

WATONWAN COUNTY BOARD
JULY 6, 2021
9:00 A.M.

The Watonwan County Board of Commissioners met in regular session on July 6, 2021 at 9:00 A.M. in the Commissioners' Meeting Room of the Courthouse, City of St. James. The following Board members were present: Jim Branstad, Dillon Melheim, Jim Pettersen and Bob Rinne. Absent: Bill Miller. Vice-Chair Rinne presided. The meeting was opened with the Pledge of Allegiance.

Branstad moved, Melheim seconded and the motion passed unanimously, to approve the minutes of the June 15 regular meeting.

Pettersen moved, Melheim seconded and the motion passed unanimously, to approve the Agenda as amended.

Branstad moved, Rinne seconded and the motion passed unanimously, to approve payment of bills as audited and filed in the County Auditor/Treasurer's Office as follows by fund: General Fund—\$57,840.00; Solid Waste Fund—\$10,030.24; Soil & Water Conservation—\$70.77; Building/Equipment Fund—\$9,312.02; Ditch Fund—\$9,622.02; Forfeited Land Fund—\$629.61; and the Road and Bridge Fund—\$29,684.11; and to pay the following credit cards: General Fund—\$3,711.94; Solid Waste Fund—\$49.08; Road and Bridge Fund—\$1,750.91; Library Fund—\$121.48; Soil & Water Conservation—\$148.57; and the Building/Equipment Fund—\$845.88.

County Auditor/Treasurer Kelly Pauling reviewed the parcels that were tax forfeited. They require classification as non-conservation parcels. The next step would be notification to the cities that have an opportunity to take parcels for a public purpose.

Pettersen moved, Melheim seconded and the motion passed unanimously, to adopt the following:

RESOLUTION

WHEREAS, the County Board of Commissioners of Watonwan County, State of Minnesota, desires to offer for sale certain parcels of land described as follows, that have forfeited to the State of Minnesota for non-payment of taxes as described as follows:

WHEREAS, said parcels of land have been viewed by the Watonwan County Auditor and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

Parcel #1
01.015.0605
15-107-033
.05 AC IN SE COR OF NW1/4
ADRIAN TOWNSHIP
(Property Address:
N/A ADRIAN TOWNSHIP)

Parcel #2
14.100.0830
N50' LOT-012 BLOCK-006
ORIGINAL PLAT
CITY OF DARFUR
(Property Address:
103 FIRST ST N DARFUR MN)

Parcel #3
16.151.0270
AUDITOR'S SUBD
W75' OF E 395' OF LOT J; S15'
OF BLK 7 RADTKES ADDN ADJ N
CITY OF LEWISVILLE
(Property Address:
301 LEWIS ST E LEWISVILLE MN)

Parcel #4
17.100.1430
LOT-005 BLOCK-018
ORIGINAL PLAT
CITY OF MADELIA
(Property Address:
224 FIRST ST SW MADELIA MN)

Parcel #5
20.100.3565
BLOCK 39 S 10' OF N 150'
EXC S 10' OF N 150'
OF E 60' OF W 160'
ORIGINAL PLAT
CITY OF ST. JAMES
(Property Address:
N/A SAINT JAMES MN)

Parcel #6
20.100.4200
LOT-011 BLOCK-046
LOT11; E1/2 OF LOT 12 EXC W 6'
ORIGINAL PLAT
CITY OF ST JAMES
(Property Address:
140 SIXTH AVE S ST JAMES MN)

Parcel #7
20.201.2940
LOT-001 BLOCK-031
W44' OF E100'
CLOSE'S ADDITION
CITY OF ST JAMES
(Property Address:
123 SEVENTH AVE S ST JAMES MN)

Parcel #8
20.276.0800
LOT 3; S 1/2 OF LOT 2
FIRST ADDITION BLOCK 063
CITY OF ST JAMES
(Property Address:
417 FIFTH ST N SAINT JAMES MN)

Parcel #9
20.276.1910
BLOCK 075 LOTS 7, 8
FIRST ADDITION
CITY OF ST JAMES
(Property Address:
304 FIRST ST N SAINT JAMES MN)

Parcel #10
20.285.0040
LOT 004 BLOCK 044
FULLER SUBD REPLAT
CITY OF ST JAMES
(Property Address:
501 TENTH ST S SAINT JAMES MN)

Parcel #11
20.430.0110
LOT 002 BLOCK 001
MATTHEW'S ADDITION
CITY OF ST JAMES
(Property Address:
N/A SAINT JAMES MN)

Parcel #12
20.430.0120
LOT 003 BLOCK 001
MATTHEW'S ADDITION
CITY OF ST JAMES
(Property Address:
N/A SAINT JAMES MN)

Parcel #13
20.752.0080
BLOCK 001 LOTS 8, 9
YORKTOWN SUBD II
(Property Address:
N/A SAINT JAMES MN)

Discussion was held regarding the question of the County being involved in demolition of residential properties. Further research would be done as to what other counties do.

