

## Nicollet County Board of Commissioners Meeting



**May 12, 2020**

*Nicollet County Government Center 501 South Minnesota Avenue, St. Peter, MN 56082*

*Commissioners – John Luepke, Chair; Jack Kolars; Terry Morrow; Marie Dranttel; Denny Kemp*

### **Nicollet County Board of Commissioners Meeting Notice**

Due to current state and federal emergency declarations, the Minnesota Governor's Stay at Home Executive Order and guidance about limiting unnecessary person-to-person contact due to the COVID-19 (coronavirus) pandemic, the May 12, 2020 Nicollet County Board Meeting and Drainage Authority Meeting will be conducted under Minnesota Statute 13D.021 – Meetings by Telephone or Other Electronic Means.

In accordance with MS 13D.021, the County Board Chair has determined that an in-person meeting is not practical or prudent because of a health pandemic. As a result, the May 12, 2020 Nicollet County Board Meeting and Drainage Authority Meeting will take place at 9:00 a.m. in the Nicollet County Board Room, Nicollet County Government Center, 501 South Minnesota Avenue, St. Peter, MN with some County Board Members possibly participating by telephone, Zoom video conference or other electronic means.

**Nicollet County buildings are closed to the public until further notice.** In accordance with MS 13D.021, members of the public are not permitted to attend this meeting due to the current health pandemic. Persons will be allowed to monitor the meeting from a remote location at [www.co.nicollet.mn.us/642/County-Board-Meeting-Videos](http://www.co.nicollet.mn.us/642/County-Board-Meeting-Videos). A copy of the meeting agenda and packet is available at [www.co.nicollet.mn.us/AgendaCenter/Board-of-Commissioners-3](http://www.co.nicollet.mn.us/AgendaCenter/Board-of-Commissioners-3). If you do not have access to the Internet, please contact the Nicollet County Administrator to make arrangements to listen to the meeting by telephone.

Questions or comments regarding agenda items and viewing or listening to the meeting can be directed to Ryan Krosch, Nicollet County Administrator, at 507-934-7204 or [rkrosch@co.nicollet.mn.us](mailto:rkrosch@co.nicollet.mn.us).

#### **Vision Statement**

*Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.*

**Leadership. Efficiency. Accountability.  
Innovation. Integrity.**

#### **Mission Statement**

*Providing efficient services with innovation and accountability*

## Nicollet County Board of Commissioners Meeting



**May 12, 2020**

*Nicollet County Government Center 501 South Minnesota Avenue, St. Peter, MN 56082*

*Commissioners – John Luepke, Chair; Jack Kolars; Terry Morrow; Marie Dranttel; Denny Kemp*

- 9:00 a.m.** Call Board of Commissioners Meeting to Order: Chair Luepke
1. Flag Pledge
  2. Silence Your Cell Phones
  3. Approval of Agenda
- Consent Agenda
1. [Approval of April 28, 2020 Board Minutes](#)
  2. Approval of Bills
- 9:05 a.m.** Health and Human Services
1. [Proclamation for May as National Mental Health Month](#)
  2. [COVID-19: Education / Resources](#)
- 9:20 a.m.** Public Services
1. [Tax Penalty Abatement Update](#)
- 9:30 a.m.** Property Services
1. [Livestock Producer Regulatory Relief Resolution](#)
- 9:50 a.m.** Chair's Report
- Commissioner Committee Reports
- Commissioners Meetings & Conferences
- Approve Per Diems and Expenses
- Adjourn Board of Commissioners Meeting
- 9:55 a.m.** Call Drainage Authority Meeting to Order: Chair Luepke
- Drainage Authority Agenda Items
1. Consent Agenda
    - a. [Approval of April 28, 2020 Drainage Authority Minutes](#)
- Adjourn Drainage Authority Meeting

Continued...

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### Notice of Scheduled Meetings

The following is a notice of scheduled meetings. Pursuant to Minnesota Statute 13D.04, this notice of meetings also serves as notice of regular and special meetings of the Nicollet County Board of Commissioners. Meetings with a quorum of Nicollet County Board of Commissioners expected to attend is noted with an asterisk (\*).

