



MINUTES
SCOTT COUNTY
BOARD OF COMMISSIONERS
October 17, 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 Commissioner Ulrich. Commissioner Wolf presided.

The following were also in attendance:

1. Lezlie Vermillion, County Administrator
2. Danny Lenz, Deputy County Administrator/CFO
3. Ron Hocesvar, Scott County Attorney
4. Barb Dahl, Health and Human Services Director
5. Brad Davis, Planning and Resource Management Director
6. Lisa Freese, Transportation Services Director
7. Cindy Geis, Community Service Director
8. Jake Grussing, Transformation & Enterprise Services Director
9. Suzanne Arntson, Deputy HHS Director
10. Tony Winiecki, County Engineer
11. Kate Sedlacek, Environmental Services Manager
12. Tracy Cervenka, Business Operations Manager
13. Evan Cole, Business Info/Sys Specialist
14. Chris Harder, Quality Improvement Manager
15. Erin Lewis, Quality Improvement Manager
16. Jennifer Schultz, Library Director
17. Heidi Kastama, Specialty Court Coordinator
18. Stefanie Menning, Assistant County Attorney
19. Katie Malecha, Treatment Court Probation Officer
20. Dr. Jennifer Schuldt, Mental Health Center
21. Sandy Mader, Social Work Case Manager
22. Jen Schwarz, HHS Administrative Director
23. Keri Lorenz, Community Corrections Supervisor
24. Molly Bruner, Community Corrections Director
25. Deric Jackson, Community Corrections Field Officer
26. Angie Zamora Harguth, Project Manager
27. Sarah Mouren, Public Health Nurse
28. Racheal Hanson, Social Work Case Manager
29. Emily Hill, Community Health Specialist
30. Nikki Conway, Child Welfare Manager
31. Alli McNeil, Law Library Manager
32. Michelle Hesse, Deputy Clerk to the Board

Guests:

1. The Honorable Colleen King, 1st Judicial District Judge
2. Captain Jamie Pearson, Shakopee Police Department
3. Carly Neslund, Treatment Court Graduate
4. Robert Malz, Treatment Court Graduate
5. Michelle McLean, Public Defenders Office Attorney
6. Jamie Pearson, Shakopee Police Department
7. Mark Kendall, HEART Ministries
8. Tony Caterina, HEART Ministries
9. Jon Russell, HEART Ministries
10. Aaron Davitch, HEART Ministries
11. Noah Levie, Prior Lake
12. Gloria Pautz, Prior Lake
13. David R. Pautz, Prior Lake
14. Gary A. Hartmann, Scott Soil & Water Conservation District

(2) AMENDMENTS TO THE AGENDA

There were no amendments to the Agenda.

(3) NEW EMPLOYEES

The following new employees were welcomed to Scott County and introduced themselves:

- Nicole Conway, Children Services
- Racheal Hanson, Home & Community Care
- Emily Hill, Public Health
- Sarah Mauren, Home & Community Care
- Angela Zamora Harguth, Enterprise Business Technology

(4) APPROVE MINUTES

On a motion by Commissioner Ulrich, seconded by Commissioner Brennan, the October 3, 2023 minutes were approved unanimously.

(5) RECOGNITION OF INTERESTED CITIZENS

The County Administrator read into the record a letter from resident Jennifer Stearns expressing her concern about the Counties Housing Roundtables to provide housing opportunities to residents, as it is comprised of Christian churches and non-profits.

Ms. Vermillion responded to statements in the letter including that the project was completed under budget; programs are community based and participation is open to all religions, faiths and non-profits; placements are made appropriately and with participant choice; participants are not mandated to receive any religious services through any of the programs. She also noted that other counties have utilized ARPA funds to make larger property purchases. Ms. Vermillion thanked Ms. Stearns for her comments.

