



**MINUTES
SCOTT COUNTY
BOARD OF COMMISSIONERS
September 6, 2022**

9:00 AM

(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 9:01 a.m. The following members were present: County Commissioner Weckman Brekke, County Commissioner Wolf, County Commissioner Beard, County Commissioner Beer, and County Commissioner Ulrich. County Commissioner Beard presided.

The following were also in attendance:

1. Lezlie Vermillion, Scott County Administrator
2. Danny Lenz, CFO/ Deputy County Administrator
3. Ron Hocevar, County Attorney
4. Brad Davis, Planning and Resource Management Director
5. Cara Madsen, Volunteer & Community Coordinator
6. Cindy Geis, Community Services Director
7. Jake Grussing, Library Director
8. Lisa Brodsky, Public Health Director
9. Lori Huss, Employee Relations Director
10. Luke Hennen, Scott County Sheriff
11. Mary Keen, Business Information/System Specialist
12. Pam Selvig, Health and Human Services Director
13. Tracy Cervenka, Administrative Office Supervisor
14. JJ Anderson, Deputy Clerk to the Board

Guests:

15. Alex Malm, Savage Pacer
16. Jody Brennan, Shakopee City Council
17. Lisa Quinn, Spring Lake Town Board
18. Julie Segert, CDA
19. Molly Link, CDA
20. Stacy Crakes, CDA

(2) AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

(3) APPROVE MINUTES OF AUGUST 16, 2022

Motion by Commissioner Wolf, seconded by Commissioner Weckman Brekke. The motion carried unanimously.

(4) RECOGNITION OF INTERESTED CITIZENS

There were no interested citizens.

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

5.1 Receive an ARPA Update

The Commissioners received an ARPA update.

5.2 Conduct a Public Hearing at 9:00 a.m. to Receive Comments on a Proposed Temporary Interim Zoning Ordinance, and Adopt Resolution 2022-217; Adopting Scott County Ordinance 33, An Emergency Interim Ordinance Prohibiting the Establishment of New Uses or the Expansion of Existing Uses Related to Sales, Testing, Manufacturing and Distribution of THC Products

Commissioner Wolf moved to open the Public Hearing at 9:44 a.m., seconded by Commissioner Ulrich. The motion carried unanimously.

County Attorney Ron Hocevar reviewed the reasons for the recommendation of setting a one-year moratorium until the County gains more clarification from the legislature in regards to the resale of THC; the current state legislature lacks both licensing requirements and guidance for retailers, leaving too many important criteria up for interpretation. Mr. Hocevar clarified that the resolution could be amended at the Commissioners' discretion and it affects the townships within the County. The cities are independent of the moratorium, and some have issued their own. Commissioner Wolf inquired about which cities would be opposed to the moratorium, but Mr. Hocevar could not be certain; Shakopee, Prior Lake, Jordan, and Credit River were mentioned as having enacted a moratorium of their own. Commissioner Ulrich clarified that the jurisdictions that have enacted a moratorium will be coming together as a working group to study the situation. In response to Commissioner Beard's question, Mr. Hocevar confirmed that the moratorium would go into effect immediately after adoption. Commissioner Beard noted that the legislature will reconvene in January on the subject and most likely get some further guidance by May of 2023, well within the limits of the moratorium, and as Mr. Hocevar had said earlier this resolution could be revised once more is known.

Mr. Hocevar read some public comments received in an email. One was from John Weckman of Louisville Township, who stated he agreed with the moratorium.

The other comment which Mr. Hocevar summarized to understand came from Deann Croatt who opposes the moratorium due to her elderly mother's need for THC treatment. Mr. Hocevar commented that the moratorium only affects the sales of THC in Scott County, and does not ban medical marijuana or THC on a statewide basis, nor does it ban the possession of THC; residents are able to obtain it outside the jurisdiction of Scott County and own the products in it.

Bob Pieper, a Supervisor of Louisville Township, agreed with having the moratorium and expressed concerns about the delivery method of the products to be appealing to children like his granddaughter. Mr. Pieper would like to enact the moratorium until the legislature clarifies if there will be any restrictions on how the products are distributed or advertised. He also would prefer to keep the products out of the townships entirely.

Lisa Quinn, new Chair of the Scott County Association for Leadership & Efficiency and a Supervisor of Spring Lake Township, expressed her personal opinion of the prohibition of THC sales in the townships and though she does disagree with a moratorium at this time, she did express concern over the townships not having the ability to make a decision for themselves, whereas the cities do, therefore she cannot support ban on the products in consideration of her constituents when cities like Savage may not enact a ban.

