



**Stearns County
Board of Commissioners**

Stearns County Administration Center
705 Courthouse Square
St. Cloud, MN 56303
320-656-3601

**Regular Meeting Minutes
Tuesday, November 17, 2020**

The public and media are urged to watch the meeting via webcast to comply with Minnesota Department of Health and the Center for Disease Control guidelines by avoiding gatherings. Most Board members will be in attendance via Webex.

Call to Order

9:00 AM Call to order by Leigh Lenzmeier, Chair, on November 17, 2020 at County Administration Center, St. Cloud, MN.

Roll Call

District 1 Tarryl Clark: Remote, District 2 Joe Perske: Remote, District 3 Jeff Mergen: Remote, District 4 Leigh Lenzmeier: Present, District 5 Steve Notch: Remote, County Auditor - Treasurer Randy Schreifels: Remote, Senior Administrative Assistant Kari Stumvoll: Remote, Senior Office Specialist Tammy Moulzolf: Remote.

Approve Agenda

It was the consensus of the Board to approve the agenda after moving Item #4 regarding assessing benefitted property owners for costs related to County Ditch 28 to the Property Services portion of the agenda.

Consent Agenda

1. Approve minutes of Tuesday, November 03, 2020
2. Approve Renewal Application to Sell On-Sale 3.2 Percent Malt Liquor Submitted by Holdingford Snoflyers, Inc. for Period December 1, 2020 through May 31, 2021 at Their Clubhouse Located in Holding Township
3. For Informational Purposes Only Claims Paid October 24, 2020 through November 6, 2020 in Amount of \$34,835,550.86, Excluding Investment Purchases
4. Approve and Authorize Final Payment on SP 073-675-039; County State Aid Highway 75/33rd Street South Intersection Improvements in St. Cloud to OMG Midwest, Inc.
5. Approve and Authorize Final Payment on 2020 Seal Coat Contract to Astech Corporation
6. Approve Agreement with Wakefield Township Regarding 233rd Street Turnback
7. Approve Contract for Mental Health Support and Services to Stearns County Sheriff's Office Peer Support Program
8. Authorize scheduling public hearing date of December 15, 2020 at a time to be determined by County Administration to accept comments on Unmanned Aerial System (UAS) Policy for Stearns County Sheriff's Office

Consent Agenda Vote:

RESULT: APPROVED [UNANIMOUS]

MOVER: Tarryl Clark

SECONDER: Joe Perske

MANDATED ROLL CALL:

AYES: Clark, Perske, Mergen, Lenzmeier, Notch

Recess Regular Meeting

Recess Regular County Board Meeting to Conduct Human Services Board Meeting

Human Services Board Consent Items

1. Approve and authorize Board Chair to sign grant agreement with Minnesota Department of Human Resources for Child and Teen Checkups Program with reimbursement payable by the Minnesota Department of Human Services in the calendar year of 2021 in the amount of \$525,927.00
2. Approve and authorize Board Chair to sign grant award contract with the Minnesota Department of Human Services for Child Welfare/Juvenile Justice Mental Health Screening services effective for the term January 1, 2021 through December 1, 2021 in the amount of \$64,282.00
3. Approve and authorize Board Chair to sign contract with Minnesota Monitoring, Inc. to provide Drug and Alcohol Testing Services for Stearns County Human Services for the period of January 1, 2021 through December 31, 2021 at rates unchanged.
4. Approve and authorize Board Chair to sign contract with Catholic Charities of the Diocese of St. Cloud for Community Support Program services for the period January 1, 2021 through December 31, 2021, rates for group services of \$1,000.00 per month for conducting one support group, and of \$14.05 per 15 minutes for individual counseling at rates unchanged.
5. Approve and authorize Board Chair to sign contract with WACOSA for the provision of day training and habilitation service for the period January 1, 2021 through December 31, 2021 at the following rates: WACOSA (Waite Park South, Sauk Centre, South Satellite and Whitney Senior Center): Full Day - \$68.66/day, Partial Day - \$51.50/day and Transportation - \$5.05/per trip; WACOSA (Waite Park North): Full Day - \$90.28/day, Partial Day - \$67.71/day and Transportation - \$5.05/per trip; WACOSA (1st Ave): Full Day - \$92.20/day, Partial Day - \$69.16/day, Transportation - \$5.05/per trip. (Note: Full and Partial Day Rates changed)
6. Approve and authorize Board Chair to sign contract with WACOSA for extended employment services for the period January 1, 2021 through December 31, 2021 at the following rates: Support Employment - \$25.71 per hour, Center & Community Based Employment - \$3.99 per hour and Transportation - \$6.81 per trip. (Note: Rates changed)
7. Approve and authorize Board Chair to sign contract with St. Cloud Hospital for holds on emergency admission and judicial order for the period January 1, 2021 through December 31, 2021 at a rate of \$1,729.26 per day (0% increase) for usual and customary items attendant to room charges on the hospital's Behavioral Health/Chemical Dependency Unit
8. For Informational Purposes Only Human Services Claims Paid through November 6, 2020 in Amount of \$66,475.81

