

BOARD OF COMMISSIONERS

COUNTY OF SCOTT

AUGUST 18, 2020

(1) The Board of Commissioners, in and for the County of Scott, Minnesota, met in the Courthouse Board Room in the City of Shakopee, Minnesota, and convened at 9:00 a.m., with the following members present: Commissioner Beer, presiding, Commissioner Weckman Brekke, Commissioner Wolf, and Commissioner Beard. Commissioner Ulrich participated via phone. Chair Beer announced all votes will be by roll call vote.

(2) County Staff Present:

- A. Lezlie Vermillion, County Administrator
- B. Jeanne Andersen, Assistant County Attorney
- C. Chris Harder, Quality Improvement Manager
- D. Suzanne Arntson, Child Welfare Manager
- E. Scott Haas, Sheriff's Captain
- F. Lori Huss, Employee Relations Manager
- G. Tracy Cervenka, Administrative Office Supervisor
- H. Lisa Freese, Transportation Services Director
- I. Joan Schwarz, Human Resources Business Partner, via phone
- J. Heather Shue, Human Resources Business Partner, via phone
- K. Kari Ouimette, Economic Assistance Director, via phone
- L. Troy Beam, Transit and Fleet Manager, via phone
- M. Danny Lenz, Chief Financial Officer/Deputy County Administrator
- N. Luke Hennen, Sheriff, via phone
- O. Pete Schmitt, Environmentalist
- P. Kate Sedlacek, Environmental Services Manager
- Q. Mary VonEschen, Environmentalist
- R. Noreen Kleinfehn-Wald, Public Health Supervisor
- S. Lisa Brodsky, Public Health Director
- T. Brad Davis, Planning and Resource Management Director
- U. Debra Brazil, Deputy Clerk to the Board

(3) Minutes:

On a motion by Commissioner Weckman Brekke, seconded by Commissioner Wolf, the Minutes of August 4, 2020 were approved on a roll call vote.

(4) Innovation: We will take informed risks to deliver services more effectively and will learn from our successes and failures:

The County Board participated in the Scott County Delivers panel discussion regarding the County workforce.

(5) Consent Agenda:

Commissioner Beard requested the agenda item approving a contract increase to Ames Construction, Inc. be pulled from the consent agenda for additional information.

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A. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the Agreement for receipt of funding in the amount of \$50,000 from Casey Family Programs for Scott County Children's Services to support prevention work in 2020. The motion carried unanimously on a roll call vote.

B. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-118; Entering Into a Grant Agreement With the Minnesota Department of Veterans Affairs for an Operational Enhancement Grant. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

C. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-120; Awarding a Contract to Molnau Trucking, LLC for the 2020 Building Demolition Project in the City of Savage and the Townships of Blakeley and Cedar Lake. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

D. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-121; Authorizing Entering Into an Agreement With Xcel Energy, Inc. to Relocate its Underbuilt Electrical Distribution Line to Provide Vertical Clearance for Installation of Traffic Signals on County Highway 27 at its Intersection with Connelly Parkway in the City of Savage. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

E. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-122; Awarding the Contract to KONE, Inc. for the 2020 Justice Center Elevator B Modernization Project in the Amount of \$127,168. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

F. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-124; Authorizing Entering Into an Agreement With SRF Consulting Group, Inc. for Preliminary Design Services for the Merriam Junction Regional Trail in Louisville Township. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

G. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the Record of Disbursements and approve the claims made to Scott County from July 1, 2020 through July 31, 2020 in the amount of \$18,013,473.45. A copy of the Record of Disbursements is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

H. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-125; Adopting the Payable 2021 Final Levy of \$40,000 for the Cedar Lake Improvement District. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

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I. On the recommendation of the Scott County Planning Advisory Commission and the Spring Lake Town Board, Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the request for rezoning of 3 acres from RR-1, Rural Residential Reserve District, to RR-2, Rural Residential Single-Family District (Diane Jackson, Applicant and Property Owner) in Section 13 of Spring Lake Township. This action is in accordance with Chapters 2 and 42 of Scott County Zoning No. 3 based on the criteria listed for approval. The motion carried unanimously on a roll call vote.

