



Trail to the Past. Road to the Future.

CITY COUNCIL MEETING
MUNICIPAL COUNCIL CHAMBERS
21 5TH STREET E, MANTORVILLE, MN 55955
MONDAY, MARCH 28, 2022
6:30 PM

1. Call to Order

2. Pledge of Allegiance

3. Changes to Agenda

4. Consent Agenda

- A. Regular City Council Meeting Minutes of November 8, 2021
- B. City Council Work Session Minutes of December 6, 2021
- C. Regular City Council Meeting and Truth in Taxation Meeting Minutes of December 13, 2021
- D. Accounts Payable Claims List for March 28, 2022
- E. Milton Township 2022 Fire Contract
- F. Dodge County Board of Commissioners Meeting Minutes of March 8, 2022

5. Proclamations, Presentations and Recognitions - None

6. Public Concerns

Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium and state their name and address for the Clerk's record. Generally, the City Council will not take official action on items discussed at this time but may, typically, refer the matter to Staff for a future report or direct that the matter be scheduled on an upcoming agenda.

7. Public Safety Update

- A. Resolution in Support of House Bill HF4026/Senate Bill SF3943 to Address the Impact of PTSD on Public Safety Personnel in Minnesota and Letters of Support to Legislators – Resolution No. 2022-15

8. Public Hearing(s) – None

9. Old Business/New Business

- A. Update on Home Based Business, 311 5th Street West

10. Tabled Items – *These are items that the Council has previously discussed and voted to table, take action on, or continue discussion of at a later date. These items may be brought back by the Council for discussion at any future meeting. – None*

11. Reports

A. Public Works Report

B. City Clerk Report

1) Local Board of Appeal and Equalization Meeting Calendar

Reminder: City of Mantorville Meeting is Scheduled for April 25, 2022 at 6:00 pm

C. Consultant Report

D. Committee Reports

Chamber, EDA, Finance/Budget, Fire Department, Infrastructure, KM Joint Powers, MRA, Park Board, Personnel, Relief, Township

E. Councilmember Reports

F. Mayor's Report

12. Executive Session – None

13. Adjourn

<i>Coming up in Mantorville:</i>		
<i>March 29, 2022</i>	<i>6:30 pm</i>	<i>Park & Recreation Committee Meeting</i>
<i>April 5, 2022</i>	<i>6:30 pm</i>	<i>Economic Development Authority Meeting</i>
<i>April 6, 2022</i>	<i>6:30 pm Training 8:30 pm Members Meeting</i>	<i>Mantorville Fire Department General Meeting</i>
<i>April 11, 2022</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>April 18, 2022</i>	<i>6:30 pm</i>	<i>City Council Work Session</i>
<i>April 25, 2022</i>	<i>6:00 pm</i>	<i>Local Board of Appeal and Equalization</i>
<i>April 25, 2022</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>April 26, 2022</i>	<i>6:30 pm</i>	<i>Park & Recreation Committee Meeting</i>
<i>Members of the City Council may be in attendance at all meetings and community events in Mantorville</i>		

**City of Mantorville
City Council Minutes
November 8, 2021**

1. Call to Order

Mayor Bradford called the meeting to order at 6:30 p.m.

Present: Mayor Chuck Bradford
Councilmembers Lyle Hoaglund, Jeffrey Ingalls,
Kent Keller, and Bill Kinney

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler
Public Works Lead Joe Adams
Public Works Wade Schroeder
Assistant City Clerk Shelly Jensen-Germundson
Fire Chief JJ Williams
Assistant Fire Chief Steve Fairchild

2. Pledge of Allegiance

Everyone stood and recited the Pledge of Allegiance.

3. Adopt the Agenda

City Clerk Buecksler requested that Resolution No. 2021-31, Approving Officer Positions for the Mantorville Fire and Rescue Department, be added to Item 8(a) and that Item 8(a) be moved to follow Item 4. Council adopted the agenda, as amended.

4. Consent Agenda

- A. City Council Meeting Minutes of October 25, 2021
- B. Warrant List for November 8, 2021
- C. Dodge County Sheriff's Office October Report for Mantorville
- D. Mantorville Fire Department General Meeting Minutes of November 3, 2021

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to approve the Consent Agenda, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

8. Old Business/New Business

- A. Fire Department Officer Recommendations

Fire Chief Williams provided a brief history of the Mantorville Fire Department. He has been with the Department for over 20 years and has served as Chief for the past 10 to 12 years. Although he has moved further away, he will continue working nearby,

allowing him to respond to calls during the day, but it's time for some changes in our Fire Department leadership.

At the Department's November 3rd meeting, Steve Fairchild was selected as Fire Chief, Travis Bebee as Assistant Chief, and a new position of Deputy Chief was created, which JJ Williams was selected to fill. The Deputy Chief position is intended to assist and guide a new Chief and Assistant Chief manage the duties of the Department. Assistant Officer positions were also created to help newer Firefighters gain experience as Officers. The added dollars for the Assistant positions will come out of the points earned for our salaries and will not change anything in the Fire Department budget. It drops the value per point minimally. Chief Williams said he thinks this will be a very good set-up for our Department right now and recommended that the Council approve the resolution that was drafted for their consideration. This plan will address the gap situation. There are some members on the Department who have served 40 years. However, as he and Assistant Chief Fairchild looked through the roster, there is a large gap between Officers who have served many years and members who are new or have only served a few years on the Department. The younger members need more experience and training before stepping into an Officer position, in order to feel confident in their responsibilities.

Chief Williams said the added dollars attached to the Assistant Officer positions will come out of the amount allocated to their salaries and doesn't change anything within their budget. What it does is drop the value of the points, which their pay system is based upon. Their pay system is set up on points. Each Firefighter earns points for every meeting or training they attend or call they respond to and, at the end of the year, these points are totaled up and divided by how much money there is available, which gives the value to each point. This is how a Firefighter gets paid. It's a good set-up right now. Future administrations will figure out what works best for the Department. What we've brought to you in our recommendations for Officers and the resolution to add the Deputy Chief and the Assistant roles is a good set-up for our Department right now.

Councilmember Ingalls asked what changes will be done to train Assistants? Chief Williams said it takes a year as a training Officer to get oriented, so we changed those positions to two years a while back. The Assistant will work alongside the Officer and will fill in for the Officer when they're not available, which will help them gain valuable experience.

Assistant Chief Fairchild said one of the things we talked about in the Assistant role is that the Assistant will work directly with the Officer for one year, then they will switch roles for the second year and take on the lead position to get their feet wet and feel comfortable. At six months, if they're not comfortable in what they're doing, they may choose to try another position. We can move them to something else so that they become as comfortable as possible. In two years from now, when we have Officer selections, we want them to be 'wanting' to do it, rather than us asking them to do it. It's one of the things I have always said, that being an Officer on the Mantorville Fire

Department is more of an honor than to simply be asked to do it. We want to fill them with experience and get them involved and excited about the Officer positions so that, when it is time for the to be selected to an Officer position, they will be ready. They will gain additional experience and be in front of people more, not just sitting in the back watching.

Councilmember Hoaglund asked if they are going to have an Officer selection. Chief Williams said they selected Officers last week. What we have brought forward to Council tonight are our recommendations for approval.

Chief Williams said he announced last Wednesday that he would be stepping down from his term as Fire Chief effective December 31, 2021.

Councilmember Hoaglund thanked Chief Williams for his service of more than a decade as Fire Chief for Mantorville. Everyone applauded. Chief Williams said I have been happy to serve and the Department has been very important to me. It's also very important to Steve Fairchild, and I trust that he is going to carry on very well as your next Fire Chief. Thank you, as well as past City Councils, for this opportunity.

Councilmember Kinney said this is a very forward-thinking plan. You looked at your personnel and this is basically an apprenticeship for all of those positions, and it's fantastic. It will make our Fire Department stronger in the long term. I commend both of you for having the foresight to do that. Thank you for your service.

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to approve the Mantorville Fire Department Officer recommendations, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

5. Proclamations, Presentations and Recognitions

A. Recognizing WHKS as Recipient of the 2021 Premier Award for Client Satisfaction

Council congratulated WHKS on their 2021 Premier Award for Client Satisfaction.

6. Public Concerns

The following citizens addressed the Council:

- Bill Reding, 220 6th Street, addressed the Council in regards to the Walnut Street construction and said:
 - The entrance to my driveway was raised to a 16-degree slope that a vehicle will bottom out on.
 - There is two feet of gravel on each side of the road.
 - My neighbor cannot bring his camper into his driveway without bottoming out.
 - The way the ground slopes now, there will be water on my property.
 - Basements will be flooded. Neighbors are buying pumps to be prepared.
 - Who pulls up the netting?

- The City needs to fix our driveways.
 - Mayor Bradford said the last he spoke with the City Engineer, he said the grading and some items were not yet finished. If it's called complete, Joe Adams and I will look at it and see how bad it is. I need to talk with the Engineer but I will come out tomorrow and look.
 - Joe Adams said this is the first he has heard about the driveway issue. Snow Contracting is out there now putting two inches of dirt on top of the gravel. This was an oversight by the Contractor.
 - Mayor Bradford said we went back and addressed those items on 3rd Street. I will look at the driveway tomorrow, as well as the street. I will talk with the City Engineer on any items we need to address. Councilmember Hoaglund said he would go there tomorrow, also.
 - Mayor Bradford encouraged all Councilmembers to go look, individually. The City Engineer and I will get our findings to the City Clerk for her to email to you.
- Mr. Reding said every Councilmember needs to read the Storm Drain Plan from 2008. He asked the City Clerk to have it available for the meeting.
 - Mayor Bradford said he has the printed copy and asked Mr. Reding if he wanted it. Mr. Reding said no, he just wants everyone to read it.
 - City Clerk Buecksler will email it to the full Council tomorrow.
 - Mayor Bradford said we have worked that plan starting at the river but if a section was upgraded to be done first, it made sense to do that first.

7. **Public Hearings**

There were no Public Hearings.

9. **Reports**

A. **Public Works Report**

- 1) Seeking Council approval to accept the SHIP grant for a bench and picnic tables.
- 2) Seeking approval to accept a donation from the Friends of Mantorville for \$1,000.00.

Motion was made by Councilmember Ingalls and seconded by Councilmember Keller to approve the SHIP grant and accept the donation from the Friends of Mantorville for \$1,000.00.

Vote: 5 ayes / 0 nays. Motion carried.

- 3) Seeking approval for removal of an Oak tree branch that is over the wires at 21 Blanch. The tree is on the boulevard. The cost is \$440.00 to remove the large limb.
- 4) Seeking approval for removal of a dead Elm tree at 811 East Street. The cost is \$400.00.
- 5) Seeking approval for grinding of two stumps at the campground at a total cost of \$500.00.

The cost to remove all trees and stumps is \$1,340.00. Joe Adams said there is money in the budget to do this work before the end of the year. This cost includes all clean-up and seeding.

Council discussed purchasing a grinder and will bring this back later for further discussion.

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to approve \$1,340.00 for removal of trees and grinding of stumps as listed above.

Vote: 5 ayes / 0 nays. Motion carried.

- 6) Rochester Service will be sweeping streets by the end of this week.
- 7) There was a main break at 515 Walnut Street today. Residents were without water for 3 ½ to 4 hours. The rock underground is wearing holes in the poly pipe. The main break was in a utility easement, so the work did not affect the street.
- 8) Joe Adams received a complaint that construction vehicles were destroying 5th Street between West Street and Walnut Street. Mostly what they saw was tar tracked onto to road from construction vehicles, not the road getting destroyed. It will be swept soon.

B. City Clerk Report

- 1) Mark and Ann Torkelson provided a plan, per Council's request, on how they will take care of the weeds on their property at 720 County Road 12. A copy was printed for Council prior to the meeting.
 - o Councilmember Ingalls said the Torkelson's did what Council asked them to do.
 - o Councilmember Keller said we will see what they do next summer.
 - o Mayor Bradford said we have this from them, and this is a good thing.
 - o Council directed the City Clerk to forward a copy to Dan Trapp.
- 2) Reminder that Mike Bubany of David Drown & Associates will be at the next Council meeting to discuss financing for 2022 street projects.

C. Consultant Report

City Clerk Buecksler again congratulated WHKS on their Client Satisfaction award and said City Engineer Tim Hruska is great to work with.

D. Committee Reports

- 1) Chamber
 - The Chamber met and were pleased with the Fall Festival turnout. They will be adding a third wagon next year. We had excellent crowds and excellent weather. The Chamber is now planning for Olde Fashioned Christmas.
- 2) Economic Development Authority
- 3) Finance/Budget
- 4) Fire Department

- Councilmember Hoaglund said he was out of town for the last Fire Department meeting. He said the Fire Department is an important part of City government. He suggested that a Fire Department Officer attend a Council meeting once a month. He will bring this up at the next Fire Department meeting.
 - Mayor Bradford said this is a good idea, but he believes a Councilmember should still attend Fire Department meetings, as well.
- 5) Infrastructure
 - 6) Kasson Mantorville Joint Powers
 - 7) Mantorville Restoration Association
 - Meeting tomorrow night.
 - 8) Park and Recreation Board
 - The Board is working out the transition to a new Chairperson. They are also looking into purchasing equipment for Dennison Park.
 - 9) Personnel
 - 10) Relief
 - 11) Township
 - Mantorville Township's population result from the 2020 Census is 1,879. They approved two building permits for new homes. One for \$800K and the other for \$1M. Both permits were for properties east of the Hubbell House.

