

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
JUNE 23, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, June 23, 2020, at 9:01 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 due to the coronavirus pandemic. 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 Kolars and seconded by Commissioner Kemp to approve the agenda with the following addition: 2020 State of Minnesota Annual County Boat and Water Safety Grant Agreement. Motion carried with all voting in favor.

Consent Agenda

Motion by Commissioner Morrow and seconded by Commissioner Kemp to approve the consent agenda items as follows: approval of the June 9, 2020 Board Meeting minutes, approval of the June 15, 2020 County Board of Appeal and Equalization minutes, approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund - \$143,031.74, Road & Bridge Fund - \$19,958.81, Human Services Fund - \$113,571.73 and acknowledge review of the Auditor's Warrants; Nicollet County and Nicollet County Trails Association, Inc. Trails Agreement and Resolution Approving Nicollet County as the Sponsor of the Maintenance and Grooming Grant Agreement, end of probation for Stacy Helget, effective July 1, 2020 and 2020 State of Minnesota Annual County Boat and Water Safety Grant Agreement. Motion carried with all voting in favor.

RESOLUTION APPROVING NICOLLET COUNTY AS THE SPONSOR OF THE MAINTENANCE AND GROOMING GRANT AGREEMENT, RELATED DUTIES FOR THE MINNESOTA SNOWMOBILE TRAILS ASSISTANCE PROGRAM AND GENERAL APPLICATIONS FOR FUNDING

WHEREAS, the GRANT AGREEMENT is made between the State of Minnesota, acting by and through the Commissioner of Natural Resources, and Nicollet County referred to as the "Sponsor" relating to the maintenance and grooming of the trails specific in said GRANT AGREEMENT; and

WHEREAS, the MN River Valley Trail/Nicollet County Trails Association, Inc. will be the Sponsor's Agent responsible for the maintenance and grooming services; and

WHEREAS, the Sponsor desires to maintain the trails for the enjoyment of the public; and

WHEREAS, the Minnesota Snowmobile Trails Assistance Program provides grants to local units of government for the maintenance of recreational trails pursuant to Minnesota Statutes Chapter 84.83; and

WHEREAS, it is the State's sole responsibility under the GRANT AGREEMENT to provide funds to the Sponsor as approved and available by the State Legislature; and

WHEREAS, the Sponsor has applied to the State for grant for said trails.

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

1. That Nicollet County will serve as the Local Unit of Government acting as the Sponsor of the Minnesota Snowmobile Trails Assistance Program, Maintenance and Grooming Grant Agreement, and general applications for funding.

Public Appearances

No public appearances were made.

Administration

Resolution Accepting the Resignation of the County Recorder

County Administrator, Ryan Krosch, appeared before the Board to request approval on the Resolution to Accept the Resignation of the County Recorder.

Elected County Recorder Kathy Conlon has submitted her resignation effective June 27, 2020. Her signed resignation is included in the packet. MN Statute 351.01 states a resignation by an elected official shall be submitted to the board authorized to fill the vacancy in that office. The County Board is the board given this authority.

The resolution included in the packet accepts the resignation and assigns over site of the county recorder's office duties to the Nicollet County Property and Public Services Director, or their designee, until an appointment can be made by the County Board under Minnesota Statute 375.08 or 375A.1205.

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the Resolution to Accept the Resignation of the County Recorder. Chair Morrow acknowledged Kathy Conlon's work and dedication to Nicollet County. Motion carried with all voting in favor on a roll call vote.

RESOLUTION ACCEPTING THE RESIGNATION OF THE COUNTY RECORDER AND TEMPORARILY ASSIGNING OVERSIGHT OF THE COUNTY RECORDER'S OFFICE DUTIES

WHEREAS, Minnesota Statute 351.01 states resignations by incumbent elected officials shall be submitted to the officer, body or board authorized by law to fill a vacancy in such office; and

WHEREAS, Minnesota Statute 351.02 states an elected office shall become vacant before the expiration of a term by a resignation from the incumbent; and

WHEREAS, Minnesota Statutes 375.08 and 375A.1205 state a county board shall appoint a county recorder when the elected office becomes vacant; and

WHEREAS, incumbent, elected Nicollet County Recorder Kathryn Conlon has submitted to the Nicollet County Board a written and signed resignation from her duties as County Recorder effective June 27, 2020; and

WHEREAS, the Nicollet County Board wishes to temporarily assign oversight of the county recorder's office duties until an appointment can be made by the County Board under Minnesota Statute 375.08 or 375A.1205.

NOW, THEREFORE, BE IT RESOLVED, the Nicollet County Board of Commissioners accepts the resignation of elected Nicollet County Recorder Kathryn Conlon effective June 27, 2020.

THEREFORE, BE IT FURTHER RESOLVED, that effective June 27, 2020, the Nicollet County Board of Commissioners assigns oversight of the county recorder's office duties to the Nicollet County Property and Public Services Director, or their designee, until an appointment can be made by the County Board under Minnesota Statute 375.08 or 375A.1205.

Resolution of the Intent to Make the Office of Nicollet County Recorder Appointed

Administrator Krosch requested approval from the Board on the Resolution of the Intent to Make the Office of Nicollet County Recorder Appointed.

MN Statute 375A.1205 provides a process for making certain elected county offices appointed. With the retirement and resignation of elected County Recorder Kathy Conlon, the Board can advertise and schedule a public comment opportunity at a future Board meeting to take comments on the intent to make this position appointed instead of elected.

The resolution included in the packet authorizes the advertising of the required notice and states public comment will be heard on the intent to appoint the County Recorder position at the Nicollet County Board meeting held on July 14, 2020 at 9:30 a.m. in the County Board Room located in the Nicollet County Government Center.