**NOTICE REGARDING NICOLLET COUNTY MEETINGS DURING THE COVID-19 PANDEMIC**  
**Due to the COVID-19 (coronavirus) pandemic and resulting state and federal emergency declarations, the Minnesota Governor's Stay at Home Executive Order, Nicollet County building closures to the public and guidance about limiting unnecessary person-to-person contact, these and future Nicollet County meetings will be conducted under Minnesota Statute 13D.021 – Meetings by Telephone or Other Electronic Means.**

**Questions or comments regarding any Nicollet County meeting and requests to participate in any meeting by telephone or other electronic means can be directed to Ryan Krosch, Nicollet County Administrator, at 507-934-7204 or [rkrosch@co.nicollet.mn.us](mailto:rkrosch@co.nicollet.mn.us).**

- May 12 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center Board Room, St. Peter\*
- May 12 – County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center\*
- May 18 - Board of Adjustment and Appeals/Planning & Zoning Advisory Commission Meeting, 7 p.m., Nicollet County Government Board Room, St. Peter\*
- May 19 - Individual Department Head Meeting with Sheriff, 8:15 a.m., Nicollet County Government Center, Nicollet Room, St. Peter\*
- May 19 - County Board Workshop, 9:30 a.m., Nicollet County Government Center Emergency Operations Center, St. Peter\*
- May 19 – County Drainage Authority Hearing for CD 77 Final Engineer's Report, 11 a.m., Nicollet County Government Center, Board Room, St. Peter\*
- May 26 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center Board Room, St. Peter\*
- May 26 – County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center\*
- May 28 - Brown-Nicollet Environmental Health Executive Committee Conference Call, 8:15 a.m., St. Peter
- June 1 - Mankato Rehabilitation Center Meeting, Mankato
- June 3 – AMC District Meeting via Teleconference, 9 a.m.
- June 4 – Highway 169 Coalition Meeting
- June 9 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center Board Room, St. Peter\*
- June 9 – County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center\*
- June 15 – County Board of Appeals and Equalization, 6:30 p.m., Nicollet County Government Board Room, St. Peter\*
- June 15 - Board of Adjustment and Appeals/Planning & Zoning Advisory Commission Meeting, 7 p.m., Nicollet County EOC, St. Peter\*
- June 16 - Individual Department Head Meeting with Human Services, 8:15 a.m., Nicollet County Government Center, Nicollet Room, St. Peter\*
- June 16 - County Board Workshop, 9:30 a.m., Nicollet County Government Center Emergency Operations Center, St. Peter\*
- June 23 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center Board Room, St. Peter\*
- June 23 – County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center\*
- June 25 - Brown-Nicollet Environmental Health Executive Committee Conference Call, 8:15 a.m., St. Peter

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OFFICIAL PROCEEDINGS OF THE  
BOARD OF COUNTY COMMISSIONERS FOR  
NICOLLET COUNTY, MINNESOTA  
APRIL 28, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, April 28, 2020, at 9:00 a.m. Commissioners Denny Kemp, Jack Kolars, Marie Dranttel, Terry Morrow, and John Luepke were present. Also present were County Administrator Ryan Krosch, County Attorney Michelle Zehnder Fischer and Recording Secretary Abigail Lewis.

The meeting was held via teleconference pursuant to Minnesota Statute 13D.021. There were no public comments submitted by email or phone. No members of the public requested to participate in the meeting by phone. The meeting was recorded and broadcasted live online.

**Approval of Agenda**

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve the agenda. Motion carried with all voting in favor on a roll call vote.

**Consent Agenda**

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the consent agenda items as follows: approval of the April 14, 2020 Board Meeting minutes, approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund - \$152,549.07, Road & Bridge Fund - \$797,554.04, Human Services Fund - \$169,577.36 and acknowledge review of the Auditor's Warrants. Motion carried with all voting in favor on a roll call vote.

**Finance**

**Quarter 1 Donations**

Finance Director, Heather McCormick, appeared before the Board to request approval on the 2020 Quarter 1 Donations.