E. Councilmember Reports
No reports.

F. Mayor's Report
No report.

10. Tabled Items

A. Lighting at Park/Basketball Court (tabled 10.11.21)

Council asked Joe Adams about this item. He said he is still waiting on more information and bids. This item was left on the table.

11. Executive Session

Motion was made by Councilmember Hoaglund and seconded by Councilmember Kinney to close the meeting at 7:30 p.m. per Minnesota Statute 13D.05, Subd. 3.

Vote: 5 ayes / 0 nays. Motion carried.

Council discussed:

- A. Annual Performance Evaluation of Public Works Lead Joe Adams
- B. Six-Month Probation Performance Evaluation of City Clerk-Treasurer Shirley Buecksler

Motion was made by Councilmember Ingalls and seconded by Councilmember Keller to reopen the meeting at 7:54 p.m.

Vote: 5 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Keller and seconded by Councilmember Ingalls to award a 4% performance increase (retroactive to August 31, 2015) and a 3% COLA increase (effective January 1, 2022) to Joe Adams for a total increase of 7% and to pay out a total of 67.89 PTO hours that the payroll system did not accrue correctly in 2020 and 2021.

Current hourly rate $\$23.84 \times 4\% = \24.79 retroactive to August 31, 2015; $\$24.79 \times 3\% = \25.53 effective January 1, 2022.

Vote: 5 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Ingalls and seconded by Councilmember Keller to award a 4% performance increase (effective immediately) and a 3% COLA increase (effective January 1, 2022) to Shirley Buecksler for a total increase of 7%.

Current salary converted to hourly rate $\$33.65 \times 4\% = \35.00 effective November 8, 2021; $\$35.00 \times 3\% = \36.05 effective January 1, 2022.

Vote: 5 ayes / 0 nays. Motion carried.

12. Adjourn

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to adjourn the meeting at 7:35 p.m.

Vote: 5 ayes / 0 nays. Meeting adjourned.

Respectfully Submitted,

Shirley R Buecksler
City Clerk-Treasurer

**City of Mantorville
City Council Work Session Minutes
December 6, 2021**

1. Call to Order

Mayor Bradford called the meeting to order at 6:30 p.m.

Present: Mayor Chuck Bradford
Councilmembers Lyle Hoaglund, Jeffrey Ingalls,
Kent Keller and Bill Kinney

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler

2. Adopt the Agenda

Council adopted the agenda, as presented.

3. Discussion Items

A. 2022 Preliminary Budget Discussion

Council reviewed and discussed the 2022 Preliminary Budget.

Budget line item for Building Maintenance and Repairs (101.41940.220), Councilmember Keller recommended insurance monies received be shown as a credit to reduce the total of this line item.

Budget line item for Capital Outlay (101.45200.500), Council recommended removal of \$15,000 for the lawn tractor. Instead of paying it out, finance it for \$5,000 per year.

Budget line item for Other Miscellaneous (101.46500.437). Discussion regarding the cost of the 800 number and whether it is needed, if wi-fi may be more beneficial, who should be providing services and covering the cost of it at the Welcome Center, and whether community wi-fi is needed in the park. Councilmember Ingalls said users of the park would appreciate having internet access. It is a community benefit. With internet, there is an option of a free Google voice number, which would eliminate the cost for the current 800 number. Council asked the City Clerk to research the cost of the 800 number and forward this information to them via email.

Councilmember Kinney said the Park board is carrying over the amount for community tree removal because we know we have this large outlay coming with those two large trees. What the Park Board does not have fully funded, yet is the path and ADA items that will need to be done eventually to bring it into compliance. Beyond purchasing the equipment, Councilmember Kinney said there has to be money sitting there to help with the grant, and we have put aside \$5,000 each year for this. He said the Park Board is looking to finish out the ADA portion through grant monies. If that money is cut, it

will hurt our options for matching grants. It's going to be expensive to put in a path that winds around to allow wheelchairs to get down to field level to watch, but this is a necessary component and also where the bleachers are located. Those that inspect our parks for ADA compliance expect us to be making progress, but they understand it will take some time for the City to bring it into compliance.

Council discussed lowering the budget from 10% to 6%. Mayor Bradford said if we took another \$10,000 from the final transfer (reducing it from \$135,000 to \$125,000), our rate would be the same, and our revenue would be higher. He added that Council has discussed and gone through the budget at least once for areas in which to reduce the budget.

B. 2022 Enterprise Funds Budget

Council discussed the 2022 Enterprise Funds.

4. Adjourn

The work session was adjourned at 7:44 p.m.

Respectfully Submitted,

Shirley R Buecksler
City Clerk-Treasurer

**City of Mantorville
City Council Minutes
December 13, 2021**

1. Call to Order

Mayor Bradford called the meeting to order at 6:30 p.m.

Present: Mayor Chuck Bradford
Councilmembers Lyle Hoaglund, Jeffrey Ingalls,
Kent Keller, and Bill Kinney

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler
Fire Chief JJ Williams
Assistant Fire Chief Steve Fairchild

2. Pledge of Allegiance

Everyone stood and recited the Pledge of Allegiance.

3. Adopt the Agenda

Council approved the agenda with the addition of:

- Item 9, Public Safety Report
- For Item 7A, add Resolution No. 2021-38 Approving a Conditional Use Permit to Operate a Home Occupation at 611 East Street
- Item 8H, Resolution No. 2021-37 Approving Memorandum of Agreement (MOA) Between the State of Minnesota and Local Governments and Authorization Participation in National Opioid Settlements

4. Consent Agenda

- A. Dodge County Sheriff's Office Report for November 2021
- B. Dodge County Board of Commissioners Meeting Minutes of November 9, 2021
- C. Warrant List for December 13, 2021
- D. Resolution No. 2021-33 Accepting Additional Funds Under the American Rescue Plan Act
- E. 2022 Garbage Hauler License Renewals
- F. 2022 Liquor License Renewals
- G. Resignation from Mantorville Firefighter Jeremy Schubert

Motion was made by Councilmember Ingalls and seconded by Councilmember Keller to approve the Consent Agenda, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

5. Proclamations, Presentations and Recognitions

There were no proclamations, presentations or recognitions.

6. Public Concerns

No one addressed the Council.

7. Public Hearings

A. Conditional Use Permit Application for 611 East Street – Home Based Business

Mayor Bradford opened the public hearing at 6:42 p.m.

Applicants Scott and Rosie Rose discussed their dog grooming business with Council. The shop opened on Main Street in Kasson in October of 2006. Six years later, they built a shop at their property in Kasson but are now looking for a place to downsize and a place to retire. They are friends with Mike Langen and purchased his property at 611 East Street. It has space to work for dog grooming business with traffic away from residential areas. The property at 611 East Street fits perfectly for them.

With a dog grooming business, the dogs go from the vehicle to the house on a leash and they stay in the house. There is no noise. The business will bring in ten to 12 customers a day from all around. Dog owners will have an hour to 90 minutes to spend in Mantorville.

Councilmember Kinney asked if she has set hours? Mrs. Rose said her hours are from 8:00 a.m. to 5:00 p.m., but she may not open anymore until 9:00 a.m. and she is usually done by 4:00 p.m.

Councilmember Keller asked if any dogs are boarded overnight? Mrs. Rose said no.

Councilmember Hoaglund asked how many dogs she takes in at one time? Mrs. Rose said about three or four. Three of us are working Wednesdays until Noon, so we each have one dog, she said. Mr. Rose said they try to schedule only one dog per groomer at a time.

Councilmember Hoaglund asked if they will put up a business sign? Mr. Rose said they currently have one on the mailbox. Councilmember Hoaglund added that a sign may be no bigger than 12" x 12". Any bigger than that would need approval from the Mantorville Restoration Association. Mr. Rose said grooming is by appointment only.

Michael Suhr spoke that he retired from the City of Minneapolis and lives directly behind on 7th Street. He has no concerns. He is only here to find out what type of business they have planned and said he has no issues with it. Mr. Suhr welcomed them to the neighborhood and wished them well.

Councilmember Hoaglund said this business will be good for Mantorville.

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to close the public hearing.

Vote: 5 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to adopt Resolution No. 2021-38 Approving a Conditional Use Permit to Operate a Home Occupation at 611 East Street.

Vote: 4 ayes / 1 nay – Councilmember Keller voted against. Motion carried.

8. Old Business/New Business

A. Truth in Taxation Meeting – Public Input on Final General Levy Budget for 2022

There was no one from the public in attendance. No public input was received in regards to the final General Levy Budget for 2022.

B. Final 2022 General Fund Budget

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to roll over leftover funds from Park and Recreation, EDA, and the Fire Department to the 2022 fund.

Vote: 5 ayes / 0 nays. Motion carried.

C. Resolution Adopting the Final Tax Levy Collectible in the Year 2022

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to adopt Resolution No. 2021-34 Adopting the Final Tax Levy Collectible in the Year 2022 at \$551,235.36 (4%).

Vote: 5 ayes / 0 nays. Motion carried.

D. Resolution Setting the Monthly Water and Sewer Rates for 2022

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to adopt Resolution No. 2021-36 Setting the Monthly Water and Sewer Rates for 2022 (3% increase for water; 3% increase for sewer).

Vote: 5 ayes / 0 nays. Motion carried.

Mayor Bradford excused himself from the meeting temporarily at 7:22 p.m.

E. Final Water/Sewer Budgets for 2022

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to approve the Water, Sewer, RV Campground, and Storm Sewer Funds for 2022, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

Mayor Bradford returned to the meeting at 7:30 p.m.

F. Resolution Approving the Delegation of Authority of Paying Claims Through Month End 2021

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to adopt Resolution No. 2021-35 Approving the Delegation of Authority for Paying Claims Through Month End in 2021.

Vote: 5 ayes / 0 nays. Motion carried.

G. 2022 City Meetings Calendar

Motion was made by Councilmember Ingalls and seconded by Councilmember Keller to approve the 2022 City Meetings calendar, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

H. Memorandum of Agreement Between the State of Minnesota and the City of Mantorville

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to adopt Resolution No. 2021-37 Approving the Memorandum of Agreement (MOA) Between the State of Minnesota and Local Governments and Authorizing Participating in National Opioid Statements.

Vote: 5 ayes / 0 nays. Motion carried.

9. Public Safety Report

A. Fire Chief Williams said, as of January 1, 2022, Steve Fairchild will be the next Fire Chief, Travis BeBee will be Assistant Chief, and he will be Deputy Fire Chief.

Fire Chief Williams said Steve Fairchild manages a shop with several technicians, knows how to do things and will do a great job as Chief. It's time for a change, he said, but I will still be around and will still make day calls.

Assistant Chief Fairchild said he has been on the Department for 13 years and Assistant Chief for six of those years. If anyone knows me, I wouldn't put anyone in a situation that I wouldn't put myself in or my son, Fairchild said.

Council thanked and welcomed Steve Fairchild as the new Fire Chief.

B. Toys for Tots

Assistant Chief Fairchild said Mantorville Fire Department collected the most toys and money for Toys for Tots in all of Dodge County with ten to 12 Firefighters working the event. There were donations received of almost \$3,000.00 in four hours and the truck was full of toys. We have a great community here.

Chief Williams said it's great that this community donates and cares so much.

Assistant Chief Fairchild added that, on top of the toys that were donated, the Fire Department was able to purchase another \$7,000.00 worth of toys from Menards.

- C. Assistant Chief Fairchild said we have three or four members on Dodge Center Ambulance, which is about 80% of our calls. We have to make sure we are prepared and will push more medical training.**

10. Tabled Items

A. Lighting at Park/Basketball Court

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to pull this item from the table.

Vote: 5 ayes / 0 nays. Motion carried.

Adams said he received three bids for the lighting at the basketball court:

1. Bruce's Electric \$4,576.56
2. Leth Electric \$6,250.00 (more expensive lights)
3. Maxson Electric \$3,520.00

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to approve the bid from Maxson Electric for \$3,520.00.

Vote: 5 ayes / 0 nays. Motion carried.

11. Reports

A. Public Works Report

- 1) Adams spoke with City Engineer Hruska regarding street projects for next year. He suggested that Council give the City Engineer direction to move forward and start on getting projects ready for 2022.

Council gave authority to the City Engineer to move forward on 2022 street projects.

- 2) Adams requested approval to purchase new cutting edges for the CAT loader. It is cheaper to drive to Little Falls to pick them up at Falls Equipment than to order and have them delivered. Total price is \$1,063.00 for two sets plus \$531 for a third set equals \$1,594.00.

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls for the purchase of three sets of cutting edges at a cost of \$1,594.00.

Vote: 5 ayes / 0 nays. Motion carried.

- 3) The snowfall we received on Tuesday provided some experience for Schroeder in plowing. Adams was very impressed with DeCook's snow removal. The snow was out of here by Noon.

B. City Clerk Report

- 1) Buecksler said the homeowner at 605 Walnut Street is disputing her December 2021 water bill, in that she stated she was told to let her water run during construction on Walnut Street. She claimed she was told that she would not have to pay for the extra cost, but this was unconfirmed by staff. She is requesting that her bill be prorated.

Council approved for the City Clerk to average her bill over the past three years in December and charge her the averaged amount. The remaining charges to be absorbed into the Water Fund.

- 2) Buecksler described the Minnesota Water Assistance Program from Semcac Energy Assistance. We have a homeowner in Mantorville who needs to get on the program.
 - Congress created an emergency water assistance program in response to the COVID-19 pandemic.
 - Minnesota received \$14,666,970.
 - The water assistance program begins October 1, 2021.
 - Water assistance can make payments to public water suppliers on behalf of eligible residential customers.
 - Program can pay for past due and current water and wastewater usage charges, fees, deposits, up to \$1,200.00.

