

**REGULAR MEETING OF THE BIG STONE COUNTY BOARD**  
**December 21, 2021**

The Big Stone County Board of Commissioners met in the Commissioners' Room at 8:30 AM on Tuesday, December 21, 2021. Chairman Backer called the meeting to order with Commissioners Athey, Klages, Olson and Sandberg present. Also present were Dillon Dwyer of the Ortonville Independent, Coordinator Pam Rud and Auditor-Treasurer Michelle Knutson. The Pledge of Allegiance followed.

Chairman Backer asked for any items for work session. No work session items for discussion.

Motion by Olson, seconded by Sandberg and carried to approve the minutes of the December 2<sup>nd</sup> regular meeting.

Motion by Athey, seconded by Sandberg and carried to approve the agenda with noted addition of County Engineer Todd Larson to approve paying some retainage for concrete work at the new Highway Building.

Commissioners reported on the following committees:

Olson – Planning & Zoning; Pioneerland (2); AMC Conference;  
Countryside

Klages – Personnel (2); ESB; Property

Backer – Personnel (2); CPT; Woodland; Probation; Workforce Council

Athey – Planning & Zoning; SWCD

Sandberg – HRA; Food Shelf; Property

County Engineer Todd Larson requested that the Board approve the final payments to CBS Squared and Hasslen Construction for retainage. Discussion was held on work completed and work yet to be completed on the project. Motion by Klages, seconded by Sandberg and carried to approve \$28,393.75 of retainage for concrete work and retain \$15,000.00 until an inspection of the roof can occur and if satisfactory to property committee to allow the final payment of \$15,000.00.

Motion by Athey, seconded by Olson and carried to authorize payment of the following claims as presented by Auditor-Treasurer Knutson:

CPT	\$ 5,687.00
Douglas County Public Works	9,433.13
Douglas County Sheriff	2,280.00
Lac qui Parle Sheriff	4,098.96
Marco	3,118.53
Michaels Fence & Supply	36,365.00
Office Peeps	2,724.46
Kathy Powlish-Sigler & Shores Edge	
Excavating	17,965.00
Red River Watershed Mgmt Board	51,535.00
Regents of U of MN	18,814.00
Dillon Schlimme	4,825.00
Snortum's Landscape & Design	3,566.00
Steve Strei	2,775.00
The Shop	2,957.91
West Con	25,555.71

Westmore Industries	3,240.00
49 Payments less than \$2,000	<u>19,242.17</u>
Total	\$214,182.87

Motion by Olson, seconded by Sandberg and carried to authorize the following internal transactions:

General to Highway	\$	1,870.40
Ditch to Highway	\$	1,529.02
County Ditch 2	\$	1,098.87
Joint Ditch 4	\$	310.45
County Ditch 5	\$	119.70

Auditor-Treasurer Knutson asked for questions and/or comments on the year-to-date financial information provided for the Board's review.

Motion by Sandberg, seconded by Olson and carried to authorize the Auditor to pay any claims received by December 31<sup>st</sup> so as to account for them in the current year's business.

Motion by Olson, seconded by Klages and carried to execute the 3-year agreement with MAXIMUS for cost allocation.

Motion by Sandberg, seconded by Klages and carried to execute the audit engagement letter with Abdo for the 2021 audit.

Environmental Director Darren Wilke presented an amendment to the Conditional Use Permit for the OHS Trap Shooting Team that was approved at the Planning and Zoning Commission. Wilke reminded the Board that to approve the amendment to the CUP, a supermajority vote was required. Artie Arndt from the Ortonville Trap Board was present to request clarification on some items in the CUP. Landowner Al Webster was also present and participated in the discussion. After much discussion, motion by Athey, seconded by Backer and carried with Commissioner Olson opposing the motion to approve the amendment to the CUP as recommended by the Planning Commission as follows:

1. Clarified that Sunday time is from 2-7 PM with a 3-hour maximum of shooting and Wednesday time is 6-9 PM.
2. Add Thursdays for youth shooting from 5-9 PM.
3. Add 3 event days between May and October with no more than 1 in a calendar month and between 10 AM and 7 PM.
4. Existing tree line must be maintained by using 6' evergreen trees spade in.
5. A 6' high fence will be built from the trap house to the electrical box, which is approximately 150'.

Ashlie Wubben from Countryside Public Health was present to finalize the updated Tobacco Ordinance. Motion by Olson, seconded by Klages to approve the Tobacco Ordinance to include a flavored products ban. Ashlie and Coordinator Rud will work on getting materials out to the tobacco license holders and the Ordinance will take effect March 1, 2022.

Emergency Manager Dona Greiner presented an update on Emergency Management in the County. Greiner also informed the Board that Val Seifert has completed the necessary training to complete the HSEM Certification. Homeland Security Regional Program Coordinator Lisa Villcheck presented Val with the certificate

of completion. Additional Homeland Security Representative Dave Olmstad was also present.

Family Services Director Laura Laub presented the claims for Family Services. Motion by Olson, seconded by Sandberg and carried to approve the claims as presented. Discussion on the budget and out of home placements was held. Laub reported that permanency occurred for 3 children in out of home care.

