OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF NOBLES COUNTY, MINNESOTA

The County Board of Nobles County met in regular session this 3rd day of May, 2011, in the Board of Commissioners Room, at the Nobles County Government Center, Worthington, Minnesota. The following Commissioners were in attendance: Marvin Zylstra, Diane Thier, David Benson, Robert Demuth Jr., and Vern Leistico.

The Pledge of Allegiance to the flag was recited.

On a motion by David Benson, seconded by Vern Leistico, it was duly passed to approve the agenda as amended.

On a motion by Robert Demuth, Jr., seconded by Diane Thier, it was duly passed to approve the Official Proceedings of the April 19th, 2011 County Board meeting.

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

On a motion by David Benson, seconded by Robert Demuth, Jr., it was duly passed to adopt the following resolution:

> **WHEREAS,** Nobles County is home to the Nobles County Landfill SW-11, which is a permitted solid waste land disposal facility and which is also a part of an integrated solid waste program for this county and the region; and
>
> **WHEREAS**, permitted solid waste land disposal facilities in this state follow the highest standards for their design and operations and are protective of the environment; and
>
> **WHEREAS**, as solid waste land disposal facilities, by their nature, expand over time through connected activities and phase plans; and
>
> **WHEREAS**, conducting a site environmental review and developing a site permit for all phased plans for solid waste land disposal facilities will save the state and regulated community financial, staffing and other resource and still protect the environment.
>
> **THEREFORE BE IT RESOLVED,** that the Nobles County Board of Commissioners supports the adoption of SF 1244/HF1491 which requires state agencies to revise rules to allow site environmental reviews and site permits for solid waste land disposal facilities.

On a motion by Diane Thier, seconded by Marvin Zylstra, it was duly passed to approve Conditional Use Permit #05-2011 to Brian Gengler, Adrian, MN for the construction of a 120' diameter open concrete manure storage facility located in the NW ¼ of Section 33, Township 103, Range 42 (Larkin 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 Marvin Zylstra, seconded by Diane Thier, it was duly passed to order landowner Jean Nystrom that tile in the south half of the southwest quarter of section 7 of Indian Lake Township be disconnected from the County Ditch 25 tile system by May 20th, 2011 per Minnesota Statute §103E.401 subd. 7(a); and further, that an inspection be completed by personnel from the Public Works department.

On a motion by David Benson, seconded by Vern Leistico, it was duly passed to adopt the following resolution:

> **WHEREAS,** Nobles County has established a policy for the closing of county highways for parades and special events; and,
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> **WHEREAS,** Dawn Huisman, as representative of the City of Ellsworth, has submitted, on their behalf, an application for a parade permit.
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> **NOW THEREFORE, BE IT RESOLVED,** that the parade permit application dated April 14th, 2011 for the City of Ellsworth is hereby granted.

On a motion by Diane Thier, seconded by Robert Demuth, Jr., it was duly passed to authorize $425.00 per month vehicle allowance for Steve Schnieder, Public Works Director effective May 1, 2011.

On a motion by Vern Leistico, seconded by Marvin Zylstra, it was duly passed to adopt the following resolution:

> **WHEREAS**, The Minnesota Manual on Uniform Traffic Control Devices, MMUTCD requires all agencies that maintain roadways open to the public to adopt a sign maintenance program to be established by January, 2012, and,
>
> **WHEREAS**, public agencies shall use an assessment or management method to maintain sign retro reflectivity at or above the minimum levels provided for in the MMUTCD,
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> **NOW, THEREFORE, BE IT RESOLVED**, that Nobles County will use the Management Method of Expected Sign Life based on the manufacturers recommended life expectancy for the reflective sheeting used on the signs, and,
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> **BE IT FURTHER RESOLVED**, that the Public Works Department shall maintain a sign inventory of all signs along the County Road and County State Aid Highway systems for the purpose of determining a schedule for replacement of their signs, and,
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> **BE IT FURTHER RESOLVED**, that the Nobles County Public Works Department shall maintain all street name signs located outside the city limits within Nobles County by using the Management Method of Expected Sign Life based on the manufacturers recommended life expectancy for the reflective sheeting used on the signs.

