

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
MARCH 24, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, March 24, 2020, at 9:00 a.m. Commissioners Denny Kemp, Marie Dranttel, Terry Morrow, and John Luepke were present. Also present were County Administrator Ryan Krosch, County Attorney Michelle Zehnder Fischer and Recording Secretary Abigail Lewis. Via teleconference: Jack Kolars. The meeting was held via teleconference pursuant to Minnesota Statute 13D.021.

Approval of Agenda

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the agenda with the additions of the Resolution Temporarily Modifying Procedures for the Payment of Commissioner Warrants, Approval of Contracts and Approval of Expenditures and Resolution Approving the Payment of Employees Impacted by a COVID-19 Shelter-In-Place Order. Motion carried with all voting in favor.

Introduction of New Employees - None

Consent Agenda

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the consent agenda items as follows: approval of the March 10, 2020 Board Meeting minutes, approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund - \$137,404.90, Road & Bridge Fund - \$121,306.83, Human Services Fund - \$73,343.03 and acknowledge review of the Auditor's Warrants; South Central Workforce Council Joint Powers Agreement, Resolution Providing for the Issuance and Sale of Taxable General Obligation Capital Improvement Plan Refunding Bonds, Series 2020A, 2019 County Feedlot Officer Annual and Financial Reports, ES & S Elections Software Agreement and end of probation. Motion carried with all voting in favor.

Human Resources

Families First Coronavirus Response Act/Utilization of Paid Leave

Human Resources Director, Jamie Haefner, appeared before the Board to request approval to adopt the Families First Coronavirus Response Utilization Act.

On March 18, 2020, the United States Senate passed the Families First Coronavirus Response Act that includes provisions for employer provided emergency paid sick leave and expansion to the FMLA. Director Haefner provided background on the Families First Act and answered questions from the Commissioners.

Motion by Commissioner Morrow and seconded by Commissioner Kemp to approve the Families First Coronavirus Response Act effective March 24, 2020 and to waive the two-thirds salary requirement and replace it with the full payment of staff's salaries. Motion carried with all voting in favor.

Director Haefner also presented the Utilization of Paid Leave during a Public Health Emergency Policy that the County introduced on Monday, March 16, 2020.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to adopt the Utilization of Paid Leave during a Public Health Emergency Policy. Motion carried with all voting in favor.

Telecommuting Policy

Director Haefner requested approval of the Telecommuting Policy as presented.

As the current workforce evolves and technology advances, it is becoming more critical to provide innovative work solutions for the diverse needs of our staff. Included in the Board packet is a recommended Telecommuting Policy that is intended to provide higher productivity, improve employee engagement, reduce employee absenteeism, improve recruitment by being progressive, reduce the costs of office space, and improve disaster recovery and contingency strategy where a dispersed workforce is advantageous.

Motion by Commissioner Kemp and seconded by Commissioner Dranttel to approve the Telecommuting Policy as presented. Motion carried with all voting in favor.

Administration

Broadband Feasibility Study Engineering Service Contract with Finley Engineering Company, Inc.

County Administrator, Ryan Krosch, appeared before the Board to request approval on the proposal from Finley Engineering to complete a broadband feasibility study.

Commissioner Kemp, Commissioner Dranttel and Administrator Krosch met with Finley Engineering to review the proposal and are recommending the Board hire them to complete a study. The Cost of the study is \$48,000 with \$25,000 of the cost being paid for by a grant from the Blandin Foundation.

Motion by Commissioner Kemp and seconded by Commissioner Dranttel to approve the contract contingent on language changes recommended by the County Attorney. Motion carried with all voting in favor.

North Mankato Services Building Exterior Remodel Bid Approval

Administrator Krosch requested approval on the low bidders, as presented, for the North Mankato Services Building exterior remodel project and authorize the County Administrator to sign contracts with the approved low bidders.