Council approved for the City of Mantorville to join the Minnesota Water Assistance Program from Semcac Energy Assistance and provide this for our customers in need.

C. Consultant Report

Nothing to report.

D. Committee Reports

- 1) Chamber – Councilmember Hoaglund said Olde Fashioned Christmas was successful with a lot of people attending. December 29th will be a supper with the Pappas Family at the Hubbell House.
- 2) Economic Development Authority – Mayor Bradford said the CEDA contract and goals for Laura Qualey were approved. Some one-to-one help with businesses for advertising. Received a printed version of the walking tour. Stagecoach Days and Denneson Park was discussed, as well as brainstorming ideas for businesses while the Hubbell House is closed for remodeling. They will be closed between January and April 2022.
- 3) Finance/Budget
- 4) Fire Department – Councilmember Hoaglund attended the last meeting. He suggested that an Officer from the Fire Department attend Council meetings once a month. He added that we are blessed with a good Fire Department. Mayor Bradford said if anyone has a chance to ride along with the Fire Department or the Sheriff's Office, it is enlightening. Reach out to Assistant Fire Chief Fairchild if interested in riding along with Mantorville Fire Department.
- 5) Infrastructure
- 6) Kasson Mantorville Joint Powers
- 7) Mantorville Restoration Association – next meeting December 14.
- 8) Park and Recreation Board – Councilmember Kinney said the 2022 budget was discussed with carry over for community trees.
- 9) Relief
- 10) Township

E. Councilmember Reports

Councilmember Kinney said the Chamber is working on a Welcome to New Residents program. When new residents call in to set up their water service, staff can ask if they want to be contacted by the Chamber of Commerce for a welcome basket or packet.

F. Mayor's Report

- 1) Mayor Bradford met with Minnesota Secretary of State Steve Simon regarding guidance regarding COVID response, impacts it had on Mantorville, suicide rates for high school students. Secretary of State Simon is on the Executive Board as an advisory committee to the Governor. It was a very open conversation, and Mayor Bradford believes he took the conversation seriously.
- 2) Highway 57 meeting included discussion on widening sidewalks, bump-outs are a lot less pronounced, and discussion items are a give-and-take between the Minnesota Department of Transportation and the City of Mantorville. It's all coming along nicely.
- 3) Mayor Bradford attended the Coalition of Governments (COG) breakfast meeting, which meets twice a year.

- 4) When taking the banner down, the hydraulic fluid in the boom truck leaked. Joe Adams was up in the boom when it lost pressure, and it stopped against the Saloon wall. Councilmember Ingalls suggested we get an estimate to fix it. Mayor Bradford said we need to get rid of it because it is unsafe and will cost too much to repair.

12. Executive Session

There was no Executive Session.

13. Adjourn

Motion was made by Councilmember Keller and seconded by Councilmember Hoaglund to adjourn the meeting at 8:33 p.m.

Vote: 5 ayes / 0 nays. Meeting adjourned.

Respectfully Submitted,

Shirley R Buecksler
City Clerk-Treasurer

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Payments

Current Period: March 2022

Payments Batch AP032822		\$45,316.19	
Refer	0 AFLAC	-	
Cash Payment	G 101-21710 AFLAC	ACCOUNT #P8873	\$33.12
Invoice	03/05/22 3/28/2022		
Transaction Date	3/24/2022	Citizens State Bank 10100	Total \$33.12
Refer	0 AVESIS	-	
Cash Payment	G 101-21715 Employee Paid Vision Plan	GROUP #30912-12-1066	\$19.64
Invoice	2848261 3/28/2022		
Transaction Date	3/24/2022	Citizens State Bank 10100	Total \$19.64
Refer	0 BANYON DATA SYSTEMS	-	
Cash Payment	E 101-41500-208 Training, Mileage	CONTRACT MAN1205	\$200.00
Invoice	00162661 3/28/2022		
Transaction Date	3/24/2022	Citizens State Bank 10100	Total \$200.00
Refer	0 CAPITAL ONE TRADE CREDIT	-	
Cash Payment	E 101-43100-240 Tools and Minor Equipm	ACCT #150563	\$29.97
Invoice	1640841413 3/28/2022		
Transaction Date	3/24/2022	Citizens State Bank 10100	Total \$29.97
Refer	0 CASEYS BUSINESS MASTERCARD	Ck# 005666 3/28/2022	
Cash Payment	E 101-42200-212 Motor Fuels	ACCT # BY695	\$159.81
Invoice	FEB 2022 3/28/2022		
Cash Payment	E 101-42200-212 Motor Fuels	ACCT # BY695	-\$3.67
Invoice	FEB 2022 3/28/2022		
Cash Payment	E 101-43125-212 Motor Fuels	ACCT # BY695	\$207.06
Invoice	FEB 2022 3/28/2022		
Cash Payment	E 602-49450-212 Motor Fuels	ACCT # BY695	\$320.56
Invoice	FEB 2022 3/28/2022		
Cash Payment	E 101-43100-212 Motor Fuels	ACCT # BY695	\$258.66
Invoice	FEB 2022 3/28/2022		
Cash Payment	E 602-49450-212 Motor Fuels	ACCT # BY695	-\$11.00
Invoice	FEB 2022 3/28/2022		
Transaction Date	3/24/2022	Citizens State Bank 10100	Total \$931.42
Refer	0 CITY OF MANTORVILLE PETTY CA	-	
Cash Payment	E 601-49400-430 Miscellaneous	REIMBURSE POSTAGE, TOOLS & SUPPLIES, INCREASE CASH AVAILABILITY	\$5.10
Invoice	03/28/22 3/28/2022		
Cash Payment	E 101-41940-200 Supplies	REIMBURSE POSTAGE, TOOLS & SUPPLIES, INCREASE CASH AVAILABILITY	\$17.67
Invoice	03/28/22 3/28/2022		
Cash Payment	E 101-41500-437 Other Miscellaneous	REIMBURSE POSTAGE, TOOLS & SUPPLIES, INCREASE CASH AVAILABILITY	\$82.56
Invoice	03/28/22 3/28/2022		
Transaction Date	3/24/2022	Citizens State Bank 10100	Total \$105.33
Refer	0 CORE & MAIN, LP	-	
Cash Payment	E 601-49400-228 Equip. Repair and Mainte	ACCT #229816	\$521.79
Invoice	02/25/22 3/28/2022		
Transaction Date	3/24/2022	Citizens State Bank 10100	Total \$521.79
Refer	0 DECOOK DRAINAGE	-	

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Payments

Current Period: March 2022

Cash Payment	E 101-43125-406 Snow/Ice Removal	SNOW REMOVAL			\$5,606.10
Invoice 1808	3/28/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$5,606.10
Refer	0 DODGE COUNTY HIGHWAY DEPA	-			
Cash Payment	E 101-43125-406 Snow/Ice Removal	SALT & SAND			\$943.88
Invoice 02/28/22	3/28/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$943.88
Refer	0 DODGE COUNTY SHERIFF	-			
Cash Payment	E 101-42100-310 Other Professional Servi	LAW ENFORCEMENT PROTECTION			\$25,240.80
Invoice QTR1-2022	3/14/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$25,240.80
Refer	0 HAWKINS, INC	-			
Cash Payment	E 601-49400-216 Chemicals and Chem Pr	SALES ORDER #3783728			\$2,916.44
Invoice 6134573	3/28/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$2,916.44
Refer	0 JOHN DEERE FINANCIAL	-			
Cash Payment	E 101-43125-404 Repairs/Maint Machinery	ACCT #44109-27838			\$59.00
Invoice 03/08/22	3/28/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$59.00
Refer	0 KASSON HARDWARE HANK	-			
Cash Payment	E 101-41940-200 Supplies	ACCT #355170			\$12.97
Invoice 03/15/22	3/28/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$12.97
Refer	0 LINCOLN NATIONAL LIFE INS. CO.	-			
Cash Payment	G 101-21711 Life Insurance Payable	ACCT #ATCMNTRVL-BL-1557985			\$159.39
Invoice 04/01/22	3/28/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$159.39
Refer	0 MINNESOTA ENERGY	-			
Cash Payment	E 101-41940-380 Utility Services	4016467-5 STREETS			\$1,295.77
Invoice 03/30/22	3/28/2022				
Cash Payment	E 101-41940-380 Utility Services	4300149-4 STREETS			\$363.85
Invoice 03/30/22	3/28/2022				
Cash Payment	E 101-41940-380 Utility Services	4028156-0 STREETS			\$884.37
Invoice 03/30/22	3/28/2022				
Cash Payment	E 101-42200-380 Utility Services	4229566-7 FIRE DEPT			\$755.86
Invoice 03/30/22	3/28/2022				
Cash Payment	E 101-42200-380 Utility Services	4299022-6 WWTP			\$242.57
Invoice 03/30/22	3/28/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$3,542.42
Refer	0 NCPERS GROUP LIFE INS.	-			
Cash Payment	G 101-21711 Life Insurance Payable	ACCT #608900042022 UNIT #608900			\$16.00
Invoice 04/2022	3/28/2022				
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$16.00
Refer	0 ON SITE COMPUTERS, INC	-			
Cash Payment	E 101-41500-444 COVID-19 Emergency	ACCT #080			\$233.00
Invoice CW78313	3/28/2022				

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Payments

Current Period: March 2022

Cash Payment	E 601-49400-300 Professional Svcs (GENE ACCT #080				\$12.00
Invoice	CW78313	3/28/2022			
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$245.00
Refer	0 ON SITE COMPUTERS, INC	-			
Cash Payment	E 101-41500-300 Professional Svcs (GENE ACCT #080				\$185.75
Invoice	CW78273	3/28/2022			
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$185.75
Refer	0 SIMPLY TIDY, LLC	-			
Cash Payment	E 101-41940-439 Janitors	JANITORIAL SERVICES			\$65.00
Invoice	1905	3/28/2022			
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$65.00
Refer	0 WARSAW SOLAR, LLC	-			
Cash Payment	E 101-43160-381 Electric Utilities	ACCT #116009445			\$2,998.01
Invoice	04/16/22	3/28/2022			
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$2,998.01
Refer	0 WHKS & COMPANY	-			
Cash Payment	E 101-41950-303 Engineering Fees	ENGINEERING SERVICES 1/2022-2/25/22			\$610.00
Invoice	45223	3/28/2022			
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$610.00
Refer	0 XCEL ENERGY	-			
Cash Payment	E 101-43160-381 Electric Utilities	ACCT #51-5592309-0			\$64.16
Invoice	03/09/22	3/28/2022			
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$64.16
Refer	0 WILLIAM & TERESA BEARD	-			
Cash Payment	E 603-45183-440 Refunds and Reimburse	REFUND ON CAMPSITE			\$810.00
Invoice	03/28/22	3/28/2022			
Transaction Date	3/24/2022	Citizens State Bank	10100	Total	\$810.00

Fund Summary

	10100 Citizens State Bank	
101 GENERAL FUND		\$40,741.30
601 WATER FUND		\$3,455.33
602 SEWER FUND		\$309.56
603 RV PARK		\$810.00
		<u>\$45,316.19</u>

Pre-Written Checks	\$931.42
Checks to be Generated by the Computer	\$44,384.77
Total	<u>\$45,316.19</u>

MANTORVILLE VOLUNTEER FIRE DEPARTMENT FIRE PROTECTION CONTRACT 2022

THIS AGREEMENT MADE BY and between the Township of Milton in the County of Dodge, State of Minnesota; hereinafter referred to as "Township" and the City of Mantorville in the County of Dodge, State of Minnesota hereinafter referred to as "City".

WHEREAS the Township is desirous of securing fire protection from the City and the City agrees to afford the same with its existing Fire Department;

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The City agrees to provide fire protection, with the use of its existing Fire Department, to the Township for a period of one (1) year, commencing January 1, 2022 at the rate of \$88.00/address for 84 locations. In consideration thereof said Township will pay the agreed amount of \$7,392 for the year 2022, as agreed.
2. The fire protection shall consist of the City of Mantorville Volunteer Fire & Rescue Department being subject to call at all times in the event of an emergency within the Township limits as defined by the Dodge County E911 system. The Township agrees that the City shall, at all times, have one (1) truck available to the municipal limits of the City of Mantorville.
3. The fire protection afforded to the Township shall be at all times when a fire truck is available from said City. In the event that a truck is not available, the City of Mantorville Volunteer Fire & Rescue Department will contact another fire department for assistance in accordance with Mutual Aid Pacts with area fire departments.
4. Individual response calls will be billed out directly by the City of Mantorville Volunteer Fire & Rescue Department to owners of property within the Township to which the City provides Fire Service and in accordance with Chapters 96.01 and 33.01 of the Mantorville City Code.

IN WITNESS WHEREOF, the City has caused these presents to be signed by its Mayor and City Clerk and the Township has caused these presents to be signed by its Chairman and Clerk.

City: _____

Township: _____

Date: _____

Date: 2-7-22

UNAPPROVED MINUTES OF THE DODGE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD MARCH 8, 2022

Chair

Convene County Board Meeting

The Dodge County Commissioners met in regular session March 8, 2022, in the Commissioner's Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. Chair Tim Tjosaas called the meeting to order at 9:30 a.m.