(6) 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

6.1 Recognition of Hosanna Lutheran Church and HEART Ministries

On behalf of the Board of Commissioners, Scott County Quality Improvement Manager Chris Harder presented a certificate of appreciation to Hosanna Lutheran Church and HEART Ministries and thanked them for the contributions they have made to transform the lives of residents in Scott County. Over the last two years, Hosanna and HEART have partnered with Scott County to deliver new programming and resources within Scott County through Transformation House, Allos Ministries Opportunity Homes, and Family Resource Center.

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

7.1 Receive Information on Scott County Delivers Topic: Specialty Courts

The Commissioners received information on Scott County Delivers Topic: Specialty Courts

(8) CONSENT AGENDA

- 8.1 Adopt Resolution No. 2023-229; Approving the Preliminary Plat and Final Plat of Hickory Hills Fourth Addition (Kyle and Elaine Coglitore, Applicant and Property Owner)
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.
- 8.2 Adopt Resolution No. 2023-234; Authorizing Entering a Contract with Veit & Company, Inc. for the Sand Creek Sediment Reduction Project
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.
- 8.3 Adopt Resolution No. 2023-235; Authorizing an Amendment to a Contract with Inter-Fluve, Inc. for Sand Creek Sediment Reduction Phase VI
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.
- 8.4 Adopt Resolution No. 2023-237; Authorizing an Amendment to a Contract with SRF Consulting Group, Inc. for Sand Creek Sediment Reduction Phase V
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.
- 8.5 Adopt Resolution No. 2023-253; Approving Direct Sale of Five Vacant Remnant Parcels Along Trunk Highway 169
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.
- 8.6 Adopt Resolution No. 2023-254; Approving Direct Sale of One Vacant Remnant Parcel Along County Highway 17 in the City of Shakopee
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.
- 8.7 Adopt Resolution No. 2023-256; Approving the Findings of Fact and Conclusions for the Merriam Junction Trail Environmental Assessment Worksheet and Negative Declaration on the Need for an Environmental Impact Statement
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.
- 8.8 Adopt Resolution No. 2023-258; Authorizing Acceptance of the 2023 Technology and Equipment Program Grant
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.

- 8.9 Adopt Resolution No. 2023-268; Authorizing Entering into a Cooperative Agreement With St. Lawrence Township for the Trunk Highway 169 and County Highway 59 Interchange Project 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.
- 8.10 Approve Payroll Processing of Personnel Actions
- On the recommendation of the County Administrator, Commissioner Weckman Brekke moved, seconded by Commissioner Brennan 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 Emmalie Brudzinski, Intermittent (34% FTE) Librarian - Unclassified, Transformation and Enterprise Services Division, effective 8/23/2022.
 2. Separation of employment for Fukhrudin (Khalif) Maalim, Public Health Data Planner, Health and Human Services Division, effective 10/6/2023.
 3. Separation of employment for Kim Harmon, FT Therapist, Health and Human Services Division, effective 11/1/2023.
 4. Separation of employment for Devona Garcia-Lord, FT Psychologist I, Health and Human Services Division, effective 11/3/2023.
 5. FT Probationary employment of Sarah Mauren, Public Health Nurse, Health and Human Services Division, effective 9/29/2023.
 6. FT Probationary employment of Thomas Snell, Equipment Mechanic, Planning and Resource Management Division, effective 10/4/2023.
 7. FT Probationary employment of Karlen Long, Tax Specialist, Community Services Division, effective 10/16/2023.
 8. PT (90% FTE) Probationary employment of Carla Winder, Social Worker II, Health and Human Services Division, effective 10/16/2023.
 9. Amend starting date for Jatone Smith, FT Corrections Officer, County Sheriff's Office, effective 9/28/2023 (previously 9/25/2023).
 10. Promotion for Cassandra Koch, FT Accounting and Contract Management Coordinator to FT Probationary Business Operations Manager, County Sheriff's Office, effective 10/9/2023.
- The motion carried unanimously.
- 8.11 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 \$14,460,424.52 from September 1 through September 30, 2023.
- Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously.