Motion by Commissioner Morrow and seconded by Commissioner Kemp to approve the Resolution of the Intent to Make the Office of Nicollet County Recorder Appointed. Motion carried with all voting in favor on a roll call vote.

RESOLUTION NOTIFYING THE PUBLIC OF THE INTENT TO MAKE THE OFFICE OF NICOLLET COUNTY RECORDER APPOINTED AND PROVIDING AN OPPORTUNITY FOR PUBLIC COMMENT

WHEREAS, Minnesota Statute 375A.1205 provides a process for making certain county offices appointed in Nicollet County; and

WHEREAS, the Nicollet County Board of Commissioners intends to consider making the Office of Nicollet County Recorder appointed; and

WHEREAS, the County Board must notify the public of its intent to make the Office of Nicollet County Recorder appointed by publishing this resolution once a week for two consecutive weeks in the official publication of the County; and

WHEREAS, the Nicollet County Board must provide an opportunity for public comment related to appointing the Office of Nicollet County Recorder; and

WHEREAS, the Office of Nicollet County Recorder is vacant due to the resignation of the incumbent recorder.

NOW, THEREFORE, BE IT RESOLVED, the Nicollet County Board of Commissioners intends to consider the appointment of the Nicollet County Recorder.

THEREFORE, BE IT FURTHER RESOLVED, that the required notice be published in the St. Peter Herald, Nicollet County's official newspaper, on Thursday, June 25, 2020 and Thursday, July 2, 2020.

THEREFORE, BE IT FURTHER RESOLVED, that notice is hereby given that public comment will be heard on the intent to appoint the County Recorder position at the Nicollet County Board meeting held on July 14, 2020 at 9:30 a.m. in the County Board Room located in the Nicollet County Government Center at 510 South Minnesota Avenue, St. Peter, MN.

Property Services

June 15, 2020 Planning & Zoning Advisory Commission Meeting

Property Services Director, Mandy Landkamer, appeared before the Board to request approval on one item from the June 15, 2020 Planning and Zoning Advisory Commission Meeting.

- 1) Scott Umhoefer/Robert Schuck – Expand an existing hunting shack on Swan Lake with an 88 square foot addition to be used for storage and as a utility room. Jerry Payne commented on the request that Swan Lake is a game

refuge, it is not a lake for water skiing and that he preferred that the applicant use a portable toilet rather than a holding tank.

Motion by Commissioner Kemp and seconded by Commissioner Dranttel to accept the Planning and Zoning Advisory Commission's June 15, 2020 report, recommendations and findings as submitted therein, which included the following:

Scott Umhoefer/Robert Schuck	PLN20-19	Expand an existing hunting shack on Swan Lake with an 88 square foot addition to be used for storage and as a utility room
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Motion carried with all voting in favor.

Sheriff's Office

Public Hearing: Dangerous and Potentially Dangerous Dog Ordinance

At 9:30 a.m. Chair Luepke opened the public hearing on the Dangerous and Potentially Dangerous Dog. County Sheriff Dave Lange appeared before the Board to request approval on the Dangerous and Potentially Dangerous Dog Ordinance.

Sheriff Lange gave an overview on the ordinance and provided details on presentations to cities within the County that do not have law enforcement within their jurisdiction. The aforementioned cities are supportive of this ordinance. Sheriff Lange added that there is a local veterinarian that has agreed to be the hearing officer for this ordinance.

Chair Luepke called twice for public comment and with no public comment Chair Luepke closed the public hearing.

Motion by Commissioner Morrow and seconded by Commissioner Kemp to approve adoption of an Ordinance Relating to the Designation and Registration of Potentially Dangerous Dogs and Dangerous Dog, as presented. Motion carried with all voting in favor.

Public Works

Consider MnDOT Intersection Lighting Agreement (CSAH 1 & TH 15)

Public Works Director, Seth Greenwood, appeared before the Board to request approval on the MnDOT Intersection Lighting Agreement (CSAH 1 & TH 15).

MnDOT District 7 is developing a safety project that will provide for enhanced signing, pavement markings, and intersection lighting at several key intersections. The intersection of CSAH 1 and TH 15 has been identified as a key intersection for safety enhancements. MnDOT's cost participation policy requires county participation in intersection lighting. MnDOT will furnish and install the lighting system with the county responsible for all future maintenance and power costs. Nicollet County has a past history of participating in intersection lighting projects that involve county road and trunk highway intersections.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the MnDOT Intersection Lighting Agreement. Motion carried with all voting in favor.

Additionally, Director Greenwood provided updates on various road projects in the County.

Commissioner Committee Reports

The Commissioners reported on various meetings and activities including:

Commissioner Marie Dranttel

- Board Workshop
- Planning and Zoning Advisory Meeting
- County Board of Appeals and Equalization
- St. Peter Liaison Meeting
- #OurStPeter Meeting
- Sibley County Joint Ditch Meeting
- One Watershed One Plan Meeting

Commissioner Terry Morrow

- Board Workshop
- AMC
- St. Peter Liaison Meeting
- Legislative Election Meeting
- County Board of Appeals and Equalization

Commissioner Denny Kemp

- Board Workshop
- MRCI
- County Board of Appeals and Equalization

Commissioner Jack Kolars

- Board Workshop
- Highway 14 Meeting
- ATP
- MVAC Meeting
- County Board of Appeals and Equalization
- Greater Mankato Growth
- Traverse des Sioux Library

Chair's Report

- Board Workshop
- Sibley County Joint Ditch Meeting
- County Board of Appeals and Equalization

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.

Adjourn

Motion by Commissioner Kemp and seconded by Commissioner Kolars to adjourn the meeting. Motion carried with all voting in favor. The meeting adjourned at 9:41 a.m.



JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:



RYAN KROSCH
CLERK TO THE BOARD