Attendee Name	Title	Status	Arrived
John Allen	District 1	Present	9:30 AM
Tim Tjosaas	District 2	Present	9:30 AM
Rodney Peterson	District 3	Present	9:30 AM
Rhonda Toquam	District 4	Present	9:30 AM
David Kenworthy	District 5	Present	9:30 AM

Pledge of Allegiance

The pledge of allegiance was recited.

Determine Quorum

The Chair acknowledged those present and established there was a quorum.

Also present:

Jim Elmquist	County Administrator
Becky Lubahn	Deputy Clerk
Paul Kiltinen	County Attorney

Establish Agenda

Agenda Approved

Motion by Peterson seconded by Toquam to approve and adopt the agenda as presented.

Motion Adopted [Unanimous]

Consent Agenda

Motion by Peterson seconded by Kenworthy to approve the following Consent Agenda item:

Motion Adopted [Unanimous]

1.1. Board of Commissioners - Regular Meeting - Feb 22, 2022 5:00 PM

Becky Kamrath, DFO Victim Services Advocate

Sexual Assault Awareness Month Proclamation

Ms. Kamrath discussed with the Board the work that she does in Victim Services and the work that is being done with the Court Services staff, law enforcement and the schools. The Victim Services Advocate reported she was appreciative of the working relationships that she has developed while working in Dodge County.

Ms. Kamrath shared with the Board activities that are being planned for April to promote Sexual Assault Awareness Month.

Court Services staff were in attendance during the presentation.

The Victim Services Advocate presented for the Board's consideration a proclamation and reported April is Sexual Assault Awareness Month and so this is the month each year Victim Services presents the proclamation to the Board and briefly discusses their successes with helping victims, and engaging Dodge County schools in prevention as well.

Motion by Allen seconded by Toquam to approve the Sexual Assault Awareness Month Proclamation as represent.

Commissioner Peterson reported he would like a more in depth report on victim advocacy options and the services that are provided by Victim Services.

Ms. Kamrath and the Victim Services staff were thanked for their work.

Motion Adopted [Unanimous]

Joe Kaltenbach, Zoning Administrator

IUP #22-02 Angora Fiber Farm, LLC Request Reviewed

Mr. Kaltenbach presented for the Board's consideration the March 2, 2022 Planning Commission recommendations.

The Zoning Administrator discussed IUP #22-02.

Motion by Allen seconded by Kenworthy to approve of the following action of the Planning and Zoning Commission as reviewed on March 2, 2022 with the reasons, recommendations and conditions as found in the individual permit:

IUP #22-02 - Angora Fiber Farm, LLC

The first public hearing is to consider an application for Interim Use Permit #22-02 to establish a Limited Rural Business (LRB) in the Ag District on approximately 6.6 acres located in Section 30, Ashland Township. The applicant is Angora Fiber Farm, LLC and the property owners are Delta and Marykay Eddy.

RECOMMENDATIONS

The Zoning Staff recommends approval of the Interim Use Permit (I.U.P) as the request meets

the ordinance requirements. The following conditions are recommended:

1. Operation will comply with all local, state, and federal regulation regarding the proposed use of the property.
2. If any waste is generated on site, it shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance and MPCA rules.
3. Any change involving the addition of new business-related structures or employees beyond that specified in the home occupation agreement/application on file with the IUP, enlargement, intensification of the use or similar changes not specifically permitted by the IUP shall require an amended IUP to be issued.
4. No more than ten (10) percent of the property can be devoted to the LRB.
5. The business shall comply with the conditions of this permit, meet Chapter 16.34 (performance standards for Limited Rural Business) and the Home Occupation (HO)/Limited Rural Business (LRB) Agreement, which shall be recorded with the IUP.
6. The business shall comply with the Nuisance Standards of the Dodge County Zoning Ordinance and the Dodge County Public Nuisance Ordinance. Nuisance complaints shall result in review of the IUP by the Planning Commission.
7. If the general public will be entering the workshop at any time, the applicant is required to provide proof that the site and buildings utilized for the public comply with the Department of Labor and Industries (DOLI) Accessibility, Building and Fire Codes.
8. If the applicant will utilize a sign for the business it will need to comply with the standards of Section 17.24 of the Dodge County Zoning Ordinance.
9. The applicant will obtain an Access Change of Use permit from the County Highway Department.
10. The IUP does not indicate whether or not sewage and/or greywater will be generated in the proposed structure utilized for business. All sewage including greywater generated in the proposed structure and for the business must be hooked to the current septic system or contained and treated in a separate septic system designed per Dodge County Zoning Ordinance Chapter 21 and MN Rules 7080-7083. A septic system Operating Permit and monitoring contract may be required by the Department per Dodge County Zoning Ordinance Chapter 18.
11. All sewage treatment systems located on the property shall have a Certificate of Compliance.
12. The applicant will comply with Section 18.15.1 of the Dodge County Zoning Ordinance

which requires all livestock facilities within Dodge County to maintain current registration.

13. The applicant will comply with all applicable standards of Section 16.24 of the Dodge County Zoning Ordinance regarding performance standards for feedlots and pastures.
Motion Adopted [Unanimous]

IUP #22-03 Bowman Reviewed

The Zoning Administrator reviewed with the Board IUP #22-03 Bowman .

Motion by Allen seconded by Kenworthy to approve of the following action of the Planning and Zoning Commission as reviewed on March 2, 2022 with the reasons, recommendations and conditions as found in the individual permit:

IUP #22-03 Bowman

The second public hearing is to consider an application for Interim Use Permit #22-03 to establish a dwelling on less than 53 acres in the Ag District on approximately 10 acres located in Section 3, Milton Township. The applicant and property owner is Jon Bowman.

RECOMMENDATIONS

The Environmental Services Staff recommends approval of the Interim Use Permit (I.U.P.) as the request meets the ordinance requirements and criteria. The following conditions are recommended:

1. A Septic Permit shall be required prior to issuance of the Zoning Permit.
2. An Ag Covenant shall be signed and recorded prior to issuance of the Zoning Permit.
3. A Dodge County Zoning Permit shall be obtained before construction.
4. A new joint access permit will be required from the Highway Department. The access to the property will be located off of County Road 19. The drive shall adhere to the requirements of the Dodge County Road Authority.
5. An address shall be obtained from the Dodge County Road Authority.
6. An easement shall be created and recorded allowing access through this parcel (14.003.0500) to the parcel adjacent to the south (14.003.0600).

Motion Adopted [Unanimous]

IUP #22-04 Bowman

Mr. Kaltenbach reviewed with the Board IUP #22-04 Bowman.

Motion by Allen seconded by Kenworthy to approve of the following action of the Planning

and Zoning Commission as reviewed on March 2, 2022 with the reasons, recommendations and conditions as found in the individual permit:

IUP #22-04 Bowman

The third public hearing is to consider an application for Interim Use Permit #22-04 to establish a dwelling on less than 53 acres in the Ag District on approximately 10 acres located in Section 3, Milton Township. The applicant and property owner is Jon Bowman.

RECOMMENDATIONS

The Environmental Services Staff recommends approval of the Interim Use Permit (I.U.P.) as the request meets the ordinance requirements and criteria. The following conditions are recommended:

1. A Septic Permit shall be required prior to issuance of the Zoning Permit.
2. An Ag Covenant shall be signed and recorded prior to issuance of the Zoning Permit.
3. A Dodge County Zoning Permit shall be obtained before construction.
4. A new joint access permit will be required from the Highway Department. The access to the property will be located off of County Road 19. The drive shall adhere to the requirements of the Dodge County Road Authority.
5. An address shall be obtained from the Dodge County Road Authority.
6. An easement shall be created and recorded allowing access to this parcel (14.003.0600) through the parcel adjacent to the north (14.003.0500).

Motion Adopted [4 to 1]

CUP #19-09 Novel Debra Solar - Amend Reviewed

The Zoning Administrator presented for the Board's consideration CUP #19-09 Novel Debra Solar - Amend.

The Environmental Services Director was available to comment on the amendment request.

Motion by Allen seconded by Toquam to approve of the following action of the Planning and Zoning Commission as reviewed on March 2, 2022 with the reasons, recommendations and conditions as found in the individual permit:

CUP #19-09 Novel Debra Solar - Amend

The fourth public hearing is to consider an amendment to Conditional Use Permit #19-09 for the purpose of modifying one of the conditions placed on the previous request to establish a 1 MW Solar Energy Farm on 14 acres located in the Agricultural District, Section 9, Mantorville Township. The applicant is Novel Debra Solar, LLC and the property owner is Debra Alberts.

RECOMMENDATIONS

If the Planning Commission determines that conditions are adequate to mitigate anticipated impacts, Zoning staff recommends approval of the CUP amendment. The permittee is put on notice that the violation of any of the conditions of the CUP may result in termination of the permit. In the event the permit is terminated, the business shall be required to cease until the applicant re-applies for and obtains a new CUP.

If the solar farm use is recommended for approval, the following conditions are recommended:

1. Dodge County Zoning Permit shall be obtained before construction.
2. Permittee shall obtain a “change of use” permit from the Highway Department for the access off of County Road 2.
3. Operation will comply with all local, state, and federal regulation regarding the use and activities performed on site.
4. The use applies only to the approximately 22 acre site where the solar farm is proposed as identified in the CUP application received in the ES Department on 7/18/19, including all supplemental information received from the applicant. Any change involving the enlargement, intensification or expansion of the use or similar changes not specifically permitted by the CUP shall require an amended CUP to be issued by the County Board.
5. The use shall comply with Section 17.19 (Nuisance Standards). The permittee shall designate an individual present on the site during construction activities to receive and address calls regarding nuisance complaints such as noise, dust, waste management or other concerns/issues. Signs with the contact information of the designated individual should be posted near the site at a highly visible location and the contact information for the individual should be provided to the Department. The permittee shall notify the Environmental Services Department of any complaints received and their efforts to address the issue. Nuisance complaints may result in review of the CUP by the Planning Commission.
6. The permittee shall obtain the appropriate stormwater permit(s) from MPCA. A copy of the permit and Stormwater Pollution Prevention Plan (SWPPP) shall be on file with the CUP in the Environmental Services Office. The name and phone number of the individual responsible for installation, maintenance and monitoring of the stormwater practices shall be provided to the Department. An operation and maintenance plan shall be developed and submitted with as-built plans of the permanent stormwater basin. Maintenance of the stormwater basin and any issues arising from the basin is the responsibility of Novel or its contractors.
7. The solar farm shall meet the Performance Standards of Section 16.46.2 of the Dodge County Zoning Ordinance.

8. A Decommissioning Plan including financial assurance which complies with Section 16.46.3 of the Dodge County Zoning Ordinance shall be submitted to the Environmental Services Department to be on file with the CUP. Dodge County shall be the holder of the required decommissioning performance bond or escrow account.
9. The Permittee, which would include any future owners of the solar project, shall hire a qualified independent contractor to perform tests for the purpose of monitoring stray voltage from Permittee's solar array. The testing protocol shall include measurements to establish baseline voltage for the dairy farm located at 58950 245th Ave, Mantorville, MN (the "Dairy Farm"). This initial testing was completed by Noble Salisbury in July 2020.

The Permittee shall conduct follow-up testing in a similar fashion as occurred in the testing that occurred in July of 2020, including for the Dairy Farm, which shall occur no later than April 1, 2022, and provide the results to Dodge County.

Further testing and measurement in a similar fashion as occurred in the original testing that occurred in July of 2020, including for the Dairy Farm, shall be performed in the instance where a resident informs the County of its livestock exhibiting symptoms associated with stray voltage and provides sufficient documentation to show that it is more likely than not that (I) a qualified expert opinion that the livestock's symptoms are the result of stray voltage and (ii) the stray voltage is coming from Permittee's solar array in the form of testing by a qualified independent contractor on the resident's own property showing that there are no instances of stray voltage being emitted from such resident's own electrical infrastructure which would be the likely source of the issue. All such documentation shall first be provided to the County before any testing obligations arise pursuant to this CUP and a good faith determination shall be made regarding the sufficiency of such documentation provided before notifying Novel of any testing obligations. Anytime measurements indicate a stray voltage issue from Permittee's solar array, the Permittee shall identify and address the issue within one week of discovery and the testing protocol and frequency described above shall be reinitiated from the beginning.

If the Permittee is not allowed reasonable access to the Dairy Farm, after reasonable notice, Permittee is not required to do the follow-up testing at the Dairy Farm, but still must conduct testing of the Permittee's solar array.

For the purposes of this conditional use permit a "qualified independent contractor" shall be defined as an Electrical Engineer or Master Electrician that routinely engages in the practice of stray voltage testing for farms and agribusiness.

This condition is not meant to replace or impact any private legal remedies any resident may have.

10. The permittee shall obtain a Change of Use Permit from the Dodge County Highway Department and meet all requirements with regards to access.

Motion Adopted [Unanimous]

CUP #22-01 Kruger Reviewed

Mr. Kaltenbach discussed with the Board CUP #22-01 Kruger.

Motion by Allen seconded by Peterson to approve of the following action of the Planning and Zoning Commission as reviewed on March 2, 2022 with the reasons, recommendations and conditions as found in the individual permit:

CUP #22-01 Kruger

The fifth public hearing is to consider an application for Conditional Use Permit #22-01 to establish a private airstrip in the Ag District on approximately 80 acres located in Section 25, Milton Township. The applicant and property owner is Matthew Kruger.