On a motion by Robert Demuth, Jr., seconded by David Benson, it was duly passed to adopt the following resolution:

> **WHEREAS,** Minnesota is consistently placed at or near the bottom of national measures that assess the capacity for local government innovation in all 50 states,
>
> **WHEREAS,** Minnesota and its counties face significant demographic trends that will require innovative approaches to program delivery in order to adequately meet the growing and changing needs of citizens;
>
> **WHEREAS,** counties with innovative ideas should be provided the requisite opportunity and flexibility to successfully implement those ideas so as to best serve their communities,
>
> **WHEREAS,** counties across Minnesota boast significant geographic, demographic and economic diversity that thus requires maximum flexibility in programmatic implementation,
>
> **WHEREAS,** counties are willing and able to identify, implement and methodically verify increased programmatic efficiencies through a process that will cultivate and sustain a strong and trusting state-local partnership, and
>
> **WHEREAS,** transitioning to an outcomes-based system of program evaluation is in the best interest of every Minnesota citizen and government that desires to maximize public resources and enhance the quality of life in their community to the fullest extent possible,
>
> **BE IT THEREFORE RESOLVED,** that Nobles County recommends that the Legislature and governor work cooperatively with all 87 counties to swiftly pass the MAGIC Act into law during the 2011 legislative session, thus implementing a system that will enhance and incent local government efficiency and innovation throughout Minnesota by:
>
> 1. Allowing counties to take any action not prohibited by state law to provide for the health, safety and general welfare of the public; and
> 2. Creating a measured, outcomes-based waiver process whereby counties, in partnership with the legislative and executive branch of state government, can implement efficiency-based, time-limited pilot programs that are subject to final review by the Legislature and governor and will create a repository of best practices so as to improve long-term policy decisions across the state.

On a motion by David Benson, seconded by Diane Thier, it was duly passed to approve county department and board travel expenses for April 22nd, 2011. A summarized copy of the expenses was before the Board and is made a part of this resolution by reference.

Nicole Names, Human Services Director; Sue Luing, Deputy County Administrator and Melvin Ruppert, County Administrator presented the Board with options and recommendations from the Human Services Advisory Committee for the creation of a Health/Human Service Board per Minnesota Statute §402.

On a motion by Diane Thier, seconded by David Benson, it was duly passed to authorize the request from the Library Board for the recruitment of a Library summer worker for up to 150 hours.

On a motion by Vern Leistico, seconded by Diane Thier, it was duly passed to authorize filling the vacant facility maintenance supervisor position.

Committee and Board reports were received from the following:

District V-Commissioner Leistico reported on the Prairie Justice Center Joint Operations Committee, Retired & Senior Volunteer Program (RSVP), Family Service and E.O. Olson Board meetings and the Family Services foster parents dinner.

District IV-Commissioner Demuth reported on the City Board of Review.

District III-Commissioner Benson reported on the Area Transportation Partnership, Mental Health service meetings and the Family Services foster parents dinner.

District II–Commissioner Thier reported on the Prairie Justice Center Joint Operations Committee, Energy Services Group (E.S.G.), Township Board of Equalization, Library Board meetings and the Family Services foster parents dinner.

District I-Commissioner Zylstra reported on the Energy Services Group (E.S.G), SW Emergency Medical Services, Southwestern Minnesota Opportunity Council and Family Services meetings.

County Administrator, Melvin Ruppert updated the Board on discussion with Rock County officials for order and stipulation services from the Bureau of Mediation for the Community Health Joint Powers agreement, County Government Day and upcoming tour of Library facilities, meeting with Bond Counsel and Library Design Institute.

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

Auditor's Warrants:	
April 18, 2011	$700.00
April 21, 2011	$249.98
April 22, 2011	$10,339.38
April 27, 2011	$2,059.83
Commissioners' Warrants:	
General Fund	$49,613.12
Public Works Fund	$70,521.09
Family Services Administration	$15,219.26
Family Services Social Services	
April 22, 2011	$50,199.64

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

Attest:

_____ _____

Chairperson County Administrator