

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
JANUARY 7, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, January 7, 2020, at 8:32 a.m. Commissioners Denny Kemp, Marie Dranttel, Terry Morrow, Jack Kolars and John Luepke were present. Also present were County Administrator Ryan Krosch, County Attorney Michelle Zehnder Fischer and Recording Secretary Abigail Lewis.

Election of Officers

Commissioner Kemp asked for nominations for Board Chair for 2020. Motion by Commissioner Morrow and seconded by Commissioner Kemp to nominate Commissioner Luepke for the position of Chair of the Nicollet County Board for 2020. Commissioner Kemp asked three times for additional nominations. No other nominations were made. Motion carried on a roll call vote 4-0-1, Kolars abstained.

Chair Kemp asked for nominations for Board Vice Chair. Motion by Commissioner Kolars and seconded by Commissioner Luepke to nominate Commissioner Morrow for the position of Vice Chair of the Nicollet County Board for 2020. Commissioner Kemp asked three times for additional nominations. No other nominations were made. Motion carried with all voting in favor on a roll call vote.

Approval of Agenda

County Administrator, Ryan Krosch, stated that number nine of the consent agenda has been removed and Recording Secretary, Abigail Lewis, noted a change to number seven Board Meeting and Workshop schedule to add the Board of Appeals and Equalization meeting on Monday, June 15, 2020 at 6:30 p.m. Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the agenda as presented with the removed consent item and date addition. Motion carried with all voting in favor.

Introduction of New Employees - None

Consent Agenda

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve the consent agenda items as follows: approval of the December 17, 2019 Board Meeting minutes, approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund \$304,789.61 and 77,375.76, Road & Bridge Fund - \$30,218.46 - \$60,359.99, Human Services Fund - \$172,235.72 and 65,435.03 and acknowledge review of the Auditor's Warrants; 2020 Library Contracts; Resolution Approving the Official Newspaper for Publications in 2020; 2020 Gopher Bounty Resolution; Publication of Transportation Project Advertisements for Bids on the Nicollet County Website Resolution; 2020 Board Meeting and Workshop Schedule; Resolution to Delegate EFT Authority; CVSO Operational Enhancement Grant Program Resolution for FY2020; Joint Powers of Agreement for National Incident-Based Reporting System

with the State of Minnesota; High Line Amendment – Extension of Agreement; End of Probation for Amie Russek, Wavier Case manager effective January 2, 2020 and Tami Simonson, Financial Services Supervisor, effective January 24, 2020. Motion carried with all voting in favor.

Public Appearances – None

County Attorney, Michelle Zehnder Fischer, introduced Grace Worwa, a Gustavus student, who is interning with the Attorney's Office for the month of January.

Public Services

Consider Resolution to Apply for Funding for Voting Equipment Grant

Public Services Manager, Jaci Kopet, appeared before the Board to request approval to apply for an election equipment grant.

In the 2017 legislative session, \$7 million was authorized to assist counties with purchasing new election equipment. In the 2019 legislative session, an additional \$2 million was authorized to assist counties with purchasing new election equipment.

This grant is a match grant and will pay up to 50% of optical scan (precinct ballot machines) and up to 75% of electron poll books. This grant has a maximum amount of \$5,000 per precinct; the amount will vary depending on how many counties apply for the grant. Included in the packet are the application and resolution for consideration to allow Nicollet County to apply for these funds. Grants money is set to be awarded on March 31, 2020 and equipment would need to be purchased by December of 2020.

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve an application for funding for voting equipment. Commissioner Dranttel asked if the townships were aware of this possible purchase. Manager Kopet stated that by applying for the grant does not mean we would be spending money at this time. Commissioner Kolars commented on the privacy with voting in Nicollet County and stated he believes we do a great job. Manager Kopet agreed and applauded the State of Minnesota on their voting system.

Motion carried with all voting in favor on a roll call vote.

NICOLLET COUNTY, MINNESOTA RESOLUTION APPROVING NICOLLET COUNTY'S APPLICATION FOR FUNDING FROM THE VOTING EQUIPMENT GRANT

WHEREAS, Minnesota counties are responsible for administering elections, which includes the purchase and maintenance of supplies and election equipment, including accessible voting equipment; and

WHEREAS, it's essential for precincts to have functioning voting equipment so that voters are able to cast their ballot on equipment that is secure, accessible, accurate, and reliable; and

WHEREAS, Minnesota's 90th Legislature authorized \$7 million for the Voting Equipment Grant Account to assist counties, cities, towns, and school districts with the purchase of voting equipment; and

WHEREAS, in the 2019 legislative session an additional \$2 million in grant funding for the purchase of voting equipment was authorized, and

WHEREAS, to receive funding from the Voting Equipment Grant Account, counties must submit an application to the Minnesota Secretary of State before January 31, 2020; now, therefore,

BE IT RESOLVED, Nicollet County approves its application for funding from the Voting Equipment Grant; and

BE IT FURTHER RESOLVED, the County certifies that any funds awarded from the Voting Equipment Grant will be used only to purchase assistive voting technology, an electronic roster system, an electronic voting system,

any individual component of an electronic voting system, or any other equipment or technology approved by the Secretary of State.