***Nicollet County Services Building-Exterior Improvements - BID TAB
March 19, 2020 2:00 pm***

| | BASE BID |
|---|-----------------|
| <i>CATEGORY 1 - MASONRY</i> | |
| Goff Masonry, LLC | \$8,872.00 |
| <i>CATEGORY 2 - ROOFING AND METAL PANELS</i> | |
| Ballman Roofing & Coating, LLC | \$141,737.00 |
| Gag Sheet Metal, Inc | \$164,100.00 |
| Laraway Roofing, Inc | \$304,217.00 |

| CATEGORY 3 - EXTERIOR OPENINGS | |
|---------------------------------------|--------------|
| St. Peter Glass, Inc. | \$127,250.00 |
| Heartland Glass Company, Inc. | \$139,297.00 |
| CATEGORY 4 - PAINTING | |
| Steinbrecher Painting Company | \$16,300.00 |
| Reichel Painting Company, Inc. | \$16,500.00 |

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the low bidders from the respective categories: Goff Masonry, LLC at the low bid of \$8,872.00; Ballman Roofing & Coating, LLC at the low bid of \$141,737.00; St. Peter Glass, Inc. at the low bid of \$127,250.00; Steinbrecher Painting Company at the low bid of \$16,300.00 and authorize the County Administrator to sign contracts with the approved low bidders. Motion carried with all voting in favor.

COVID-19 Pandemic Emergency Declaration

Administrator Krosch appeared before the Board to request approval on the COVID-19 Pandemic Emergency Declaration. Krosch invited Justin Block, Emergency Management Director, to address the Board.

Director Block provided information on why counties are declaring a state of emergency when declarations are already in place at a state level and answered questions from the Commissioners.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the COVID-19 Pandemic Emergency Declaration. Motion carried with all voting in favor on a roll call vote.

COVID-19 EMERGENCY DECLARATION

WHEREAS, the Novel Coronavirus Disease 2019, commonly known as COVID-19, is a respiratory disease that has resulted in a COVID-19 pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency as a result of the outbreak of COVID-19; and

WHEREAS, on March 13, 2020, the Governor of the State of Minnesota declared a Peacetime State of Emergency to authorize the use of resources to support the response to COVID-19; and

WHEREAS, subject matter experts have determined that proactive measures must be undertaken to reduce the impact of the COVID-19, and this activity will be beyond the usual resources of Nicollet County; and

WHEREAS, the necessary response and support to affected individuals, communities, medical systems, businesses, and government has caused significant impact to Nicollet County as a whole; and

WHEREAS, the necessary resources to aid, respond to, and recover from the COVID-19 pandemic will exceed the resources available within Nicollet County and additional resources will be needed from state and federal sources; and

WHEREAS, the Nicollet County Health and Human Services Director has declared a public health emergency in Nicollet County and implemented the Nicollet County Public Health Disaster Response Action Team; and

WHEREAS, the Director of the Nicollet County Department of Emergency Management recommends that the Chair of the Nicollet County Board of Commissioners declare that a state of emergency exists in Nicollet County; and

NOW, THEREFORE, BE IT RESOLVED, that the Nicollet County Board of Commissioners declares Nicollet County in a State of Emergency for conditions resulting from COVID-19.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Nicollet County Board of Commissioners directs the Director of Health and Human Services, the Director of Emergency Management, and the County Administrator to coordinate such actions and activities as necessary and request such local, state, and /or federal assistance as needed to protect lives, and public and private property in Nicollet County and the recovery of Nicollet County from

the impacts resulting from the COVID-19 pandemic to the extent practicable and allowed by law, ordinance, and resolution.

Resolution to Close County Buildings due to the COVID-19 Pandemic Emergency

Administrator Krosch requested approval on the Resolution to Close County Buildings due to the COVID-19 Pandemic Emergency.

The resolution authorizes the closure of County buildings retroactively beginning on March 19, 2020 until further notice due to the COVID-19 pandemic emergency.

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the Resolution to Close County Buildings due to the COVID-19 Pandemic Emergency. Motion carried with all voting in favor on a roll call vote.

RESOLUTION TO SUPPORT CLOSING BUILDINGS DUE TO THE
COVID-19 PANDEMIC EMERGENCY

WHEREAS, Minnesota Statute 373.052 authorizes a county board to close county buildings and offices by resolution if there is an emergency situation; and

WHEREAS, Minnesota Statute 373.052 allows a county board to approve an emergency closing retroactively at its next succeeding meeting; and

WHEREAS, state and federal emergency orders have been issued to address the COVID-19 pandemic; and
WHEREAS, state and federal guidelines have been issued to limit person-to-person contact to help control the spread of the COVID-19 virus.

