

BOARD OF COMMISSIONERS

COUNTY OF SCOTT

FEBRUARY 5, 2019

(1) The Board of Commissioners, in and for the County of Scott, Minnesota, met in the Courthouse Board Room in the City of Shakopee, Minnesota, and convened at 9:00 a.m., with the following members present: Commissioner Weckman Brekke, presiding, Commissioner Wolf, Commissioner Beard, Commissioner Beer and Commissioner Ulrich.

(2) County Staff Present:

- A. Lezlie Vermillion, County Administrator
- B. Ron Hocevar, County Attorney
- C. Jake Grussing, Library Director
- D. Joe Wiita, Highway Division Program Manager
- E. Pam Selvig, Health and Human Services Director
- F. Brad Davis, Planning Manager
- G. Himani Joshi, Student Intern
- H. Luke Hennen, Sheriff
- I. Lori Huss, Employee Relations Director
- J. Amy Boese, Library Branch Manager
- K. Fahad Al Hameedi, Corrections Officer
- L. Julie Jacobsen, Library Associate
- M. Javier Soto, Corrections Officer
- N. Michael Groh, First Assistant County Attorney
- O. Danny Lenz, Deputy County Administrator
- P. Marty Schmitz, Zoning Administrator
- Q. Nathan Hall, Associate Planner
- R. Chris Harder, Quality Improvement Manager
- S. Lisa Freese, Transportation Services Director
- T. Jake Balk, Highway Division Manager
- U. Tony Winiecki, County Engineer
- W. Kynan Reynolds, Student Intern
- V. Debra Brazil, Deputy Clerk to the Board

(3) Guests Present:

- A. Stephen Manweiler, Metropolitan Mosquito Control District
- B. Mike McLean, Metropolitan Mosquito Control District
- C. Adam Frey, Metropolitan Mosquito Control District
- D. Curt Hennes, Prior Lake-Spring Lake Watershed District Board of Managers
- E. Josh Brudellie, Ames Construction
- F. Pat Mason, Ames Construction
- G. Jamie Michael, Prior Lake
- H. John Myser

(4) Media Present:

- A. Meg Britton-Mehlich, Southwest News Media

(5) Minutes:

On a motion by Commissioner Ulrich, seconded by Commissioner Wolf, the Minutes of January 15, 2019 were approved.

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(6) Recognition of Interested Citizens:

John Myser questioned what the timeframe is for an elected official to take the oath of office before assuming the duties of the office. Mr. Myser requested that the Commissioners assist him in defining this timeframe.

(7) New Employee Welcome:

The following new employees introduced themselves: Library Branch Manager Amy Boese, Corrections Officer Fahad Al Hameedi, Associate Librarian Julie Jacobsen, Corrections Officer Javier Soto, Student Intern Himani Joshi, and Student Intern Kynan Reynolds.

(8) Partnership: Aligning Existing Resources, Volunteers and Programs to Achieve Shared Goals:

Metropolitan Mosquito Control District (MMCD) Executive Director Stephen Manweiler presented the annual MMCD update. Mr. Manweiler's report focused on governance, the 2019 levy and budget, mosquito biology and control, disease prevention, and plans for 2019.

(9) Consent Agenda:

Commissioner Ulrich requested to have the item authorizing a Memorandum of Understanding with the City of Prior Lake for the future Commerce Avenue extension pulled from the consent agenda for a presentation.

Commissioner Beard requested to have the item requesting the Metropolitan Council to approve functional classification changes on certain County roads pulled from the consent agenda for comment.

A. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-008; Adopting the Financial Policy and Rescinding Resolution Nos. 2014-133, 2005-083, 2010-103, 2018-142, 2011-232, 2011-266, 2011-121, 2017-079, 2016-027, 2011-193, 99026, 2009-029; Rescinding Board Policy Entitled Handling Collections and Reporting Cash Overages and Shortages Approved on August 11, 1981; and Rescinding the Bill Payment Policy That Became Effective January 1, 1986. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

B. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-009; Declaring the Official Intent of Scott County to Reimburse Certain Expenditures From the Proceeds of Bonds to be Issued by the County. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

C. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-011; Authorizing an Amendment to the Professional Design Services Contract With Wold Architects and Engineers Associated With the Government Center Campus Project. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

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D. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-012; Authorizing Entering Into an Agreement With Wold Architects and Engineers for Roof Improvements on County Owned Buildings. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

E. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-014; Certifying Final Approved Appraisal of Value for Certain Land Acquisitions and Authorizing Acquisition by Expedited ("Quick Take") Eminent Domain Proceedings for County Project CP 21-27, Located in the City of Prior Lake, Minnesota. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

F. Commissioner Wolf moved, seconded by Commissioner Beard to approve the Application and Permit for a Temporary On-Sale Liquor License for the Shakopee Lions Club for an event to be held at the Jackson Town Hall Park in Jackson Township on February 9, 2019. The motion carried unanimously.