<u>FROM WHOM</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
Various Donors	\$ 1,180.00	Veteran's Van
South-Central Beyond the Yellow Ribbon Chapter	500.00	Kwik Trip
(Gift cards for Veterans)	250.00	Family Fresh
	250.00	Hy-Vee
R&M Promotions LLC	800.00	Winter Slam
Various Donations	155.00	Loan Closet
Total	\$3,135.00	

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the 2020 Quarter 1 Donations. Motion carried with all voting in favor on a roll call vote.

## **Administration**

### **Nicollet County Correctional Service Delivery Change**

County Administrator, Ryan Krosch, appeared before the Board to request approval of a resolution authorizing a change to the Nicollet County correctional service delivery system.

This is a topic that is being revisited from 2016, has been discussed at County Board strategic planning sessions and is in the 2020 Nicollet County Strategic Plan for implementation. In recent months there has been communication between all the key stakeholders about a transition to the Community Corrections Act (CCA). All are in general support of the change and think it could provide more opportunities for providing even better criminal justice service than we do now.

In Minnesota there are three correctional service delivery systems. The recommendation is for Nicollet County to transition from the County Probation Officer system to the CCA system. Under a CCA system, a more uniform delivery of correctional services will occur as the County would take over felony supervision from the Minnesota Department of Correction. This system also offers greater opportunity for collaboration with the formation of a corrections advisory board made up of key stakeholders.

To make a change to the CCA, the Board would need to pass a resolution making the change and notify the Minnesota Department of Corrections by June 30, 2020. Implementation would occur July 1, 2021.

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve the Resolution Approving the Community Corrections Act as the Nicollet County Correctional Service Delivery System. Motion carried with all voting in favor on a roll call vote.

#### **RESOLUTION APPROVING THE COMMUNITY CORRECTIONS ACT AS THE NICOLLET COUNTY CORRECTIONAL SERVICE DELIVERY SYSTEM**

**WHEREAS**, Minnesota has three correctional delivery systems for the supervision of offenders on parole, probation and supervised release; and

**WHEREAS**, Nicollet County currently operates under the County Probation Officer (CPO) system as provided for in Minnesota Statute 244.19; and

**WHEREAS**, key stakeholders in Nicollet County conducted a thorough policy analysis of the three delivery systems in 2016 and 2020; and

**WHEREAS**, this analysis evaluated the three delivery systems and how each relates to Nicollet County's organizational direction and its mission, vision and core values; and

**WHEREAS**, Minnesota Statute Chapter 401 allows counties over 30,000 in population to deliver correctional services under the Community Corrections Act (CCA) system; and

**WHEREAS**, Nicollet County's 2010 US Census population was 32,727 and the Minnesota State Demographer's 2018 estimated population for the County was 34,189; and

**WHEREAS**, Pursuant to Minnesota Statute 401.08, the formation of a corrections advisory board under the CCA will enhance collaboration in the delivery of correctional services; and

**WHEREAS**, a county must notify the Minnesota Department of Corrections Commissioner by June 30, 2020 in order to transition to the CCA service delivery system on July 1, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, the Nicollet County Board of Commissioners hereby approves changing Nicollet County's correctional service delivery from the County Probation Officer system to the Community Corrections Act system; and

**BE IT FURTHER RESOLVED**, the Nicollet County Board of Commissioners directs the Nicollet County Administrator to notify the Minnesota Department of Corrections Commissioner by June 30, 2020 of Nicollet County's intent to change to the CCA delivery system; and

**BE IT FURTHER RESOLVED**, the Nicollet County Board of Commissioners also directs the Nicollet County Administrator to begin facilitating a transition to the CCA delivery system immediately with the intent to officially provide correctional services under the CCA on July 1, 2021.

## **2020 First Half Property Tax Collections, Penalties and Settlements**

Administrator Krosch once again brought forth the discussion on 2020 first half property tax collections, penalties and settlements. Included in the packet is information regarding the waiving of the late penalty on 2020 property taxes paid after May 15 for a duration of time as determined by the Board. The County Board has the authority under MN Statute 279.01 to abate tax penalties if they found the imposition of those penalties would be unjust and unreasonable. The COVID-19 pandemic has created a situation that allows the County Board to consider this authority under 279.01. Counties across the state are taking a wide variety of action, with many discussing this very topic today during their own Board meetings. Presented to the Board, and included in the packet, are two options in the form of a resolution.

