

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
JULY 14, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, July 14, 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 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 Morrow to approve the agenda with the following additions: consider award of contract for SP 052-612-008 (CSAH 12) and a discussion on County COVID-19 mask policies. Motion carried with all voting in favor.

Consent Agenda

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the consent agenda items as follows: approval of the June 23, 2020 Board Meeting minutes, approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund - \$190,738.26, Road & Bridge Fund - \$47,939.91, Human Services Fund - \$309,925.39 and acknowledge review of the Auditor's Warrants; end of probations: Abigail Lewis, effective July 1, 2020 and Molly Stoffel, effective July 16, 2020. Motion carried with all voting in favor.

Public Appearances

No public appearances were made.

Emergency Management

Resolution Declaring State of Emergency

Emergency Management Director, Justin Block, appeared before the Board to request formal approval on the Resolution Declaring a State of Emergency.

Due to heavy rains on June 29, 2020, Nicollet County sustained significant damages to public property in parts of the County. Nicollet County Emergency Management will be requesting assistance from Homeland Security Emergency Management (HSEM) with a preliminary damage assessment for the State Public Assistance Program. Nicollet County declared a State of Emergency with Chair Luepke and Administrator Krosch signing the resolution on July 1, 2020 to ensure completion to the State in a timely manner.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the Resolution Declaring State of Emergency. Motion carried with all voting in favor on a roll call vote.

RESOLUTION DECLARING A STATE OF EMERGENCY

WHEREAS, the heavy rain/flooding event from June 29, 2020 has impacted the population of Nicollet County, and

WHEREAS, the heavy rain/flooding has caused a significant amount of public property damage; and

WHEREAS, Nicollet County Emergency Management requests the Nicollet County Board of Commissioners to declare Nicollet County in a State of Emergency as a result of this flooding.

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

I certify that the above resolution was adopted by the Nicollet County Board of Commissioners on the 1st day of July, 2020.

Sheriff's Office

Ordinance Relating to the Designation and Registration of Potentially Dangerous Dogs and Dangerous Dogs

County Attorney, Michelle Zehnder Fischer, requested approval from the Board on the adoption of the resolution regarding the Ordinance Relating to the Designation and Registration of Potentially Dangerous and Dangerous Dogs.

The Board held a public hearing on the Ordinance Relating to the Designation and Registration of Potentially Dangerous Dogs and Dangerous Dogs on June 23, 2020 and thereafter adopted the Ordinance. The Ordinance was published in the Lafayette Ledger and St. Peter Heard.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the adoption of the Resolution Regarding the Ordinance Relating to the Designation and Registration of Potentially Dangerous and Dangerous Dogs. Motion carried with all voting in favor on a roll call vote.

RESOLUTION REGARDING THE ADOPTION OF AN ORDINANCE RELATING TO THE DESIGNATION AND REGISTRATION OF POTENTIALLY DANGEROUS DOGS AND DANGEROUS DOGS

THE COUNTY BOARD OF NICOLLET COUNTY ORDAINS:

WHEREAS, the Ordinance Relating to the Designation and Registration of Potentially Dangerous Dogs and Dangerous Dogs provides for procedures to address potentially dangerous and dangerous dogs in order to protect the health, safety, and general welfare of the public; and

WHEREAS, Nicollet County held a public hearings on June 23, 2020, during the Nicollet County Board of Commissioners Board meeting to discuss the proposed Ordinance; and

THEREFORE IT BE RESOLVED, the Nicollet County Board of Commissioners hereby adopts the Ordinance Relating to the Designation and Registration of Potentially Dangerous Dogs and Dangerous Dogs; and

BE IT FURTHER RESOLVED, the Ordinance Relating to the Designation and Registration of Potentially Dangerous Dogs and Dangerous Dogs supersedes Resolution 276-2001 relating to the fee for a Dangerous Dog License.

BE IT FURTHER RESOLVED, the summary of the adopted Ordinance was published on July 2, 2020, in the St. Peter Herald and the Lafayette Nicollet Ledger pursuant to Minnesota Statutes Sections 331A.01 and 375.51.

Public Works

Consider Award of 2020 Highway Striping Project

Public Works Director, Seth Greenwood, appeared before the Board to present results and recommendations on bids for the 2020 Highway Striping Project. Bids were opened on June 29, 2020 and three bids were received. The bid results are as follows:

Contractor	Total for Project SP 052-612-008
Engineers Estimate	\$133,382.98
Traffic Marking Service, Inc.	\$120,879.18
Sir Lines-A-Lot	\$125,881.62
AAA Striping Service Co.	\$128,800.09

Motion by Commissioner Kolars and seconded by Commissioner Kemp to award the 2020 Highway Striping Project to the low bidder, Traffic Marking Service, Inc., for the low bid amount of \$120,879.18 and authorize entering into a contract with Traffic Marking Services, Inc. pending contract language approval by the County Attorney. Motion carried with all voting in favor.