RESOLUTION APPROVING THE
OFFICIAL NEWSPAPER USED FOR PUBLICATIONS

WHEREAS, Minnesota Statute 375.12 states a county board shall have the official proceedings of its sessions published in a qualified newspaper of general circulation in the county. The publication shall be let annually by contract to the lowest bidder, at the first regular session of the board in January each year; and

WHEREAS, Minnesota Statute 331A.03 requires public notices of a political subdivision be published in a qualified newspaper as described in M.S. 331A.02; and

WHEREAS, M.S. 331A.04 states the priority for selecting a qualified newspaper; and

WHEREAS, M.S. 331A.06 states a political subdivision may enter into multiyear contracts with a qualified newspaper for publication of the political subdivision's public notices. No multiyear contract may be for a term longer than three years; and

WHEREAS, three-year publication bids were requested in December 2018 for 2019-2021 from the St. Peter Herald and Lafayette Ledger; and

WHEREAS, on January 8, 2019 the Nicollet County Board approved the St. Peter Herald as the official legal paper and the Lafayette Ledger as the secondary legal paper for 2019-2021.

NOW, THEREFORE BE IT RESOLVED, by the Nicollet County Board of Commissioners to:

-Approve the St. Peter Herald as the official legal paper for Nicollet County in 2020 at rate of \$4.50 per column inch for all Nicollet County legal publications and notices including, but not limited to, delinquent tax list, meeting minutes/synopsis, tax forfeited land sales, county financial statement, and hearing/meeting/bid notices.

-Approve the Lafayette Ledger as the official legal paper for legal publications and notices when a second publication is required or desired in the Ledger's general area of circulation at a rate of \$7.00 per column inch for 2020.

RESOLUTION APPROVING A GOPHER BOUNTY

WHEREAS; Minnesota State Statute 348.12 requires that County Boards adopt a resolution annually to offer a bounty for the destruction of gophers; and

WHEREAS; Nicollet County wishes to reimburse any Nicollet County township for payments made for a gopher bounty.

NOW, THEREFORE BE IT RESOLVED, by the Nicollet County Board of Commissioners that Nicollet County shall reimburse any Nicollet County township a bounty of \$1.00 per gopher paid for by a township in 2020.

RESOLUTION APPROVING PUBLICATION OF TRANSPORTATION
PROJECT BIDS ON THE NICOLLET COUNTY WEBSITE

WHEREAS, M.S. 331A.12 states at the meeting of the governing body of a political subdivision at which the governing body designates its official newspaper for the year, the governing body may designate in the same manner publication of transportation projects on the political subdivision's website. Publication on the web site may be used in place of or in addition to any other required form of publication. Each year after designating publication on the website for transportation projects, the political subdivision must publish, in a qualified newspaper in the jurisdiction and on the website, notice that the political subdivision will publish advertisements for bids on its website.

THEREFORE, BE IT RESOLVED, the Nicollet County Board of Commissioners approves the Nicollet County Public Works Department to use the Nicollet County website www.co.nicollet.mn.us as the method of advertising for transportation project bids.

THEREFORE, BE IT FUTHER RESOLVED, in accordance with M.S. 331A.12, notice will be published in a qualified newspaper and on the County website that advertisements for bids for transportation projects will be published on the Nicollet County website.

RESOLUTION APPROVING THE REGULARLY
SCHEDULED 2020 COUNTY BOARD
MEETINGS AND WORKSHOPS

WHEREAS, MN Statute 375.07 states, "The board shall meet at the county seat for the transaction of business on the first Tuesday after the first Monday in January, and may meet on other days and at other locations within the county it prescribes as necessary for the interests of the county. ... Sessions shall be called by a majority of the board and the clerk shall give at least ten days' notice of them to each of the commissioners"; and

WHEREAS, the Nicollet County Board of Commissioners annually schedules regular meetings to vote on items and conduct the business of the county when a quorum of commissioners are present; and

WHEREAS, the Nicollet County Board annually schedules board workshops to discuss items and gather information related to the business of the county but takes no votes or formal action at said workshops.

