

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
DECEMBER 14, 2021**

The Goodhue County Board of Commissioners met on Tuesday, December 14, 2021, at 9:00 a.m. by virtual meeting with the County Administrator appearing from the Goodhue County Boardroom, Government Center, Red Wing, MN, with Commissioners Anderson, Majerus, Drotos, Greseth and Flanders all present and appearing by virtual meeting.

C/Anderson asked for any disclosure of interest. There were none.

¹ Moved by C/Majerus, seconded by C/Drotos, and carried to approve the December 2, 2021 County Board meeting minutes.

² Moved by C/Majerus, seconded by C/Flanders, and carried to approve the December 14, 2021 County Board Agenda.

Administrator Arneson added the approval resolution for Repurchase of Tax-forfeited land as number 22 on the consent agenda. C/Flanders requested that this issue be on the regular agenda for discussion and not the consent agenda.

C/Majerus requested that the Final of CSAH 6 Grading SAP 025-606-020 contract be removed from the consent agenda for questions. County engineer, Greg Isakson, addressed the questions.

³ Moved by C/Majerus, seconded by C/Flanders, and carried to approve the following resolution for Final of CSAH 6 Grading SAP 025-606-020:

WHEREAS, Contract No. 60620, SAP 025-606-020 CSAH 6 Grading, has in all things been completed, and the County Board being fully advised in the premises; and,

WHEREAS, documentation for the project has been finalized, and final payment to the contractor, Fitzgerald Excavating & Trucking, is \$89,858.85;

NOW, THEREFORE, BE IT RESOLVED, that the Goodhue County Board of Commissioners does hereby accept said completed project for and on behalf of the County of Goodhue and authorize final payment as specified herein.

⁴ Moved by C/Majerus, seconded by C/Drotos, and carried to approve the following items consent agenda as amended:

1. Approve the Policing Contract with the City of Dennison.
2. Approve 2022 Annual Delegation of EFT Authority
3. Approve 2022 Inspection Agreements
4. Approve Authorized Agents for Designation
5. Approve Designation of Financial Institutions as Depositories
6. Approve Petty Cash and Change Funds for 2022
7. Approval of Wanamingo Landfill 5 Year Operations & Landowner Agreements.
8. Approve Attorney Contracts.
9. Approve Clerical Error List.
10. Approve the 2021 Donation Report.
11. Approve the City of Red Wing/Goodhue County Radiological Emergency Response Plan.
12. Approve Absentee Ballot Board Members 2022-2023
13. Approve the Application for Exempt Permit for Pine Island White Pines Sportsman's Club.
14. Approve of 2022 Bid Date Authorization.
15. Approve of Final Drain Tile Change Order to Coop Agreement with MnDOT for TH 52 Regrading Project.
16. Approve of Public Works Legislative Priorities.
17. Approve of TH 52 / CSAH 7 PEL Interchange Design Study Agreement.
18. Approve Leave Without Pay Policy.
19. Approve Vehicle Allowance.
20. Approve the Greater Zumbro River Comprehensive Watershed Management Plan.

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21. Approve to participate in the Hazard Mitigation Assistance Program.

HUMAN RESOURCE DIRECTOR'S REPORT

LELS 46 Employee Union Contract. Human Resource Director, Melissa Cushing, presented the county board with the proposed LELS #46 Employee Union Contract for 2022. The contract included a 2.25% increase and moving all employees in the union #46 onto the new compensation system.

C/Drotos clarified that the new pay study is not complete or approved except in this instance.

⁴ Moved by C/Greseth, seconded by C/Flanders, and carried to approve the 2022 LELS 46 Employee Union Contract.

Non-union wages 2022. Staff requested direction from the board in setting the 2022 non-union employee wages. Staff recommendation was to begin the new wage rates on December 25, 2021, which was the first day of the new pay period.

⁵ Moved by C/Drotos, seconded by C/Majerus, and carried to approve a 2.25% wage adjustment on the current pay scale for all non-union employees to begin on December 25, 2021 for the year 2022.

County Attorney and Sheriff Wages 2022. Staff requested the board set the salary for the elected County Attorney and County Sheriff. If the Sheriff and County Attorney receive a 2.25% wage increase and a step, the Sheriff would move onto step 12 and his wages would be \$159,806.40. The County Attorney would move onto step 11 and his wages would be \$156,707.20. Both of these rates were on the current pay scale.