G. On the recommendation of the Louisville Town Board and the Planning Advisory Commission, Commissioner Wolf moved, seconded by Commissioner Beard to approve the request from Ames Construction (Ames Construction, Applicant, Jess Moeding and Joseph Card, Owners) for an Interim Use Permit to operate a mining facility in Section 21, Louisville Township. This action is in accordance with Chapters 2, 10, and 50 of the Scott County Zoning Ordinance based on the criteria listed for approval. The motion carried unanimously.

H. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-015; Authorizing the Execution of a Quit Claim Deed Conveying a Parcel of Land (PID 23-004-004-1) to the City of Elko New Market. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

I. Commissioner Wolf moved, seconded by Commissioner Beard to adopt Resolution No. 2019-007; Authorizing the Appointment of Michael Groh as First Assistant County Attorney Pursuant to Minn. Stat, 388.10. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

J. On the recommendation of the County Administrator, Commissioner Wolf moved, seconded by Commissioner Beard to approve the payroll processing of personnel actions indicated below and certified by the Employee Relations Director and the Appointing Authority to be in compliance with provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Merit Personnel System:

1. Separation of employment for Peggy Flaig, FT Assistant County Attorney III, Attorney's Office, effective 01/31/19.
2. Separation of employment for Jason Heitzinger, FT Commercial Appraiser, Community Services Division, effective 01/22/19.
3. Separation of employment for Mikayla Meyer, FT Registered Nurse, Health and Human Services Division, effective 02/08/19.
4. Separation of employment for Delores Myrman, FTTE Office Assistant-Unclassified, Office of Management & Budget, effective 07/23/18.
5. Separation of employment for John Babin, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.
6. Separation of employment for Chad Briese, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.

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7. Separation of employment for Jason Melby, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.
8. Separation of employment for James Kline, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.
9. Separation of employment for Jesse Soller, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.
10. Separation of employment for Daniel Graczak, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.
11. Separation of employment for Justen Riley, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.
12. Separation of employment for David Holzer, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.
13. Separation of employment for Jeremy Heitzman, Intermittent (34% FTE) Burn Tower Operator-Unclassified, Community Services Division, effective 12/31/18.
14. FT Probationary employment for Javier Soto, Corrections Officer, Sheriff's Office, effective 01/28/19.
15. FT Probationary employment for Stefanie Menning, Assistant County Attorney III, Attorney's Office, effective 02/04/19.
16. PT (50% FTE) Temporary employment for Stefnie Hatch, Senior Legal Assistant-Unclassified, Attorney's Office, effective 01/17/19.
17. Promotion for Tulsa Crum, FT Senior Public Works Technician to FT Probationary Constructions Supervisor, Transportation Services Division, effective 01/07/19.
18. Change in employment status for Michael Groh, FT Assistant County Attorney III to Appointed First Assistant County Attorney (see Res. No. 2019-007), Attorney's Office, effective 01/14/19.
19. Change in employment status for Todd Zettler, Appointed First Assistant County Attorney to FT Senior Attorney, Attorney's Office, effective 01/14/19.
20. The recognition of the following individuals as volunteers which will enable them to be covered for liability insurance purposes in accordance with the insurance contracts currently in force with Scott County:

Add		Delete
Nancy Nelson	Kevin Spieker	Darla Bengstrom
Shawna Thompson	Joseph Green	
Dustin Christensen	Lois Burkhart	
Laray Hilson	Jessica Goettl	
Sydney Maxwell	Anna Streed	

Motion carried unanimously.

- (10) Stewardship: Ensuring the responsible and stable investment of taxpayer dollars and communicating its value to the public

Commissioner Beard thanked staff for their work with other governmental entities on the proposed functional classification changes of County highways and noted the potential positive long-term effect of the reclassifications.

Commissioner Beard moved, seconded by Commissioner Wolf to adopt Resolution No. 2019-013; Requesting the Metropolitan Council to Approve the Functional Classification Change of a Portion of County State Aid Highways 42, 17, and 78 to Principal Arterial and a Portion of County State Aid Highway 21 to A-Minor Arterial Expander on the Metropolitan Highway System. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

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(11) Partnership: Aligning existing resources, volunteers and programs to achieve shared goals:

County Administrator Lezlie Vermillion reviewed the terms of the proposed Memorandum of Understanding (MOU) with the City of Prior Lake for the future extension of Commerce Avenue located in Prior Lake. The MOU outlines the County's intent to provide right-of-way easements, establishes an understanding that the property will not have direct access to County Highway 42, and that the costs associated with the construction of this future extension will be the responsibility of the City. Ms. Vermillion confirmed at this time there is no timeframe for this extension to be completed.

