



MINUTES
SCOTT COUNTY
BOARD OF COMMISSIONERS
June 20, 2023

(1) WORKSHOP

Prior to the County Board meeting, the Commissioners met in a workshop setting and received an informational update from the Scott County Library Board of Advisors.

(2) 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 9:15 a.m. The following members were present: Commissioner Weckman Brekke, Commissioner Wolf, Commissioner Brennan, and Commissioner Beer. Commissioner Ulrich attended remotely. Commissioner Wolf presided.

The following were also in attendance:

1. Lezlie Vermillion, County Administrator
2. Jeanne Anderson, Senior Attorney
3. Danny Lenz, Deputy County Administrator/CFO
4. Barb Dahl, Health and Human Services Director
5. Brad Davis, Planning and Resource Management Director
6. Lisa Freese, Transportation Services Director
7. Jake Grussing, Library Director
8. Suzanne Arntson, Deputy HHS Director
9. Tracy Cervenka, Administrative Office Supervisor
10. Evan Cole, Business Info/Sys Specialist
11. Chris Harder, Quality Improvement Manager
12. Erin Lewis, Quality Improvement Manager
13. Paula Gustafson, Business Relationship Manager
14. Greg Sorenson, Chief Information Officer
15. Perry Mulcrone, Legislative & Fiber Program Manager
16. Kari Ouimette, Economic Assistance Director
17. Tony Winiecki, County Engineer
18. Lori Huss, Employee Relations Director
19. Mark Kendall, Community Outreach Officer
20. Nick Reishus, Environmentalist
21. Kate Sedlacek, Environmental Services Manager
22. Michelle Hesse, Deputy Clerk to the Board

Guests:

1. Representative Brad Tabke
2. Michael Kerski, City of Shakopee
3. Jo Foust, Scott County Community Development Agency
4. Ken Ondich, City of New Prague
5. Bob Pieper, Louisville Township
6. Steve Albrecht, Shakopee Mdewaketon Sioux Community
7. Al Friedges, Shakopee Mdewaketon Sioux Community
8. Dan Lonnes, Bolton & Menk

(3) COMMUNICATION: WE WILL ALWAYS BE CLEAR ABOUT WHAT WE'RE DOING AND WHY WE'RE DOING IT

3.1 The Commissioners received an informational update from Representative Brad Tabke on items of particular interest to Scott County from the 2023 Legislative session.

(4) AMENDMENTS TO THE AGENDA

There were no amendments to the Agenda.

(5) APPROVE MINUTES

On a motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke, the June 6, 2023 minutes were approved unanimously on a roll call vote.

(6) RECOGNITION OF INTERESTED CITIZENS

There were no citizens to be recognized.

(7) INNOVATION: WE WILL TAKE INFORMED RISKS TO DELIVER SERVICES MORE EFFECTIVELY AND WILL LEARN FROM OUR SUCCESSES AND FAILURES

7.1 The Commissioners received information on Scott County Delivers Topic: Infrastructure for Economic Development.

(8) CONSENT AGENDA

8.1 Adopt Resolution No. 2023-12; Approving a Three-Year Agreement Between the County of Scott and the Minnesota Public Employees' Association Sheriff Non- Licensed Essential Dispatch Supervisors Effective January 1, 2023 Through December 31, 2025 and Rescinding Resolution No. 2020-050

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

8.2 Adopt Resolution 2023-30; Authorizing Final Payment to Bituminous Roadways, Inc. for the County Highway 42 Pavement Rehabilitation Project

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

8.3 Adopt Resolution No. 2023-54; Approving the Rezone, Preliminary and Final Plat of Smaagaard Oaks and Conservation Easements Consisting of 3 Lots on 12.18 Acres (Paul K. and Kathleen Smaagaard, Applicants and Property Owners) in Section 27 of Spring Lake Township

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

8.4 Adopt Resolution No. 2023-139; Authorizing the Acceptance of Funds for the Minnesota Youth Program From the Minnesota Department of Employment and Economic Development (DEED)

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

8.5 Adopt Resolution No. 2023-140; Authorizing Application for and if Awarded, Acceptance of, Grant Funds From the Sauer Family Foundation, Entering Into a Grant Agreement and Amending the 2023 Budget