⁶ Moved by C/Majerus, seconded by C/Drotos, and carried to approve to set the County Attorney and County Sheriff 2022 salary as follows:
Sheriff – Grade 90 step 12 \$159,806.40
County Attorney- Grade 90 step 11 \$156,707.20

County Commissioner Wages 2022. Per Minnesota Statute 375.055, the County Board shall, by resolution, set the annual salary for Board members to be effective January 1 of the next year. The resolution shall contain a statement of the new salary on an annual basis. Staff requested board direction to set county commissioner salaries for 2022.

⁷ Moved by C/Drotos, seconded by C/Greseth, and carried (4-1-0) with C/Majerus dissenting to approve to set the County Commissioner salaries for 2022 to include a 2.25% increase in wages which is as follows:

2022 annual salary = \$23,224.66

C/Drotos noted that county commissioner wages have not increased in the last five years. Human Resource Director, Melissa Cushing, clarified that was not a correct statement, and she would email the county board the salary history so they have the correct numbers.

C/Greseth questioned if the board chair should receive more due to the additional workload. Administrator Arneson stated that was a common practice in other counties. Ms. Cushing agreed. C/Flanders suggested an increase in the per diem rate.

2022 Per Diem Rates. The current per diem payment is \$50.00 per day. At the December 2nd board meeting it was determined a Committee of the Whole meeting will be set during the first quarter of 2022 to discuss per diems for 2023. Once the per diem rate is set by the Board for 2022, it cannot be changed during the year.

C/Drotos suggested increasing the per diem rate for civilian participation and the commissioner per diem remain the same, however, consider an increase to commissioner per diem in future years after the survey from AMC is complete.

⁸ Moved by C/Greseth, seconded by C/Flanders, and carried to approve to set the 2022 civilian per diem rate at \$100 and the commissioner per diem rate would remain at \$50.

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FINANCE DIRECTOR'S REPORT

ARPA Program and Budget. On August 17, 2021, the County Board approved its first ARPA Program and Budget knowing that it would continually require discussion and amendments as more guidance would be released from the U.S. Treasury. At their meeting on November 2nd, the County Board went through the budget in detail and provided staff with some direction. Based on the discussion on November 2nd, the proposed \$9,001,002 ARPA Budget shows line item detail in each of the designated areas. Staff has made the discussed changes to the ARPA budget. Due to the cost of some of these items, they will have to come back before the Board for further or final approval. Staff recommended board approval of the ARPA Program and Budget as presented.

- ⁹ Moved by C/Drotos, seconded by C/Flanders, and carried to approve the proposed ARPA Program and Budget as presented.

Fund Balance Designations for December 31, 2021. Staff recommended the board approve the proposed 2021 Fund Balance Commitments as presented for December 31, 2021

- ¹⁰ Moved by C/Flanders, seconded by C/Greseth, and carried to approve the 2021 Fund Balance Commitments as presented.

Approve the resolution for repurchase of tax-forfeited land. The proposed property, parcel 55.020.1620 was forfeited to the State of Minnesota due to nonpayment of property taxes. MN Statute 282.241 states that at this point in the process the property owner or taxpayer does not have a right to repurchase the property; however, they do have the privilege of submitting a written application to the County Board, requesting to repurchase a parcel of tax-forfeited property. The County Board by resolution has the authority and responsibility to approve or disapprove any written request for repurchase. Staff recommended the board determine that the repurchase of the property was in the public's best interest.

- ¹¹ Moved by C/Drotos, seconded by C/Greseth, and carried to approve the following resolution for the repurchase of tax-forfeited lands:

WHEREAS, property located in the City of Red Wing described as parcel 55.020.1620 forfeited to the State of MN for delinquent taxes assessed for 2015 payable 2016 and subsequent years, as provided by the appropriate statutes, and

WHEREAS, MS 282.241 provides for repurchase after forfeiture of tax by aggregate of all delinquent taxes and assessments, together with penalties, interest and costs which would have accrued had said lands not forfeited to the State, unless prior to the time of repurchase such parcels shall have been sold, and

WHEREAS, this Board has determined that said repurchase would best serve the public interest;

NOW THEREFORE BE IT RESOLVED, that Monica Hood, be authorized to repurchase property referred to above, under the provisions of the above mentioned statute, provided that payment is made in the sum of all taxes, assessments, penalties, interest and costs. The property will be placed back into the name of Monica Hood, as it was at the time of forfeiture.

