

OFFICIAL PROCEEDINGS OF THE  
BOARD OF COUNTY COMMISSIONERS FOR  
NICOLLET COUNTY, MINNESOTA  
APRIL 28, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, April 28, 2020, at 9:00 a.m. Commissioners Denny Kemp, Jack Kolars, 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.

The meeting was held via teleconference pursuant to Minnesota Statute 13D.021. There were no public comments submitted by email or phone. No members of the public requested to participate in the meeting by phone. The meeting was recorded and broadcasted live online.

**Approval of Agenda**

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve the agenda. Motion carried with all voting in favor on a roll call vote.

**Consent Agenda**

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the consent agenda items as follows: approval of the April 14, 2020 Board Meeting minutes, approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund - \$152,549.07, Road & Bridge Fund - \$797,554.04, Human Services Fund - \$169,577.36 and acknowledge review of the Auditor's Warrants. Motion carried with all voting in favor on a roll call vote.

**Finance**

**Quarter 1 Donations**

Finance Director, Heather McCormick, appeared before the Board to request approval on the 2020 Quarter 1 Donations.

<u>FROM WHOM</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
Various Donors	\$ 1,180.00	Veteran's Van
South-Central Beyond the Yellow Ribbon Chapter	500.00	Kwik Trip
(Gift cards for Veterans)	250.00	Family Fresh
	250.00	Hy-Vee
R&M Promotions LLC	800.00	Winter Slam
<u>Various Donations</u>	<u>155.00</u>	<u>Loan Closet</u>
Total	\$3,135.00	

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the 2020 Quarter 1 Donations. Motion carried with all voting in favor on a roll call vote.

## **Administration**

### **Nicollet County Correctional Service Delivery Change**

County Administrator, Ryan Krosch, appeared before the Board to request approval of a resolution authorizing a change to the Nicollet County correctional service delivery system.

This is a topic that is being revisited from 2016, has been discussed at County Board strategic planning sessions and is in the 2020 Nicollet County Strategic Plan for implementation. In recent months there has been communication between all the key stakeholders about a transition to the Community Corrections Act (CCA). All are in general support of the change and think it could provide more opportunities for providing even better criminal justice service than we do now.

In Minnesota there are three correctional service delivery systems. The recommendation is for Nicollet County to transition from the County Probation Officer system to the CCA system. Under a CCA system, a more uniform delivery of correctional services will occur as the County would take over felony supervision from the Minnesota Department of Correction. This system also offers greater opportunity for collaboration with the formation of a corrections advisory board made up of key stakeholders.

To make a change to the CCA, the Board would need to pass a resolution making the change and notify the Minnesota Department of Corrections by June 30, 2020. Implementation would occur July 1, 2021.

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve the Resolution Approving the Community Corrections Act as the Nicollet County Correctional Service Delivery System. Motion carried with all voting in favor on a roll call vote.

#### RESOLUTION APPROVING THE COMMUNITY CORRECTIONS ACT AS THE NICOLLET COUNTY CORRECTIONAL SERVICE DELIVERY SYSTEM

**WHEREAS**, Minnesota has three correctional delivery systems for the supervision of offenders on parole, probation and supervised release; and

**WHEREAS**, Nicollet County currently operates under the County Probation Officer (CPO) system as provided for in Minnesota Statute 244.19; and

**WHEREAS**, key stakeholders in Nicollet County conducted a thorough policy analysis of the three delivery systems in 2016 and 2020; and

**WHEREAS**, this analysis evaluated the three delivery systems and how each relates to Nicollet County's organizational direction and its mission, vision and core values; and

**WHEREAS**, Minnesota Statute Chapter 401 allows counties over 30,000 in population to deliver correctional services under the Community Corrections Act (CCA) system; and

**WHEREAS**, Nicollet County's 2010 US Census population was 32,727 and the Minnesota State Demographer's 2018 estimated population for the County was 34,189; and

**WHEREAS**, Pursuant to Minnesota Statute 401.08, the formation of a corrections advisory board under the CCA will enhance collaboration in the delivery of correctional services; and

**WHEREAS**, a county must notify the Minnesota Department of Corrections Commissioner by June 30, 2020 in order to transition to the CCA service delivery system on July 1, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, the Nicollet County Board of Commissioners hereby approves changing Nicollet County's correctional service delivery from the County Probation Officer system to the Community Corrections Act system; and

**BE IT FURTHER RESOLVED**, the Nicollet County Board of Commissioners directs the Nicollet County Administrator to notify the Minnesota Department of Corrections Commissioner by June 30, 2020 of Nicollet County's intent to change to the CCA delivery system; and

**BE IT FURTHER RESOLVED**, the Nicollet County Board of Commissioners also directs the Nicollet County Administrator to begin facilitating a transition to the CCA delivery system immediately with the intent to officially provide correctional services under the CCA on July 1, 2021.

## **2020 First Half Property Tax Collections, Penalties and Settlements**

Administrator Krosch once again brought forth the discussion on 2020 first half property tax collections, penalties and settlements. Included in the packet is information regarding the waiving of the late penalty on 2020 property taxes paid after May 15 for a duration of time as determined by the Board. The County Board has the authority under MN Statute 279.01 to abate tax penalties if they found the imposition of those penalties would be unjust and unreasonable. The COVID-19 pandemic has created a situation that allows the County Board to consider this authority under 279.01. Counties across the state are taking a wide variety of action, with many discussing this very topic today during their own Board meetings. Presented to the Board, and included in the packet, are two options in the form of a resolution.