NOW, THEREFORE BE IT RESOLVED, The Nicollet County Board of Commissioners adopts the attached schedule of 2020 County Board meetings and workshops as presented.

BE IT FURTHER RESOLVED, said County Board meetings and workshops may be canceled or rescheduled and additional meetings and workshops may be added by a majority of the Board.

RESOLUTION TO DELEGATE AUTHORITY
FOR ELECTRONIC FUNDS TRANSFERS

WHEREAS, Minnesota Statute 471.38 allows for the use of electronic fund transfer as means of making various payments; and

WHEREAS, Electronic funds transfer is the process of value exchange via mechanical means without the use of checks, drafts, or similar negotiable instruments; and

WHEREAS, a local government may make an electronic funds transfer for the following:

1. for a claim for a payment from an imprest payroll bank account or investment of excess money;
2. for a payment of tax or aid anticipation certificates;
3. for a payment of contributions to pension or retirement fund;
4. for vendor payments; and
5. for payment of bond principal, bond interest and a fiscal agent service charge from the debt redemption fund.

WHEREAS, the County Board shall annually delegate the authority to make electronic funds transfers to the County's chief financial officer or their designee.

NOW THEREFORE, BE IT RESOLVED, that the Nicollet County Board delegates the authority to make electronic funds transfers to Heather McCormick, Nicollet County Finance Director and her designees.

NOW THEREFORE BE IT FURTHER RESOLVED, that the county finance director will:

1. provide copy of this resolution to the disbursing bank;
2. provide a list of all transactions made by electronic fund transfer to the county board as its next regularly scheduled meeting.

Dated this 7th day of January, 2020.

RESOLUTION OF NICOLLET COUNTY

BE IT RESOLVED by the Nicollet County Board of Commissioners that the County enter into the attached **Grant Contract** with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following Program: **County Veterans Service Officer Operational Enhancement Grant Program**. The grant must be used to provide outreach to the county's veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the County Veterans Service Office, as specified in Minnesota Laws 2019, Chapter 10, Article 1, Section 37, Subdivision 2. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by the Nicollet County Board of Commissioners that Nathan Allan Tish, the Nicollet County Veterans Service Officer, be authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

WHEREUPON the above resolution was adapted at the Nicollet County Government Center, Saint Peter, Minnesota this 7th day of January 2020.

Authorized Signature and Title

Date

STATE OF MINNESOTA
NICOLLET COUNTY

I, Ryan Krosch, do hereby certify that I am the custodian of the minutes of all proceedings had and held by the Nicollet County Board of Commissioners of said County Government, that I have compared the above resolution with the original passed and adopted by the Nicollet County Board of Commissioners of said County Government at a regular meeting thereof, held on the 7th day of January, 2020 at the Nicollet County Government Center, Saint Peter, Minnesota, that the above constitutes a true and correct copy thereof, that the same has not been amended or rescinded and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this 7th day of January, 2020, and have hereunto affixed the seal of Nicollet County.

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF NICOLLET ON BEHALF OF ITS SHERIFF'S OFFICE

WHEREAS, the County of Nicollet on behalf of its Sheriff's Office desires to enter into a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to receive funding to use to implement an adapter to make its records management system compatible with Minnesota National Incident-Based Reporting System requirements for which the County is eligible.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Nicollet County, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreement by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Nicollet on behalf of its Sheriff's Office, is hereby approved. A copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.

2. That the Sheriff, Dave Lange, or his or her successor, is designated the Authorized Representative for the County of Nicollet. The Authorized Representative is also authorized to

sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the agreement with the State.

To assist the Authorized Representative with the administration of the agreement, Records Coordinator, Heidi Hulke is appointed as the Authorized Representative's designee.

3. That Dave Lange, the Sheriff for the County of Nicollet, and Heidi Hulke, the Records Coordinator, are authorized to sign the State of Minnesota Joint Powers Agreement.

Passed and Adopted by the Nicollet County Board on this 7th day of January, 2020

Property Services

After-the-Fact Conditional Use Permit: Michaletz Properties, LLC

Property and Public Services Supervisor, Mandy Landkamer, appeared before the Board to request approval of an after-the-fact conditional use permit for Michaletz Properties, LLC for land alteration with the purpose of constructing a private shooting range. No public comments were received and there was no public testimony at the December 16, 2019 meeting.