HEALTH & HUMAN SERVICES DIRECTOR'S REPORT

Minnesota State-Subdivision Opioid Settlement Agreement. Staff recommended the board approve the proposed MN State-Subdivision resolution agreeing to the intrastate agreement and authorizing Goodhue County to opt-into the national settlement.

- ¹² Moved by C/Drotos, seconded by C/Greseth, and carried to approve the following resolution authorizing county staff to execute all necessary documents to ensure County participation in the multistate settlements relating to opioid distributors and manufacturers, and in the Minnesota Opioids State-Subdivision Memorandum of Agreement, and declaring support for an amendment to Minn. Stat. § 256.043, subd. 3(d).

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WHEREAS, the State of Minnesota and numerous Minnesota cities and counties are engaged in nationwide civil litigation against manufacturers and distributors of prescription opioids related to the opioid crisis; and

WHEREAS, the Minnesota Attorney General has signed on to multistate settlement agreements with several pharmaceutical distributors, McKesson, Cardinal Health, and AmerisourceBergen, as well as opioid manufacturer Johnson & Johnson, but those settlement agreements are still subject to sign-on by local governments and final agreement by the companies and approval by the courts; and

WHEREAS, there is a deadline of January 2, 2022, for a sufficient threshold of Minnesota cities and counties to sign on to the above-referenced multistate settlement agreements, and failure to timely sign on may diminish the amount of funds received by not only that city or county but by all Minnesota cities and counties from the settlement funds; and

WHEREAS, representatives of Minnesota's local governments, the Office of the Attorney General, and the State of Minnesota have reached agreement on the intrastate allocation of these settlement funds between the State, and the counties and cities, as well as the permissible uses of these funds, which will be memorialized in the Minnesota Opioids State-Subdivision Memorandum of Agreement (the "State-Subdivision Agreement"); and

WHEREAS, during negotiations of the State-Subdivision Agreement, representatives of Minnesota's counties prioritized flexibility in how local governments may use settlement funds for opioids abatement and remediation and advocated for counties to receive settlement allocations directly rather than using the distribution mechanism detailed in Minn. Stat. § 256.043, subd. 3(d); and

WHEREAS, in order to achieve the goals of flexibility and direct allocation, Minn. Stat. § 256.043, subd. 3(d), must be amended to remove a provision which would otherwise appropriate approximately 50 percent of the state's settlement allocation to county social service agencies for statutorily prescribed use(s); and

WHEREAS, the State-Subdivision Agreement creates an opportunity for local governments and the State to work collaboratively on a unified vision to deliver a robust abatement and remediation plan to address the opioid crisis in Minnesota; now, therefore,

BE IT RESOLVED, Goodhue County supports and agrees to the State-Subdivision Agreement; and

BE IT FURTHER RESOLVED, Goodhue County supports and opts in to the multistate settlements with McKesson, Cardinal Health, and AmerisourceBergen, and with Johnson & Johnson; and

BE IT FURTHER RESOLVED, Goodhue County authorizes county staff to execute all necessary documents to ensure County participation in the multistate settlements, including the Participation Agreement and accompanying Release, and in the State-Subdivision Agreement; and

BE IT FURTHER RESOLVED, Goodhue County, supports the amending of Minn. Stat. § 256.043, subd. 3(d), to remove a provision which would appropriate approximately 50 percent of the state's settlement allocation to county social service agencies via the existing Opiate Epidemic Response Fund distribution mechanism for statutorily-prescribed use(s).

COUNTY ADMINISTRATOR'S REPORT

Budget Committee Report. The budget committee met on December 14, prior to the board meeting with to review the 2022 Out of State Travel requests. The committee recommended approval of all requests.