Human Services Consent Agenda Vote:

RESULT: APPROVED [UNANIMOUS]

MOVER: Tarryl Clark

SECONDER: Joe Perske

MANDATED ROLL CALL :

AYES: Clark, Perske, Mergen, Lenzmeier, Notch

Close Human Services Board

Reconvene Regular Meeting

Reconvene Regular County Board Meeting**Public Hearing**

1. Conduct Public Hearing to Consider Conditional Use Permit Application Submitted by George Meyers, Meyers Cozy Corner Campground, Richmond, MN

A public hearing was held for consideration of a Conditional Use Permit Application submitted by George Meyers, Meyers Cozy Corner Campground, Richmond MN, according to Sections 4.8, 6.48 and 10.2.23 of Stearns County Land Use and Zoning Ordinance #439. The request is for a campground expansion. The property is in the Agricultural 40 (A-40) zoning district. The proposal is located in part of Government Lot 1, Government Lot 2 and the NE1/4 NW1/4 in Section 1, Eden Lake Township (122/31), lying west of State Highway 22 and east of Long Lake. The property address is 19897 State Hwy 22, Richmond MN. Senior Environmental Specialist Jennifer Buckentine gave a recap of the Environmental Services Department staff report, the Planning Commission recommendation and Findings-of-Fact. Land Use Division Supervisor Angie Berg reviewed the DNR recommendations regarding the issue of surface water overcrowding and reviewed new information related to archeological sites within the development. Environmental Services Director Chelle Benson stated that the septic system on the current site is in compliance and a new system would be installed for the expansion sites. Mark Latteral, Environmental Health Division Supervisor, addressed questions of the Board regarding sewage treatment systems. Chair Lenzmeier opened the public hearing for public testimony. Ms. Buckentine reported postcards in opposition of the request were received from 300+ people; said list is on file in the Environmental Services Department. Also, correspondences received by the Environmental Services Department opposing the request are as follows: Jodi Bandemer, Vaune Borreson (Anderson), John Burman, Bill Doll, Dennis and Dru Dukart, Carol and John Fjelstra, Elynn Lepel, Lucille Miller, Sharon and Jim Negley, Nancy Nystuen, Linda Peck, Dan Pfelps, Michael Stang, Andrew and Mary Woychek, Britta and Nate Zarbok and Mike Rozycki. Correspondences submitted for the Planning Commission hearing held on October 15, 2020 were as follows: Peggy LaDue, Anna Brenckman, Judy Danielson, Deb Pile, Edward Luikens, Chad Kuechle, Roch Ruhland, Mike Rozycki, Nick and Tammy Koop, Gary and Mary Lee Dockendorf, Miles and Margaret Hubbard, Doug and Kim Mortenson and Ann and Todd Kirchner. Oral testimony at the Planning Commission hearing was given by Mike Rozycki and Dale Zimmerman. She stated all postcards and letters received have been emailed to the Board. Additional letters were received from Darryl Scott representing the Dwight Scott Family, Jim and Barb Lundborg and Sheila Anderson also opposing the request due to increased boat traffic and the negative impact on fish and wildlife. A correspondence was also received from Dale Zimmerman containing historical septic system information. Ms. Buckentine summarized a correspondence received from Peggy LaDue also opposing the request. George Meyers, Richmond MN, stated his sewage system meets all regulations and his request will not damage the environment. He also commented that his expansion will benefit the area economy by bringing more business to the area. Bill Doll, Richmond MN, stated he opposes the expansion request due to erosion of the shoreland, littering, large amount of boat traffic causing overcrowding and the negative impact on lakes. ChristiGooG Becker, unknown address, commented the importance of preserving the lakes. She requested a biological study be done including a boat traffic count. Kris Ruegemer, Richmond MN, noted she is opposed to the request due to heavy boat traffic currently on the lake and the additional traffic and increased danger on Highway 22 that would result if the request is approved. Commissioner Notch inquired where Kron's Bay was located and Mr. Doll responded it is in the southwest part of Horseshoe Lake. Nick Koop, Roseville MN, asked the Board to deny the expansion request due