J. On the recommendation of the County Administrator, Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the payroll processing of personnel actions indicated below and certified by the Employee Relations Director and the Appointing Authority to be in compliance with provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Merit Personnel System:

1. Separation of employment for Ellen Paulsen, FT Taxation Supervisor, Community Services Division, effective 09/22/20.
2. Separation of employment for Cody Walton, FT Corrections Officer, County Sheriff's Office, effective 08/09/20.
3. Separation of employment for Todd Beck, FT Sheriff's Deputy, County Sheriff's Office, effective 08/31/20.
4. Separation of employment for Judith Strande, PT (90% FTE) Public Health Nurse, Health and Human Services Division, effective 09/11/20.
5. Separation of employment for Kelly Barrett, PT (50% FTE) Field Probation Officer, Health and Human Services Division, effective 09/11/20.
6. FT probationary employment for Thomas Krause, Inspector-Building, Community Services Division, effective 08/17/20.
7. FT probationary employment for Nona Meester, Corrections Officer, County Sheriff's Office, effective 08/17/20.
8. FT probationary employment for Jaleel Johnson, Corrections Officer, County Sheriff's Office, effective 08/17/20.
9. FT probationary employment for Haylee Plahn, 911 Dispatcher, County Sheriff's Office, effective 08/20/20.
10. Intermittent employment for Cassandra Johnson, PT (34% FTE) On-Call Facility Probation Officer-Unclassified, Health and Human Services Division, effective 08/05/20.

Motion carried unanimously on a roll call vote.

- (6) Stewardship: We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government:

A. Transportation Services Director Lisa Freese explained the reasons for the request for the contract increase of \$332,821.21 for the Trunk Highways 169/41 and County Highways 78/14 freight mobility project. Correcting a drainage issue at a cost of \$254,554.49 is the largest amount of the increase. Ms. Freese explained approximately \$2.2 million in programmed funds will remain for the project after this contract increase.

Commissioner Beard moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-127; Approving a Contract Increase of \$332,821.21 to Ames Construction, Inc. for the Trunk Highway 169/41 and County Highways 78/14 Freight Mobility Project in Jackson and Louisville Townships. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

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(7) Customer Service: We will deliver government services in a respectful, responsive, and solution-oriented manner:

A. Commissioner Beard moved, seconded by Commissioner Wolf to open the public hearing at 10:33 a.m. to receive public comments on the proposed amendments to Subsurface Sewage Treatment System Ordinance No. 4. The motion carried unanimously on a roll call vote.

Environmental Services Manager Kate Sedlacek presented an overview of the proposed Amendments to Subsurface Sewage Treatment System Ordinance No. 4. The Amendments ensure the County's Ordinance is consistent with current state rules and statutes, remove redundant definitions and terms, clarify current ordinance language, and update the variance process.

Hearing no public comment, Commissioner Wolf moved, seconded by Commissioner Beard to close the public hearing at 10:41 a.m. The motion carried unanimously on a roll call vote.

Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-126; Adopting Subsurface Sewage Treatment System Ordinance No. 4 and Rescinding Resolution No. 2010-015. The Amendments ensure the Ordinance is consistent with current state rules and statutes, remove redundant definitions and terms, clarify current ordinance language, and update the variance process. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

B. Commissioner Beard moved, seconded by Commissioner Wolf to open the public hearing at 10:42 a.m. to receive public comment on the proposed Scott County Ordinance No. 31, a Public Health Nuisance Ordinance. The motion carried unanimously on a roll call vote.

Public Health Director Lisa Brodsky presented the proposed Scott County Ordinance No. 31, a Public Health Nuisance Ordinance. Ms. Brodsky stated the proposed Ordinance more thoroughly defines the authority of the Public Health entity to inspect and abate and streamline the abatement process Countywide and provides additional resources to the local City partners. All local Cities and Townships have had an opportunity to review, edit, and provide comments on the draft Ordinance. Ms. Brodsky added this Public Health Nuisance Ordinance is a key recommendation in the Scott County 2040 Comprehensive Plan.

