johnson's status from part time probationary Deputy Auditor/Treasurer to full-time probationary Deputy Auditor/Treasurer, effective 09/09/2024. (Hours served probationary time to date will be credited towards the 6 months probationary/trial work period.)
- 4) Approve unpaid leave for Darlene Johnson from 10/22/2024 through 11/08/2024.
- 5) Approve the banding and pay rate change of Administrative Legal Assistant Cindy Augedahl, from B23 non-exempt to B24 non-exempt, Step 7 effective 5/6/2024.
- 6) Approve the banding and pay rate change of Administrative Legal Assistant Julie Von Arx-Abnet, B23 non-exempt to B24 non-exempt, Step 7 effective 5/6/2024.
- 7) Change the employment status of Social Worker, Abigail Bendel, from probationary to regular, effective 08/26/2024.

ACTION ITEMS

File No. 1 – Commissioner Burns moved, Commissioner Severson seconded, motion unanimously carried to adopt Resolution No. 24-29 Aquatic Invasive Species Prevention Aid. Resolution is below.

RESOLUTION NO. 24-29

AQUATIC INVASIVE SPECIES PREVENTION AID

August 20, 2024

WHEREAS, 2014 Session Law Chapter 308 enacted by the Legislature provides Minnesota counties a County Program Aid grant for Aquatic Invasive Species (AIS) prevention. The amount designated for each county is based on the number of watercraft trailer launches as well as the number of watercraft trailer parking spaces within each county. Houston County was allocated \$22,521 for 2025 and years following (5 watercraft trailer launches and 50 watercraft trailer parking spaces), and

WHEREAS, the legislation requires that Houston County must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds which are to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county, and

WHEREAS, the county may appropriate the proceeds directly or may use any portion of the proceeds to provide funding to a soil and water conservation district in the county, for a joint powers board or cooperative agreement with another political subdivision, a watershed district in the county, or a lake association located in the county. Any money appropriated by the county to a different entity or political subdivision must be used as required under this section, and

WHEREAS, the county must submit a copy of its guidelines for use of the proceeds to the Department of Natural Resources by December 31 of the year the payments are received, and

WHEREAS, maintaining an ongoing effort to inform the public of resource needs, resource impairments and resource protection matters has been identified as the most important tool in addressing water resource concerns in the Houston County Water Plan, the fight against Aquatic Invasive Species is included in this educational effort and will continue to be a cornerstone of Houston County's Water Plan.

NOW THEREFORE, BE IT RESOLVED the Board of Commissioners of Houston County, Minnesota designate oversight of Houston County's AIS prevention efforts to the Root River Soil and Water Conservation District and delegates to them the responsibility to prepare, implement and report annually a plan to allocate the funding in accordance with the above legislation.

File No. 2 – Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to appoint Dave Melbostad of La Crescent to fill the vacant position on the Parks Committee.

File No. 3 – This item was removed from the agenda.

File No. 4 – Commissioner Burns moved, Commissioner Schuldt seconded, motion unanimously carried to approve the contract with Bolten Menk to prepare the Runway 13/31 Clear Zone Acquisition Plan.

File No. 5 – Commissioner Severson moved, Commissioner Burns seconded, motion unanimously carried to approve contract with Next Chapter Technology for CaseWorks - Accounting version.

File No. 6 – Public Health and Human Services Director Pugleasa asked that the item be tabled so he could gather further information.

File No. 7 – This item was tabled.

File No. 8 – Commissioner Burns moved, Commissioner Severson seconded, motion unanimously carried to approve purchasing two vehicles; a 2019 Equinox from Apple Auto in Houston for \$17,499, and a 2016 Traverse from Tri State Auto Outlet in La Crescent for \$13,500. The motion also included an alternate (if one of the vehicles did not work out) to purchase a 2017 Ford Edge from Tri State Auto Outlet for \$16,700.

File No. 9 – Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to approve Board ratification of the 2025-2027 MCCC/TriMin Systems addendum to the 2022-2024 Master Agreement for the Integrated Financial System support.

File No. 10 – Interim Administrator Lapham asked that the item be tabled until the next meeting.

File No. 11 – Commissioner Severson moved, Commissioner Schuldt seconded, motion unanimously carried to review and approve payments. Payments are listed below.