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

- 8.6 Adopt Resolution No. 2023-146; Authorizing an Amendment to a Cooperative Agreement with the State of Minnesota Department of Natural Resources for the Minnesota Valley State Trail - County State Aid Highway 101 Segment
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.7 Adopt Resolution No. 2023-147; Authorizing Entering Into a Utility Installation Agreement With Minnesota Valley Electric Cooperative for Rural Intersection Lighting
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried with 4 ayes and Commissioner Wolf abstaining on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.8 Adopt Resolution No. 2023-151; Authorizing Opening a Line of Credit with Old National Bank for a Security Bond for the Moraine Addition Housing Trust Project
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.9 Adopt Resolution No. 2023-153; Approving the Conditional Use Permit to Operate an Organics Recycling Facility and Preliminary Plat of Malkerson Addition
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.10 Adopt Resolution No. 2023-154; Approving the Solid Waste License and Conditions for the Shakopee Mdewakanton Sioux Community (SMSC) to Operate an Organics Recycling Facility in Section 16 of Louisville Township
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.11 Adopt Resolution No. 2023-155; Awarding a Contract to J.L. Theis, Inc. for the County Highway 16 and Fuller Street Traffic Signal Project in the City of Shakopee
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.12 Adopt Resolution No. 2023-156; Authorizing the Application for, and Acceptance of, Grant Funding for an Outdoor Fitness Court, in Partnership with the City of Shakopee
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.13 Adopt Resolution 2023-159; Authorizing the Submittal of Capital Bonding Request to the Minnesota Department of Management and Budget
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.14 Adopt Resolution No. 2023-161; Amending the 2023 Budget for Utilization of American Rescue Plan Act Funds and Authorizing Entering into a Contract with Allos Ministries for the Purchase of Four Housing Units to Support Families Experiencing Homelessness
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

- 8.15 Approve the 1 day to 4 day Temporary On-Sale Liquor License for Scott Carver Threshers Association in St. Lawrence Township
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.16 Approve two 1 Day to 4 Day Temporary On-Sale Liquor Licenses for the Scott County Agricultural Society dba Scott County Fair in St. Lawrence Township
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.17 Approve the Renewal Application for 3.2 Percent Malt Liquor License for JCI Shakopee in Louisville Township for 2023
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.18 Approve the 1 Day to 4 Day Temporary On-Sale Liquor License for the Church of St. Patrick Located in Cedar Lake Township
Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 8.19 Approve Payroll Processing of Personnel Actions
On the recommendation of the County Administrator, Commissioner Brennan moved, seconded by Commissioner Weckman Brekke 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 Timothy Dobie, PT Temporary IT Assistant - Unclassified, Office of Management and Budget Division, effective 5/18/2023.
 2. Separation of employment for Nick DePuglio, Intermittent (34% FTE) Facility Probation Officer, Health and Human Services Division, effective 4/19/2023.
 3. FT Probationary employment of David Bayoh, Child Protection Worker, Health and Human Services Division, effective 6/20/2023.
 4. FT Probationary employment of Aaron Phommathirath, Property and Customer Services Specialist, Community Services Division, effective 6/20/2023.
 5. FT Probationary employment of Amanda Congdon, Social Worker I, Health and Human Services Division, effective 6/21/2023.
 6. FT Probationary employment of Tirus Tholen, Corrections Officer, County Sheriff's Office, effective 6/26/2023.
 7. Change in status for Karsen Cole, FT Probationary Facility Probation Officer to Intermittent (34% FTE) Facility Probation Officer - Unclassified, Health and Human Services Division, effective 6/3/2023.
 8. Change in status for Lawrence Talery, Intermittent (34% FTE) Facility Probation Officer to FT Probationary Facility Probation Officer, Health and Human Services Division, effective 6/12/2023.
- The motion carried unanimously on a roll call vote.
- 8.20 Approve Record of Disbursements and Approve Claims
To comply with Minn. Statute §375.18 Subd. 1b, *Delegation for Paying Certain Claims*, a list of all claims paid under the procedures established by the County Board shall be presented to the Board, for informational purposes only, at the next regularly scheduled meeting after payment of the claim. The Record of Disbursements will be available at the meeting. Invoices total \$42,808,834.55 from 05/01/2023 through 05/31/2023. This includes tax distributions of \$32,861,306.84 for Tax Settlements. Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. The motion carried unanimously on a roll call vote.

