



**MINUTES
SCOTT COUNTY
BOARD OF COMMISSIONERS
May 2, 2023**

(1) CONVENE COUNTY BOARD

The Board of Commissioners, in and for the County of Scott, Minnesota, met in the County Board Room in the City of Shakopee, Minnesota, and convened at 9:02 a.m. The following members were present: Commissioner Weckman Brekke, Commissioner Wolf, Commissioner Brennan, Commissioner Beer, and County Commissioner Ulrich. Commissioner Wolf presided.

The following were also in attendance:

1. Lezlie Vermillion, County Administrator
2. Ron Hocevar, County Attorney
3. Barb Dahl, Health and Human Services Director
4. Brad Davis, Planning and Resource Management Director
5. Lisa Freese, Transportation Services Director
6. Jake Grussing, Library Director
7. Tracy Cervenka, Administrative Office Supervisor
8. Chris Harder, Quality Improvement Manager
9. Erin Lewis, Quality Improvement Manager
10. Mark Kendall, Community Outreach Officer
11. Steve Collins, Sheriff's Captain
12. Scott Rettke, Jail Captain
13. Caleb Madden, Jail Lieutenant
14. James Lundquist, Jail Sergeant
15. Brandon Gerold, Corrections Officer
16. Michelle Hesse, Deputy Clerk to the Board

Guests:

1. Lucas Ince, Credit River
2. Sara Ince, Credit River
3. Doug Berens, Spring Lake Township
4. Frank Boyles, Prior Lake
5. Jason Wedel, City of Prior Lake
6. Kevin Burkart, City of Prior Lake
7. Casey McCabe, City of Prior Lake
8. Ted Kowalski, Spring Lake Township
9. Sarah Domer, Spring Lake Township
10. Ted Kornder, St. Lawrence Township
11. Ron Symanitz, St. Lawrence Township
12. Mark Sontegard, JMH Land
13. Steve Hentges, SM Hentges

(2) AMENDMENTS TO THE AGENDA

There were no amendments to the Agenda.

(3) APPROVE MINUTES

On a motion by Commissioner Weckman Brekke, seconded by Commissioner Ulrich, the April 18, 2023 minutes were approved unanimously.

(4) RECOGNITION OF INTERESTED CITIZENS

Ted Kornder, Township Executive Board and St. Lawrence Township Board Chairman

Mr. Kornder shared concerns from the ten Townships regarding 1) future plans for solar farms with absentee landlords, 2) the future of the Regional Training Facility, 3) production of methane from the Dem-Con expansion, 4) the need for 169 infrastructure improvements to support entertainment opportunities in the County, 5) Scott County is viewed as unfriendly to businesses and contractors, and 6) Annexation issues do not favor townships. Cities seem to have overruling authority over townships and landowners are restricted to what they can build on their property.

Mr. Kornder also expressed a lack of communication between the County and Townships, to which Commissioner Wolf suggested meeting quarterly.

Commissioner Ulrich responded to Mr. Kornder's concern regarding the Regional Training Facility. There is a bond commitment and a commitment from all the partners to 2027 and a new executive director for the RTF was recently hired. The decision of the RTF is to be as vibrant as we can be in the short term, spend as little money as possible on the building itself, and then begin plans to build or develop a new training center, possibly on the same location.

Lucas and Sara Ince, Credit River

Mr. and Mrs. Ince are seeking clarification on building on a single lot. County staff will assist them.

(5) CONSENT AGENDA

5.1 Adopt Resolution No. 2023-98; Authorizing Application for a Minnesota Trail Assistance Grant for 2023-2024 and if Awarded, Accepting the Grant and Entering Into an Agreement with the Minnesota Department of Natural Resources

Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

5.2 Adopt Resolution No. 2023-105; Approving a Conditional Use Permit Amendment to Expand Truck Parking, and Preliminary Plat of Holiday Chestnut Boulevard (Casey Beaton, Applicant and Holiday Stationstores, LLC., Property Owner) in Section 15 of Jackson Township

Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

5.3 Adopt Resolution No. 2023-107; Awarding a Contract to Sir Lines-A-Lot, LLC for the HSIP Pavement Markings Project

Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

5.4 Adopt Resolution No. 2023-109; Approving an Interim Use Permit Amendment for Dogz & Katz Luxury Pet Boarding to Operate a Commercial Kennel (Dogz & Katz Luxury Pet Boarding, Applicant and Daniel and Carmen Brinkman, Property Owners) in Section 34 of St. Lawrence Township

Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

5.5 Adopt Resolution No. 2023-112; Approving Entering Into a Cooperative Construction Agreement with the City of Shakopee for the County Highway 16 and Fuller Street Traffic Signal Project

Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

- 5.6 Adopt Resolution No. 2023-114; Approving Amendment No. 1 to the Minnesota Department of Human Services Grant No. 194828 to Extend the Grant and Receive Additional Funds and Approving a Budget Amendment
Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 5.7 Adopt Resolution No. 2023-116; Approving a Conditional Use Permit Amendment to Add Temporary Outdoor Commercial Recreation and Modify Patio Seating Area (Shakopee Bowl, LLC, Applicant and Property Owner) in Section 22 of Louisville Township
Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 5.8 Adopt Resolution No. 2023-117; Authorizing a Budget Amendment and Awarding a Contract to Allied Blacktop Company for the 2023 Trail Preventive Maintenance Project
Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 5.9 Adopt Resolution No. 2023-119; Authorizing Amendment No. 2 to the Children's Residential Facility (CRF) Grant Contract With the Minnesota Department of Human Services and Approving a Budget Amendment
Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 5.10 Adopt Resolution 2023-120; Authorizing Renewal of the Agreement with Minnesota Critter Getter for Animal Control Services
Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 5.11 Adopt Resolution No. 2023-123; Authorizing Entering Into Service Agreements With Cities and Townships for Assessment and Appraisal Services
Motion by Commissioner Brennan, seconded by Commissioner Ulrich. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 5.12 Approve Payroll Processing of Personnel Actions
On the recommendation of the County Administrator, Commissioner Brennan moved, seconded by Commissioner Ulrich 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 Renae Chappuis, FT Probationary Medical Assistant, County Sheriff's Office, effective 4/6/2023.
 2. Separation of employment for Daniel Benson, FT Probationary Highway Maintenance Worker, Transportation Services Division, effective 4/21/2023.
 3. Separation of employment for Angela Little, FT Eligibility Specialist - Lead, Health and Human Services Division, effective 4/28/2023.
 4. FT Probationary employment of Cole Monckton, Facility Probation Officer, Health and Human Services Division, effective 4/17/2023.
 5. FT Probationary employment of Robert Lane, Deputy Emergency Management Director, County Sheriff's Office, effective 4/17/2023.
 6. FT Probationary employment of Kelly Dolan, 911 Dispatcher, County Sheriff's Office, effective 4/24/2023.
 7. FT Probationary employment of Paxson Menard, Social Work Case Manager, Health and Human Services Division, effective 5/1/2023.

8. FT Probationary employment of Anna White, Child Protection Worker, Health and Human Services Division, effective 5/1/2023.
9. FT Probationary employment of Rachel Rosckes, Contracted Case Management Program Lead, Health and Human Services Division, effective 5/15/2023.
10. FT Temporary employment of Jack Maxa, Survey Assistant - Unclassified, Community Services Division, effective 5/24/2023.
11. Promotion of David Barilla, FT Social Worker I to FT Probationary Social Work Case Manager, Health and Human Services Division, effective 5/1/2023.
12. Lateral move for Fukhrudin (Khalif) Maalim, FT Data and Research Analyst Administration Division, to FT Probationary Public Health Planner, Health and Human Services Division, effective 4/17/2023.

The motion carried unanimously.