NOW, THEREFORE BE IT RESOLVED, the Nicollet County Board of Commissioners hereby closes all Nicollet County buildings to the public retroactively beginning March 19, 2020; and

BE IT RESOLVED; this closure shall extend until further notice; and

BE IT RESOLVED; the public may still enter County buildings for court, probation and law enforcement related services or as authorized and deemed necessary by the Nicollet County administrator or a Nicollet County department head.

Agenda Addition

Resolution Temporarily Modifying Procedures for the Payment of Commissioner Warrants, Approval of Contracts and Approval of Expenditures

Administrator Krosch requested approval on the Resolution Temporarily Modifying Procedures for the Payment of Commissioner Warrants, Approval of Contracts and Approval of Expenditures.

Administrator Krosch discussed the possibility of needing to put this in to action if there is a shelter-in-place order given due to the COVID-19 pandemic emergency. Commissioner Morrow asked Administrator Krosch to provide a description of what the commissioner and auditor warrants are for those who might not be aware.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the Resolution Temporarily Modifying Procedures for the Payment of Commissioner Warrants, Approval of Contracts and Approval of Expenditures. Motion carried with all voting in favor on a roll call vote.

RESOLUTION TEMPORARILY MODIFYING PROCEDURES FOR
THE PAYMENT OF COMMISSIONER WARRANTS, APPROVAL
OF CONTRACTS AND APPROVAL OF EXPENDITURES

WHEREAS, the Nicollet County Board of Commissioners (Board) approves commissioner warrants; and

WHEREAS, the Board approves and signs contracts over \$20,000; and

WHEREAS, the Nicollet County administrator is authorized to spend up to \$10,000 for non-budgeted expenses; and

WHEREAS, state and federal emergency declarations have been issued as a result of the COVID-19 pandemic; and

WHEREAS, during the pandemic it may not be possible or advisable for the Board to hold a meeting to make these approvals; and

WHEREAS, these approvals are critical to the continuation of services provided by Nicollet County.

NOW, THEREFORE, BE IT RESOLVED, the Nicollet County Board of Commissioners authorizes the following changes for commissioner warrants, contracts and expenditures:

- Commissioner warrants may be approved by the county administrator or his designee and the finance director or her designee should the Board not meet. Commissioner warrants would still be emailed to the Board for review.
- Budgeted contracts and expenses may be approved and signed by the county administrator or his designee regardless of the contract amount.
- The county administrator or his designee may approve non-budgeted, essential expenses up to \$25,000.
- For unbudgeted, essential expenses over \$25,000, the county administrator or his designee will consult with the county board chair or vice chair before making the purchase.

Agenda Addition

Resolution Approving the Payment of Employees Impacted by a COVID-19 Shelter-In-Place Order

Administrator Krosch requested approval on the Resolution Approving the Payment of Employees Impacted by a COVID-19 Shelter-In-Place Order.

The resolution authorizes the full-payment of salaries and benefits to employees who have work hours reduced due to a COVID-19 shelter-in-place order.

Motion by Commissioner Morrow and seconded by Commissioner Kemp to approve the Resolution Approving the Payment of Employees Impacted by a COVID-19 Shelter-In-Place Order. Motion carried with all voting in favor on a roll call vote.

RESOLUTION APPROVING THE PAYMENT OF EMPLOYEES IMPACTED BY A COVID-19 SHELTER-IN-PLACE ORDER

WHEREAS, the United States and Minnesota are under state and federal emergency declarations due to the COVID-19 pandemic; and

WHEREAS, a shelter-in-place order may be imposed in Minnesota to help slow the spread of the COVID-19 virus; and

WHEREAS, Nicollet County may have some non-essential employees who need to stay at home during a shelter-in-place order; and

WHEREAS, every attempt will be made to have those non-essential employees do County work from home; and

WHEREAS, Nicollet County has already budgeted the salaries and benefits for all its employees for the year 2020; and

WHEREAS, the Nicollet County Board wants to look out for the well-being of its staff and their families during this pandemic.