Administrator Krosch invited Public Services Manager Jaci Kopet to the podium to address questions from the Board and to discuss this item further.

Motion by Commissioner Kolars to not proceed with any relief for tax penalty abatement. With no second, Commissioner Kolars withdrew his motion.

Motion by Commissioner Dranttel and seconded by Commissioner Kolars to approve the Resolution Providing for Abatement of the Penalty on Late Payment of 2020 First Half Property Taxes Due to the Covid-19 Pandemic with Option One, as amended, being the penalty abatement approved. Motion carried 4-0-1 on a roll call vote with Commissioner Kolars abstaining.

### **RESOLUTION PROVIDING FOR ABATEMENT OF THE PENALTY ON LATE PAYMENT OF 2020 FIRST HALF PROPERTY TAXES DUE TO THE COVID-19 PANDEMIC**

**WHEREAS**, federal, state and local emergency declarations have been issued as a result of the Covid-19 pandemic; and

**WHEREAS**, the Governor of Minnesota has issued several executive orders due to the COVID-19 pandemic; and

**WHEREAS**, public health guidance on social distancing due to the COVID-19 pandemic has been issued by world, federal, state and local health organizations; and

**WHEREAS**, these declarations, executive orders and health guidance have had an unprecedented impact on the world, national, state and local economies; and

**WHEREAS**, Nicollet County desires to provide temporary relief to its taxpayers that have been directly impacted by the economic pressures caused by the COVID-19 pandemic; and

**WHEREAS**, Nicollet County recognizes that these economic pressures will make it difficult for some County taxpayers to pay their property taxes on or before the May 15, 2020 due date; and

**WHEREAS**, pursuant to Minn. Stat. § 279.01, subd. 2, the County Board may abate the penalty for late payment of property taxes; and

**WHEREAS**, the County Board finds that imposing the full penalty for late payment of first-half property taxes in 2020 would be unjust and unreasonable due to circumstances created by the COVID-19 pandemic.

**NOW THEREFORE, BE IT RESOLVED**, by the Nicollet County Board of Commissioners as follows:

1. Pursuant to Minn. Stat. § 279.01, subd. 2, the County Board hereby delegates to the Nicollet County Public Services Manager the authority to abate the penalty provided in Minn. Stat. §279.01 for the late payment of first-half 2020 property taxes due on or before May 15, 2020.
2. This authority to abate penalty shall be for a period of May 16, 2020 through July 15, 2020.

3. Only Nicollet County taxpayers who own commercial property with a business that was required to close under a Minnesota Governor Executive Order issued between March 16, 2020 and May 15, 2020 are eligible for an abatement of penalty under this Resolution.
4. Taxpayers who pay by escrow, utilities and taxpayers with over \$100,000 of property taxes due payable in 2020 are not eligible for an abatement of penalty under this Resolution.
5. All those eligible to receive a penalty abatement under this Resolution must submit an application prescribed by Nicollet County to the Property & Public Services Department by May 15.

## **Public Works**

### **Consider CSAH 12 Geotechnical Instruments Proposal**

Public Works Director, Seth Greenwood, appeared before the Board to request approval on the CSAH 12 Geotechnical Instruments Proposal.

This item is in regards to the CSAH 12 project to raise the flooded portion of CSAH 12. To raise CSAH 12 will require building on very poor and unstable soils and to accomplish this without having an embankment failure will require staged construction. Staged construction means that we will fill a layer, monitor its soil pore pressure and rate of settlement, and when determined stable add an additional layer until we achieve our final design surcharge elevation. After the surcharge is complete we will need to continue to monitor the settlement rate to determine when we can remove the surcharge and finish the project.

To be able to determine when the contractor can move forward with subsequent fill layers and ultimately to remove the surcharge requires instruments to be embedded into the poor soils and embankment (fill) areas. Nicollet County does not have the required instruments or expertise on staff to accomplish this. Braun Intertec has submitted a proposal to provide these geotechnical instrumentation services.