(6) CUSTOMER SERVICE: WE WILL DELIVER GOVERNMENT SERVICES IN A RESPECTFUL, RESPONSIVE, AND SOLUTION-ORIENTED MANNER

- 6.1 Adopt Resolution 2023-115; Proclaiming May 7-13, 2023 as Correctional Officers' Week in Scott County
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.2 Adopt Resolution No. 2023-111; Denying a Comprehensive Plan Amendment to Re-guide 52.32 Acres From Urban Business Reserve Land Use Category to Industrial and Commercial Land Use Categories (JMH Land Development Company, LLC, Applicant and Hentges Development, LLC, Property Owner) in Section 18 of Spring Lake Township

Scott County Planning and Resource Management Director Brad Davis presented a developer driven request to re-guide 52 acres of land in Spring Lake Township from Urban Business Reserve to Industrial and Commercial Land Use and subdivide the parcel into 7 lots. Under the current 2040 Plan, Urban Business Reserve is generally guided for agricultural uses and low-density residential development (1 unit/40 acres), therefore the property would have to be re-guided. Mr. Davis acknowledged that the market demand is to construct buildings with outdoor storage space. He highlighted the boundaries of the Prior Lake – Spring Lake annexation area and explained that this process is going through the County Board Planning Commission, rather than the Orderly Annexation Area (OAA) because in 2020, it was determined that the parcel was eliminated from the OAA. Staff considered storm water management, wetland protection, on-site septic issues, and the future intersection footprint at 282, 17 and 13. The Prior Lake – Spring Lake Watershed District and the City of Prior Lake oppose the request, while Spring Lake Township is in support. After the public hearing on April 10, the Planning Advisory Commission recommended approval of the request on a vote of 5 to 1. Scott County staff found that the requested comprehensive plan amendment is not compatible with future land uses of the area, it does not meet the goals and policies of the plan, and it is not based on changes in conditions or errors or inconsistencies with the plan. Therefore, staff recommends denial of the amendment.

Scott County Attorney Ron Hocevar clarified that the role of the Planning Commission is to make a decision based on the guidelines of the comprehensive plan, rather than an interim resolution.

Commissioner Brennan asked if the Township, City and Property owners were involved during times the Comprehensive Plan versions were reviewed. Mr. Davis responded that long range Comprehensive Plans are reviewed every ten years with drafts sent to all adjacent jurisdictions.

Commissioner Beer asked the roles of the County, Townships, and Cities in adopting the Comprehensive Plan. Mr. Davis responded that the County is the planning and zoning authority for all ten Townships who are engaged in the process, followed by reviews by the Cities. The County considers transportation plans, then the Planning Commission brings forward a draft to public hearings, open houses, and to the County Board for approval.

Commissioner Beer stated that he feels there has been a history of good communication and collaboration in the development of Comprehensive Plans, but there is room for improvement.

Commissioner Ulrich referred to a letter from cities that indicates their desire to be able to trust the Comprehensive Plan.

Commissioner Brennan commented that she has been involved in both city and utility use of Comprehensive Plans and that the significant money that's being invested in the growth of the community and county is paid by residents.

Commissioner Wolf asked what type of businesses are proposed for this area. Mr. Davis responded that they may be businesses with uses and buildings that are similar to those in city industrial parks with storage for equipment, materials, and equipment.

Commissioner Weckman Brekke commented that she has heard from business owners in Scott County who want to locate and grow their businesses here, but feel there is no place for them. She also expressed a desire to discuss the ability to find interim uses with cities and townships.

Motion by Commissioner Beer, seconded by Commissioner Ulrich. On a roll call vote, the motion carried with Commissioners Brennan, Beer, and Ulrich voting aye and Commissioners Weckman Brekke and Wolf voting nay. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

County Administrator Lezlie Vermillion noted the County Board's strategic initiative and tactic related to industrial opportunities and the need to find areas that will work outside of future development areas or potential interim uses on the borders. She commented on a previous experience of the County, a city, township, and the Scott County CDA meeting in advance to talk about opportunities. While that was offered during this process, it did not happen.

In response to Commissioner Beer's inquiry, Ms. Vermillion responded that the process to prepare the next Comprehensive Plan will begin in 2028. She also commented on the purpose of comprehensive planning and balancing growth with long-term planning.