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

- 9.1 Conduct a Public Hearing at 10:00 AM for the Purpose of Receiving Public Comment on Terminating the McMahon Lake Improvement District and Adopt Resolution No. 2023-265; Ordering the Termination of the McMahon Lake Improvement District
- Motion by Commissioner Brennan, seconded by Commissioner Ulrich to open the Public Hearing at 10:28 a.m.
- Planning & Resource Management Director Brad Davis provided an update of the outlet project. The bonding award for the outlet project from the State of Minnesota was reassigned to the Scott Soil and Water Conservation District (SWCD) this spring. SWCD will oversee the acquisition of easements and construction of the outlet structure and own the structure. WSB Engineering has

completed most engineering studies, created outlet design, and identified preferred locations for the outlet, and outfall path. SWCD has requested a framework to assess benefiting properties for the ongoing maintenance and operation of the structure. Previously, the assessment framework was in the form of the McMahon Lake Improvement District (LID), which was formed in early 2022 based upon a petition by property owners to establish the LID. At that time, the intention was to reassign the bond award to the LID and have the LID own, operate, and maintain the outlet structure. Later that year, the LID Board Members informed the County that the LID was not prepared to take on the ownership or the bonding grant obligations and submitted their notice of resignation on November 2, 2022. Under state statutes, if a LID fails to meet its obligations, its responsibilities and liabilities pass to the county that established the LID. County legal counsel has advised the Board to formally terminate the McMahon LID. Staff recommends approval of Resolution 2023-265 to terminate the LID.

Noah Levie, 5475 McMahon Lane, Prior Lake

Mr. Levie, a McMahon lakeshore resident and founding Board Member of the LID, is in support of terminating the LID. Mr. Levie referred to the timeline in the resolution, noting the missing elements that led up to creating the LID. Between 2018 and 2020, pumping was used as a temporary solution for managing water levels but was determined to be an ineffective long-term solution. Discussions were held with the Scott WMO regarding the need for a permanent outlet. In 2020, State matching funds were secured and the County directed the lakeshore residents to form a LID and take on the responsibility of maintaining it, or funds would be returned to the state. Mr. Levie provided a history of the formation of the LID Board and the ultimate resignation of the Board members. A copy of the resignation letter is included with the resolution.

Mr. Levie concluded that the lakeshore residents are happy that the SWCD is taking on the outlet ownership and asked that the objectives are clearly defined and documented. He expressed his support of the formation of a special taxing district to fund the maintenance and potential future replacement and asked that the public access lake management initiative does not fall on a small portion of community residents.

Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke to close the Public Hearing at 10:40 a.m.

Motion by Commissioner Ulrich, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2023-265. 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.

(10) COMMITTEE REPORTS AND COMMISSIONER UPDATES

- All Commissioners attended a Workshop following the Board Meeting on October 3.
- All Commissioners attended the Spirit of Scott Employee Appreciation Lunch on October 3.
- All Commissioners attended the Scott County Association for Leadership & Efficiency (SCALE) meeting on October 13.
- Commissioner Beer met with the County Administrator on October 3.
- Commissioner Beer participated in a ride-along with Hosanna Community Outreach on October 5.
- Commissioner Beer attended the Families and Individuals Sharing Hope (FISH) meeting on October 10.
- Commissioner Beer attended the Scott County Labor Management Committee meeting on October 10.
- Commissioners Beer and Wolf attended the Prior Lake City Council meeting on October 16.
- Commissioners Brennan and Weckman Brekke attended the Archery program with the Parks Advisory Board on October 4.
- Commissioner Brennan met with the County Administrator and Planning & Resource Management Director Brad Davis on October 10.
- Commissioner Brennan attended the Community Development Agency (CDA) meeting on October 10.
- Commissioner Brennan attended the Scott County Historical Society (SCHS) meeting on October 11.
- Commissioners Brennan and Ulrich attended the Families & Individuals Sharing Hope (FISH) meeting on October 12.
- Commissioner Brennan attended the CDA/Fast Track Competition on October 12.
- Commissioner Brennan met with the County Administrator on October 13.