Motion by Commissioner Morrow and seconded by Commissioner Kolars to approve the CSAH 12 Geotechnical Instruments Proposal and authorize Public Works Director Greenwood to sign the proposal. Motion carried with all voting in favor on a roll call vote.

### **Highway Department's 2019 Annual Report**

Director Greenwood presented the Highway Department's 2019 Annual Report.

The Highway Department's annual report is a financial accounting for all activities that went into maintaining Nicollet County's road and bridge infrastructure for 2019.

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve Highway Department's 2019 Annual Report. Motion carried with all voting in favor on a roll call vote.

Director Greenwood also provided updates on various road and bridge projects.

## **Commissioner Committee Reports**

The Commissioners reported on various meetings and activities including:

### **Commissioner Marie Dranttel**

- Probation Meeting

**Commissioner Terry Morrow**

- Public Health Weekly Check-In
- Probation Meeting
- Brown Nicollet Environmental Health

**Commissioner Denny Kemp**

- South Central EMS Meeting
- Probation Meeting
- Public Safety Meeting
- AMC Governors Conference Call

**Commissioner Jack Kolars**

- Traverse des Sioux Meeting
- GMG Meeting
- Probation Meeting
- MVAC Meeting
- CHS Meeting

**Chair's Report**

- Probation Meeting
- Brown Nicollet Environmental Health

**Approve Per Diems and Expenses**

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve the expenses and per diems for the meetings noted above during the Commissioner Reports and/or as submitted on approved expense reports, and authorize payment of those expenses and per diems by the Finance Office. Motion carried with all voting in favor on a roll call vote.

**Adjourn**

Motion by Commissioner Kemp and seconded by Commissioner Morrow to adjourn the meeting. Motion carried with all voting in favor on a roll call vote. The meeting adjourned at 10:46 a.m.

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JOHN LUEPKE, CHAIR  
BOARD OF COMMISSIONERS

ATTEST:

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RYAN KROSCH  
CLERK TO THE BOARD



Nicollet County Board of Commissioners  
Board Meeting Agenda Item



<b>Agenda Item:</b> Proclamation for May as National Mental Health Month	
Primary Originating Division/Dept.: Health and Human Services  Contact: Cassandra Sassenberg    Title: HHS Director  Amount of Time Requested    5            minutes  Presenter: C. Sassenberg                      Title: HHS Director	Meeting Date: 5-12-2020  Item Type: Regular Agenda <small>(Select One)</small>  Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services <small>(Select One)</small>	
<b>BACKGROUND/JUSTIFICATION:</b>  Mental health is essential to overall physical health and emotional well-being. There is a need to recognize that mental illness impacts the lives of many of our citizens and residents of all ages and sectors. Annually, the Nicollet County Local Advisory Council observes Mental Health month in May by offering educational activities to increase community awareness.  Nicollet County Health and Human Services requests that the Nicollet County Board of Commissioners approve a proclamation recognizing May as Mental Health month in Nicollet County.	
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None	
Prior Board Action Taken on this Agenda Item: <input checked="" type="radio"/> Yes <input type="radio"/> No  If "yes", when? (provide year; mm/dd/yy if known)    Annual proclamation	
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A	
<b>ACTION REQUESTED:</b> Proclamation of May as National Mental Health Month	
<b>FISCAL IMPACT:</b> Other <small>(Select One)</small>  If "Other", specify   <b>FTE IMPACT:</b> No FTE change <small>(Select One)</small> If "Increase or "Decrease" specify:  Related Financial/FTE Comments:	<b>FUNDING</b> County Dollars =  Other <small>(Select One)</small>  <b>Total</b>



RESOLUTION  
MAY IS NATIONAL MENTAL HEALTH MONTH



WHEREAS, mental health is essential to everyone's overall physical health and emotional well-being; and

WHEREAS, there is a need to recognize that mental illness affects the lives of many of our citizens and residents of all ages and sectors; and

WHEREAS, mental illness will strike one of five adults and children in a given year regardless of age, gender, race, ethnicity, religion or economic status; and

WHEREAS, people who have mental illnesses can recover and lead full productive lives; and

WHEREAS, an estimated 60% of adults who have mental health disorders are not receiving the help they need; and

WHEREAS, an estimated 90% of those who die of suicide have an underlying mental illness.