(7) COMMITTEE REPORTS AND COMMISSIONER UPDATES

- All Commissioners attended a Board Workshop following the meeting on April 18.
- Commissioner Beer met with Spring Lake Township Chairman Ted Kowalski on April 21.
- Commissioner Beer attended the Community Health Improvement Committee (CHIC) meeting on April 24.
- Commissioners Beer, Weckman Brekke, and Wolf attended a meeting at the Capitol on April 26.
- Commissioners Brennan, Ulrich, and Weckman Brekke attended the 169 Corridor Coalition meeting on April 18.
- Commissioners Brennan and Wolf attended the Scott County Employee Insurance Committee meeting on April 19.
- Commissioner Brennan attended the Lower MN River Watershed District meeting on April 19.
- Commissioner Brennan attended the Scott County Soil and Water Conservation District (SWCD) meeting on April 20.
- Commissioner Brennan attended the State Community Health Advisory Committee (SCHSAC) meeting on April 21.
- Commissioners Brennan and Weckman Brekke attended the Community Action Program (CAP) Agency Spring Event on April 22.
- Commissioners Brennan and Ulrich attended the Minnesota Valley Transit (MVTA) Board Meeting on April 26.
- Commissioner Brennan attended the Prevention Starts with All Presentation on April 26.
- Commissioner Brennan attended the SCHSAC meeting on April 27.
- Commissioners Brennan and Weckman Brekke attended the Southern Valley Alliance event on April 28.

- Commissioner Brennan attended the Scott County Historical Society meeting on May 1.
- Commissioner Ulrich attended the Metropolitan Council Transportation Advisory Board Meeting on April 19.
- Commissioner Ulrich met with the Shakopee Mayor on April 21.
- Commissioner Ulrich attended the Metropolitan Council Transportation Policy Plan Work Group meeting on April 21.
- Commissioner Ulrich met with the Families & Individuals Sharing Hope (FISH) Executive Director on May 1.
- Commissioner Ulrich attended the Transit Mobility Management Advisory Board meeting on May 1.
- Commissioner Weckman Brekke attended the Three Rivers State of Parks Expo and Address on April 19.
- Commissioner Weckman Brekke attended the Dakota-Scott Workforce Development Board meeting on April 21.
- Commissioner Weckman Brekke attended the Association of Minnesota Counties (AMC) Board of Director's meeting on April 21.
- Commissioner Weckman Brekke met with Jeff Hansen, Executive Direct of the CAP Agency on April 24.
- Commissioner Weckman Brekke attended the Community Supervision Workgroup meeting on April 24.
- Commissioners Weckman Brekke and Wolf attended the Chair/Vice Chair meeting on April 25.
- Commissioner Weckman Brekke attended the Scott County Mental Health Local Advisory Board meeting on April 25.
- Commissioner Weckman Brekke attended the National Association of Counties (NACo) Human Services and Education Committee meeting on April 26.
- Commissioner Weckman Brekke attended the CAP Agency Finance Committee meeting on April 26.
- Commissioner Weckman Brekke met with Commissioner Bigham and staff from Washington County on April 27.
- Commissioner Weckman Brekke met with Spring Lake Township Chairman Ted Kowalski on April 28.
- Commissioner Wolf attended the Cedar Lake Sewer meeting on April 19.
- Commissioner Wolf attended the Highways 169/59 meeting on April 20.
- Commissioner Wolf met with Administrator Lezlie Vermillion on April 24.
- Commissioner Wolf attended the Scott County Watershed Management Organization (WMO) Planning Commission meeting on April 24.
- Commissioner Wolf met with the Credit River Mayor on April 26.
- Commissioner Wolf attended the Vermillion River Joint Powers Organization meeting on April 27.
- Commissioner Wolf attended the Elko New Market City Council meeting on April 27.
- Commissioner Wolf attended the Credit River City Council meeting on May 1.
- Commissioner Wolf attended the Cedar Lake Town Board meeting on May 1.

(8) COUNTY ADMINISTRATOR UPDATE

Scott County Administrator Lezlie Vermillion had no updates to share.

(9) RECESS FOR ATTORNEY/CLIENT MEETING

Commissioner Wolf recessed the meeting at 10:47 a.m. to discuss Attorney Fee Litigation.

Commissioner Wolf reconvened the Board meeting at 11:16 a.m.

(10) ADJOURN

On a motion by Commissioner Beer, seconded by Commissioner Brennan, the meeting adjourned at 11:17 a.m. The motion carried unanimously.