REVIEW LICENSE CENTER PAYMENTS

2024/08/14 AUDITOR WARRANTS:

VENDORNAMEATPAYMENT	AMOUNT
MASSMAN/LAVERNE	2,000.00
WERMAGER/KENNETH CARL	2,200.00
FILLMORE SWCD	3,920.64
WINONA COUNTY PLANNING & ZONING	5,346.26
HOUSTON COUNTY TREASURER	51,456.40
	64,923.30
6 VENDORS PAID LESS THAN \$2000.00	3,429.59
	<u>68,352.89</u>

2024/08/20 COMMISSIONER'S WARRANTS:

VENDOR NAME	AMOUNT
ABILITY BUILDING COMMUNITY	2,977.14
ACENTEK	4,424.71
CALEDONIA OIL CO INC	4,275.00
CALEDONIA/CITY OF	16,567.95
DUNN BLACKTOP COMPANY	1,977,443.18
ELECTION SYSTEMS & SOFTWARE INC	4,204.28
ENTERPRISE FM	16,530.44
HERNESS CONSTRUCTION LLC	2,805.00
HOUSTON COUNTY TREASURER	38,596.09
INSIGHT PUBLIC SECTOR	4,946.34
LIBERTY TIRE RECYCLING LLC	3,255.65
MAYO CLINIC	31,015.44
MEYERS LAWN SERVICE	2,035.00
MIENERGY COOPERATIVE	4,907.89
MINNOWA CONSTRUCTION INC	201,786.76
MN STATE AUDITOR	30,346.83
MN STATE TREASURER	4,313.50
RICHARDS SANITATION LLC	24,593.93
RON WEYMILLER CONSTRUCTION	20,793.85
SOUTHEAST MN PUBLIC INTEREST	3,330.00
STAR EQUIPMENT LTD	6,184.52
STREICHER'S	2,250.92
ULINE	2,327.86
WEX BANK	11,307.34
WINONA CONTROLS INC	2,700.00
	2,423,919.62
53 VENDORS PAID LESS THAN \$2000.00	25,756.68
	2,449,676.30
PUBLIC HEALTH & HUMAN SERVICES	169,399.10
	2,619,075.40

Public Comment:

None.

DISCUSSION ITEMS

Commissioners discussed recent and upcoming meetings including a Land Use, regional township, local township, union, and Houston County Fair.

Commissioner Johnson said a solar and wind turbine company had been discussed at the land use meeting. He said the company planned to talk to people in the County. Commissioner Johnson said the Comprehensive Land Use Plan focused on preserving ag land and focusing alternative energy sources in urban areas. He said he would talk with other counties to see what they had done.

Commissioner Burns said he had attended a meeting in Spring Grove regarding the recent daycare center closure in the community.

There being no further business at 10:59 a.m., a motion was made by Commissioner Myhre seconded by Commissioner Severson, motion unanimously carried to adjourn the meeting. The next meeting would be a regular meeting on August 27, 2024.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Eric Johnson, Chairperson

Attest: _____
Carol Lapham, Interim Administrator

**HOUSTON COUNTY
AGENDA REQUEST
August 27, 2024**

Date Submitted: August 22, 2024

By: Tess Kruger, HRD/Facilities Mgr.

ACTION

NONE

APPOINTMENT REQUEST

NONE

HR CONSENT AGENDA REQUEST

Assessor's Office

- **Change David Feuerhelm from a Commercial Property Appraiser to Accredited Minnesota Appraiser, C41, Step 1, effective 08/14/2024**

Auditor/Treasurer's Office

- **Initiate a competitive search for a .5 FTE, probationary Deputy Auditor/Treasurer-License Center Clerk**

Sheriff's Office

- **Change the employment status of Jailer/Dispatcher, Derek St. Mary, from probationary to regular, effective 09/11/2024**
- **Change the employment status of Lead Jailer/Dispatcher, Matthew Kuehl, from probationary to regular, effective 9/11/2024**

CC:	<input type="checkbox"/>	HR Director	<input checked="" type="checkbox"/>	Sheriff	
	<input checked="" type="checkbox"/>	Finance Director	<input type="checkbox"/>	Engineer	
	<input type="checkbox"/>	IS Director	<input type="checkbox"/>	PHHS	
	<input type="checkbox"/>	County Attorney	<input type="checkbox"/>	(indicate	Assessor
	<input type="checkbox"/>	Environmental Svcs	<input checked="" type="checkbox"/>	other dept)	A/T

Houston County Agenda Request Form

Date Submitted: August 20, 2024

Board Date: August 27, 2024

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

Project # CP 2024-08 with Fahrner Asphalt Sealers, LLC, for Airport Crack Filling is complete and ready for final payment.

Attachments/Documentation for the Board's Review:

Final Contract Voucher (5 need to be signed)
(1-County Claim, 1 Contractor, 1-Auditor's office, and 2-Highway Dept)

Justification:

Action Requested:

Resolution for Final Acceptance needed for contract.

Language for Minutes:

Commissioner _____ moved, Commissioner _____ seconded, unanimously carried to approve Resolution **24-30** Final Acceptance for CP 2024-08, Contract #071 with Fahrner Asphalt Sealers, LLC, Inc for Crack Fill repair. Total cost was \$40,523.09.