Commissioner Beer moved, seconded by Commissioner Ulrich to adopt Resolution No. 2019-010; Authorizing Entering Into a Memorandum of Understanding With the City of Prior Lake for the Future Commerce Avenue Extension Located in the City of Prior Lake. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously.

(12) Customer Service: Creating a Customer Experience That is Respectful, Responsive and Solution-Oriented:

Associate Planner Nathan Hall presented the request to approve the rezoning, preliminary plat, and final plat of County View (Jamie Michael, applicant and owner) in Section 26, Spring Lake Township. The applicant is proposing to create a lot of approximately 4.62 acres surrounding the existing home and two new buildable lots of approximately 2.50 acres. The proposed subdivision would create a non-conforming structure because a new lot line between Lot 1 and Lot 2 would be established 15 feet from an existing accessory structure, not the 30 feet required by the Scott County Zoning Ordinance.

At the January Spring Lake Town Board meeting, the Town Board recommended that the applicant sign an agreement stating that if the building needs to be repaired or replaced at some point in the future, it must be done to meet the required 30 foot setback. Scott County staff recommended that the structure be altered or moved now or that the applicant provide financial assurance that it will be altered or moved now to meet the setback requirement. The Scott County Planning Advisory Commission followed staff's recommendation at its January meeting adding the condition that the accessory building be brought into compliance with the setback requirements or financial guarantee be provided to ensure the structure becomes compliant prior to this request going to the Board for final action. The applicant is appealing this condition set by the Planning Commission and is asking the County Board to allow the existing building to remain where it is and unaltered.

In response to Commissioners' questions, Zoning Administrator Marty Schmitz further explained the setback requirements and the options for approving the request.

On the recommendation of the Spring Lake Town Board, Commissioner Beard moved, seconded by Commissioner Wolf to approve the request for rezoning of 10 acres from Rural Residential Reserve (RR-1) to Rural Residential Single Family (RR-2), preliminary plat, and final plat of Country View consisting of three lots on 10 acres (Jamie Michael, applicant and owner) with the condition that the applicant sign an agreement stating that if the building needs to be repaired or replaced at some point in the future, it must be repaired or rebuilt to meet the required 30 foot setback. This action is in accordance with Chapter 42 of Scot County Zoning Ordinance No. 3 based on the criteria listed for approval. The motion carried unanimously.

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(13) Stewardship: Ensuring the Responsible and Stable Investment of Taxpayer Dollars and Communicating its Value to the Public:

County Engineer Tony Winiacki presented an update regarding the reconstruction of the intersection of State Trunk Highway 13 and County Highway 21 under County Project 21-27 located in the City of Prior. Mr. Winiacki reviewed the updated project delivery schedule, construction staging, construction communications plan, and project coordination with the Minnesota Department of Transportation's Trunk Highway 13 Pavement Rehabilitation Project and the City of Prior Lake's Duluth Street Improvement Project.

(14) Committee Reports and Commissioner Updates:

A. Commissioner Ulrich attended the Metropolitan Council Transportation Advisory Board meeting on January 16.

B. Commissioners Ulrich, Beard, and Wolf attended the Minnesota Inter-County Association annual meeting on January 16.

C. Commissioner Ulrich attended the Families and Individuals Sharing Hope (FISH) Marketing Committee meeting on January 18.

D. Commissioner Ulrich attended the FISH Fundraising Committee meeting on January 18.

E. The FISH Empty Bowls fundraiser is Thursday, February 7.

F. Commissioners Ulrich and Beard attended the Trunk Highway 169 Corridor Coalition meeting on January 18.

G. Commissioners Ulrich, Beard, Beer, and Weckman Brekke met with Congresswoman Angie Craig on January 22.

H. Commissioner Ulrich attended the Live, Learn, Earn Steering Committee meeting on January 22.

I. Commissioner Ulrich attended the Minnesota Valley Transit Authority meeting on January 23.

J. Commissioners Ulrich and Beer attended the FISH Board meeting January 24.

K. Commissioner Ulrich led church services at the Scott County Jail on January 27.

L. The Commissioners all attended the meeting with the Scott County Legislative delegation on February 1.

M. Commissioner Ulrich attended the Transit Mobility Management Board meeting on February 4.

N. Commissioner Beard attended the Shakopee High School Industry Council meeting on January 17.

O. Commissioner Beard attended the Association of Minnesota Counties Board of Directors meeting on January 18.

P. Commissioner Beard met with a Shakopee City Council member on January 21.

Q. Commissioner Beard met with Ms. Vermillion on January 23.

R. Commissioner Beard met with the new Minnesota Commissioner of Transportation on January 23.

S. The Commissioners all attended the County Board strategic plan work session on January 24.

T. Commissioner Beard reported he will be out of town for two weeks but will be back for the February 19 County Board meeting.