- Commissioner Brennan attended the 169 Pedestrian Bridge Ribbon Cutting on October 17.
- Commissioner Ulrich met with the Jordan Mayor on October 4.
- Commissioner Ulrich attended the Scott County Parks Commission meeting on October 4.
- Commissioner Ulrich met with the County Administrator on October 5.
- Commissioners Ulrich and Weckman Brekke attended the Scott County Association for Leadership & Efficiency (SCALE) Executive Committee meeting on October 6.
- Commissioner Ulrich attended the Association of Minnesota Counties (AMC) Metropolitan Council Advisory Board meeting on October 9.
- Commissioner Ulrich attended the House Bonding Committee tour on October 12.
- Commissioner Ulrich attended the Regional Training Facility (RTF) Joint Powers Board meeting on October 13.
- Commissioner Ulrich attended the SCALE Service Delivery Committee meeting on October 16.
- Commissioner Ulrich attended the Suburban Transit Association (STA) meeting on October 16.
- Commissioner Ulrich attended the Minnesota Valley Transit Association (MVTA) Management Committee meeting on October 16.
- Commissioners Ulrich and Weckman Brekke attended the Minnesota Inter-County Association (MICA) Collar County Metro Governance meeting on October 16.
- Commissioner Weckman Brekke attended the Scott-Carver-Dakota Community Action Program (CAP) Finance Committee meeting on October 3.
- Commissioner Weckman Brekke attended the AMC Extension Committee meeting on October 4.
- Commissioner Weckman Brekke attended the Metropolitan Library Service Agency (MELSA) Board of Trustees meeting on October 9.
- Commissioner Weckman Brekke met with the County Administrator on October 10.
- Commissioner Weckman Brekke attended the CAP Agency Monthly Board meeting on October 10.
- Commissioner Weckman Brekke, along with County Administrator Lezlie Vermillion, met with the City of Belle Plaine Mayor and City Administrator on October 11.
- Commissioner Weckman Brekke attended the National Association of Counties (NACo) meeting on October 11.
- Commissioner Weckman Brekke attended the Minnesota Inter-County Association (MICA) meeting on October 11.
- Commissioner Weckman Brekke attended the Minnesota Association of Community Corrections Act Counties (MACCAC) Conference on October 11-12.
- Commissioner Weckman Brekke attended the AMC Board meeting on October 13.
- Commissioners Weckman Brekke and Wolf attended the New Employee Welcome on October 17.
- Commissioner Wolf attended the New Market Town Board meeting on October 3.
- Commissioner Wolf attended the Metropolitan Mosquito Control District (MMCD) meeting on October 6.
- Commissioner Wolf attended the Planning Advisory Commission meeting on October 9.
- Commissioner Wolf attended the Metropolitan Emergency Services Board (MESB) meeting on October 11.
- Commissioner Wolf attended the Cedar Lake Water and Sanitary Sewer District meeting on October 11.
- Commissioner Wolf attended the I35 Solutions Alliance meeting on October 12.
- Commissioner Wolf, along with County Administrator Lezlie Vermillion, met with the City of Credit River Mayor and City Administrator on October 12.
- Commissioner Wolf attended the Vermillion River Watershed meeting on October 12.
- Commissioner Wolf attended the Elko New Market City Council meeting on October 12.
- Commissioner Wolf attended the Spring Lake Town Board meeting on October 12.
- Commissioner Wolf attended the Credit River City Council meeting on October 16.

(11) COUNTY ADMINISTRATOR UPDATE

County Administrator Lezlie Vermillion provided updates:

- A Joint Board meeting with Shakopee School Board is October 23
- The Community Health Board meeting and Workshop will move from October 31 to November 7
- The Annual Board Planning Worksession is November 17 following the SCALE meeting

(12) RECESS FOR ATTORNEY/CLIENT MEETING

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

(13) ADJOURN

On a motion by Commissioner Beer, seconded by Commissioner Brennan, the meeting adjourned at 11:06 a.m.

County Board Chair

**Clerk to the Board/County
Administrator**

Deputy Clerk to the Board