Branstad moved, Pettersen seconded and the motion passed unanimously, to approve accepting the quote of Dell in the amount of \$12,654.93 from the State Bid list for the purchase of law enforcement servers.

Pettersen moved, Melheim seconded and the motion passed unanimously, to approve accepting the quote of Convergent Technologies in the amount of \$781.47 for one year for an alarm system for the Resource Center.

A quote of \$29,050.00 was received from Alpha Wireless for ARMER recoding. The radios are currently not coded correctly and need code plugs developed for the various entities.

Melheim moved, Branstad seconded and the motion passed unanimously, to approve accepting the quote of Alpha Wireless in the amount of \$29,050.00 for ARMER radio recoding.

Rinne moved, Pettersen seconded and the motion passed unanimously, to adopt the following:

RESOLUTION ESTABLISHING PROCEDURES
RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND
REGULATIONS UNDER THE INTERNAL REVENUE CODE

BE IT RESOLVED by the Board of Commissioners (the "Board") of the County of Watonwan, Minnesota (the "County"), as follows:

1. Recitals.
 - (a) The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of bonds used to reimburse the County for any project expenditure paid by the County prior to the time of the issuance of those bonds.
 - (b) The Regulations generally require that the County (as the issuer of or the primary obligor under the bonds) make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of

payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

- (c) The County heretofore implemented procedures for compliance with the predecessor versions of the Regulations and desires to amend and supplement those procedures to ensure compliance with the Regulations.
- (d) The County's bond counsel has advised the County that the Regulations do not apply, and hence the provisions of this Resolution are intended to have no application, to payments of County project costs first made by the County out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the County to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Board hereby authorizes the Auditor to make the County's Declarations or to delegate from time to time that responsibility to other appropriate County employees. Each Declaration shall comply with the requirements of the Regulations, including without limitation the following:

- (a) Each Declaration shall be made not later than 60 days after payment of the applicable project cost and shall state that the County reasonably expects to reimburse itself for the expenditure out of the proceeds of a bond issue or similar borrowing. Each Declaration may be made substantially in the form of the Exhibit A which is attached to and made a part of this Resolution, or in any other format which may at the time comply with the Regulations.
- (b) Each Declaration shall (1) contain a reasonably accurate description of the "project," as defined in the Regulations (which may include the property or program to be financed, as applicable), to which the expenditure relates and (2) state the maximum principal amount of bonding expected to be issued for that project.
- (c) Care shall be taken so that the County, or its authorized representatives under this Resolution, not make Declarations in cases where the County doesn't reasonably expect that reimbursement bonds will be issued to finance the subject project costs, and the County officials are hereby authorized to consult with bond counsel to the County concerning the requirements of the Regulations and their application in particular circumstances.
- (d) The Board shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the County has made Declarations.

3. Reimbursement Allocations. If the County is acting as the issuer of the reimbursement bonds, the designated County officials shall also be responsible for making the "reimbursement allocations" described in the Regulations, being generally written

allocations that evidence the County's use of the applicable bond proceeds to reimburse the original expenditures.

4. Effect. This Resolution shall amend and supplement all prior resolutions and/or procedures adopted by the County for compliance with the Regulations (or their predecessor versions), and, henceforth, in the event of any inconsistency, the provisions of this Resolution shall apply and govern.

EXHIBIT A
DECLARATION OF OFFICIAL INTENT

The undersigned, being the duly appointed and acting Auditor of the County of Watonwan, Minnesota (the "County"), pursuant to and for purposes of compliance with Treasury Regulations, Section 1.150-2 (the "Regulations"), under the Internal Revenue Code of 1986, as amended, hereby states and certifies on behalf of the County as follows:

1. The undersigned has been and is on the date hereof duly authorized by the Watonwan County Board of Commissioners to make and execute this Declaration of Official Intent (the "Declaration") for and on behalf of the County.
2. This Declaration relates to the following project, property or program (the "Project") and the costs thereof to be financed:
 1. Joint Ditch 18 (combined project with Brown County)
 2. Joint Ditch 11
3. The County reasonably expects to reimburse itself for the payment of certain costs of the Project out of the proceeds of a bond issue or similar borrowing (the "Bonds") to be issued after the date of payment of such costs. As of the date hereof, the County reasonably expects that \$5,000,000 is the maximum principal amount of the Bonds for JD18 and the County reasonably expects that \$5,000,000 is the maximum principal amount of the Bonds for JD11 (total of \$10 million between the two projects).
4. Each expenditure to be reimbursed from the Bonds is or will be a capital expenditure or a cost of issuance, or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Regulations.
5. As of the date hereof, the statements and expectations contained in this Declaration are believed to be reasonable and accurate.

Public Works Director Teal Spellman was present and reviewed the following quotes for re-roofing the pole shed at the Highway Department:

<u>VENDOR</u>	<u>AMOUNT</u>
Clements Lumber	\$27,513.20
Sieve Construction and Skid Service	\$26,243.00

Pettersen moved, Melheim seconded and the motion passed unanimously, to approve the quote of Sieve Construction and Skid Service in the amount of \$26,243.00 with the stipulation that the materials be delivered County since they were to be paid in advance.

Spellman requested approval to purchase materials for Eagles' Nest Bridge Replacement. The product quoted by Wheeler Lumber is proprietary and was in the design specifications.

Branstad moved, Pettersen seconded and the motion passed unanimously, to approve accepting the quote of Wheeler Lumber LLC in the amount of \$30,695 for materials for the replacement of bridges at Eagles' Nest Park.

Pettersen moved, Melheim seconded and the motion passed unanimously, to approve selling the 1995 John Deere 6400 Tractor with twin mowers.

Spellman requested approval to demolish the building in the southwest corner of the Fairgrounds. It was inspected by Goldschmidt's and was deemed unsafe. The County has two certified operators to perform the work.

Rinne moved, Melheim seconded and the motion passed unanimously, to approve the demolition of the fairgrounds building.

Spellman reported that she submitted a Letter of Intent for LPP, Local Partnership Program, for completion of the trail. The current federal funding is for 2025.

Pettersen moved, Melheim seconded and the motion passed unanimously, to approve the appointment of Eric Mundt to the position of Mechanic for the Public Works Department.

Branstad moved, Melheim seconded and the motion passed unanimously, to accept the resignation in good standing of Danielle Sperl from the position of Sr. Technical Clerk.

Rinne moved, Branstad seconded and the motion passed unanimously, to approve advertising for the position of Accounting Assistant/License Center Clerk (Sr. Technical Clerk) for the County Auditor/Treasurer's Office and License Center.

Branstad moved, Melheim seconded and the motion passed unanimously, to approve the satisfactory completion of promotional probationary period by Tamara Colón.

Pettersen moved, Melheim seconded and the motion passed unanimously, to approve annual pay step increases for Jamie Sharp, Megan Svalland, and Laura Escobar.

Branstad moved, Rinne seconded and the motion passed unanimously, to approve the appointment Jalyn Woratschka as a Deputy Sheriff, dependent on satisfactory background check.

Commissioner Melheim gave an update on the upcoming County Fair.

County Auditor/Treasurer Kelly Pauling reported on a meeting with Land Management staff and Commissioners Melheim and Miller regarding the recycling sheds. The summer Intern would be

checking the sheds twice a week, cameras would be installed, and the carts would be moved in the St. James location to the other side of the sheds.

Branstad moved, Pettersen seconded and the motion passed unanimously, to approve the annual pay step increase of Rosalyn Carsten.

Melheim moved, Branstad seconded and the motion passed unanimously, to close the meeting at 10:45 pursuant to M.S. § 13D.05, Subd. 2.(b) for preliminary consideration of allegations against an individual subject to the Board's authority.

Pettersen moved, Branstad seconded and the motion passed unanimously, to open the meeting at 11:00 A.M.

Branstad moved, Melheim seconded and the motion passed unanimously, to close the meeting at 11:00 pursuant to M.S. § 13D.05, subd. 3(b) for attorney client privilege relating to pending litigation.

Branstad moved, Pettersen seconded and the motion passed unanimously, to open the meeting at 11:10.

Melheim moved, Pettersen seconded and the motion passed unanimously, to adjourn at 11:12.

Bob Rinne, Vice-Chairman
Watonwan County Board

Lisa Schumann, Deputy Clerk
Watonwan County Board

ATTEST: Kelly Pauling
Watonwan County Auditor/Treasurer