

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
JANUARY 5, 2021

The Nicollet County Board of Commissioners met in regular session on Tuesday, January 5, 2021, 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 Sarah Frahm.

The meeting was held via teleconference pursuant to Minnesota Statute 13D.021 due to the coronavirus pandemic. Zoom meeting technology was used to conduct the meeting. Chair Morrow, Administrator Krosch and Recording Secretary Frahm were in attendance at the County Board Room. All commissioners, staff and public participated via Zoom. The meeting was also video recorded.

Election of Officers

Commissioner Luepke asked for nominations for Board Chair for 2021. Motion by Commissioner Luepke and seconded by Commissioner Kolars to nominate Commissioner Morrow for the position of Chair of the Nicollet County Board for 2021. Commissioner Luepke asked three times for additional nominations. No other nominations were made. Motion carried 4-0 on a roll call vote with Commissioner Morrow abstaining.

Chair Morrow asked for nominations for Board Vice Chair. Motion by Commissioner Kemp and seconded by Commissioner Kolars to nominate Commissioner Dranttel for the position of Vice Chair of the Nicollet County Board for 2021. Commissioner Luepke 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

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

Consent Agenda

Commissioner Kolars asked that consent agenda item nine, Legal Services Contract for CHIPS Cases, be removed for discussion on the regular agenda. Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the consent agenda items as follows: December 15, 2020 Board Meeting minutes, 2021 solid waste collection and transportation license applicants, 2021 board meeting and workshop schedule, 2021 Gopher Bounty Resolution, 2021 library contracts, Resolution Approving Publication of Transportation Project Advertisements for Bids on the Nicollet County Website, Resolution Approving the Official Newspaper for Publications in 2021, Resolution to Delegate EFT Authority, end of probation for Jennifer Seeley, effective January 6, 2021, and approval of the Commissioner Warrants as presented for the

following amounts: General Revenue Fund - \$362,113.42 and \$143,487.76, Road & Bridge Fund - \$143,898.40 and \$30,840.27, Human Services Fund - \$176,449.43 and \$87,902.69, and acknowledge review of the Auditor's Warrants. Motion carried with all voting in favor on a roll call vote.

Commissioner Kolars opened a discussion regarding the approval of the legal services contracts for CHIPS cases, asking County Attorney Zehnder-Fischer if the County was satisfied with the work the attorneys were doing in protecting and serving the County's children. Attorney Zehnder-Fischer stated that all three attorneys that provide services for CHIPS cases have been in their roles for a number of years and have done an excellent job. With no other comments, a motion was made by Commissioner Kolars and seconded by Commissioner Kemp to approve the legal services contracts for CHIPS cases. Motion carried with all voting in favor on a roll call vote.

Public Appearances

There were no public appearances.

Health and Human Services

COVID-19 Update

Health and Human Services (HHS) Director, Cassie Sassenberg, gave an update on the response of HHS to the COVID-19 pandemic. Regarding case investigation, there are currently 2,116 cumulative cases, with 77 of those cases active. The number of positive cases continues to decrease. The current trend is related to workplace and congregate living spread, with two congregate living sites currently experiencing outbreaks. The highest number of cases is occurring in the age group of 30-39 years. While the numbers are decreasing, HHS is maintaining their expanded COVID-19 team until at least early February in the event of another surge that may occur. They are opening a testing site in Lafayette this Friday, January 8, that will be able to provide up to 200 COVID-19 tests. The HHS team is also continuing to do weekly testing at congregate living locations in the County.

The County received its first shipment of the Moderna vaccine in late December and has been storing it in a secure location. Vaccinations will begin on January 6 at the North Mankato Services Building for EMS responders and trainers. On January 12, there will be a vaccine event at HHS for around 50 individuals, such as school nurses, home health care workers, Gustavus health services, and pharmacy staff members.

HHS staff is currently doing indoor vaccination events but would like to eventually use a drive-through model. One requirement of the vaccination is to observe people for 15 minutes after they receive the vaccine, and HHS is determining the best method to do this when using the drive-through model. During these clinics, HHS and other County staff will also begin to receive vaccinations on a limited basis, so no vials are wasted once they are opened. They will also begin training volunteer nurses, but will most likely need additional volunteers as the clinics and vaccinations are expanded.

There have been many requests from the public wanting to receive information regarding the vaccination schedule. HHS is working on a press release to provide more detailed information to all County residents as the information becomes available. There will be additional shipments of the vaccine, but HHS staff does not yet know when they will be available or the amount that will be sent, so final details are still being worked out.