RECOMMENDATIONS

The Zoning Staff recommends approval of the Conditional Use Permit (C.U.P.), as the request meets the ordinance requirements. The following conditions are recommended:

1. The private airstrip will be operated for approximately 50 hours of the year and will be utilized only during daytime hours of 7:00 a.m. and 9:00 p.m. year round.
2. Operation will comply with all local, state, and federal regulations regarding the proposed use of the property. The use shall obtain and maintain all necessary licenses, registrations and/or other approvals for activities taking place at the site.
3. All waste generated on site shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance and MPCA rules.
4. The private airstrip shall not be held out for public use nor shall it be displayed on aeronautical charts except as a restricted facility.
5. The permittee shall notify the County of any proposed construction, alteration or change in the operational status of the airstrip. The permittee is also responsible for properly notifying the Minnesota Department of Transportation and the Federal Aviation Administration of such alterations or changes. Copies of forms submitted to and licenses granted by MnDOT and/or the FAA must be supplied to the County Environmental Services Office.
6. Any change involving the addition of new airstrip-related structures or modifications to the airstrip beyond that specified in the application or e-mails on file with the CUP, enlargement, and intensification of the use or similar changes not specifically permitted by the CUP shall require an amended CUP to be issued.
7. The private airstrip shall be subject to all the applicable provisions of Minnesota Rules,

Chapter 8800; or successor rules.

8. The use shall comply with the Nuisance Standards of the Dodge County Zoning Ordinance. Nuisance complaints shall result in review of the CUP by the Planning Commission.
9. Zoning Permits shall be required prior to any structures and are subject to permitting under the Dodge County Zoning Ordinance.
10. The private airstrip shall not impose undue hazards upon adjoining property or its occupants or endanger the user or use of existing surface transportation or power and communication transmission lines.
11. The two parcels, 14.025.0300 and 14.025.0301 must be combined or combined and split prior to use of the airstrip.
12. The applicant must carry mandatory insurance coverage that meets the minimum standards of the MnDOT Office of Aeronautics.
13. The applicant must obtain a pilot's license and have a copy of the license on file with the CUP. A student's license or learning permit is not sufficient to meet this condition.
14. The aircraft must be registered with the MnDOT Office of Aeronautics.
15. The use will conform to all recommendations given by the Federal Aviation Administration (FAA) and the Minnesota Department of Transportation (MnDOT) in regards to their evaluations of the airstrip.

Motion Adopted [Unanimous]

Legacy Storage Discussion

Mr. Kaltenbach informed the Board that Legacy Storage is a self-storage facility located at 63668 260th Avenue in Kasson (parcel ID 13.035.1201). Currently the parcel contains 4 self-storage structures and is zoned commercial. The owners of the facility have inquired about placing additional self-storage buildings on the property. Current zoning ordinances only allow this use in areas zoned as industrial and this would prohibit the expansion of the use. Re-zoning of the parcel would not be allowed as there are no adjacent industrial zoned areas. However, Section 12.3.7 of the Commercial District allows "*Other business activity of the same general character as determined by the Planning Commission and the County Board*" as a Conditional use. The Board is being asked to consider whether to allow the use to expand through the conditional use permit process or whether to prohibit the expansion of the use.

Commissioner Peterson stated he is against allowing the use to be expanded, he felt there are other places within the city limits where they could build this. Mr. Peterson commented he is against using ag land for this purpose.

The Zoning Administrator clarified that they would be continuing the use of what is already there.

Additional discussion took place regarding the request. It was noted that this is a 10 acre parcel and although the use shouldn't have been allowed years ago that it is an established use and all the owners are asking for is permission to expand the use that is already there on the same parcel of land.

It was the consensus of the Board that the owners of this property should be allowed to come to the Board and state their case for the use to be expanded.

Motion No Vote

Lauren Cornelius, Environmental Services Director
Greater Minnesota Recycling

The Environmental Services Director reported the purpose of this presentation is to inform the Board that Dodge County Environmental Services has been awarded a FY22 Greater Minnesota Recycling and Composting grant in the amount of \$120,549.00 and Dodge County will need to match at least 25% of the awarded grant. This grant money will be used to build a Re-Use Center south of the Dodge County Transfer Station/Recycling Center.

Environmental Services recommends the Dodge County Board of Commissioners allow Lauren Cornelius, Director of Environmental Services, the responsibility for signing the Greater Minnesota Recycling and Composting grant FY22 agreement on behalf of Dodge County.

Ms. Cornelius acknowledged the work of Rita Cole and informed the Board that Ms. Cole did all of the research and paperwork, including writing the grant, in order to receive this grant.

Commissioner Kenworthy offered the following resolution (#2022-14), seconded by Commissioner Allen:

WHEREAS, the Greater Minnesota Recycling and Composting grant FY22 could be used to build a Re-Use Center south of the Dodge County Transfer Station/Recycling Center; and

WHEREAS, a Re-Use Center can divert some construction, appliance, and furniture waste destined for landfills; and

WHEREAS, the Dodge County Board of Commissioners adopted applying for the Greater Minnesota Recycling and Composting grant FY22 to build a Re-Use Center south of the Dodge County Transfer Station/Recycling Center at its December 28th, 2021 meeting; and

WHEREAS, Dodge County Environmental Services has been awarded a FY22 Greater Minnesota Recycling and Composting grant in the amount of \$120,549.00; and

WHEREAS, Environmental Services recommends approval from the Dodge County Board of Commissioners, to allowing Lauren Cornelius, Director of Environmental Services, the

responsibility for signing the Greater Minnesota Recycling and Composting grant FY22 agreement on behalf of Dodge County; and

WHEREAS, the Dodge County Board of Commissioners adopted allowing Lauren Cornelius, Director of Environmental Services, the responsibility for signing the Greater Minnesota Recycling and Composting grant FY22 agreement on behalf of Dodge County at its March 8th, 2022 meeting.

THEREFORE, BE IT RESOLVED, that the County Board of Dodge County hereby adopts allowing Lauren Cornelius, Director of Environmental Services, the responsibility for signing the Greater Minnesota Recycling and Composting grant FY22 agreement on behalf of Dodge County.

Resolution Adopted [Unanimous]

Buffy Beranek, SEMMCHRA Executive Director & Jim Elmquist, County Administrator
SEMMCHRA Request for IT Funding

Ms. Beranek met with the Board remotely to discuss her request for allocation of ARP funding for SEMMCHRA's housing management software replacement with Yardi systems.

HAB Inc. systems has been SEMMCHRA's housing management software since 1998. Recently, HAB was acquired by MRI Software systems and is now in the process of sunseting and no longer supporting certain features and modules in HAB that are critical to an HRAs unique operations.

After 23 years, not only has HAB systems become obsolete but also SEMMCHRA needs to advance by adopting a more modern housing management system, with industry standard features and offering a better internal and external user interface. Through the latest pandemic experience, they learned the importance of having a "Yardi system" that will provide remote and telework capabilities for all staff. This is not available with HAB systems without long term unsustainable financial costs.

On April 4, 2021, the SEMMCHRA Board approved the issuing of an RFP for a new housing management software system. The grading of the RFPs focused on strength and expertise of the vendor, costs, support services, conversion timeframe, and employee training. The SEMMCHRA Operations Team reviewed and rated the responses to the RFP, unanimously picking Yardi Systems Inc. based on their strengths, functionality, expertise within SEMMCHRA's industry, and cost.

SEMMCHRA received a total of three responses to the RFP and the Board approved the Yardi System proposal on December 15, 2021. The proposal total was \$74,696, the second most expensive bid. This system will support all lines of SEMMCHRA's business and is currently the only viable product for SEMMCHRA broad scope of program operations. Yardi has extensive experience with HRAs and is used and rated highly by many peers within the industry.

Ms. Beranek is requesting assistance with the cost of implementation, the hiring of a temporary full-time staff person to assist with the conversion and the estimated software system cost of \$74,696, from the Counties through the ARP funding resources. Each of their four counties has assisted SEMMCHRA in different ways through the pandemic for which they are grateful. Each County's abilities and needs to use ARP funding may be different and they recognize that too. To assist the HRA with paying for these up front system costs, SEMMCHRA is requesting funding at a level each county is comfortable with contributing.

Commissioner Tjosaas suggested that the Board receive a list of all the requests for ARP funds.

Commissioner Peterson agreed with Commissioner Tjosaas and stated he would like to have a good grasp on what has been requested for ARP funding and where the greatest need is for these funds before making a decision on the SEMMCHRA funding request.

Commissioner Toquam wanted to know what the time frame was for SEMMCHRA's request.

The Executive Director reported if she didn't hear back from Dodge County until June that would be fine. Ms. Beranek informed the Board that SEMMCHRA is in a position to move forward on this, it has to be done. The Executive Director also stated if there are funds to help offset this expense that would be great.

Commissioner Tjosaas stated he felt the county would have a pretty good idea of what would be available for funds in the next few months and would then be in a better position to make a decision at that time.

Motion No Vote

Paul Kiltinen, County Attorney

Legal Update

Mr. Kiltinen provided the Board with a legal update.

Motion No Vote

Lisa Kramer, Finance Director

Bills Reviewed

Ms. Kramer reviewed bills with the Board.

Motion by Kenworthy seconded by Toquam to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

01	Revenue Fund	\$ 30,670.30
13	Road and Bridge Fund	\$ 151,536.88
16	Environmental Quality Fund	\$ 13,152.48
17	Eq Revolving Equip Fund	<u>\$ 3,840.48</u>

Total \$ 199,200.14

Motion Adopted [Unanimous]

Jim Elmquist, County Administrator

2021 4th Quarter Financials

Mr. Elmquist discussed with the Board the fourth quarter financials for 2021. Jean Allen developed the Excel report for the Board's review along with supporting comments.

The Finance Director was available to answer questions regarding the financials.

Expenditures

Shows 101% of budget but much of this is due to CARES Acts Grants/Business Relief attributed in #149, payment of Fair debt, and use of hail money for various capital items. This explanation included the General Government, Building Operations, and EQ funds.

Environmental Quality- Considerably more usage at the Transfer Station in 2021 including higher costs of operations - fuel costs over \$115,000 due to higher tons in both waste and recycling, recycling of mattresses at \$51,000, tire recycling of \$17,000, and journal entry for use of hail money at \$151,000. Corresponding revenue considerably higher. Personnel costs are also higher with Lauren Cornelius, Mark Gamm, and Joe Kaltenbach working simultaneously for some time while training each other.

Revenue

Bond proceeds, ARP funds predominate portion of revenue increases.

EQ revenue considerably higher.

Overall

Cash balances and fund balance is strong. Fund balances are available in the report.

The Board thanked the County Administrator for the update.

Motion No Vote

Personnel Agenda Reviewed

Mr. Elmquist presented the Personnel Agenda for the Board's consideration.

Motion by Peterson seconded by Allen to approve the following personnel actions:

A. Sheriff's Office

A.1 David Crable - Investigator
Step increase from C43 step 1 \$37.56 to C43 step 2 \$38.32.
Effective Date: 3/15/22

B. Highway

B.1 Seasonal Highway Maintenance - 2 positions

- Authorization to post and fill 2 seasonal summer positions at \$16.40.
Effective Date: 3 month period (TBD)
- B.2 Seasonal Highway Engineering Intern
Authorization to post and fill 1 seasonal summer position at \$16.40.
Effective Date: 3 month period (TBD)
- C. Public Health**
- C.1 Kaitlyn Smith - Health Educator
No longer employed.
Effective Date: 3/25/22
- C.2 Health Educator
Authorization to post and fill vacancy.
Effective Date: 3/8/22
- D. Environmental Services**
- D.1 Jackson Miller - Environmental Technician
Regular status and step increase from B23 step 7 \$21.77 to B23 step 6 \$22.46.
Effective Date: 3/15/21
- D.2 Seasonal Transfer Station Worker
Authorization post and fill seasonal position at the Transfer Station at \$16.40.
Effective Date: 3 month period (TBD)
- D.3 Seasonal Transfer Station Customer Service
Authorization post and fill seasonal position at the Transfer Station at \$16.40.
Effective Date: March - October (TBD)
- E. Veterans Services**
- E.1 Todd Nelson - Veterans Services Officer - .8 FTE
No longer employed.
Effective Date: 6/30/22
- E.2 Veterans Services Officer - 1.0 FTE
Authorization to post and fill vacancy.
Effective Date: 3/08/22

Motion Adopted [Unanimous]

Guy Kohlhofer, County Engineer

Projects Update and Staffing

Mr. Kohlhofer provided the Board with a projects and staffing update.

The County Engineer shared the following status summary for their 2022 construction projects.

CSAH 9 (south of CSAH 6) widen, reclaim and pave - The plans for this project are underway. The Highway Department is expecting to have the plans completed for a bid opening in April with construction starting in July. Several other projects will be included in this contract. This contract will be their main project of focus for county inspection staff this year.

CSAH 3 (Front St., Claremont) Mill & Overlay - The plans for this project are for the most part complete. The plans were presented to the Claremont City Council last Tuesday for approval as required by state law. It will be included in the CSAH 9 contract for construction.

CSAH 5 (North of CSAH 24) paving - This section of road was reclaimed last year. The paving plans for this project are complete and paving will be grouped with the CSAH 9 contract.

CSAH 24 (River Rd) Partial realign, reclaim & pave - The plans for this are complete and are currently being advertised for a bid opening March 9th. Construction is expected to begin after May 31st and be complete by October 31st. This project was designed by Stonebrooke. At this time, the Highway Department does not have the staff to inspect this project so they will be contracting with Stonebrooke for inspection.