Motion by Commissioner Dranttel and seconded by Commissioner Kemp to accept the Planning and Zoning Advisory Commission's December 16, 2019 report, recommendations and findings as submitted therein, which included the following:

Michaletz Properties, LLC.	PLN19-30	River Ridge Gun and Archery Club, LLC.
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Commissioner Kolars inquired about the safety requirements and Supervisor Landkamer stated that they encouraged safety regulations set forth by the NRA. Landkamer also noted that this is on private property so the County is limited. Commissioner Kemp asked if the range became commercial would that change the regulations and permit. Landkamer confirmed yes. Motion carried with all voting in favor.

Public Works

Consider Snow and Ice Removal Agreement with City of New Ulm

Public Works Director, Seth Greenwood, appeared before the Board to request approval on the snow and ice removal agreement with the City of New Ulm.

This agreement provides reimbursement to the City of New Ulm to perform snow and ice removal services on CSAH 37 for a portion of December 2019 through March 2020. Typically this agreement is executed in October but since the MnDOT detour for the TH 14/TH 15 bridge project was on CSAH 37 through the middle of December 2019, MnDOT provided the snow and ice control. Until the County and the City knew the date this detour would end, the length of time this agreement would be executed for was unknown.

The City of New Ulm is also considering approval of this agreement on January 7, 2020.

Motion by Commissioner Kemp and seconded by Chair Morrow to approve the snow and ice removal agreement with the City of New Ulm. Motion carried with all voting in favor.

Consider CSAH 21 Geotechnical Engineering Services Proposal

Public Works Director, Seth Greenwood, appeared before the Board to request approval on the Geotechnical Engineering proposal from Gale-Tech Engineering for CSAH 21.

The in slope of CSAH 21 adjacent to the Minnesota River (near the CSAH 21/CSAH 14 Intersection) has been experiencing erosion and sloughing over the past 10 years. Small-eroded areas in the past have been stabilized by placing rip-rap in those areas. Very high water levels in the Minnesota River the past few years has led to larger erosion and sloughing issues in the same areas where we have done the small rip rap repairs. Since this problem continues to progress it is Director Greenwood's opinion that we need an in-depth investigation into this problem and have requested a geotech engineering proposal from Gale-Tec Engineering to investigate and recommend repair options. Public Works completed some survey work in this area last fall but have further survey work within the MN River channel this spring depending on water levels. Depending on what the river survey shows will dictate the extent of the services that Gale-Tech would perform. The proposed cost could be less depending on what the river survey shows.

Motion by Commissioner Morrow and seconded by Chair Luepke to approve the Geotechnical Engineering proposal from Gale-Tech Engineering for CSAH 21. Motion carried with all voting in favor on a roll call vote.

Informational Update

Director Greenwood provided the Board an update on his request for funding from the State Aid Disaster Committee on HWY 14. Director Greenwood stated that the request was approved and the State Aid Disaster Committee will cover any costs that are not covered by the Federal Highway Administration and other funds.

Administration

Resolution Establishing the 2020 Committee and Board Assignments and Meetings that Qualify for a Per Diem Payment

Administrator Krosch presented the list of committee and board assignments for the Commissioners to review and assign and requested the Board adopt the Resolution Establishing the 2020 Committee and Board Assignments and Meetings that Qualify for a Per Diem Payment. The Board reviewed all the committee assignments. Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve the Resolution Establishing the 2020 Committee and Board Assignments and Meetings that Qualify for a Per Diem Payment as discussed. Motion carried with all voting in favor on a roll call vote.

Informational Items

Commissioner Committee Reports

The Commissioners reported on various meetings and activities including:

Commissioner Marie Dranttel

- Tri-County Solid Waste
- Brown Nicollet Community Health Board

Commissioner Terry Morrow

- Tri-County Solid Waste
- Brown Nicollet Community Health Board

Commissioner Denny Kemp

- Retirement Party for Joy Meyer
- Brown Nicollet Community Health Board

Commissioner Jack Kolars

- Brown Nicollet Community Health Board

Chair's Report

- Brown Nicollet Community Health Board
- Retirement Party for Sue Wear

Approve Per Diems and Expenses

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the expenses and per diems for the meetings noted above during the Commissioner Reports and/or as submitted on approved expense reports, and authorize payment of those expenses and per diems by the Finance Office. Motion carried with all voting in favor.

Adjourn

Motion by Commissioner Kemp and seconded by Commissioner Morrow to adjourn the meeting. Motion carried with all voting in favor. The meeting adjourned at 9:21 a.m.



JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:



RYAN KROSCH
CLERK TO THE BOARD