(9) COMMUNICATION: WE WILL ALWAYS BE CLEAR ABOUT WHAT WE'RE DOING AND WHY WE'RE DOING IT

9.1 Receive an Informational Update on the 2023 Renaissance Festival Season

Planning & Resource Management Director Brad Davis provided an informational update on the 2023 Renaissance Festival Season. Mr. Davis reported that the operational plans for the 2023 Festival season were received on June 1, 2023 and have been reviewed and approved by Scott County staff. Additionally, message boards will be operating along Highway 169. Louisville Road will be closed to general traffic between 147th St. and County Road 78, but open to local business and residential traffic, buses, and emergency vehicles. Access to the road will be managed by the Scott County Sheriff's Department. The Conditional Use Permit includes recourse for non-compliance. Commissioner Weckman Brekke requested a pre-event site visit which Mr. Davis will arrange for County and Township stakeholders. The Commissioner noted that the county is involved only because of traffic issues and the impact on County roads and surrounding residents.

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

10.1 Conduct a Public Hearing and Adopt Resolution No. 2023-143; Adopting Solid Waste Management Ordinance No. 2 and Rescinding Resolution No. 2018-046

Environmental Services Manager Kate Sedlacek presented the revised Solid Waste Management Ordinance No. 2. The Solid Waste Ordinance was originally established in 1976 to regulate how solid waste and recycling is regulated/managed in Scott County. The purpose of the amendment is to: 1) Implement strategies in the State/Metro Solid Waste Plan which was approved in 2018. The Solid Waste Advisory Committee and the Environmental Services staff selected strategies to increase recycling and reduce contamination. Outreach and education were identified as a first step, followed by incentives such as recycling grants and tools for enforcement, 2) Be consistent with State Rules which assures meeting state statutes and removing redundancies, and 3) Clarify existing language.

Specific strategies were implemented into the Revised Solid Waste Management Ordinance: 1) Collect recyclables and trash on the same day, 2) Solid waste haulers offer their residential customers an organic collection program, 3) Large commercial organic generators must collect organic materials. The Revised Solid Waste Management Ordinance will fulfill what is already being done in the Solid Waste Plan, establish a fair and predictable field for all and define consequences for non-compliance.

Ms. Sedlacek highlighted several significant amendments to the Ordinance:

- 4.6 The Bond Requirement language has been changed so that facilities are categorized by size. Small businesses that previously required a bond under \$10,000 will no longer need a bond. Businesses that previously required a bond between \$10,000 - \$100,000 will be approved by the Environmental Services Department. Those who previously required a bond over \$100,000 and special requests will be brought to the Board for approval.
- 4.10 ensures facilities have the capacity to accept Scott County waste.
- 5.05/6.03 requires facilities to document issues such as improper disposal and unsecured loads to Scott County so that staff can reach out to them with training for improvement. Commissioner Weckman Brekke noted that the requirement in 5.04D regarding wind-blown material was removed to which Ms. Sedlacek explained the requirement will be written into each license because the requirement may vary by facility.
- 13.00 The fixed amount fees that the County collects for mixed solid waste and construction demo was removed from the ordinance and will be established by the Board and listed in a "fees section."

The Solid Waste Advisory Committee members who reviewed the Ordinance include representatives from City of Elko New Market, City of New Prague, City of Jordan, Louisville

Township, Shakopee Mdewakanton Sioux Community (SMSC) Organics Recycling Facility (ORF), Buckingham, Specialized Environmental Technologies (SET), Dem-Con, as well as 2 citizens and 1 Planning Commission member. All stakeholders (all cities, haulers, and facilities) were given the opportunity to review the Ordinance.

Motion by Commissioner Weckman Brekke, seconded by Commissioner Beer to open the Public Hearing at 11:23 a.m. The motion carried unanimously on a roll call vote.
There was no public comment.

Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan to close the Public Hearing at 11:24 a.m. The motion carried unanimously on a roll call vote.