Mr. Hocevar wanted to clarify that the resolution is not limited only to gummies, though in reference to THC, he had been referencing them as so; the moratorium would cover all forms of product containing THC.

Mr. Pieper wanted to know if it's illegal under the moratorium to possess THC, to which Mr. Hocevar replied it was not. The moratorium would only affect the sale of the products until more clarification from the legislature is available; therefore, he and staff would like to enact a one-year moratorium until more information is available.

Commissioner Beer made the comment that the state legislature is so ambiguous that in order to protect everyone's rights, he felt the Commissioners needed to set up the moratorium until more is known about the legislature. Mr. Hocevar commented that he was seeing the moratorium as an opportunity to get the bigger conversation about the impending full-legalization of THC underway.

Hearing no more public comment, Commissioner Wolf moved to close the Public Hearing at 10:10am, seconded by Commissioner Weckman Brekke. The motion carried unanimously.

Commissioner Weckman Brekke commented that all those she had been in conversation with, whether they were in favor or against the general legal sale of THC, believed the moratorium to be a good idea but asked that the Board take the matter seriously and if they did not need the full year of the moratorium, to not use the full year.

Motion by Commissioner Beer, to adopt Scott County Ordinance 33, An Emergency Interim Ordinance Prohibiting the Establishment of New Uses or the Expansion of Existing Uses Related to Sales, Testing, Manufacturing and Distribution of THC Products, seconded by Commissioner Wolf. 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) CONSENT AGENDA

- 6.1 Adopt Resolution No. 2022-188; Approving a Second Contract Amendment With Stratus Building Solutions For Cleaning Services at the Regional Training Facility
Motion by Commissioner Weckman Brekke, 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.
- 6.2 Adopt Resolution No. 2022-198; Authorizing the Acceptance of Bid for Sale and Removal of a House at 3691 Marschall Road
Motion by Commissioner Weckman Brekke, 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.
- 6.3 Adopt Resolution No. 2022-202; Authorizing Final Payment to Sir Lines-A-Lot LLC for the 2022 Annual Pavement Marking and Striping Contract
Motion by Commissioner Weckman Brekke, 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.
- 6.4 Adopt Resolution No. 2022-206; Approving the Preliminary 2023 Levy of \$35,100 and Budget for the Scott County Vermillion River Watershed Special Taxing District
Motion by Commissioner Weckman Brekke, 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.
- 6.5 Adopt Resolution No. 2022-207; Approving the Closure of Scott County Library Branches for a

Staff Development Opportunity on Thursday, October 6, 2022

Motion by Commissioner Weckman Brekke, 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.

6.6 Approve Payroll Processing of Personnel Actions

The purpose of this agenda item is to Approve the Payroll Processing of Personnel Actions. The Actions Indicated Below Have Been Certified by the Employee Relations Director and the Appointing Authority to be in Compliance with the Provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Personnel System.

Separation of employment for Rachel Matychuk, FT Social Worker I, Health and Human Services Division, effective 8/12/2022.

Separation of employment for Thomas Krause, FT Inspector, Community Services Division, effective 8/12/2022.

Separation of employment for Angela Blacketter, FT Child Protection Worker, Health and Human Services Division, effective 8/17/2022.

Separation of employment for Brittany Brown, FT Library Branch Manager, Administration Division, effective 9/9/2022.

Separation of employment for Eric Schultz, FT Facility Program Supervisor, Health and Human Services Division, effective 8/26/2022.

Separation of employment for Jessica Schoenwald (Bendzick), FT Victim/Witness Assistant, County Attorney's Office, effective 8/31/2022.

Separation of employment for Ann Canchari, FT Administrative Specialist, Health and Human Services Division, effective 8/17/2022.

Separation of employment for Beth Hubbard PT (80% FTE) Therapist, Health and Human Services Division, effective 9/8/2022.

Separation of employment for Mason Potz, FT Temporary Program Delivery Seasonal, Transportation Services Division, effective 7/6/2022.

Separation of employment for Wilson Bastyr, FT Temporary Program Delivery Seasonal, Transportation Services Division, effective 8/18/2022.

Separation of employment for Diana Tyree, FT Temporary Office Assistant - Unclassified, Community Services Division, effective 8/2/2022.

Separation of employment for Nathan Dull, FT Temporary Office Assistant - Unclassified, Community Services Division, effective 8/2/2022.

