

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF NOBLES COUNTY, MINNESOTA

The County Board of Nobles County met in regular session this 4th day of May, 2010, in the Board of Commissioners Room, at the Nobles County Government Center, Worthington, Minnesota. The following Commissioners were in attendance: David Benson, Diane Thier, Vern Leistico, Gene Foth and Marvin Zylstra.

Gene Foth, appointed County Commissioner District IV, was sworn in by Judge Flynn, to uphold the Constitution of the United States and the State of Minnesota and to faithfully perform his duties.

The Pledge of Allegiance to the flag was recited.

On a motion by Gene Foth seconded by Vern Leistico, it was duly passed to approve the agenda.

On a motion by Diane Thier and seconded by David Benson, it was duly passed to approve the Official Proceedings of the April 19th, 2010 Special County Board meeting.

On a motion by David Benson and seconded by Marvin Zylstra, it was duly passed to approve the Official Proceedings of the April 20th, 2010 County Board meeting.

Neal Steffl, Southwestern Minnesota Opportunity Council, presented the Board with the 2009 Program Services Report.

Wayne Smith, Environmental Services Director, presented the Board with information and recommendations in the area of Environmental Services.

On a motion by Vern Leistico and seconded by Gene Foth, it was duly passed to authorize amending the two year recycling contract approved November 30, 2009 to read Waste Connections of Minnesota, Inc. dba Schaap Sanitation rather than Schaap Sanitation a Minnesota Corporation.

On a motion by Diane Thier and seconded by Vern Leistico, it was duly passed to approve Conditional Use Permit #04-2010 to Mortenson Construction, Minneapolis, MN for a temporary lay down yard, construction offices and concrete mix plant to be located in the S ½ SE ¼, Section 23, (Summit Lake Township) as recommended by the Nobles County Planning Advisory Commission.

Steve Schnieder, Public Works Director, presented the Board with information and recommendations in the area of Public Works.

On a motion by Vern Leistico and seconded by Gene Foth, it was duly passed to approve the request from Burdell Kuhl, Rushmore, MN to allow an additional driveway 1,600 feet north of the SW corner of Section 13 of Larkin Township.

In Favor: Vern Leistico, Gene Foth, Diane Thier

Opposed: David Benson & Marvin Zylstra

Dennis Bucholz, Worthington Ag Parts, met with the Board to request input from them on zoning requirements and permits for his business due to Highway 60 re-construction. The Board advised Mr. Bucholz to work closely with Wayne Smith, Environmental Services Director, in regard to permitting and to contact the Board with specific concerns.

On a motion by Marvin Zylstra and seconded by Diane Thier, it was duly passed to authorize the County Board Chair and County Administrator to sign, on behalf of Nobles County, a development agreement with enXco Development Corporation upon review and clarification of language in the agreement by the County Attorney, County Administrator and County Engineer.

Byron Swart, County Assessor, presented the Board with information and a recommendation in the area of assessing agreement.

On a motion by Marvin Zylstra and seconded by Vern Leistico, it was duly passed to fix the rate under the assessing agreement, with the City of Worthington, in the amount of \$104,700.00 for three years (2011, 2012 & 2013) as accepted by the City of Worthington at their April 26, 2010 Council meeting.

On a motion by Diane Thier and seconded by Gene Foth, it was duly passed to adopt the following resolution:

BE IT RESOLVED, that Nobles County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for continuing maintenance of snowmobile trails managed by the Frosty Riders.

On a motion by David Benson and seconded by Vern Leistico, it was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, a joint powers agreement with the SW/West Central Service Cooperative for Group Employee Benefits and other Financial and Risk Management Services.

On a motion by Marvin Zylstra and seconded by David Benson, it was duly passed to adopt the following resolution:

WHEREAS, it is the duty of the Board of Commissioners to appoint citizens to various Boards, Committees and Commissions of Nobles County.

BE IT THEREFORE RESOLVED, to appoint the following persons, for the term specified on Boards, Committees and Commissions as listed:

Planning Advisory Commission
(3 year term expiring December 31, 2012)
Duane Schmitz, Brewster

On a motion by Vern Leistico and seconded by David Benson, it was duly passed to appoint Gene Foth to replace Norm Gallagher on 2010 Board and Committees appointment list; and further, to authorize the payment of per diem and expense reimbursement for his attendance at assigned committee meetings.