Human Resources

Families First Coronavirus Response Act (FFCRA) Extension for 2021

Human Resources Director, Jamie Haefner, appeared before the Board to request approval of an extension of the FFCRA. 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. These leave policies expired on December 31, 2020 and the current administration has made no move to extend them into 2021. Director Haefner recommended that at a county level we take action to extend these leave benefits to March 31, 2021 for those staff that still have time available to them.

Director Haefner stated that as of today, 78 staff have used some of this time. Commissioner Kolars asked if there would be any reimbursement from the Federal level. Administrator Krosch stated there was reimbursement for the 2020 expenses from CARES funding, as the time was an eligible expense. Administrator Krosch is unsure what funding will be available for 2021.

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

RESOLUTION EXTENDING THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT BENEFITS

WHEREAS, the Federal Families First Coronavirus Response Act ("Act") went into effect on April 2, 2020 in response to the COVID-19 pandemic; and

WHEREAS, the Act includes provisions for employer provided emergency paid sick leave and expansion to the Family Medical Leave Act for employees that are unable to work or telework due to COVID-19; and

WHEREAS, the Act expired on December 31, 2020; and

WHEREAS, the Act has not been extended past December 31, 2020 by the Federal Government; and

WHEREAS, COVID-19 continues to create a need for employee time off in 2021; and

WHEREAS, the Nicollet County Board continues to be committed to supporting the well-being of its staff and their families during this pandemic.

NOW, THEREFORE, BE IT RESOLVED, the Nicollet County Board of Commissioners approves extending the benefits of the Act to March 31, 2021.

BE IT FURTHER RESOLVED; should the Act be extended or modified by the Federal Government, Nicollet County shall follow said extension and modifications.

Property Services

Comprehensive Plan Adoption Resolution

Property and Public Services Director, Mandy Landkamer, appeared before the Board to request approval of a Resolution for the Adoption of the Nicollet County Comprehensive Plan. All required hearings and publication requirements have been completed.

Motion by Commissioner Kemp and seconded by Commissioner Dranttel to approve a Resolution for the Adoption of the Nicollet County Comprehensive Plan. Motion carried with all voting in favor on a roll call vote.

A RESOLUTION FOR THE ADOPTION OF THE NICOLLET COUNTY COMPREHENSIVE PLAN

THE COUNTY BOARD OF NICOLLET COUNTY ORDAINS:

WHEREAS, Minnesota Statutes Section 394.21 grants a county the authority to carry out planning and zoning activities; and

WHEREAS, Minnesota Statutes Section 394.23 grants a county board the authority to prepare and adopt by ordinance a comprehensive plan which is the basis for official controls; and

WHEREAS, the original Nicollet County Comprehensive Plan was adopted in 1985;

WHEREAS, in 2018, the Nicollet County Board of Commissioners (Board) authorized the review and update of the 1985 Comprehensive Plan; and

WHEREAS, the 2040 Comprehensive Plan reflects a community planning process conducted in the years 2018 through 2020, involving elected officials, appointed officials, city staff, community organizations, the public at large, developers, and other stakeholders; and

WHEREAS, pursuant to the requirements of Minnesota Statutes Sections 394.26 and 375.51, following a public hearing on November 16, 2020 during the Planning and Zoning Advisory Commission (Commission) meeting, the Commission unanimously recommended approval for adoption of the proposed 2040 Comprehensive Plan; and

WHEREAS, pursuant to the requirements of Minnesota Statutes Sections 394.26 and 375.51, following a public hearing on November 24, 2020, during the Board meeting, the Board recommended approval of the proposed 2040 Comprehensive Plan following publication in the St. Peter Herald, the official paper; and

WHEREAS, the legal notice stating the adoption of the 2040 Comprehensive Plan occurred in the December 3, 2020 edition of the St. Peter Herald; and

NOW, THEREFORE, BE IT RESOLVED that based upon the hearing record, the Nicollet County 2040 Comprehensive Plan is adopted and is effective as of the date of this resolution.

Summary for publication:

NOTICE OF ADOPTION
OF THE NICOLLET COUNTY COMPREHENSIVE PLAN

After being duly advertised, the Nicollet County Comprehensive Plan was approved by the Nicollet County Board of Commissioners at a Public Hearing held at 10:00 a.m., during the regular meeting of Tuesday, November 24, 2020, at St. Peter, Minnesota.