CSAH 22 (West of TH 57 & East of CSAH 11) - Reclaim & pave. This project is grouped in with the CSAH 24 contract with bid opening March 9th. The Highway Department may be inspecting this project with county staff depending on timing of the various stages and any conflict with the CSAH 9 et al. Projects. In the event staff is not available Stonebrooke will be “on call” for inspection.

CSAH 7 (Dodge Center) - Resurfacing w/ Concrete - This project is currently out for bid with an opening March 9th along with CSAH 24. Construction will follow a notice to proceed and is expected to be complete by September 2nd. The design and inspection of this project was contracted with WHKS Engineering.

The Board thanked Mr. Kohnhofer for the update.

Commissioner Allen stated they need to look at staffing at the Highway Department sooner than later, the Highway Department may be ok this year with the staff that they have but Mr. Allen felt the county can't keep pushing the issue off with the amount of projects that are scheduled for next year.

Motion No Vote

2022 Seasonal Weight Restrictions

The County Engineer discussed with the Board the proposed 2022 seasonal weight restrictions.

Included in the Board packet was a proposed resolution which lists the routes and segments as they are posted for Spring Load Restrictions. Restriction timing is recommended by MnDOT utilizing various methods to monitor thawing index and frost out. This timing notice is provided with a three day advance of placing restrictions on State roads.

It was noted that as our roads are not typically built to the standards of the average State road we follow the initiation of load restrictions but then keep ours on approximately two weeks longer in the spring. As weather is unpredictable it is difficult to guess what road thawing is going to be like during any given season.

The proposed resolution authorizes the County Engineer to set the timing of the load restrictions as necessary for the season.

Commissioner Allen offered the following resolution (#2022-15), seconded by Commissioner

Kenworthy:

BE IT RESOLVED, by the County Board of Commissioners of Dodge County, that due to deteriorations caused by snow, rain and the usual spring climatic conditions, county roads will be seriously damaged unless restrictions are placed on the vehicles operating thereon;

NOW, THEREFORE, no person shall operate any vehicle or combinations of vehicles upon any County State Aid Highway or County Aid Road over the posted weight limit per axles, as defined by Minnesota Statute, Section 169.87 and as amended by the 1981-82 legislature, and not to exceed six tons per axle based on gross weight formulas except on roads restricted by bridges of lesser posted weight and those roads specified as follows:

10 TONS PER AXLE

C.S.A.H.1	and C.S.A.H. 3 described as follows: Beginning at the junction of T.H. No. 14 and C.S.A.H. No. 1, thence southerly along C.S.A.H. No. 1 to its junction with C.S.A.H. 3 (Front Street), thence easterly along C.S.A.H. 3 (Front Street), to its junction with Claremont's East Street, as designated on the original plat, and there terminating.
C.S.A.H. 7	from T.H. 14 to C.S.A.H. 34 (old T.H. 14)
C.S.A.H. 13	from T.H. 14 to 3,450 feet Southeast
C.S.A.H. 17	from C.S.A.H. 16 to C.S.A.H. 22
C.S.A.H. 25	from T.H. 14 to C.S.A.H. 34 (Old T.H. 14)
C.S.A.H. 34	from the West County Line to C.S.A.H. 25
C.A.R. "R"	from cul-de-sac to T.H. 56

9 TONS PER AXLE

C.S.A.H. 1	from T.H. 14 to C.S.A.H. 24
C.S.A.H. 2	from the West County Line to T.H. 56
C.S.A.H. 3	from T.H. 30 to T.H. 14
C.S.A.H. 3	from East Street to 130th Ave
C.S.A.H. 4	from T.H. 56 to the East County Line
C.S.A.H. 5	from C.S.A.H. 2 to T. H. 30
C.S.A.H. 7	from C.S.A.H. 34 (Old T.H. 14) to the North County Line
C.S.A.H. 9	from T.H. 14 to C.S.A.H. 22
C.S.A.H. 10	from C.S.A.H. 3 to C.S.A.H. 5
C.S.A.H. 11	from C.S.A.H. 16 to C.S.A.H. 19
C.S.A.H. 12	from C.S.A.H. 9 to T.H. 57
C.S.A.H. 13	from T.H. 30 to 3,450 feet Southeast of T.H. 14
C.S.A.H. 15	from T.H. 30 to T.H. 57
C.S.A.H. 16	from T.H. 56 to C.S.A.H. 17
C.S.A.H. 19	from 240th Ave to the East County Line
C.S.A.H. 20	from C.S.A.H. 1 to T.H. 56
C.S.A.H. 21	from C.S.A.H. 34 to C.S.A.H. 12
C.S.A.H. 22	from C.S.A.H. 24 to C.S.A.H. 17

C.S.A.H. 24	from the West County Line to C.S.A.H. 22
C.S.A.H. 34	from C.S.A.H. 25 to the East County Line
C.A.R. "N"	(Industrial Park Blvd.) from T.H. 56 to C.A.R. "T"
C.A.R. "T"	from C.A.R. "N" to C.S.A.H. 4

7 TONS PER AXLE

C.S.A.H. 1	from the West County Line to C.S.A.H. 3 (Front Street in Claremont)
C.S.A.H. 5	from the South County Line to C.S.A.H. 2
C.S.A.H. 5	from the C.S.A.H. 24 to the North County Line
C.S.A.H. 9	from the South County Line to C.S.A.H. 34 (Old T.H. 14)
C.S.A.H. 10	from C.S.A.H. 5 to T.H. 56
C.S.A.H. 12	from C.S.A.H. 9 to C.S.A.H. 21
C.S.A.H. 15	from C.S.A.H. 34 to T.H. 57
C.S.A.H. 18	from C.S.A.H. 11 to C.S.A.H. 17
C.S.A.H. 20	from the West County Line to C.S.A.H. 1
C.S.A.H. 24	from C.S.A.H. 22 to the East County Line
C.A.R. "G"	from the West County Line to C.S.A.H. 1
C.A.R. "L"	from T.H. 30 to 1.5 miles North

Emergency vehicles of the public utilities used incidental to making repairs to its plant and equipment or fire apparatus vehicles shall be exempt from the provisions of this resolution.

The County Board authorizes the County Engineer to determine the effective date for road postings and to lower a road posting due to road conditions as he sees the need.

Resolution Adopted [Unanimous]

Public Health Committee Report - Commissioner Rodney Peterson

Commissioner Peterson presented a summary of the Public Health Committee report and action items.

Public Health Update

Public Health continues to monitor the COVID-19 situation. MDH supplied test kits and N95 respirators for distribution amongst various partners. Vaccination clinics will occur once a month. Further evaluation of impact to the county continues as CDC makes additional changes based on data.

Public Health staff continues to work with the administration and staff at Triton while they are in the process of hiring an RN.

Ms. Evans provided a general update regarding the first month of employment as the director.

Commissioner Peterson informed the Board that there continues to be staffing concerns at the Public Health department. Mr. Peterson felt moving to a full time Public Health Director position was the right move for Dodge County.

Commissioner Kenworthy stated they could have easily talked with Ms. Evens for over an hour regarding what is happening in the Public Health department. Mr. Kenworthy reported it appears that the department is heading in the right direction although it is a struggle right now while the new director is getting familiar with her staff and the position.

Motion No Vote

Public Safety Committee Report, Commissioner Rhonda Toquam

Commissioner Toquam presented a summary of the Public Safety Committee report and action items.

Request to Accept Donation for Peer Support Program

Commissioner Toquam reported an anonymous donor would like to donate \$5,000.00 to the Chaplain and/or Peer Support Team Programs.

Commissioner Toquam offered the following resolution (#2022-16), seconded by Commissioner Allen:

WHEREAS, the Dodge County Sheriff's Office from time to time receives donations from individuals and/or organizations; and

WHEREAS, the Dodge County Sheriff's Office wishes to accept this donation and utilize it to help fund equipment and training for the Chaplain and/or Peer Support Team Programs; and

WHEREAS, pursuant to Minnesota Statute 465.03, the county shall by resolution of the governing body adopt by a two-thirds majority of its members accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor.

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board of Commissioners hereby accept the following donation to be used for the Chaplain Program and Peer Support Program.

\$5,000 citizen donation

Resolution Adopted [Unanimous]

Administration Committee Report - Commissioner David Kenworthy

Commissioner Tjosaas presented a summary of the Administration Committee report and action items.

Commissioners provided their agency reports. Commissioner Allen attended the AMC conference. Commissioner Kenworthy attended a Dodge/Steele Community Health Board meeting, a Fair Board meeting, a DFO Task Force meeting, a Wasioja Seminary Ruins meeting and an AMC Legislative Conference. Commissioner Peterson attended an AMC Legislative

Conference, a teleconference on the Wasioja ruins and a Mental Health briefing. Commissioner Tjosaas attended a Dodge/Steele Community Health Board meeting, a Drug Court Task Force meeting, a SCHRC meeting and an AMC Legislative Conference. Commissioner Toquam attended a Fairview Care Center Board meeting, a County Board meeting, a SCHRC meeting, a SCHRC meeting and an AMC Conference.

Motion No Vote

Mr. Elmquist provided the Board with a County Administrator update.

Motion No Vote

There were no Other Deferred Business items to discuss.

Motion No Vote

Guy Kohlhofer, County Engineer

Finstuen Property Negotiations - Closed Session

Mr. Kohlhofer met with the Board in a closed session subject to MN Statute 13D.05 Subd. 3c (3) regarding the purchase of a portion of parcel #14.010.0401.

An agreement was reached last July with Mr. Finstuen regarding the purchase of a portion of his land for the 2022 partial realignment of CSAH 24. When the plans were completed and a plat generated for the parcel Mr. Finstuen was contacted for closing on the property. Mr. Finstuen has reneged on the agreement and is asking for a higher per acre price.

Motion by Toquam seconded by Kenworthy to go into closed session at 10:35 a.m. to discuss the options and action going forward for parcel #14.010.0401.

Motion Adopted [Unanimous]

Closed Session Ended

Motion by Peterson seconded by Kenworthy to end the closed session at 11:03 a.m.

Motion Adopted [Unanimous]

Meeting Opened to the Public

Motion by Peterson seconded by Kenworthy to open the meeting to the public at 11:03 a.m.

Motion Adopted [Unanimous]

Adjourn

Meeting Adjourned

Motion by Allen seconded by Toquam to adjourn the meeting at 11:04 a.m.

The next meeting of the Dodge County Board of Commissioners will be held on March 22, 2022 at 5:00 p.m.

Motion Adopted [Unanimous]



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: March 28, 2022

Support for House Bill HF4026 / Senate Bill SF3943 to Address the Impact of PTSD on Public Safety Personnel in Minnesota

BACKGROUND INFORMATION:

The League of Minnesota Cities (League) is asking member City Officials to engage in an advocacy effort to help secure passage of a bill that would address the impact of Post-Traumatic Stress Disorder (PTSD) on Public Safety employees. I believe it is important for the City of Mantorville to show our support for our Public Safety Staff and their wellbeing.

The bill the League is working to advance, HF4026/SF3943 (enclosed), would implement some of the League's legislative priorities for addressing trends related to public safety duty disability claims. It would increase PTSD education, prevention, and treatment, as well as funding for initiatives aimed at helping public safety employees.

The bill was heard on March 8, 2022 in the House Public Safety and Criminal Justice Reform Finance and Policy Committee, where it was laid over for future consideration. It has not yet had a hearing in the Senate Labor and Industry Policy Committee, where it was heard upon introduction.

The League is urging members to reach out to their local legislators to explain the impact of public safety duty disability claims on local communities and ask for support for the legislation.

The League has put together a Public Safety PTSD Duty Disability Advocacy Toolkit for Cities to use. The toolkit contains a model resolution of support, a draft letter to Legislators, a draft letter to the editor, and fact sheets with useful information that can be shared. The enclosed resolution and letters have been customized for the City of Mantorville.

STAFF RECOMMENDATION:

Based on discussion, motion to adopt Resolution No. 2022-15 and direct the City Clerk to forward this resolution and letters to Legislators and the editor.

ATTACHMENTS:

- Resolution No. 2022-15 Supporting Statewide Policies and Resources for Public Safety Mental and Physical Injury Education, Prevention, and Treatment
- House Bill HF4026
- Senate Bill SF3943
- Information on Workers' Compensation Claims and Costs Related to PTSD
- Letter to Legislators in Support of HF4026 and SF3943
- Letter to the Editor Encouraging Support

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION NO. 2022-15

**A RESOLUTION SUPPORTING STATEWIDE POLICIES
AND RESOURCES FOR PUBLIC SAFETY
MENTAL AND PHYSICAL INJURY EDUCATION,
PREVENTION, AND TREATMENT**

WHEREAS, the City of Mantorville recognizes the inherent dangers faced by Police Officers and Firefighters in the line of duty; and

WHEREAS, the duties performed by public safety employees sometimes lead to physical and mental injuries; and

WHEREAS, the number of public safety employees seeking duty disability determinations through the Public Employees Retirement Association (PERA) and making workers' compensation claims for line-of-duty injuries is accelerating at an unsustainable rate; and

WHEREAS, every injury that leads to a PERA duty disability retirement and/or workers' compensation claim impacts the employee, the employee's family and the employee's organization; and

WHEREAS, the current system for processing and addressing duty disability benefits can be incompatible with the goal of restoring good health and returning employees to work; and

WHEREAS, the fiscal impact of the increasing number of claims is unsustainable for employers and, ultimately, taxpayers; and

WHEREAS, public safety agencies, particularly those that are small and already experiencing recruitment and retention challenges, will not remain viable if they continue to sustain significant personnel losses; and

WHEREAS, Cities across Minnesota have invested resources into mental and physical injury education, prevention and treatment; and

WHEREAS, experts, including those experienced with treating combat veterans, report that with successful treatment, many injured public safety employees can achieve optimal outcomes of restoring good health for themselves and their families and returning to work; and

WHEREAS, Cities cannot solve this challenge on their own and need the State to help address the policy and financial issues related to public safety duty disability trends.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mantorville, Minnesota, that this Council supports:

- Full state funding for the Public Safety Officer Benefit Account that reimburses employers for providing continued health insurance to Police Officers and Firefighters injured in the line of duty and dependents of those killed (Minnesota Statutes, Section 299A.465);
- Funding to reimburse local governments for providing paid time off to public safety employees who experience work-related trauma and/or are seeking treatment for a mental injury;
- Funding for initiatives and programs that provide peer support, emotional trauma training, early intervention and mental health treatment;
- Requiring public safety college programs to include mental health and, specifically, PTSD education as part of their curriculum, focusing on prevention;
- Funding for emotional trauma training for pre-service and in-service public safety officers; and
- Advancing wellness for public safety employees.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mantorville City Council directs the City Clerk to forward a copy of this resolution to Minnesota State Legislators in support of House Bill HF 4026 and Senate Bill SF 3943, and supporting the call for action to address the impact of Post-Traumatic Stress Disorder (PTSD) on public safety personnel in Minnesota, and supporting the need for statewide policies and resources for public safety mental and physical injury education, prevention, and treatment.