Agenda Addition: Consider Award of Contract for SP 052-612-008

Director Greenwood presented the results and recommendations on bids for CSAH 12 SP 052-612-008. Bids were opened on June 30, 2020 and four bids were received. The bid results are as follows:

Contractor	Total for Project SP 052-612-008
Engineers Estimate	\$6,954,123.75
Mathiowetz Construction Co.	\$5,995,534.78
Midwest Contracting, LLC	\$6,605,259.85
S.M. Hentges & Sons, Inc.	\$7,166,288.98
Central Specialist Inc.	\$8,156,698.82

Motion by Commissioner Kemp and seconded by Commissioner Morrow to award the contract for SP 052-612-008 to the low bidder, Mathiowetz Construction Co., for the low bid amount of \$5,995,534.78 and authorize entering into a contract with Mathiowetz Construction Co. pending contract language approval by the County Attorney. Motion carried with all voting in favor on a roll call vote.

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

Administration

Public Comment and Resolution Establishing the Appointed Office of County Recorder

County Administrator, Ryan Krosch, appeared before the Board to request approval on the Resolution Establishing the Appointed Office of County Recorder.

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 approved a resolution on June 23, 2020 that stated public comment would 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.

At 9:38 a.m. Chair Luepke opened the Public Comment portion of the meeting. Chair Luepke called for public comment and with no public comments Chair Luepke closed the public comment.

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

RESOLUTION ESTABLISHING THE APPOINTED OFFICE OF COUNTY RECORDER

WHEREAS, Minnesota Statute 382.01 states the office of county recorder shall be elected; and
WHEREAS, Minnesota Statute 375A.1205 provides a process for making certain county elected offices appointed; and

WHEREAS, the office of Nicollet County Recorder became vacant on June 27, 2020 due to the retirement of the incumbent elected County Recorder Kathy Conlon; and

WHEREAS, pursuant to Minnesota Statute 375A.1205, the Nicollet County Board of Commissioners notified the public by publishing a resolution adopted June 23, 2020 of its intent to make the Office of Nicollet County Recorder appointed; and

WHEREAS, said resolution was published in the St. Peter Herald on June 25 and July 2, 2020; and

WHEREAS, the Nicollet County Board of Commissioners provided an opportunity for public comment related to appointing the Office of Nicollet County Recorder at its meeting on July 14, 2020; and

WHEREAS, pursuant to Minnesota Statute 375A.1205 and after said public comment, a county board can approve a resolution to make an elective office become appointed; and

WHEREAS, said resolution must be approved by at least 80 percent (4/5th) of the members of the county board; and

WHEREAS, said resolution will take effect 30 days after it is adopted unless a petition is filed pursuant to Minnesota Statute 375A.1205.

NOW, THEREFORE, BE IT RESOLVED, the Nicollet County Board of Commissioners hereby establishes the Office of Nicollet County Recorder as an appointed position instead of elected.

BE IT FURTHER RESOLVED, the Nicollet County Board of Commissioners orders that the effective date of establishing the appointed Office of Nicollet County Recorder be 30 days after adoption of this resolution (August 13, 2020) unless a petition is filed pursuant to Minnesota Statute 375A.1205.

BE IT FURTHER RESOLVED, the appointed Office of Nicollet County Recorder will also fulfill the duties required in Minnesota Statute of a county registrar of titles and deeds.

CARES Act Funding

Administrator Krosch provided an update on the CARES Act funding the County has received through the State.

Nicollet County received over \$4.1 million of Federal CARES Act funds to assist with costs associated with responding to the COVID-19 pandemic. In order for expenses to be approved the expenses need to be incurred between the period of March 1, 2020 through December 30, 2020 and meet criteria set forth by the Federal Government.

Administrator Krosch invited Health and Human Services Director, Cassie Sassenberg, to the podium to provide an overview of expenses Health and Human Services has planned to execute with the newly acquired CARES Act funds.

The consensus from the Board was to continue this conversation at the next Board workshop on July 21, 2020 to allow time for additional research on how to best allocate these funds across the County.

Agenda Addition: Discussion on County COVID-19 Mask Policy

At the request of Commissioner Kolars, there was a discussion on enforcing the wearing of masks while in Nicollet County buildings. Commissioner Kolars would like serious consideration of a new mask policy to be put into place at Nicollet County.

The consensus from the Board was to continue this conversation at the next Board workshop on July 21, 2020.

Commissioner Committee Reports

The Commissioners reported on various meetings and activities including:

Commissioner Marie Dranttel

- Brown Nicollet Environmental Health
- One Watershed One Plan Meeting
- Ethnically Diverse Groups Meeting

Commissioner Terry Morrow

- Chemical Health Group
- Public Health Group

Commissioner Denny Kemp

- Brown Nicollet Environmental Health
- MRCI Executive Board Meeting
- Stakeholders Meeting with County Attorney's Office

Commissioner Jack Kolars

- Traverse des Sioux Board ZOOM Meeting
- IMMTrack Meeting

Chair's Report

- Terri Pongratz's Retirement
- Lower Watershed Meeting

- SWCD Meeting

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 Morrow to adjourn the meeting. Motion carried with all voting in favor. The meeting adjourned at 11:02 a.m.



JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:



RYAN KROSCH
CLERK TO THE BOARD