The following is a summary, pursuant to Minnesota State Statute 375.51 and Minnesota State Statute 331A.01, of the Nicollet County Comprehensive Plan:

Chapter 1: Introduction

Discusses the purpose, process, and the overall comprehensive plan content.

Chapter 2: County Context

Identifies the region, discusses the county demographics, housing and employment statistics, and the physical features of the county.

Chapter 3: Goals and Policies

Identifies the goals and policies for long range planning, land use, transportation, natural resources, and parks and trails.

Chapter 4: Land Use

Discusses the existing land use, land use planning, and land use authority and official controls.

Chapter 5: Transportation

Discusses the existing county-owned roadway conditions, the transportation system management tools, and future conditions.

Chapter 6: Natural Resources

Discusses the existing conditions of the natural resources and renewable energy resources.

Chapter 7: Parks and Trails

Discusses the existing conditions of the parks and trails within Nicollet County.

Chapter 8: Implementation

Identifies the plan element, implementation action and schedule, and the responsible parties.

A complete copy of the adopted Comprehensive Plan may be obtained from Nicollet County Property Services Department, 501 S Minnesota Avenue, St. Peter, MN, 56082 or viewed online at, www.co.nicollet.mn.us.

Public Works

Consider Amendment #2 to MnDOT Agreement 1034758

Public Works Director, Seth Greenwood, requested the Board to consider approval of Amendment #2 to MnDOT Agreement 1034758, which is for preliminary engineering cost reimbursement for the CSAH 14 slide issue. Preliminary engineering services with SRF and Gale-Tec are complete. Final preliminary engineering fees exceeded the authorized fee amount in Amendment #1 which now requires an additional amendment to be approved, totaling \$6,208.95. Approval of this additional amendment will allow the County to receive 100% reimbursement from Federal and State disaster funds.

Motion by Commissioner Luepke and seconded by Commissioner Kemp to approve Amendment #2 to MnDOT Agreement 1034758. Motion carried with all voting in favor on a roll call vote.

Director Greenwood gave an update on the CR15 project. They have been working for a few years to develop a 12-mile reconstruction project for CR 15. Stonebrooke Engineering has done extensive preliminary engineering work, so the County has a good feel for what additional right of way easements will be needed. They will be meeting this Friday to continue the discussion on updates and design. The County has met with 80-90 percent of landowners about the upcoming project and its potential impacts (driveway access, etc.), and they are now getting ready to provide land valuations and start the right of way acquisition process. This project will begin in 2022. The other update given was on Highway 14, with the County needing to contribute \$3.5 million towards the project around the fall of 2021.

Administration

Resolution Establishing the 2021 Committee and Board Assignments and Meetings that Qualify for a Per Diem Payment

Administrator Krosch requested the Board adopt the Resolution Establishing the 2021 Committee and Board Assignments and Meetings that Qualify for a Per Diem Payment. The Board reviewed each committee and board assignment.

Motion by Commissioner Kemp and seconded by Commissioner Luepke to approve the Resolution Establishing the 2021 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.

RESOLUTION ESTABLISHING THE 2021 COMMITTEE AND BOARD ASSIGNMENTS AND MEETINGS THAT QUALIFY FOR A PER DIEM PAYMENT

Whereas, pursuant to MN Statute 375.055, the Nicollet County Board has established a per diem payment for service by individual county commissioners on any board, committee, or commission of county government including committees of the board, or for the performance of services by individual county commissioners when required by law; and

Whereas, pursuant to MN Statute 375.06, county commissioners may be paid a per diem in addition to their salary for each day necessarily occupied in the discharge of their official duties while acting on any committee under the direction of the board; and

Whereas, pursuant to a MN Attorney General Opinion, a county commissioner may only collect one per diem for each calendar day spent performing official duties; and

Whereas, pursuant to a MN State Auditor Opinion, when a board, committee, commission, joint powers or other entity provides a per diem, a commissioner may not collect another per diem from the county; and

Whereas, Nicollet County employees and the Nicollet County elected Sheriff and Attorney are not eligible for per diems; and

Whereas, certain citizen appointed members to a board, committee, or commission may be paid a per diem as approved by the County Board or as provided for by MN Statute; and

Whereas, duties approved for a per diem payment must be reported back to the applicable board, committee or commission in order to receive the payment; and

Whereas, the MN State Auditor does not consider social events as work qualifying for per diem payments; and

Whereas, the MN State Auditor's statement of position regarding per diem payments states commissioners cannot claim a per diem payment whenever they meet with a constituent or group unless it is done under the authorization of the county board to meet with a single person or group to obtain information for a matter under consideration by the county board.