NOW, THEREFOR, BE IT RESOLVED, that the Nicollet County Board of Commissioners authorizes the full payment of salaries and benefits to employees who have work hours reduced due to a shelter-in-place order from the COVID-19 pandemic; and

BE IT FURTHER RESOLVED, employees who have work hours reduced due to a COVID-19 shelter-in-place order do not need to use paid leave time to receive their full salaries and benefits; and

BE IT FURTHER RESOLVED, this resolution will remain in effect until December 31, 2020.

Public Works

Consider ROW Acquisition Resolution Project SP 052-614-010

Public Works Director, Seth Greenwood, appeared before the Board to request approval on the ROW Acquisition Resolution for Project SP 052-614-010.

Additional road right-of-way (ROW) will be required for the CSAH 14 slope repair project. Included in the Board packet is Nicollet County ROW Plat 31, which identifies existing road easements that will be acquired and converted to fee title ownership and additional new road ROW. Also included in the packet is a resolution authorizing the acquisition of right-of-way as depicted on Nicollet County ROW Plat 31.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the Resolution Authoring Acquisition of Right-of-Way for Nicollet County Highway Project SP 052-614-010. Motion carried with all voting in favor on a roll call vote.

RESOLUTION AUTHORIZING ACQUISITION OF RIGHT-OF-WAY
FOR NICOLLET COUNTY HIGHWAY
PROJECT SP 052-614-010

WHEREAS, the Nicollet County Public Works Department proposes to reconstruct a segment of County State Aid Highway No. 14 from approximately 260 feet west of County State Aid Highway 21 to 80 feet southeast of Valley High Road in Nicollet County, which project is numbered SP 052-614-010 (hereinafter "Project"); and,

WHEREAS, the Project work consists of grading, base, surfacing, RSS slope wall, curb and gutter, and drainage on said County State Aid Highway No. 14 to provide for the safety of the traveling public; and,

WHEREAS, in addition to the existing easements, certain land and interests therein are required to construct the Project; and,

WHEREAS, the land and interests therein which are needed to construct the Project are described by Nicollet County Right-of-Way Plat No. 31 which is attached hereto (hereinafter "New Right-of-Way"); and,

WHEREAS, the Nicollet County Board of Commissioners desires to begin construction of the Project in 2020; and,

WHEREAS, to begin construction of the Project, the County will require title and possession of the New Right-of-Way prior to the filing of an award by the court appointed commissioners pursuant to the provisions of Minnesota Statute Chapter 117 specifically §117.042;

NOW, THEREFORE, BE IT RESOLVED that the Nicollet County Board of Commissioners hereby authorizes the county highway engineer to proceed to acquire the New Right-of-Way in accordance with Minnesota Statutes.

BE IT FURTHER RESOLVED that the Nicollet County Board of Commissioners hereby authorize the acquisition of the New Right-of-Way that cannot be successfully acquired through negotiation by eminent domain and to take title and possession thereto prior to the filing of an award by the court-appointed commissioners, pursuant to the provisions of Minnesota Statute Chapter 117 specifically §§117.012 and 117.042.

BE IT FURTHER RESOLVED that the Nicollet County Board of Commissioners hereby requests that the Nicollet County attorney file the necessary petition therefore, and to prosecute such action to a successful conclusion or until it is abandoned, dismissed, or terminated by the county of the court.

Informational Items

Commissioner Committee Reports

The Commissioners reported on various meetings and activities including:

Commissioner Marie Dranttel

- Board Workshop
- Broadband Meeting

Commissioner Terry Morrow

- Board Workshop
- Community Health Building Committee Meeting

Commissioner Denny Kemp

- Board Workshop

- Community Health Building Committee Meeting
- Broadband Meeting

Commissioner Jack Kolars

- Connecting Nicollet County
- Brown-Nicollet Community Health Personnel Committee
- MVAC
- Board Workshop
- GMG Board Meeting
- Traverse des Sioux Library

Chair's Report

- Board Workshop

Approve Per Diems and Expenses

Motion by Commissioner Kemp and seconded by Commissioner Dranttel 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 9:49 a.m.



JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:



RYAN KROSCH
CLERK TO THE BOARD