Adopted by the City Council of the City of Mantorville, Minnesota, this 28th day of March 2022.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **4026**

03/07/2022 Authored by Long, Mueller, O'Neill, Huot and Poston

The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to labor; modifying timeline for duty disability determinations; requiring
- 1.3 treatment as part of workers' compensation benefits; requiring preservice and
- 1.4 in-service wellness training for peace officers and firefighters; appropriating money;
- 1.5 amending Minnesota Statutes 2020, sections 176.101, by adding subdivisions;
- 1.6 299A.465, subdivision 4; 353.031, subdivision 1; proposing coding for new law
- 1.7 in Minnesota Statutes, chapter 626.
- 1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.9 Section 1. Minnesota Statutes 2020, section 176.101, is amended by adding a subdivision
- 1.10 to read:
- 1.11 Subd. 9. Post-traumatic stress disorder; treatment required. (a) For the purposes of
- 1.12 this section and section 353.031, subdivision 1, paragraph (b), the following terms have the
- 1.13 meanings given:
- 1.14 (1) "employee" means a peace officer or firefighter who is a member of the police and
- 1.15 fire plan under section 353.64, or:
- 1.16 (i) a member of the State Patrol retirement plan under section 352B.02; and
- 1.17 (ii) diagnosed with a mental impairment, as defined in section 176.011, subdivision 15,
- 1.18 paragraph (d);
- 1.19 (2) "employer" means an employer of a member of the police and fire plan under section
- 1.20 353.64;
- 1.21 (3) "mental health care provider" has the meaning given under Minnesota Rules, part
- 1.22 5221.6700, subpart 2, item A, subitem (5);

2.1 (4) "period of treatment" means 16 weeks of treatment for post-traumatic stress disorder
2.2 (PTSD), as described under Minnesota Rules, part 5221.6700, subpart 6, at the direction of
2.3 a mental health care provider; and

2.4 (5) "treatment for PTSD" means the treatment described under Minnesota Rules, part
2.5 5221.6700, at the direction of a mental health care provider.

2.6 (b) Notwithstanding any law to the contrary, the following requirements apply to an
2.7 employee with a compensable workers' compensation injury under this chapter:

2.8 (1) receipt of workers' compensation benefits is contingent upon the employee's ongoing
2.9 good-faith participation in treatment for PTSD. Treatment shall be paid for as provided
2.10 under this chapter;

2.11 (2) for the purposes of compensation for temporary partial disability or temporary total
2.12 disability, the employee shall continue to complete one period of treatment for every 16
2.13 weeks of compensation the employee receives under this chapter. Before permanent
2.14 restrictions can be addressed, the employee shall complete at least two periods of treatment,
2.15 or 32 weeks of treatment, before a determination can be made that the employee will never
2.16 return to gainful employment in a position as an employee under paragraph (a), clause (1);

2.17 (3) for the purposes of compensation for permanent total disability, the employee shall
2.18 complete at least two periods of treatment, or 32 weeks of treatment, before a determination
2.19 can be made that the employee will never return to gainful employment;

2.20 (4) no determination of maximum medical improvement can be made until the applicable
2.21 treatment periods required under clauses (2) and (3) have been completed; and

2.22 (5) if, subject to clauses (1) to (4), the employee is determined to have a permanent total
2.23 disability for the purposes of compensation under this chapter, the employee shall continue
2.24 to participate in treatment for PTSD at the direction of the employee's mental health care
2.25 provider. The employee's mental health provider must continually assess the employee's
2.26 progress in treatment at least annually, including any change to the employee's ability to
2.27 return to gainful employment. If the mental health care provider determines that the employee
2.28 will be able to return to gainful employment at some point in the future, the employee is no
2.29 longer permanently and totally disabled, and workers' compensation benefits shall be adjusted
2.30 accordingly.

3.1 Sec. 2. Minnesota Statutes 2020, section 176.101, is amended by adding a subdivision to
3.2 read:

3.3 Subd. 10. Continuation of benefits; employer reimbursement. (a) For the duration
3.4 of the 32 weeks of treatment required for an employee under subdivision 9, paragraph (b),
3.5 clauses (2) and (3), an employer shall continue:

3.6 (1) to provide health insurance benefits to an employee and the employee's dependents
3.7 if the employee was receiving dependent coverage at the time of the injury under the
3.8 employer's group health plan;

3.9 (2) to pay the employer's contribution for health insurance benefits for the employee
3.10 and, if applicable, the employee's dependents; and

3.11 (3) to pay the employer's contribution to retirement benefits under the police and fire
3.12 defined benefit plan.

3.13 (b) Nothing in paragraph (a) prevents an employer from providing benefits in addition
3.14 to those required by this section or otherwise affects an employee's rights with respect to
3.15 any other employment benefit.

3.16 (c) An employer subject to this subdivision may annually apply by August 1 for the
3.17 preceding fiscal year to the commissioner of public safety for reimbursement of:

3.18 (1) the costs incurred to continue benefits as required under this subdivision; and

3.19 (2) the wage-related costs incurred to backfill a position for a period of up to 32 weeks
3.20 for an employee who is on temporary partial disability or temporary total disability and
3.21 receiving treatment.

3.22 Sec. 3. Minnesota Statutes 2020, section 299A.465, subdivision 4, is amended to read:

3.23 Subd. 4. Public employer reimbursement. (a) A public employer subject to this section
3.24 may annually apply by August 1 for the preceding fiscal year to the commissioner of public
3.25 safety for reimbursement to help defray a portion of its costs of complying with this section.
3.26 Except as provided for in paragraph (b), the commissioner shall provide an equal pro rata
3.27 share reimbursement to the public employer out of the public safety officer's benefit account
3.28 based on the availability of funds for each eligible officer, firefighter, and qualifying
3.29 dependents. Individual shares must not exceed the actual costs of providing coverage under
3.30 this section by a public employer.

3.31 (b) Beginning on August 1, 2023, a public employer is not eligible for reimbursement
3.32 under paragraph (a) unless the employer provides at least one of the following:

4.1 (1) annual wellness training to peace officers and firefighters who either are employed
4.2 or volunteer for the employer; or

4.3 (2) an employee assistance program or peer support program.

4.4 Wellness training for peace officers must incorporate the learning objectives established by
4.5 the Peace Officer Standards and Training Board under section 626.8477. No later than
4.6 February 1, 2023, the Board of Firefighter Training and Education must create a wellness
4.7 training program for public employers to offer to firefighters to satisfy the requirements of
4.8 this paragraph.

4.9 Sec. 4. Minnesota Statutes 2020, section 353.031, subdivision 1, is amended to read:

4.10 Subdivision 1. **Application.** (a) This section applies to all disability determinations for
4.11 the public employees general fund, the public employees police and fire fund, and the local
4.12 government correctional service retirement plan and any other disability determination
4.13 subject to approval by the board, except as otherwise specified in paragraph (b) and section
4.14 353.33, 353.656, or 353E.05. These requirements and the requirements of section 353.03,
4.15 subdivision 3, are in addition to the specific requirements of each plan and govern in the
4.16 event there is any conflict between these sections and the procedures specific to any of those
4.17 plans under section 353.33, 353.656, or 353E.06.

4.18 (b) Notwithstanding any law to the contrary, a member of the police and fire plan
4.19 diagnosed with PTSD:

4.20 (1) shall seek and receive a decision on compensability of workers' compensation benefits
4.21 under chapter 176 before applying for regular duty disability under the provisions of this
4.22 chapter; and

4.23 (2) is not eligible for regular duty disability under this chapter unless and until the
4.24 member has completed the applicable treatment periods required under section 176.101,
4.25 subdivision 9, paragraph (b), clauses (2) and (3).

4.26 Sec. 5. [626.8477] WELLNESS TRAINING.

4.27 Subdivision 1. Learning objectives and training course. The board must create learning
4.28 objectives and a training course to prepare peace officers for the stressful and traumatic
4.29 events that are common to policing and teach officers methods to process and cope with
4.30 the stress and trauma inherent to policing. The learning objectives and training course must
4.31 be updated as the board considers appropriate.

5.1 Subd. 2. **Preservice training required.** (a) The learning objectives developed pursuant
5.2 to subdivision 1 must be included in the required curriculum of a professional peace officer
5.3 education program.

5.4 (b) A person is not eligible to take the peace officer licensing examination after July 1,
5.5 2024, unless the individual has received the training described in paragraph (a).

5.6 Subd. 3. **In-service training required.** Beginning July 1, 2023, the chief law enforcement
5.7 officer of every state and local law enforcement agency shall provide in-service wellness
5.8 training to every peace officer and part-time peace officer employed by the agency. The
5.9 training must comply with the learning objectives developed and approved by the board
5.10 and must meet board requirements for board-approved continuing education credit. Each
5.11 peace officer with a license renewal date after June 30, 2023, is not required to complete
5.12 this training until the officer's next full three-year licensing cycle.

5.13 Subd. 4. **Record keeping required.** The head of each local and state law enforcement
5.14 agency shall maintain written records of the agency's compliance with the requirements of
5.15 subdivision 3. The written records are subject to periodic review by the board and must be
5.16 made available to the board at its request.

5.17 Sec. 6. **APPROPRIATION.**

5.18 (a) \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner
5.19 of public safety for the purpose of reimbursing employers under Minnesota Statutes, section
5.20 176.101, subdivision 10, for the cost incurred to continue benefits and backfill positions.
5.21 The base in fiscal year 2024 and beyond is \$.....

5.22 (b) \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner
5.23 of public safety for the purpose of reimbursing employers under Minnesota Statutes, section
5.24 299A.465, subdivision 4. This appropriation is available until June 30, 2024. The base in
5.25 fiscal year 2024 and beyond is \$.....

5.26 Sec. 7. **EFFECTIVE DATE.**

5.27 Sections 1, 2, and 4 are effective for workers' compensation benefit determinations for
5.28 dates of injury incurred after the date the police and fire plan and any applicable collective
5.29 bargaining agreement adopting sections 1, 2, and 4 has been implemented. The police and
5.30 fire plan and any applicable collective bargaining agreement shall adopt and implement the
5.31 provisions in sections 1, 2, and 4 no later than August 1, 2022.

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3943

(SENATE AUTHORS: HOWE, Ingebrigtsen and Jasinski)

DATE	D-PG	OFFICIAL STATUS
03/14/2022	5306	Introduction and first reading Referred to Labor and Industry Policy
03/16/2022	5371	Author stricken Clausen Author stricken Bigham

- 1.1 A bill for an act
- 1.2 relating to labor; modifying timeline for duty disability determinations; requiring
- 1.3 treatment as part of workers' compensation benefits; requiring preservice and
- 1.4 in-service wellness training for peace officers and firefighters; appropriating money;
- 1.5 amending Minnesota Statutes 2020, sections 176.101, by adding subdivisions;
- 1.6 299A.465, subdivision 4; 353.031, subdivision 1; proposing coding for new law
- 1.7 in Minnesota Statutes, chapter 626.
- 1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.9 Section 1. Minnesota Statutes 2020, section 176.101, is amended by adding a subdivision
- 1.10 to read:
- 1.11 Subd. 9. Post-traumatic stress disorder; treatment required. (a) For the purposes of
- 1.12 this section and section 353.031, subdivision 1, paragraph (b), the following terms have the
- 1.13 meanings given:
- 1.14 (1) "employee" means a peace officer or firefighter who is a member of the police and
- 1.15 fire plan under section 353.64, or;
- 1.16 (i) a member of the State Patrol retirement plan under section 352B.02; and
- 1.17 (ii) diagnosed with a mental impairment, as defined in section 176.011, subdivision 15,
- 1.18 paragraph (d);
- 1.19 (2) "employer" means an employer of a member of the police and fire plan under section
- 1.20 353.64;
- 1.21 (3) "mental health care provider" has the meaning given under Minnesota Rules, part
- 1.22 5221.6700, subpart 2, item A, subitem (5);

2.1 (4) "period of treatment" means 16 weeks of treatment for post-traumatic stress disorder
2.2 (PTSD), as described under Minnesota Rules, part 5221.6700, subpart 6, at the direction of
2.3 a mental health care provider; and

2.4 (5) "treatment for PTSD" means the treatment described under Minnesota Rules, part
2.5 5221.6700, at the direction of a mental health care provider.