to his concern over the shoreland being destroyed and questioned how a septic system would be able to handle the high volume of people on the property. Mike Rozycki, Richmond MN, stated he opposes the request due to it not aligning with the recently approved Comprehensive Plan and asked for denial of the request. Mark Conway, Avon MN, noted he is in favor of an archeology review being done. Dale Zimmerman, Richmond MN, stated he opposes the request due to the trespassing taking place on his property and asked if there was a sink at the fish cleaning station. Ms. Benson stated that will be looked into. Mr. Zimmerman stated his concern over septic systems and their locations and asked the Board to deny the request. Ms. Benson referred to Mr. Meyers if there is a sink in the fish cleaning station and Mr. Meyers stated there is. Ms. Benson also noted that individual septic designers are responsible for the septic locations, not the Environmental Services Department. Chair Lenzmeier stated based on the public input, the County Board would not be in a position to make a decision at this time. No one else came forth from the public to be heard so Chair Lenzmeier concluded the public hearing. Commissioner Mergen stated he received several calls asking some sites at the campground be moved due to problems with trespassing, littering and loud noise. Chair Lenzmeier repeated that Board action would not be appropriate at this time due to questions that have risen from public comments. Ms. Benson suggested action be continued at a future meeting when more information is provided. Ms. Berg reviewed the 3 options available to the Board. Commissioner Perske questioned the significance of an archeology study. Ms. Berg stated the properties were identified by a MNDOT survey and pieces of stone tools were discovered. She stated the area is not a burial site and a licensed archeologist would identify if what is found on the property is something that is not known about Minnesota history and would know if the area needed to be preserved. Ms. Berg proposed what Board action should be at this time She also recommended to the Board that Mr. Meyers verbally waive the 60-day decision making period with commitment to sign a waiver in writing. Mr. Meyers asked how long an archeology survey would take. Ms. Berg stated she didn't know the difficulties of doing a study at this time of the year or the schedules of archeology reviews. She reviewed with Mr. Meyers his options. Mr. Meyers agreed to waive the 60-day period. Commissioner Mergen asked if the archeology study would take place if not requested. Ms. Berg said it would not because counties are not obligated to preserve sites unless they are burial grounds. Commissioner Notch felt the archeology study should not be part of the motion. Motion was made to close the public hearing and table a decision until a future Board Meeting to address concerns that were brought up in the public hearing. After discussion on the specifics of the motion, it was clarified the motion was for closing the public hearing, delaying Board action and did not include an archeology survey.

Presenter: Chelle Benson, Environmental Services Director; Angie Berg, Land Use Division Supervisor;

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Steve Notch

SECONDER: Jeff Mergen

MANDATED ROLL CALL:

AYES: Clark, Perske, Mergen, Lenzmeier, Notch

Property Services

Presentation by Jeff Johnson, Property Services Division Director, re: consideration of:

1. Accept Stearns County Ditch 28 Project - Public Input Report and Direct Staff to Monitor Ditch Conditions

Presenter: Chad Martini, Land Management Division Director; Kale Van Bruggen, Attorney-Rinke Noonan;

RESULT: INFORMATIONAL – NO VOTE

2. Authorize Auditor-Treasurer to Assess Benefited Property Owners for Ditch Costs Related to County Ditch 28

Motion was made to monitor and inspect the impact of the fish trap barrier removal on County Ditch 28 and present an updated inspection report to the Drainage Authority in 2021. Furthermore, the County Board authorizes the Auditor-Treasurer to assess a special assessment to benefited property owners for accrued expenses related to County Ditch 28 in the amount of \$20,067.94 at 0% interest with one installment payable with 2021 real estate taxes and staff was directed to contact property owners not included in the benefitted acres the opportunity to contribute towards County Ditch #28 expenses that have accrued.