Now, therefore, be it resolved, regularly scheduled County Board meetings, regularly scheduled Drainage Authority meetings held in conjunction with regularly scheduled County Board meetings and committee meetings held immediately prior to and immediately after regularly scheduled County Board meetings are not eligible for a per diem payment.

Now, therefore, be it also resolved, that the Nicollet County Board of Commissioners approves the attached list of 2021 committee and board assignments and meetings that qualify for a per diem payment from Nicollet County unless stated otherwise therein or the per diem is paid by another board or committee.

A complete copy of the 2021 committee and board assignments is available in the Nicollet County Administrator's Office.

Nicollet County Relief Grant Program

Administrator Krosch presented information on a relief grant program for businesses and nonprofits in Nicollet County. The Minnesota Legislature and Governor have passed legislation authorizing funding to Minnesota counties for relief grants to local businesses and nonprofits impacted by an executive order related to the COVID-19 pandemic. Nicollet County's allocation is \$660,861.28.

Motion by Commissioner Luepke and seconded by Commissioner Kemp to adopt the Resolution Approving Nicollet County's Relief Grant Program. Motion carried with all voting in favor on a roll call vote.

RESOLUTION APPROVING NICOLLET COUNTY'S RELIEF GRANT PROGRAM

WHEREAS, in December 2020 the Minnesota Legislature and Governor approved a bill providing economic relief for businesses adversely affected by the COVID-19 pandemic; and

WHEREAS, this \$216.8 million economic relief package included \$114.8 million for all 87 Minnesota counties; and

WHEREAS, Minnesota counties are asked to provide economic relief grant programs with these funds to businesses and nonprofits adversely affected by the COVID-19 pandemic; and

WHEREAS, Nicollet County received \$660,861.28 of said funds.

NOW, THEREFORE, BE IT RESOLVED, that the Nicollet County Board of Commissioners approves the attached Nicollet County Relief Grant Program (Program).

BE IT FURTHER RESOLVED, administrative and policy changes may be made to this Program by the Nicollet County Finance Director or Nicollet County Administrator without Nicollet County Board approval as guidance, need and circumstances change.

BE IT FURTHER RESOLVED, the Nicollet County Administrator and Finance Director are authorized to approve the final list of grant award recipients for this Program.

A copy of the Relief Grant Program is available in the Nicollet County Administrator's Office.

Informational Items

Per Nicollet County's Tax Abatement Policy, assessor clerical error corrections and abatements were included in the meeting packet as an informational item for the Board. There were three abatements for 2019 pay 2020 totaling \$3,092 and no clerical error corrections for 2020 pay 2021.

Commissioner Morrow received a very complimentary email about County Veteran Services Director Nathan Tish for securing COVID-19 funding for Veterans and wanted to thank him and his team for the great job they are doing.

Commissioner Committee Reports

The Commissioners reported on various meetings and activities including:

Commissioner Marie Dranttel

- Board Meeting
- Union negotiations
- Brown/Nicollet Community Health Board
- Region 9

Commissioner Terry Morrow

- Board Meeting
- Brown/Nicollet Community Health Board
- Public health update

Commissioner Denny Kemp

- Board Meeting
- Brown/Nicollet Community Health Board

Commissioner Jack Kolars

- Board Meeting
- Greater Mankato Growth
- TDS Finance Committee
- Brown/Nicollet Community Health Board
- Ditch Meeting
- MVAC
- Union Negotiations

Commissioner John Luepke

- Board Meeting
- Brown/Nicollet Community Health Board
- Ditch meeting with Sibley County
- Ditch meeting – Swan Lake
- CSAH 15 tour

Approve Per Diems and Expenses

Motion by Commissioner Kemp and seconded by Commissioner Luepke 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.

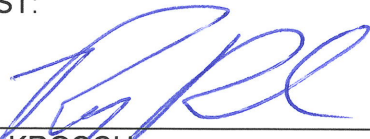
Adjourn

Motion by Commissioner Kemp and seconded by Commissioner Luepke to adjourn the meeting. Motion carried with all voting in favor on a roll call vote. The meeting adjourned at 10:38 a.m.



TERRY MORROW, CHAIR
BOARD OF COMMISSIONERS

ATTEST:



RYAN KROSCH
CLERK TO THE BOARD