WHEREAS, Contract for the Contract No. 071 has in all things been completed, and the County Board being fully advised in the premises; and

THEREFORE, BE IT RESOLVED, the Houston County Board of Commissioners accepts said completed project for and on behalf of the Houston County and authorize final payment as specified herein.

For County Use Only

Reviewed by:

County Auditor

Finance Director

IS Director

County Attorney

County Engineer

Other (indicate dept)

Zoning Administrator

Environmental Services

Recommendation:

Decision:

All agenda request forms must be submitted to Allison Wagner at BOC@co.houston.mn.us by 12:00 p.m. on Thursday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.

RESOLUTION NO. 24-30

**FINAL ACCEPTANCE FOR CP 2024-08 AIRPORT CRACK FILLING
CONTRACT # 071**

FAHRNER ASPHALT SEALERS, LLC

AUGUST 27, 2024

WHEREAS, Contract No. 071 has in all things been completed, and the County Board
being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for
and in behalf of the County of Houston and authorize final payment as specified herein.

*****CERTIFICATION*****

STATE OF MINNESOTA
COUNTY OF HOUSTON

I, Polly Heberlein, Interim County Auditor/Treasurer do certify that the above is a true
and correct copy of a resolution adopted by the Houston County Board of Commissioners at the
session dated August 27, 2024.

WITNESS my hand and the seal of my office this 27th day of August 2024.

Signed by _____

Interim Houston County Auditor - Treasurer

Houston County Highway Department

1124 E Washington St, Caledonia, MN 55921

CP 2024-08 Airport Crackfilling

Final Payment No. 2

Contractor: Fahrner Asphalt Sealers, LLC - Eau Claire
6615 US Hwy 12 W
Eau Claire, WI 54703

Contract No. 071 CP 2024-08 Airport
Crackfilling
Vendor Number: 5820
Up To Date: 8/9/2024
Warrant # _____ **Date** _____

Contract Amount

Original Contract	\$40,500.00
Contract Changes	\$0.00
Revised Contract	\$40,500.00

Work Certified To Date

Base Bid Items	\$40,523.09
Contract Changes	\$
Material On Hand	\$0.00
Total	\$40,523.09

Funds Encumbered

Original	\$40,500.00
Additional	N/A
Total	\$40,500.00

Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
\$0.00	\$40,523.09	\$0.00	\$38,496.94	\$2,026.15	\$40,523.09
Percent: Retained: 0%			Percent Complete: 100.06%		
Amount Paid This Partial Payment				\$2,026.15	

This is to certify that the items of work shown in this certificate of Pay Estimate have been actually furnished for the work comprising the above-mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By

Approved By Fahrner Asphalt Sealers, LLC - Eau Claire

County Engineer
Date

Contractor
Date 8/16/2024

Certificate of Final Contract Acceptance

Final Voucher Number: number

This is to certify that to the best of my knowledge, the items of work shown in the Statement of Work Certified herein have actually furnished in accordance with the Plans and Specifications. This Project has been completed in accordance with the Laws, Standards and Procedures of as they apply to projects in this category, and if applicable, approved by the Federal Highway Administration.

Dated _____ Signature _____ County/City/Project Engineer

The undersigned Contractor hereby certifies that the work described has been performed in accordance with the terms of the Contract, and agrees that the Final Value of Work Certified on this Contract is \$40,523.09 and agrees to the amount of \$2,026.15 as Final Payment on this Contract in accordance with this Final Voucher.

Contractor: Fahrner Asphalt Sealers, LLC - Eau Claire

By

Signature

And _____ And _____ State of WI
Signature Signature

On This 11th Day August, 2024, Before me appeared Jeff Sheehan To me known to

(Individual Acknowledgment)

be the person who executed the foregoing Acceptance and Acknowledged that he/she executed the same as _____ free to act and deed

(Corporate Acknowledgment)

Jeff Sheehan And _____, to me personally known, who, being each by me duly sworn

each did say that they are respectively the Vice President and _____ of the **NO SEAL ADOPTED**
Fahrner Asphalt Sealers, LLC Corporation named in the foregoing instrument, and that the seal affixed to said instrument is the Corporate Seal of said Corporation, and the said instrument was signed and sealed in behalf of said Corporation by authority of its

Officer and said Jeff Sheehan and _____

acknowledged said instrument to be the free act and deed of said Corporation.

Notarial Commission as Notary Public in Eau Claire County

Seal Expires October 11, 2024 Signature Bridget Zilliox

I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with the terms of the Contract is as shown in this Final Voucher.