WHEREAS, stigma continues to be a significant barrier to people getting the help they need; and

WHEREAS, the cost of untreated and mistreated mental illnesses and addictive disorders to American businesses, governments and families continues to grow; and

WHEREAS, community-based services that respond to individual and family needs are cost-effective, and beneficial to consumers and the community; and

WHEREAS, the Nicollet County Local Advisory Council observes Mental Health month every May to raise awareness and understanding of mental health and illness.

NOW THEREFORE, I, John Luepke, as Chairperson of the Commissioners of the County of Nicollet, Minnesota, on behalf of the entire County and staff, do hereby proclaim May of 2020 as NATIONAL MENTAL HEALTH MONTH. I also urge all citizens of Nicollet County, Minnesota to become involved to increase awareness and understanding of mental health, and the need for appropriate and accessible services for all people who have mental illnesses.

Date: May 12, 2020

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John Luepke, Chair  
Nicollet County Board of Commissioners

ATTEST:

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Ryan Krosch  
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners  
Board Meeting Agenda Item



<b>Agenda Item:</b> COVID-19: Education / Resources	
Primary Originating Division/Dept.: Health and Human Services	Meeting Date: 5-12-2020
Contact: Cassandra Sassenberg Title: HHS Director	Item Type: Regular Agenda (Select One)
Amount of Time Requested 10 minutes	
Presenter: C. Sassenberg Title: HHS Director	Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services (Select One)	
<b>BACKGROUND/JUSTIFICATION:</b> HHS Director will provide an update on the response of Health and Human Services to the COVID-19 pandemic.	
Supporting Documents: <input type="radio"/> Attached <input type="radio"/> In Signature Folder <input checked="" type="radio"/> None	
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No	
If "yes", when? (provide year; mm/dd/yy if known)	
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A	
<b>ACTION REQUESTED:</b>	
<b>FISCAL IMPACT:</b> Other (Select One) If "Other", specify	<b>FUNDING</b> County Dollars = Other (Select One)
<b>FTE IMPACT:</b> No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	<b>Total</b>

Nicollet County Board of Commissioners  
Board Meeting Agenda Item

**NICOLLET**  
**COUNTY** EST. 1853



<b>Agenda Item:</b>		
Tax Penalty Abatement Update		
Primary Originating Division/Dept.: PPSP	Meeting Date: 05/12/2020	
Contact: Jaci Kopet                      Title: Public Services Mngr	Item Type: Regular Agenda (Select One)	
Amount of Time Requested 10      minutes		
Presenter: Jaci Kopet                      Title: Public Services Mngr.	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No	
County Strategy: Collaborative Workplace - sustain the core values of our culture (Select One)		
<b>BACKGROUND/JUSTIFICATION:</b> An update will be given on the tax penalty abatement program approved April 28.		
Supporting Documents: <input type="radio"/> Attached <input type="radio"/> In Signature Folder <input checked="" type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input checked="" type="radio"/> Yes <input type="radio"/> No		
If "yes", when? (provide year; mm/dd/yy if known)   April 28, 2020		
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A		
<b>ACTION REQUESTED:</b> No action requested.		
+		
<b>FISCAL IMPACT:</b> Other (Select One) If "Other", specify	<b>FUNDING</b> County Dollars = Other (Select One)	
<b>FTE IMPACT:</b> No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	<b>Total</b>	