Separation of employment for Jack Maxa, FT Temporary Surveying Aide - Unclassified, Transportation Services Division, effective 8/18/2022.

Separation of employment for Keegan Breeggemann, FT Temporary Program Delivery Seasonal, Transportation Services Division, effective 8/18/2022.

FT Probationary employment of Josafen Sanchez, Facility Probation Officer, Health and Human Services Division, effective 8/8/2022.

FT Probationary employment of Marly Yang, Social Work Case Manager, Health and Human Services Division, effective 8/22/2022.

FT Probationary employment of Ryan Trapp, Sheriff's Deputy, County Sheriff's Office, effective 9/12/2022.

FT Probationary employment of Shane Rink, Corrections Officer, County Sheriff's Office, effective 9/13/2022.

FT Probationary employment of Kirk Kirkland, Corrections Officer - Direct Supervision Specialist, County Sheriff's Office, effective 9/13/2022.

FT Temporary employment of Chris Meyer, Training Facility Manager - Unclassified, Planning and Resource Management Division, effective 8/15/2022.

FT Temporary employment of Karen Kandik, Social Worker I - Unclassified, Health and Human Services Division, effective 8/16/2022.

PT (50% FTE) Probationary employment of Gabriela Miller, Facility Probation Officer, Health and Human Services Division, effective 8/16/2022.

PT (50% FTE) Temporary employment of Janelle Swanson, Administrative Assistant -

Unclassified, Community Services Division, effective 8/22/2022.

PT Intermittent (34% FTE) employment of Kristen Meyer, Facility Probation Officer -

Unclassified, Health and Human Services Division, effective 8/23/2022.

Rescind employment offer to Violanda Soledad, FT Eligibility Specialist, Health and Human Services Division, effective 8/8/2022.

Amend starting date for Judith Villalobos, FT Temporary Administrative Assistant -

Unclassified, Transportation Services Division, effective 8/9/2022 (previously 7/18/2022).

Promotion for Casey Liebhard, FT Library Associate to FT Librarian, Administration Division, effective 8/17/2022.

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	
Peter Anderson	William White
Christine Welters	Michael Finlon
Kim Bruss	Nicole Anderson
Ann Gulstad	Ikran Mohamed
Jenna Schwarz	Emily Hill

Motion by Commissioner Weckman Brekke, seconded by Commissioner Ulrich. The motion carried unanimously.

(7) COLLABORATION: WE WILL WORK WITH PARTNERS - COMMUNITIES, SCHOOLS, FAITH GROUPS, PRIVATE BUSINESS, AND NON-PROFIT AGENCIES - TO SEE THAT SERVICES ARE NOT DUPLICATED BUT RATHER ARE COMPLIMENTARY, ALIGNED, AND PROVIDED BY THE PARTNERS WHO CAN DELIVER THE SERVICE MOST EFFECTIVELY

- 7.1 Review the Cedar Lake Improvement District's 2021 Budget and Expenditures and Adopt Resolution No. 2022-193; Approving the Payable 2023 Final Levy of \$40,000 for the Cedar Lake Improvement District

The Commissioners received a presentation from Principal Tax Specialist Dana Anderson on the Cedar Lake Improvement District's 2021 Budget and Expenditures.

Motion by Commissioner Barb Weckman Brekke, 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.

- 7.2 Adopt Resolution No. 2022-213; Approving the 2023 Budget in the Amount of \$15,511,593 and Payable Tax Levy in the Amount of \$4,188,840 of the Scott County Community Development Agency and Certifying the Same to the County Auditor
Julie Siegert, Scott County Community Development Agency (CDA) Executive Director, presented the proposed 2023 budget for the payable tax levy for the CDA.

Molly Link, Housing Director, presented data on housing and programs in Scott County and Stacy Crakes, Business Development Manager, presented data on work the CDA has been doing with local businesses.

Motion by Commissioner Ulrich, seconded by Commissioner Beard. The motion carried

unanimously.