This Contract is hereby accepted in accordance with the Specification 1516. Final acceptance of the Contract will be effective upon full Execution, by the Contractor and the Department, of the "Certificate of Final Acceptance" included with the Final Voucher.

Dated _____ Signature _____ District Engineer

**Houston County Highway Department
Certificate of Final Acceptance
Board Acknowledgment**

Contract Number: 071 CP 2024-08 Airport Crackfilling
Contractor: Fahrner Asphalt Sealers, LLC - Eau Claire
Date Certified: 8/9/2024
Payment Number: 2

Whereas; Contract No.071 CP 2024-08 Airport Crackfilling has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and in behalf of Houston County Highway Department a and authorize final payment as specified herein.

State of

I, Donna Trehus, Houston County Auditor-Treasurer, within and for said county do hereby certify that the foregoing resolution is a true and correct copy of the resolution on file in my office.

Dated this _____ day of _____, 20____

At Caledonia, Minnesota

Signed By _____

(SEAL)

Houston County Highway Department
1124 E Washington St, Caledonia, MN 55921
CP 2024-08 Aiport Crackfilling
Final Payment No. 2

Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	7/30/2024	\$40,523.09	\$2,026.15	\$38,496.94
2	8/9/2024	\$0.00	(\$2,026.15)	\$2,026.15

Funding Category Name	Funding Category Number	Work Certified to Date	Less Amount Retained	Less Previous Payments	Amount Paid this Request	Total Amount Paid to Date
CP 2024-08 Airport Crackfill		\$40,523.09	\$0.00	\$38,496.94	\$2,026.15	\$40,523.09

Accounting Number	Funding Source	Amount Paid this Request	Revised Contract Amount	Funds Encumbered to Date	Paid Contractor to Date
Airport Funding	State Aviation Funds	\$2,026.15	\$40,500.00	\$40,500.00	\$40,523.09

Contract Item Status								
Base/Alt	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Base Bid	1	2331.608 ROUT & SEAL BITUMINOUS PAVEMENT CRACKS (LB)	\$4.05	10,000.00	0.00	\$0.00	10,005.7	\$40,523.09
Base Bid Totals:						\$0.00		\$40,523.09

Project Category Totals			
Project	Category	Amount This Request	Amount To Date
CP 2024-08	CP 2024-08	\$0.00	\$40,523.09

Contract Change Item Status										
Project	CC	CC#	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Contract Change Totals:								\$		\$

Contract Total	\$40,523.09
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Contract Change Totals			
Number	Description	Amount This Request	Amount To Date

Material On Hand Additions					
Line	Item	Description	Date	Added	Comments

Material On Hand Balance						
Line	Item	Description	Date	Added	Used	Remaining

Contract Item Status by Funding Breakdown								
Funding Cat	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
CP 2024-08 Airport Crackfill	1	2331.608 ROUT & SEAL BITUMINOUS PAVEMENT CRACKS (LB)	\$4.05	10,000.00	0.00	\$0.00	10,005.70	\$40,523.09
Totals:						\$0.00		\$40,523.09



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	0-414-113-632
Submitted Date and Time:	16-Aug-2024 7:22:54 AM
Legal Name:	FAHRNER ASPHALT SEALERS LLC
Federal Employer ID:	11-3804531
User Who Submitted:	8753003
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1816055808
Minnesota ID:	8753003
Project Owner:	HOUSTON COUNTY HWY DEPARTMENT
Project Number:	CP 2024-08
Project Begin Date:	15-Jul-2024
Project End Date:	20-Jul-2024
Project Location:	HOUSTON CO AIRPORT
Project Amount:	\$40,523.09
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.

**HOUSTON COUNTY
AGENDA REQUEST FORM
August 27, 2024**

Date Submitted: August 22, 2024

By: Robert Thoen

The Auxiliary Post 6801 has again donated \$200.00 to the Veteran Services Office to use for any veteran's needs. The County Board must accept this by motion.

Reviewed by:

☐ HR Director

☒ Finance Director

☐ IS Director

☐ County Attorney

☐ Environmental Svcs

County

Sheriff

County

Engineer

PHHS

Other

(indicate
dept)

☒

VSO

Recommendation:

Decision:

REQUEST APPROVAL FOR PAYMENT

2024/08/27 COMMISSIONER'S WARRANTS:

BRUENING ROCK PRODUCTS INC	9,047.67
FAHRNER ASPHALT SEALERS LLC	2,026.15
LIBERTY TIRE RECYCLING LLC	3,578.95
SCOTT CONSTRUCTION INC	<u>435,728.10</u>
	450,380.87
19 VENDORS PAID LESS THAN \$2000.00	<u>9,503.72</u>
	<u><u>459,884.59</u></u>