¹³ Moved by C/Drotos, seconded by C/Majerus, and carried to approve the following 2022 out of state travel requests:

County Administrator:

- National Association of Counties (NACO)
 - Legislative Conference, February 12-16 in Washington, D.C.
 - Annual Conference, July 21-24 in Adams County, Colorado International City/Count
- Management Association (ICMA) Annual Conference, September 17-21, 2022 in Columbus, Ohio

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GIS:

- ESRI Development Conference, March 8-11 in Palm Springs, CA
- ESRI Users Conference, July 11-15 in San Diego, CA

Health & Human Services:

- End Violence Against Women International Conference, April 19-21, in San Francisco, CA. Attendance to this conference would be contingent upon outside funding.

Public Works.

- Washington Fly In- Washington DC (County Engineer and 3 County staff) Typically this conference is held in May or September.
- NACE Annual Meeting- (County Engineer or Asst Engineer) April 24-27 in Erie County, NY

Sheriff's Office.

- SAFECOM Public Safety Committee Meeting. The bi-annual meetings are 4 days in length, including travel days. The in-person committee meetings are 2 days, typically only meeting once a year. These meetings are by invitational travel and therefore they are planned, scheduled, arranged and paid in full by the SAFECOM Program. The meetings occur anywhere within the United States as approved by the federal processes. Staff time is not covered. Total hours do not normally exceed 75 hours in a calendar year.

2022 Budget and Levy Report. Staff recommended the board approve the 2022 budget, levy and capital plan as presented. This represents a levy increase of \$2,239,703 (5.91%) over the 2021 approved Levy.

¹⁴ Moved by C/Drotos, seconded by C/Flanders, and carried (4-1-0) with C/Majerus dissenting to approve the following 2022 budget, levy and capital plan resolution:

WHEREAS, The Goodhue County Board and Department Heads have conducted a lengthy, detailed budget planning process, and;

WHEREAS, The County Board has considered all correspondence regarding the same, and has again reviewed said proposed budget to determine that it does in fact represent fiscally responsible county government;

Budget		
FUND	2022 Expenditures	2022 Revenues
General Fund	\$ 31,558,814	\$ 10,121,740
Public Works	\$ 21,593,497	\$ 15,662,601
Health and Human Services	\$ 18,833,946	\$ 10,754,375
EDA	\$ 47,338	\$ 84
Capital Plan	\$ 2,894,451	\$ 398,604
Debt Services	\$ 1,947,039	\$ 424,522
Waste Management	\$ 952,543	\$ 326,890
2022 Levy		\$ 40,138,812
Total	\$ 77,827,628	\$ 77,827,628

NOW, THEREFORE, BE IT RESOLVED, that the proposed 2022 Goodhue County Budget be approved as presented.

AND

WHEREAS, Goodhue County Department Heads have submitted 2022 proposed department budgets which include anticipated revenues and expenditures; and

WHEREAS, The County Administrator has compiled all 2022 funding requests, revised and presented said requests to the County Board; and

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NOW, THEREFORE, BE IT RESOLVED, that the Goodhue County Board of Commissioners does hereby certify to the State of Minnesota the following proposed property tax levy:

Levy	
Fund	2022 Final Levy
General Fund	\$ 21,437,074
Public Works	\$ 5,930,896
Health and Human Services	\$ 8,079,571
EDA	\$ 47,254
Capital Plan	\$ 2,495,847
Debt Services	\$ 1,522,517
Waste Management	\$ 625,653
Total	\$ 40,138,812

BE IT FURTHER RESOLVED, that the County Auditor-Treasurer hereby certify the above-referenced levy to the Minnesota Department of Revenue.

First County Board Meeting of 2022. According to Minnesota Statute 375.07, the County Board must affirm the date, time and location for the first meeting of 2021. The meeting is to be held on the first Tuesday after the first Monday in January. The first Tuesday after the first Monday in 2022 is January 4, 2022. Staff recommended the County Board approve January 4, 2022, at 9:00 a.m., as the first official County Board meeting of 2022. Due to concerns surrounding the spread of COVID-19, it has been determined that in-person meetings or meetings conducted under Minn. Stat. 13D.02 a are not practical or prudent. Therefore, meetings that are governed by the Open Meeting Law will temporarily be conducted by telephone or other electronic means pursuant to Minn. Stat. 13D.021.