U. Commissioner Beer met with Ms. Vermillion on January 15.

V. Commissioner Beer participated in a White House intergovernmental conference call on January 15.

W. Commissioner Beer attended the Prior Lake City Council meeting on January 21.

X. Commissioners Beer and Weckman Brekke conducted the Chair/Vice Chair planning meeting on January 22.

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- Y. Commissioner Beer participated in Future Leaders of Scott County school presentations on January 24.
- Z. Commissioner Beer attended the Prior Lake-Spring Lake Watershed District Farmer-Led Council meeting on January 30.
- AA. Commissioner Beer attended the Prior Lake City Council meeting on February 4.
- AB. Commissioners Beer and Weckman Brekke participated in the New Employee Welcome on February 5.
- AC. Commissioner Wolf met with the Elko New Market Mayor on January 16.
- AD. Commissioner Wolf met with an Elko New Market City Council member on January 16.
- AE. Commissioner Wolf participated in Future Leaders of Scott County school presentations on January 17.
- AF. Commissioner Wolf met with Sheriff Hennen on January 18.
- AG. Commissioner Wolf attended the Metropolitan Mosquito Control District meeting on January 23.
- AH. Commissioner Wolf attended the Elko New Market City Council meeting on January 24.
- AI. Commissioner Wolf met with Ms. Vermillion on January 28.
- AJ. Commissioner Wolf attended the Scott Watershed Management Organization Planning Commission meeting on January 28.
- AK. Commissioners Wolf and Weckman Brekke attended the Scott-LeSueur Joint Ditch Board meeting on January 31.
- AL. Commissioner Wolf attended the Prior Lake City Council workshop on February 5.
- AM. Commissioner Wolf attended the Credit River Town Board meeting on February 5.
- AN. Commissioner Wolf attended the Cedar Lake Town Board meeting on February 5.
- AO. Commissioner Weckman Brekke attended the Scott County Historical Society fundraiser on January 16.
- AP. Commissioner Weckman Brekke attended the Metropolitan Library Service Agency meeting on January 17.
- AQ. Commissioner Weckman Brekke attended the Scott County Library Board of Advisors meeting on January 17.
- AR. Commissioner Weckman Brekke attended the Dakota-Scott Workforce Development Board meeting on January 18.
- AS. Commissioner Weckman Brekke attended the Scott County Mental Health Local Advisory Council meeting on January 22.
- AT. Commissioner Weckman Brekke attended the Live, Learn, Earn Building Early Childhood Network and Campaign Committee meeting on January 22.
- AU. Commissioner Weckman Brekke participated in the National Association of Counties Human Services Committee conference call on January 23.
- AV. Commissioner Weckman Brekke attended the Shakopee Chamber of Commerce annual meeting on January 24.
- AW. Commissioner Weckman Brekke attended the Jordan Commercial Club meeting on January 24.
- AX. Commissioner Weckman Brekke participated in Future Leaders of Scott County school presentations on January 25.
- AY. Commissioner Weckman Brekke and Ms. Vermillion met with the Belle Plaine Mayor and City Administrator on January 31.
- AZ. Commissioners Weckman Brekke and Wolf attended the Canterbury Park relaunch event on January 31.
- BA. Commissioner Weckman Brekke attended the Pork Producers meeting on February 4.
- BB. Commissioners Weckman Brekke and Wolf reported they are receiving calls regarding the proposed YMCA in New Market Township.

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(15) County Administrator Update:

County offices will be closed Monday, February 18, in observance of Presidents' Day

(16) County Attorney Update:

Registration for the Choose Not to Use golf tournament fundraiser being held in September is almost full.

On a motion by Commissioner Wolf, seconded by Commissioner Beard, the meeting adjourned at 10:55 a.m.

Barb Weckman Brekke
Chair

Lezlie A. Vermillion
County Administrator
Clerk of the Board

Debra K. Brazil
Deputy Clerk to the Board