(8) COMMITTEE REPORTS AND COMMISSIONER UPDATES

- A. All Commissioners attended the County Board workshop on August 16.
- B. Commissioner Weckman Brekke served meals at Treehouse in Savage on August 16.
- C. Commissioner Weckman Brekke met with the New Prague Mayor, Congresswoman
- D. Angie Craig, and Post Office staff on August 17.
- E. Commissioner Weckman Brekke attended the Association of Minnesota Counties
- F. (AMC) Board Strategic Planning Retreat on August 18 and 19.
- G. Commissioner Weckman Brekke met with the Shakopee School principal and superintendent on August 23.
- H. All Commissioners attended the Scott County Board meeting on August 23.
- I. Commissioner Weckman Brekke attended the Academies of Shakopee event on August 24.
- J. Commissioners Weckman Brekke, Wolf, and Beard attended the Scott County Ditch Board
- K. Commissioners Weckman Brekke, Wolf, and Beard attended the Scott-Le Sueur Joint Ditch Board meeting on August 24.
- L. Commissioner Weckman Brekke met with staff to discuss Family Resource Centers on August 29.
- M. All Commissioners attended the County Board workshop on August 30.
- N. Commissioner Weckman Brekke attended the Community Supervision Workgroup meeting on August 30.
- O. Commissioner Weckman Brekke attended the Law Library Board meeting on August 31.
- P. Commissioner Weckman Brekke attended the Metropolitan Library Service Agency (MELSA) agenda review meeting with the Executive Director on August 31.
- Q. Commissioner Weckman Brekke attended the Community Action Partnership (CAP) Agency finance committee meeting on August 31.
- R. Commissioners Weckman Brekke and Ulrich attended the Scott County Association for Leadership & Efficiency (SCALE) Executive Committee meeting on September 2.
- S. Commissioner Wolf attended the Minnesota Counties Insurance Trust meeting on August 17.
- T. Commissioner Wolf attended the Credit River City Council meeting on August 18.
- U. Commissioner Wolf attended the Dakota-Scott Workforce Development Board meeting on August 19.
- V. Commissioner Wolf met with Scott County Administrator Lezlie Vermillion on August 22.
- W. Commissioner Wolf attended the Scott WMO Planning Commission meeting on August 22.
- X. Commissioners Wolf, Beer, and Ulrich attended the Scott County Volunteer Picnic on August 23.
- Y. Commissioner Wolf attended the Vermillion River Watershed meeting August 25.
- Z. Commissioner Wolf attended the Elko New Market City Council meeting on August 25.
- AA. Commissioner Beer attended Backpack in the Park on August 18.
- BB. Commissioner Beer attended the Metropolitan Mosquito Control District (MMCD) Board of Directors meeting on August 25.
- CC. Commissioner Beer met with the Prior Lake Mayor and City Administrator as well as the Scott County Administrator on August 25.
- DD. Commissioners Beard and Beer met with the Shakopee Mayor and City Administrator as well as the Scott County Administrator on August 29.
- EE. Commissioner Beard met with Scott County Administrator Lezlie Vermillion on August 24.
- FF. Commissioner Beard met with co-chair of Live Learn Earn Housing Committee Fred Corrigan on August 29.

- GG. Commissioner Ulrich attended the Transportation Alliance Board (TAB) meeting on August 17.
- HH. Commissioner Ulrich attended the Greater MSP Board meeting on August 18.
- II. Commissioner Ulrich attended the Scott County Association for Leadership & Efficiency (SCALE) Executive Committee – Superintendents Meeting on August 22.
- JJ. Commissioner Ulrich attended the Volunteer Appreciation Picnic on August 23.
- KK. Commissioner Ulrich attended the Regional Solicitation – Unique Projects meeting on August 25.
- LL. Commissioner Ulrich attended the Transportation Policy Workgroup meeting on August 26.
- MM. Commissioner Ulrich attended the SCALE Executive Committee meeting on September 2.

(9) COUNTY ADMINISTRATOR UPDATE

The County Administrator announced two workshop agenda items following the County Board meeting:

- 2023-2027 Capital Improvement Program (CIP)
- Service Area Budget Presentations - Community Design

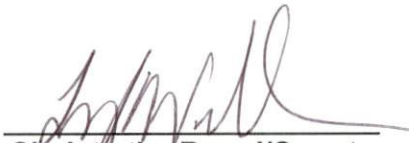
(10) RECESS FOR ATTORNEY/CLIENT MEETING

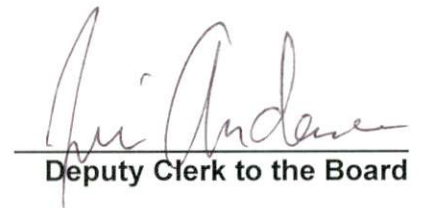
There were no attorney/client meetings.

(11) ADJOURN

On a motion by Commissioner Beer, seconded by Commissioner Wolf, the meeting adjourned at 11:25 a.m.


County Board Chair


Clerk to the Board/County
Administrator


Deputy Clerk to the Board