- ¹⁵ Moved by C/, seconded by C/Flanders, and carried to approve to set January 4, 2022, at 9:00 a.m., as the first official County Board meeting of 2022. Due to concerns surrounding the spread of COVID-19, it has been determined that in-person meetings or meetings conducted under Minn. Stat. 13D.02 a are not practical or prudent. Therefore, meetings that are governed by the Open Meeting Law will temporarily be conducted by telephone or other electronic means pursuant to Minn. Stat. 13D.021.

South Country Health Alliance Joint Powers Update. Leota Lind presented the updated South Country Health Alliance Joint Powers Update to the board and recommended approval.

- ¹⁶ Moved by C/Drotos, seconded by C/Flanders, and carried to approve the proposed amendment of the South County Health Alliance Joint Powers Agreement:

WHEREAS, the board of directors of South Country Health Alliance, of which this county is a member, has recommended certain changes in the Joint Powers Agreement last amended in 2013;

WHEREAS, the proposed changes, and the reasons therefor, are said forth on the list of changes attached as Exhibit A; and

WHEREAS, these recommendations have been made after consultation with representatives, including legal counsel, of SCHA and of the member counties;

NOW, THEREFORE, the County Board [or other authorized body] of this county hereby approves the amendments to the 2013 Joint Powers Agreement of South County Health Alliance, as set forth on Exhibit B to this resolution.

COMMITTEE REPORTS: deferred

C/Drotos	•
C/Greseth	•
C/Anderson	•

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C/Majerus	•
C/Flanders	•
Administrator Arneson	•

Review and Approve the County Claims

- 17 Moved by C/Majerus, seconded by C/Greseth, and carried to approve to pay the County claims in the amount of 01-General Revenue \$245,588.97, 03-Public Works \$78,682.44, 11- Human Service Fund \$72,725.64, 12-GC Family Services Collaborative \$00, 15- County Ditch 1 \$4,178.44, 21-ISTS \$00, 25- EDA \$00, 30-Capital Improvement \$00, 31-Capital Equipment \$00, 34-Capital Equipment \$00, 35-Debt Services \$00, 40-County Ditch \$00, 61-Waste Management \$10,330.74, 62-Recycling Center \$00, 63-HHW \$00, 72-Other Agency Funds \$97.93, 81-Settlement \$20,749,550.86, in the total amount of \$21,161,155.02.

Adjourn

- 18 Moved by C/Flanders, seconded by C/Drotos, and carried to approve to adjourn the December 14, 2021, County Board Meeting.

SCOTT O. ARNESON
COUNTY ADMINISTRATOR

BRAD ANDERSON, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

MINUTE

1. Approved the December 2, 2021 County Board Meeting Minutes. (Motion carried 5-0)
2. Approve the December 14, 2021 County Board Meeting Agenda. (Motion carried 5-0)
3. Approve the final CSAH 6 Grading SAP 025-606-020. (Motion carried 5-0)
4. Approved the Consent Agenda. (Motion carried 5-0)
5. Approved the LELS 46 Employee Union Contract for 2022. (Motion carried 5-0)
6. Approved the Non-union Wages for 2022. (Motion carried 5-0)
7. Approved the Elected Official Salaries for 2022. (Motion carried 5-0)
8. Approved the Commissioner Wages for 2022. (Motion carried 4-1-0)
9. Approved the per diem rate for 2022. (Motion carried 5-0)
10. Approved the ARPA Budget. (Motion carried 5-0)
11. Approved the Fund Balance Commitments for 2021. (Motion carried 5-0)
12. Approved the Minnesota Opioid Settlement Agreement. (Motion carried 5-0)
13. Approved the Out of State Travel requests for 2022. (Motion carried 5-0)

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14. Approved the 2022 budget, levy and capital plan. (Motion carried 4-1-0)
15. Approved to set the 1st County Board Meeting of the year for January 4, 2022 at 9:00 a.m. (Motion carried 5-0)
16. Approved the updated South Country Health Alliance Joint Powers Agreement. (Motion carried 5-0)
17. Approved the county claims. (Motion carried 5-0)
18. Approved to adjourn the December 14, 2021 County Board Meeting. (Motion carried 5-0)

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