Motion by Sandberg, seconded by Klages and carried with Olson abstaining to approve the 2022 Woodland Centers Purchase of Service agreement.

Motion by Olson, seconded by Athey and carried to approve the 2022 Daycare licensing contract with Chippewa County Family Services.

Motion by Klages, seconded by Sandberg and carried to approve the Prime West TCM Amendment for case management.

Motion by Sandberg, seconded by Athey and carried to approve the Mainstreet Industries 3<sup>rd</sup> party agreement with Monarch Heights.

Motion by Klages, seconded by Olson and carried to approve the Greater Minnesota TCM contract.

Human Resources Director Dawn Gregoire presented AFSCME Agreements. Motion by Olson, seconded by Sandberg and carried to approve the AFSCME agreements with Family Services and Highway Departments.

Motion by Olson, seconded by Sandberg and carried to set non-union wage COLA increases for 2022 at 2.5%, 2023 at 2.75%, 2024 at 2.75% plus steps if eligible and increase cafeteria contributions by \$35.00 per month for the 3-year period.

Motion by Olson, seconded by Sandberg and carried to adopt the following resolution:

#### **2021-43**

WHEREAS, M.S. 375.055 provides that county commissioners shall receive annual salaries for services rendered while serving as a county commissioner and may receive per diem payments and reimbursement for necessary expenses.

NOW THEREFORE BE IT RESOLVED, that the 2022 salary of the Big Stone County Board of Commissioners shall be \$15,644.41 and the per diem rate for service on any board, committee or commission or for the performance of services by individual commissioners when required by law shall be \$50 for in-county, \$75 for adjacent county and \$90 for meeting outside of adjacent.

Motion by Olson, seconded by Klages and carried to approve a letter of support for the Safe Routes to School grant application in the CGB school district.

Motion by Sandberg, seconded by Olson and carried to execute the Countryside Public Health 2022 Tobacco Compliance Contract.

Coordinator Rud presented information on a 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). Motion by Olson, seconded by Klages and carried to adopt the following resolution:

#### **2021-44**

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, Big Stone County supports and agrees to the State-Subdivision Agreement; and

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

BE IT FURTHER RESOLVED, Big Stone 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, Big Stone 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).

Motion by Olson, seconded by Klages and carried to approve Matt Franzese as the Interim County Attorney. Franzese was present to sign the Oath of Office to begin work in Big Stone County.

Motion by Olson, seconded by Sandberg and carried to adopt the following resolution:

**2021-45**

BE IT RESOLVED that the Big Stone County 2022 budget and levy be established as follows:

	GENERAL	HIGHWAY	FAMILY SERVICES	DEBT SERVICE	DITCH	2022 TOTAL
<b>REVENUES</b>						
Tax Levy & Aids	\$3,722,471	\$950,000	\$1,098,000	\$137,656		\$5,908,127
Other Taxes	\$11,000	\$165,000				\$176,000
Special Assessments	\$17,000				\$183,960	\$200,960
Licenses & Permits	\$19,975	\$2,000				\$21,975
Intergovernmental	\$1,143,026	\$5,379,329	\$1,372,633	\$144,844		\$8,039,832
Charges for Services	\$301,963	\$208,000	\$413,000			\$922,963
Fines & Forfeitures	\$325					\$325
Investment Earnings	\$100,000	\$15,000				\$115,000
Miscellaneous	\$192,839	\$35,600	\$36,000			\$264,439
Other Financing Sources	\$500	\$65,000		\$60,000		\$125,500
<b>TOTAL REVENUES</b>	<b>\$5,509,099</b>	<b>\$6,819,929</b>	<b>\$2,919,633</b>	<b>\$342,500</b>	<b>\$183,960</b>	<b>\$15,775,121</b>
<b>EXPENDITURES</b>						
General Government	\$2,896,293					\$2,896,293
Public Safety	\$1,334,591					\$1,334,591
Highway		\$6,819,929				\$6,819,929
Sanitation	\$250,105					\$250,105
Family Services			\$2,919,633			\$2,919,633
Health	\$145,985					\$145,985
Culture & Recreation	\$201,987					\$201,987
Conservation of Natural Resources	\$470,822				\$85,104	\$555,926
Economic Development	\$470,260					\$470,260
Debt Service				\$331,170		\$331,170
<b>TOTAL EXPENDITURES</b>	<b>\$5,770,043</b>	<b>\$6,819,929</b>	<b>\$2,919,633</b>	<b>\$331,170</b>	<b>\$85,104</b>	<b>\$15,925,879</b>

BE IT FURTHER RESOLVED that the scheduled debt service levies in the amount of \$324,810 for the 2015A GO Abatement Bonds and \$104,777 for the 2021A GO Abatement Refunding Bonds are hereby canceled due to sufficient funds on hand as a result of loan payments received from Federated Telephone Cooperative.

BE IT FURTHER RESOLVED that \$60,000 of the scheduled debt service levy in the amount of \$103,156 for the 2019A GO CIP Bonds is hereby canceled due to sufficient funds on hand as a result of wheelage tax.

Chairman Backer adjourned the meeting at 10:35 AM.

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Jay Backer, Chairman

ATTEST: \_\_\_\_\_  
Pam Rud, Coordinator