Administrator Krosch invited Public Services Manager Jaci Kopet to the podium to address questions from the Board and to discuss this item further.

Motion by Commissioner Kolars to not proceed with any relief for tax penalty abatement. With no second, Commissioner Kolars withdrew his motion.

Motion by Commissioner Dranttel and seconded by Commissioner Kolars to approve the Resolution Providing for Abatement of the Penalty on Late Payment of 2020 First Half Property Taxes Due to the Covid-19 Pandemic with Option One, as amended, being the penalty abatement approved. Motion carried 4-0-1 on a roll call vote with Commissioner Kolars abstaining.

### **RESOLUTION PROVIDING FOR ABATEMENT OF THE PENALTY ON LATE PAYMENT OF 2020 FIRST HALF PROPOERTY TAXES DUE TO THE COVID-19 PANDEMIC**

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

**WHEREAS**, the Governor of Minnesota has issued several executive orders due to the COVID-19 pandemic; and

**WHEREAS**, public health guidance on social distancing due to the COVID-19 pandemic has been issued by world, federal, state and local health organizations; and

**WHEREAS**, these declarations, executive orders and health guidance have had an unprecedented impact on the world, national, state and local economies; and

**WHEREAS**, Nicollet County desires to provide temporary relief to its taxpayers that have been directly impacted by the economic pressures caused by the COVID-19 pandemic; and

**WHEREAS**, Nicollet County recognizes that these economic pressures will make it difficult for some County taxpayers to pay their property taxes on or before the May 15, 2020 due date; and

**WHEREAS**, pursuant to Minn. Stat. § 279.01, subd. 2, the County Board may abate the penalty for late payment of property taxes; and

**WHEREAS**, the County Board finds that imposing the full penalty for late payment of first-half property taxes in 2020 would be unjust and unreasonable due to circumstances created by the COVID-19 pandemic.

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

1. Pursuant to Minn. Stat. § 279.01, subd. 2, the County Board hereby delegates to the Nicollet County Public Services Manager the authority to abate the penalty provided in Minn. Stat. §279.01 for the late payment of first-half 2020 property taxes due on or before May 15, 2020.
2. This authority to abate penalty shall be for a period of May 16, 2020 through July 15, 2020.

3. Only Nicollet County taxpayers who own commercial property with a business that was required to close under a Minnesota Governor Executive Order issued between March 16, 2020 and May 15, 2020 are eligible for an abatement of penalty under this Resolution.
4. Taxpayers who pay by escrow, utilities and taxpayers with over \$100,000 of property taxes due payable in 2020 are not eligible for an abatement of penalty under this Resolution.
5. All those eligible to receive a penalty abatement under this Resolution must submit an application prescribed by Nicollet County to the Property & Public Services Department by May 15.

## **Public Works**

### **Consider CSAH 12 Geotechnical Instruments Proposal**

Public Works Director, Seth Greenwood, appeared before the Board to request approval on the CSAH 12 Geotechnical Instruments Proposal.

This item is in regards to the CSAH 12 project to raise the flooded portion of CSAH 12. To raise CSAH 12 will require building on very poor and unstable soils and to accomplish this without having an embankment failure will require staged construction. Staged construction means that we will fill a layer, monitor its soil pore pressure and rate of settlement, and when determined stable add an additional layer until we achieve our final design surcharge elevation. After the surcharge is complete we will need to continue to monitor the settlement rate to determine when we can remove the surcharge and finish the project.

To be able to determine when the contractor can move forward with subsequent fill layers and ultimately to remove the surcharge requires instruments to be embedded into the poor soils and embankment (fill) areas. Nicollet County does not have the required instruments or expertise on staff to accomplish this. Braun Intertec has submitted a proposal to provide these geotechnical instrumentation services.

Motion by Commissioner Morrow and seconded by Commissioner Kolars to approve the CSAH 12 Geotechnical Instruments Proposal and authorize Public Works Director Greenwood to sign the proposal. Motion carried with all voting in favor on a roll call vote.

### **Highway Department's 2019 Annual Report**

Director Greenwood presented the Highway Department's 2019 Annual Report.

The Highway Department's annual report is a financial accounting for all activities that went into maintaining Nicollet County's road and bridge infrastructure for 2019.

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve Highway Department's 2019 Annual Report. Motion carried with all voting in favor on a roll call vote.

Director Greenwood also provided updates on various road and bridge projects.

### **Commissioner Committee Reports**

The Commissioners reported on various meetings and activities including:

#### **Commissioner Marie Dranttel**

- Probation Meeting

**Commissioner Terry Morrow**

- Public Health Weekly Check-In
- Probation Meeting
- Brown Nicollet Environmental Health

**Commissioner Denny Kemp**

- South Central EMS Meeting
- Probation Meeting
- Public Safety Meeting
- AMC Governors Conference Call

**Commissioner Jack Kolars**

- Traverse des Sioux Meeting
- GMG Meeting
- Probation Meeting
- MVAC Meeting
- CHS Meeting

**Chair's Report**

- Probation Meeting
- Brown Nicollet Environmental Health

**Approve Per Diems and Expenses**

Motion by Commissioner Kemp and seconded by Commissioner Kolars 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 on a roll call vote.

**Adjourn**

Motion by Commissioner Kemp and seconded by Commissioner Morrow to adjourn the meeting. Motion carried with all voting in favor on a roll call vote. The meeting adjourned at 10:46 a.m.

  
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JOHN LUEPKE, CHAIR  
BOARD OF COMMISSIONERS

ATTEST:

  
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RYAN KROSCH  
CLERK TO THE BOARD