Nicollet County Board of Commissioners  
Board Meeting Agenda Item



<b>Agenda Item:</b> Livestock Producer Regulatory Relief Resolution	
Primary Originating Division/Dept.: PPSD - Property Services	Meeting Date: 05/12/2020
Contact: Mandy Landkamer Title: PPSD Director	Item Type: Regular Agenda (Select One)
Amount of Time Requested 20 minutes	
Presenter: Mandy Landkamer Title: PPSD Director	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services (Select One)	
<b>BACKGROUND/JUSTIFICATION:</b> <p>Consider the attached resolution which will allow temporary increases in livestock density for permitted feedlot facilities or temporary stocking of unused feedlot facilities while livestock processing plants experience reductions or closures. With adoption of this resolution, the county's ordinance provisions that require a feedlot permit for feedlot expansion or a new feedlot can address this temporary situation without permits or permit violations.</p> <p>I will also provide an update concerning livestock carcass disposal.</p>	
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None	
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No	
If "yes", when? (provide year; mm/dd/yy if known)	
Approved by County Attorney's Office: <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A	
<b>ACTION REQUESTED:</b> Approval of the attached resolution.	
<b>FISCAL IMPACT:</b> No fiscal impact (Select One) If "Other", specify	<b>FUNDING</b> County Dollars = 0 Other (Select One)
<b>FTE IMPACT:</b> No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	<b>Total</b>



## Resolution Providing Regulatory Relief to Livestock Producers in Nicollet County



**WHEREAS**, the Novel Coronavirus Disease 2019, commonly known as COVID-19, is a respiratory disease that has resulted in a COVID-19 pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States of America declared a National Emergency as a result of the outbreak of COVID-19; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Minnesota declared a Peacetime State of Emergency to authorize the use of resources to support the response to COVID-19; and

**WHEREAS**, on March 24, 2020, the Nicollet County Board of Commissioners authorized an Emergency Disaster Declaration as a result of the outbreak of COVID-19; and

**WHEREAS**, orders and rules promulgated by the Governor under the authority of Minnesota Statutes Section 12.21, subdivision 3, clause (1), when approved by the Executive Council and filed in the Office of the Secretary of State, have, during a national security emergency, peacetime emergency, or energy supply emergency, the full force and effect of law; and

**WHEREAS**, pursuant to Minnesota Statutes Section 12.32, rules and ordinances of any agency or political subdivision of the state inconsistent with the provisions of this chapter, or with any order or rule having the force and effect of law issued under the authority of Minnesota Statutes Chapter 12, also known as the Minnesota Emergency Management Act of 1996, are suspended during the period of time and to the extent that the emergency exists; and

**WHEREAS**, Governor Tim Walz's Emergency Executive Order 20-33 required "all state agencies to continue to coordinate expeditiously to develop plans to mitigate the economic effects of closures and restrictions necessitated by this peacetime emergency, including potential financial support, regulatory relief, and other executive actions"; and

**WHEREAS**, due to the COVID-19 pandemic, meat processing plants serving Nicollet County livestock producers, are either closing or have reduced production, resulting in a delay and reduction in the processing of live animals. Livestock producers are unable to deliver finished animals to market and they are faced with holding onto animals that would ordinarily be sent to market. Although livestock producers are trying to reduce their production, it will not affect the current numbers of market ready animals; and

**WHEREAS**, the Minnesota Pollution Control Agency (MPCA) has, in light of the peacetime emergency and the Governor's Executive Order, instituted a process to provide regulatory relief to livestock producers during this emergency by providing an email portal allowing livestock producers to apply for regulatory flexibility regarding permitted animal units; and

**WHEREAS**, Nicollet County Property Services (NCPS) has determined it is necessary, in order to provide consistent regulatory relief in light of the COVID-19 peacetime emergency, to institute a similar plan to provide relief and flexibility to livestock producers in relation to the Nicollet County Zoning Ordinance (NCZO); and

**NOW, THEREFORE BE IT RESOLVED**, by the Nicollet County Board of Commissioners, that livestock producers impacted by the COVID-19 peacetime emergency in Nicollet County be provided relief and flexibility from the regulations and requirements of the NCZO, and that NCPS prepare and institute a plan to provide such relief and flexibility which is similar to and in accordance with the plan developed by the MPCA.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that this Resolution remains in effect until the September 1, 2020, and may be extended upon action by the Nicollet County Board of Commissioners.

Dated: May 12, 2020

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John Luepke, Chair  
Board Chair

ATTEST:

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Ryan Krosch  
County Administrator/Clerk to the Board