A motion was made by Vern Leistico and seconded by Diane Thier to table action on appointment of Commissioners to Lincoln Pipestone Rural Water System and request bio information on each of the candidates. Motion failed.

- In Favor: Vern Lesticco, Diane Thier
- Opposed: David Benson, Gene Foth, Marvin Zylstra

On a motion by Marvin Zylstra and seconded by David Benson, it was duly passed to adopt the following resolution:

WHEREAS, Ken Buysse's four year term as a Commissioner on the Lincoln Pipestone Rural Water System Board of Commissioners is scheduled to expire at midnight on December 31, 2010; and

WHEREAS, Earl DeWilde's four year term as a Commissioner on the Lincoln Pipestone Rural Water System Board of Commissioners is scheduled to expire at midnight on December 31, 2010; and

WHEREAS, Norris Peterson's four year term as a Commissioner on the Lincoln Pipestone Rural Water System Board of Commissioners is scheduled to expire at midnight on December 31, 2010; and

WHEREAS, the Nobles County Board of Commissioners believe that Ken Buysse, Earl DeWilde and Norris Peterson are qualified to act as Commissioners on the Lincoln Pipestone Rural Water Board of Commissioners and are all worthy of appointment.

BE IT NOW RESOLVED, that the Nobles County Board of Commissioners hereby appoints Ken Buysse, Earl DeWilde and Norris Peterson to the Lincoln Pipestone Rural Water System Board of Commissioners pursuant to and provided for by Minnesota Statutes §116A et. seq. Ken Buysse, Earl DeWilde and Norris Peterson's terms shall commence at 12:00 a.m. on January 1, 2011, and shall expire at midnight on December 31, 2014.

- In Favor: Marvin Zylstra, David Benson, Gene Foth
- Opposed: Vern Leistico, Diane Thier

The Board requested Administration send a letter advising Lincoln Pipestone Rural Water that in the future a brief bio be included for each candidate before making the appointment.

On a motion by Diane Thier and seconded by Gene Foth, it was duly passed to authorize payment of \$7,239.00 to the Retired & Senior Volunteer Program (RSVP) as the 2nd quarter payment of their 2010 appropriation. Funding is included in the approved 2010 budget.

On a motion by David Benson and seconded by Vern Leistico, it was duly passed to approve county department and board travel expenses for April 23rd, 2010. A summarized copy of the expenses was before the Board and is made a part of this resolution by reference.

Committee and Board reports were received from the following:

- District II—Commissioner Thier reported on the Developmental Achievement Center, Plum Creek Library, Kanaranzi Little Rock Watershed, Planning & Zoning, Computer Aid Dispatch System, and Township Board of Review meetings.
- District III—Commissioner Benson reported on the Regional Extension, Regional Radio Board and Township Board of Review meetings and the Minnesota Public Safety Interoperable Communications Conference.
- District V—Commissioner Leistico reported on the Family Service meeting, Economic Development Ad Hoc meeting at City Hall and the Computer Aid Dispatch System meeting.
- District I—Commissioner Zylstra reported on the Tri County Day Treatment, Regional Extension, Southwestern Minnesota Opportunity Council and Family Services meetings.
- County Administrator Ruppert updated the Board on a letter from the State Auditor listing review points from the 2008 audit, status of Secretary position in Extension, update on joint dispatch, computer aid dispatch, meeting with New Vision, Lincoln Pipestone Rural Water bonding and option from MCIT on coverage for CAP agencies.

On a motion by Diane Thier and seconded by David Benson, it was duly passed to approve the following claims for payment:

Auditor's Warrants:	
April 12, 2010	\$25.00
April 14, 2010	\$40,000.00
April 15, 2010	\$100.00
April 16, 2010	\$2,389.25
April 19, 2010	\$15.00
April 20, 2010	\$100.00
April 23, 2010	\$7,961.61
April 27, 2010	\$2,050.66
Commissioners' Warrants:	
General Fund	\$83,591.68
Public Works Fund	\$46,117.48
Family Services Administration	\$14,963.09
Family Services Social Services	
April 15, 2010	\$119,233.71
April 22, 2010	\$14,750.62

There being no further business, the Board adjourned sine dies.

Attest:

Chairperson

County Administrator