2.6 (b) Notwithstanding any law to the contrary, the following requirements apply to an
2.7 employee with a compensable workers' compensation injury under this chapter:

2.8 (1) receipt of workers' compensation benefits is contingent upon the employee's ongoing
2.9 good-faith participation in treatment for PTSD. Treatment shall be paid for as provided
2.10 under this chapter;

2.11 (2) for the purposes of compensation for temporary partial disability or temporary total
2.12 disability, the employee shall continue to complete one period of treatment for every 16
2.13 weeks of compensation the employee receives under this chapter. Before permanent
2.14 restrictions can be addressed, the employee shall complete at least two periods of treatment,
2.15 or 32 weeks of treatment, before a determination can be made that the employee will never
2.16 return to gainful employment in a position as an employee under paragraph (a), clause (1);

2.17 (3) for the purposes of compensation for permanent total disability, the employee shall
2.18 complete at least two periods of treatment, or 32 weeks of treatment, before a determination
2.19 can be made that the employee will never return to gainful employment;

2.20 (4) no determination of maximum medical improvement can be made until the applicable
2.21 treatment periods required under clauses (2) and (3) have been completed; and

2.22 (5) if, subject to clauses (1) to (4), the employee is determined to have a permanent total
2.23 disability for the purposes of compensation under this chapter, the employee shall continue
2.24 to participate in treatment for PTSD at the direction of the employee's mental health care
2.25 provider. The employee's mental health provider must continually assess the employee's
2.26 progress in treatment at least annually, including any change to the employee's ability to
2.27 return to gainful employment. If the mental health care provider determines that the employee
2.28 will be able to return to gainful employment at some point in the future, the employee is no
2.29 longer permanently and totally disabled, and workers' compensation benefits shall be adjusted
2.30 accordingly.

3.1 Sec. 2. Minnesota Statutes 2020, section 176.101, is amended by adding a subdivision to
3.2 read:

3.3 Subd. 10. **Continuation of benefits; employer reimbursement.** (a) For the duration
3.4 of the 32 weeks of treatment required for an employee under subdivision 9, paragraph (b),
3.5 clauses (2) and (3), an employer shall continue:

3.6 (1) to provide health insurance benefits to an employee and the employee's dependents
3.7 if the employee was receiving dependent coverage at the time of the injury under the
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3.9 (2) to pay the employer's contribution for health insurance benefits for the employee
3.10 and, if applicable, the employee's dependents; and

3.11 (3) to pay the employer's contribution to retirement benefits under the police and fire
3.12 defined benefit plan.

3.13 (b) Nothing in paragraph (a) prevents an employer from providing benefits in addition
3.14 to those required by this section or otherwise affects an employee's rights with respect to
3.15 any other employment benefit.

3.16 (c) An employer subject to this subdivision may annually apply by August 1 for the
3.17 preceding fiscal year to the commissioner of public safety for reimbursement of:

3.18 (1) the costs incurred to continue benefits as required under this subdivision; and

3.19 (2) the wage-related costs incurred to backfill a position for a period of up to 32 weeks
3.20 for an employee who is on temporary partial disability or temporary total disability and
3.21 receiving treatment.

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3.23 Subd. 4. **Public employer reimbursement.** (a) A public employer subject to this section
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3.25 safety for reimbursement to help defray a portion of its costs of complying with this section.
3.26 Except as provided for in paragraph (b), the commissioner shall provide an equal pro rata
3.27 share reimbursement to the public employer out of the public safety officer's benefit account
3.28 based on the availability of funds for each eligible officer, firefighter, and qualifying
3.29 dependents. Individual shares must not exceed the actual costs of providing coverage under
3.30 this section by a public employer.

3.31 (b) Beginning on August 1, 2023, a public employer is not eligible for reimbursement
3.32 under paragraph (a) unless the employer provides at least one of the following:

4.1 (1) annual wellness training to peace officers and firefighters who either are employed
4.2 or volunteer for the employer; or

4.3 (2) an employee assistance program or peer support program.

4.4 Wellness training for peace officers must incorporate the learning objectives established by
4.5 the Peace Officer Standards and Training Board under section 626.8477. No later than
4.6 February 1, 2023, the Board of Firefighter Training and Education must create a wellness
4.7 training program for public employers to offer to firefighters to satisfy the requirements of
4.8 this paragraph.

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5.31 provisions in sections 1, 2, and 4 no later than August 1, 2022.

Workers' Compensation Claims and Costs Related to PTSD



Public safety post-traumatic stress disorder (PTSD) claims have had significant cost implications for the League of Minnesota Cities Insurance Trust, resulting in higher-than-average premium rate increases over the last several years.

For 2022,

workers' compensation rates for many members will increase, but an overall decrease in 2022 property/casualty rates combined with the **\$15 million** dividend that will be returned to members will help offset rising workers' compensation premiums.



Since PTSD claims first became compensable in 2013, they have risen to a point where they're currently making up

about 30% of the Trust's annual claim costs,

with most of that arising from police claims.

If LMCIT didn't need to fund for projected PTSD costs,

it would be able to decrease rates about **25%** for 2022.

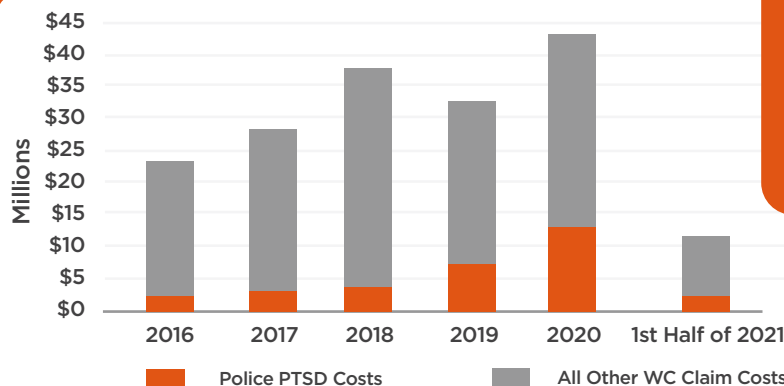


To date,

the Trust has incurred roughly

\$36,000,000

since 2013 in PTSD claim costs.



PTSD has become an increasingly larger portion of worker's compensation annual incurred costs (as of 6/30/2021)



PTSD is not a sign of weakness and can be successfully treated. Improper treatment or incorrect diagnosis can prolong suffering and end a promising career.



Public safety departments are facing a tighter job market, making it all the more important to successfully treat and retain high-performing individuals through a supportive work and social environment.

Through education resources and advocacy the Trust will continue to partner with members and all relevant stakeholders to stabilize workers' compensation claims and costs related to PTSD.

The Trust addresses PTSD and other health issues through:

Web resources

[Online training \(PATROL\)](#)

[Safety and Loss Control Workshops](#)

[PTSD and Mental Health Toolkit for police chiefs and administrators that covers topics such as prevention strategies, therapeutic responses, and mental health programs](#)

[A Duty Disability Group formed among law enforcement community stakeholders that work with the League's Intergovernmental Relations team to identify a workable state legislative PTSD disability funding solution without ties to the state's workers' compensation system](#)





Trail to the Past. Road to the Future.

March 28, 2022

Senator David H. Senjem
95 University Ave W
Minnesota Senate Bldg, Room 3401
St. Paul, MN 55155

VIA EMAIL TO
sen.david.senjem@senate.mn

Dear Senator Senjem:

I am contacting you to request your support for HF 4026 (Long)/SF 3943 (Howe), a bill that addresses a growing issue within public safety, post-traumatic stress disorder (PTSD) duty disabilities. The City of Mantorville supports this legislation.

The City of Mantorville recognizes the inherent dangers faced by Peace Officers and Firefighters in the line of duty. The duties performed by public safety employees sometimes lead to physical and mental injuries.

In recent years, the number of public safety employees seeking duty disability determinations through the Public Employees Retirement Association (PERA) and making workers' compensation claims for line-of-duty injuries has accelerated. This is particularly true in the wake of a law enacted in 2019 that made post-traumatic stress disorder (PTSD) a presumptive condition for workers' compensation purposes. Cities are concerned about these trends for the following reasons:

- Every injury that leads to a PERA duty disability retirement and/or workers' compensation claim impacts the employee, the employee's family and the employee's organization.
- The current system for processing and addressing duty disability benefits can be incompatible with the goal of restoring good health and returning employees to work.
- The fiscal impact of the increasing number of claims is unsustainable for employers and, ultimately, taxpayers.
- Public safety agencies, particularly those that are very small and already experiencing recruitment and retention challenges, will not remain viable if they continue to sustain significant personnel losses.

Given these concerns, Cities across Minnesota have invested resources into mental and physical injury education, prevention and treatment. According to experts, including those experienced with treating combat veterans, with successful treatment, many injured public safety employees can achieve optimal outcomes of restoring good health for themselves and their families and returning to work.

CITY OF MANTORVILLE

21 5th Street E • P.O. Box 188 | Mantorville, MN 55955 | p: 507.635.5170
email: cityofmant@kmtel.com | www.mantorville.com

On the National Register of Historical Places Est. 1854

HF 4026/SF 3943 contains provisions that are aimed at taking care of valued public safety employees. It contains important preventive measures that will optimize wellness in public safety agencies. It requires employees with PTSD symptoms to be treated before seeking a permanent duty disability so they can return to the job if possible. The bill does not take benefits away from employees who become injured. Lastly, it funds a state mandate that has become very costly to employers and, thus, taxpayers (the continued health insurance benefit under Minnesota Statutes, Section 299A.465).

Please do not hesitate to contact me if you wish to learn more about why this legislation is important to the City of Mantorville.

Sincerely,

Chuck Bradford
Mayor
City of Mantorville

Enclosed: City of Mantorville Resolution No. 2022-15

Dear Editor,

At times of crisis, residents of our state turn to those in law enforcement for aid. Officers are called upon to respond to traumatic events and scenes that are unimaginable to most of us, from car crashes to violent crimes. It's no surprise that law enforcement officer claims of post-traumatic stress disorder, or PTSD, have risen drastically over the past couple of years. PTSD has prompted many officers to leave the profession, resulting in massive staff shortages in cities and counties across the state. The question is – how can we best help those who contribute so much to our safety and wellbeing?

We can start by supporting legislation currently being considered in the Minnesota State legislative session. The bills, HF 4026 authored by Rep. Jamie Long, DFL-Minneapolis and SF 3943, authored by Sen. Jeff Howe, R-Rockville, would implement measures aimed at prevention, treatment, and financial support for those either at risk or currently suffering from PTSD. The legislation contains provisions encouraging law enforcement officers to seek treatment for PTSD before opting to file for duty disability compensation. Successful treatment can result in a continuation of a promising career. Additionally, the legislation would create and provide training options that “prepare peace officers for the stressful and traumatic events that are common to policing and teach officers methods to process and cope with the stress and trauma inherent to policing.”

Passage of HF4026 and SF 3943 is one step toward improving PTSD prevention and treatment options for officers who have sworn to protect and serve their neighbors. Let us be the help they need in their time of crisis just as they have done for us time and time again. Contact your legislators and encourage them to support these bills.

Chuck Bradford, Mayor
City of Mantorville



Trail to the Past. Road to the Future.

March 16, 2022

Dog Gone Cute Grooming
311 5th St W
Mantorville, MN 55955

Dear Business Owner:

The City of Mantorville was recently made aware that your business, Dog Gone Cute Grooming, returned to Mantorville from 211 Main Street West in Kasson to your residence at 311 5th Street West. A copy of the Conditional Use Permit issued by the City of Mantorville on June 12, 2017 for your home-based business is enclosed as reference.

The 2017 Conditional Use Permit included a condition that reads, “(15) *This CUP shall remain in effect so long as all of the conditions contained herein are observed. If, at any time, the conditional use is suspended or terminated on the Property for a period of 12 consecutive months, this CUP shall terminate and the owner must apply for a new CUP from the City prior to engaging in any similar activity.*”

I am writing to you today to confirm whether the Conditional Use Permit issued in 2017 has lapsed for 12 consecutive months or, if during the time you conducted your business in Kasson, you also continued your business at the Mantorville location, thereby keeping the CUP active. If you continued using the 311 5th Street West, Mantorville, location as part of your business, a new Conditional Use Permit would not be required. Please confirm by selecting one of the choices below, and sign and return this document to the City of Mantorville in the enclosed envelope:

☒ As part of my dog grooming business in Kasson, I have also maintained my home-based business at my residence at 311 5th Street West, Mantorville, and therefore the Conditional Use Permit **has not lapsed** (i.e., the CUP was **not** suspended or terminated for 12 consecutive months).

- The Applicant would **not** need to reapply for a Conditional Use Permit and the Conditional Use Permit issued on June 12, 2017 would remain active.

☐ The Conditional Use Permit **has lapsed** (i.e., the CUP was suspended or terminated for a period of 12 consecutive months).

- The Applicant would need to reapply for a Conditional Use Permit.

If you have any questions, please do not hesitate to call me at 507.635.5116. A self-addressed stamped envelope is enclosed for your use.

Sincerely,

Shirley R Buecksler
City Clerk-Treasurer

CITY OF MANTORVILLE

21 5th Street E • P.O. Box 188 | Mantorville, MN 55955 | p: 507.635.5170

email: cityofmant@kmtel.com | www.mantorville.com

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