RESULT: APPROVED [UNANIMOUS]

MOVER: Jeff Mergen

SECONDER: Tarryl Clark

MANDATED ROLL CALL:

AYES: Clark, Perske, Mergen, Lenzmeier, Notch

COVID-19 Update

Presentation by Erin Tufte, Emergency Management Director, re: consideration of:

1. Receive COVID-19 Update

Emergency Management Director Erin Tufte stated the number of confirmed Covid-19 cases for Stearns County is now over 10,000. Positivity cases continue to increase and the average cases per day are at 225.

Human Services Director Melissa Huberty reviewed the testing site locations. She stated the large increase in cases is occurring in the 18 - 35 age group with the source being at large gatherings such as weddings and funerals.

Human Resources Director Jennifer Thorsten stated the total Covid related employee leaves is at 172 employees from the beginning of April through November 12, 2020 with no disruption to public services.

RESULT: INFORMATIONAL – NO VOTE

Administration

Presentation by Michael Williams, County Administrator, re: consideration of:

1. Receive CARES Act Spending Update and adopt Resolution 20-56 approving the reimbursement of county payroll expenses as provided for in the County's Coronavirus Relief Fund Spending Plan

RESOLUTION 29-56**RESOLUTION APPROVING THE REIMBURSEMENT OF
COUNTY PAYROLL EXPENSES
AS PROVIDED FOR IN THE COUNTY'S CORONAVIRUS
RELIEF FUND SPENDING PLAN**

WHEREAS, on March 19, 2020, the Stearns County Board of Commissioners declared a local state of emergency to respond to the impacts of the COVID-19 pandemic; and

WHEREAS, the county continues to respond to the COVID-19 emergency through the provision of direct services to impacted county residents, the purchase of materials and supplies needed to keep county employees, residents, and customers safe, the transition of a large part of the county workforce to remote working, the support and coordination of efforts to ensure food security for all residents, the provision of housing assistance to those who may be at risk of contracting the disease, and many of other county directed services; and

WHEREAS, on March 27, 2020, the federal government passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act, H.R. 748) to address the economic impact of the corona virus; and

WHEREAS, the CARES Act provided \$150 billion in aid to: states and certain local governments, the District of Columbia and US Territories, and tribal government, called the Coronavirus Relief Fund (CRF) to address spending shortages related to the pandemic and to address necessary expenditures incurred due to the COVID-19 public health emergency; and

WHEREAS, on June 25, 2020, by executive action, Governor Walz distributed over \$841 million in CRF funding to the counties, cities and townships in Minnesota, of which a total of \$19,361,975 was received by Stearns County; and

WHEREAS, through the certification signed by the County Administrator, the county agreed to spend the funds as required in the CARES Act (H.R. 748), agreed to periodically report our spending as required by Minnesota Management and Budget (MMB), and agreed to return any unspent or unencumbered funds as defined by the state or federal guidance as of December 1, 2020 to MMB by December 10, 2020; and

WHEREAS, the CRF guidance to state, local or tribal governments, as updated on September 2, 2020 provides an administrative accommodation that a government may presume that the public health and public safety work performed by such employees is an allowable use of CRF for their payroll expenses; and

WHEREAS, the CRF guidance to state, local or tribal governments, as updated on September 2, 2020 provides a government may also track time spent by employees related to COVID-19 and may use CRF funds for payroll expenses; and

WHEREAS, the County Board of Commissioners finds the expenditures identified below are necessary due to public health emergency with respect to COVID-19 and are allowable as described in the CARES Act and in federal guidance issued to implement the act.

NOW, THEREFORE, BE IT RESOLVED that the Stearns County Board of Commissioners does hereby approve the following expenditures from the Stearns County Coronavirus Relief Funds:

- Presumed Public Safety payroll expenses up to \$9,000,000
- Actual tracked time of payroll expenses up to \$2,000,000

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Stearns County Board of Commissioners authorizes the County staff to make adjustments to the payroll expense as necessary to respond to changing conditions or guidance up to a total maximum expense amount of \$11,000,000.

Presenter: Sarah Utsch, Financial Director;

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Steve Notch

SECONDER: Joe Perske

MANDATED ROLL CALL:

AYES: Clark, Perske, Mergen, Lenzmeier, Notch

Adjournment

Chair Lenzmeier adjourned the County Board Meeting at 12:08 p.m.