Hearing no public comment, Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to close the public hearing at 10:44 a.m. The motion carried unanimously on a roll call vote.

Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-119; Adopting Scott County Ordinance No. 31, a Public Health Nuisance Ordinance in Scott County. The purpose of the Ordinance is to establish standards and authority to protect the public health, safety and general welfare of the people of Scott County pursuant to powers granted under Minn. Stat. Chapters 145A, 375, 152, and other applicable state law, as may be amended from time to time. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

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C. Planning and Resource Management Director Brad Davis presented the request to adopt revisions to Scott County Zoning Ordinance No. 3 and Scott County Land Subdivision Ordinance No. 7. Pursuant to State law, the Scott County Zoning and Land Subdivision Ordinances must be consistent with the 2040 Comprehensive Plan which was recently adopted. Mr. Davis reviewed the background and purpose of the revisions, the process for developing the revisions, the key revisions, and the four new zoning districts. Comments received prior to and at the public hearing held by the Scott County Planning Advisory Commission on July 13, 2020 were reviewed. Mr. Davis reported after closing the public hearing, the Planning Advisory Commission unanimously recommended approval of the Ordinance revisions with modifications. The recommendations have been incorporated into the revisions.

On the recommendation of the Scott County Planning Advisory Commission, Commissioner Beard moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-123; Adopting Revisions to Scott County Zoning Ordinance No. 3 and Scott County Land Subdivision No. 7. Key revisions include establishing four new zoning districts; requiring deeper home setbacks from bluffs; allowing a non-family caregiver to occupy an Accessory Dwelling Unit; setting new post-mining reclamation standards; clarifying site access requirements and turn lanes for development, in both zoning and subdivision ordinances; updating sign standards for commercial, industrial, and institutional uses; setting clearer standards for kennels, day parks, shooting ranges, and recreational land uses; allowing larger sheds and accessory buildings on rural lots; reduce the minimum lot size in the Heavy Industrial (I-2) District; modifying draft Zoning Map to show four parcels in Louisville Township as I-2 Heavy Industrial; and holding off rezoning a parcel in Sand Creek Township until property owner has more information. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

(8) Stewardship: We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government:

B. Quality Improvement Manager Chris Harder and Transportation Services Director Lisa Freese presented information on the proposed distribution of Coronavirus Aid, Relief, and Economic Security (CARES) Act funding in the amount of \$1.2 million for school, food support, and non-profit assistance programs. On August 4, 2020 the County Board authorized \$2.2 million to food shelf and distribution non-profits for personal protection equipment, food, refrigeration equipment, and other needed supplies and to schools to assist in costs related to providing daycare for essential workers and distance learning not covered by other funds. Due to the State distributing additional CARES Act funds directly to school districts and the Minnesota Housing COVID-19 Housing Assistance Program funding received by the County being less than anticipated, staff is recommending that \$1 million of the original \$2.2 million approved be reallocated for housing supports.

Commissioner Ulrich moved, seconded by Commissioner Wolf to adopt Resolution 2020-128; Authorizing Development of Schools, Food Support and Non-Profit Assistance Programs; Entering Into Sub-Recipient Agreements With Invited Organizations Based on Documented COVID-19 Related Expenses Utilizing \$1.2 Million From the Coronavirus Aid, Relief, and Economic Security (CARES) Act Special Revenue Fund to Fund These Grants; and Amending the Special Revenue Fund Budget to Reallocate \$1 Million of the Funds Designated by Resolution 2020-115 for These Purposes to the Housing Assistance Program From the CARES Act Special Revenue Fund. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

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(9) Committee Reports and Commissioner Updates:

- A. The Commissioners all participated in the County Board workshop on August 4.
- B. The Commissioners all participated in the diversity strategy workshop on August 4.
- C. Commissioner Weckman Brekke met with County Administrator Lezlie Vermillion on August 5.
- D. Commissioner Weckman Brekke participated in the Justice Steering Committee teleconference meeting on August 6.
- E. Commissioner Weckman Brekke participated in the AFSCME Labor Management Committee teleconference meeting on August 11.
- F. The Commissioners all participated in the Scott County Association for Leadership and Efficiency (SCALE) teleconference meeting on August 14.
- G. Commissioner Weckman Brekke participated in the Scott County Human Services Resource Council teleconference meeting on August 17
- H. Commissioner Weckman Brekke participated in the National Association of Counties Human Services and Education Committee teleconference meeting on August 18.
- I. The Commissioners reported receiving calls and emails regarding voting.
- J. Commissioner Weckman Brekke reported the filing period for local elections has closed.
- K. Commissioners Beard and Ulrich participated in the Scott County Transportation Committee teleconference meeting on August 6.
- L. Commissioner Beard participated in the Scott-Carver-Dakota Community Action Program Financial Committee teleconference meeting on August 11.
- M. Commissioner Beard participated in the Association of Minnesota Counties Board of Directors teleconference meeting on August 12.
- N. Commissioners Beard and Ulrich participated in the Minnesota Inter-County Association Board of Directors teleconference meeting on August 12.
- O. Commissioner Beard reported the next Minnesota Legislative Special Session is scheduled for September 13.
- P. Commissioner Beard participated on the Canvassing Board on August 14.
- Q. Commissioner Wolf participated in the New Market Town Board teleconference meeting on August 4.
- R. Commissioner Wolf participated in the Scott County Planning Advisory Commission teleconference meeting on August 10.
- S. Commissioner Wolf met with the Scott County Environmental Services Manager on August 12 regarding illegal dumping in County ditches.
- T. Commissioner Wolf participated in the Cedar Lake Water and Sanitary Sewer District Board teleconference meeting on August 12.
- U. Commissioner Wolf participated in the I35W Solutions Alliance teleconference meeting on August 13.
- V. Commissioner Wolf met with County staff and residents on August 13 regarding McMahan Lake.
- W. Commissioner Wolf participated in the Elko New Market City Council teleconference meeting on August 13.
- X. Commissioner Wolf participated in the Spring Lake Town Board teleconference meeting on August 13.
- Y. Commissioner Wolf attended the Prior Lake City Council meeting on August 17.
- Z. Commissioner Ulrich met with Ms. Vermillion via phone on August 6.
- AA. Commissioner Ulrich participated in the SCALE Executive Committee teleconference meeting on August 7.
- AB. Commissioner Ulrich participated in the Suburban Transit Association teleconference meeting on August 10.

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AC. Commissioner Ulrich participated in the Families and Individuals Sharing Hope (FISH) Programming Committee teleconference meeting on August 11.

AD. Commissioners Ulrich and Beer participated in the FISH teleconference meeting on August 13.

AE. Commissioner Ulrich participated in the Trunk Highway 169 Corridor Coalition Executive Committee teleconference meeting on August 14.

AF. Commissioner Ulrich participated in the Greater MSP teleconference meeting on August 17.

AG. Commissioner Ulrich participated in the SCALE Executive Committee teleconference meeting on August 14.

AH. Commissioner Ulrich participated in the Minnesota Valley Transit Authority teleconference meeting on August 17.

AI. Commissioner Beer met with representatives of Beacon Interfaith Housing Collaborative on August 6.

AJ. Commissioner Beer participated in the FISH Fundraising Committee teleconference meeting on August 11.

AK. Commissioner Wolf reported the Minnesota Renaissance Festival has been cancelled for 2020.

On a motion by Commissioner Wolf, seconded by Commissioner Weckman Brekke, the meeting adjourned at 12:17 p.m.

David Beer
Chair

Lezlie A. Vermillion
County Administrator
Clerk of the Board

Debra K. Brazil
Deputy Clerk to the Board