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

(11) COMMITTEE REPORTS AND COMMISSIONER UPDATES

- All Commissioners attended a Board Workshop following the meeting on June 6.
- All Commissioners attended a Scott County Association for Leadership & Efficiency (SCALE) meeting on June 9.
- All Commissioners attended a Board Workshop with the Scott County Library Board on June 20.
- Commissioner Beer attended the Families & Individuals Sharing Hope (FISH) meeting on June 6.
- Commissioner Beer attended the FISH Partner Committee meeting on June 13.
- Commissioner Beer met with Scott County Quality Improvement Manager Erin Lewis on June 13.
- Commissioner Beer attended the Scott County Labor Management Committee American Federation of State, County, and Municipal Employees (AFSCME) meeting on June 13.
- Commissioners Beer and Brennan attended the Picnic with Police event on June 14.
- Commissioner Brennan attended the Scott County Historical Society (SCHS) Night at the Museum event on June 6.
- Commissioner Brennan met with Scott County Quality Improvement Manager Erin Lewis on June 7.
- Commissioners Brennan and Ulrich attended the Minnesota Valley Transit Authority (MVTA) Strategic Planning meeting on June 8.
- Commissioner Brennan attended the City of Shakopee Planning Commission meeting on June 8.
- Commissioner Brennan met with County Administrator Lezlie Vermillion on June 9.
- Commissioner Brennan attended the Community Development Agency (CDA) meeting on June 13.
- Commissioner Brennan attended the Prior Lake-Spring Lake Watershed District meeting on June 13.
- Commissioner Brennan met with Scott County Library Director Jake Grussing on June 14.
- Commissioner Brennan attended the SCHS meeting on June 14.
- Commissioner Brennan met with Scott County Public Health Director Lisa Brodsky on June 15.
- Commissioner Brennan met with Representative Brad Tabke on June 15.
- Commissioner Brennan toured the Scott County Juvenile Alternative Facility (JAF) and two Re-entry homes on June 16.
- Commissioner Brennan and Commissioner Weckman Brekke met on June 19.
- Commissioner Weckman Brekke served meals at Shakopee Treehouse on June 6.
- Commissioner Weckman Brekke met with the Prior Lake Mayor on June 7.
- Commissioner Weckman Brekke attended the Scott-Carver-Dakota Community Action Program (CAP) Board meeting on June 13.
- Commissioner Weckman Brekke attended the Minnesota Inter-County Association (MICA) Board meeting on June 14.
- Commissioner Weckman Brekke met with the New Prague Mayor, City Administrator, and County Administrator Lezlie Vermillion on June 15.
- Commissioner Weckman Brekke attended a Metropolitan Library Service Agency (MELSA) Board meeting on June 15.
- Commissioner Weckman Brekke met with University of Minnesota Extension Regional Director Tammy McCullough on June 15.
- Commissioner Weckman Brekke met with County Administrator Lezlie Vermillion on June 16.
- Commissioner Weckman Brekke attended the Dakota-Scott Workforce Development Board meeting on June 16.

- Commissioner Wolf met with the Credit River City Administrator on June 6.
- Commissioner Wolf attended the New Market Town Board meeting on June 6.
- Commissioner Wolf attended the I35W Solutions Alliance meeting on June 8.
- Commissioner Wolf met with the Vermillion River Watershed Joint Powers Organization on June 8.
- Commissioner Wolf attended the Elko New Market City Council meeting on June 8.
- Commissioner Wolf attended the Spring Lake Town Board meeting on June 8.
- Commissioner Wolf attended the Planning Advisory Commission meeting on June 12.
- Commissioner Wolf attended the Metropolitan Emergency Services Board (MESB) meeting on June 14.

(12) COUNTY ADMINISTRATOR UPDATE

County Administrator Lezlie Vermillion had nothing to report.

(13) RECESS FOR ATTORNEY/CLIENT MEETING

There was no need to recess for an attorney/client meeting.

(14) ADJOURN

Chair Wolf announced that following the meeting, the Commissioners will meet in a workshop setting regarding One Watershed One Plan Organizational Structure Options and Regional Trail Planning.

On a motion by Commissioner Beer, seconded by Commissioner Brennan, the meeting adjourned at 11:28 a.m. The motion carried unanimously on a roll call vote.

County Board Chair

**Clerk to the Board/County
Administrator**

Deputy Clerk to the Board