

## OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF NOBLES COUNTY, MINNESOTA

The County Board of Nobles County met in regular session this 19<sup>th</sup> day of January, 2016, in the Board of Commissioners Room, at the Nobles County Government Center, Worthington, Minnesota. The following Commissioners were in attendance: Marvin Zylstra, Gene Metz, Matt Widboom, Robert Demuth Jr. and Donald Linssen.

The Pledge of Allegiance to the flag was recited.

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to approve the agenda as amended, adding 8.7 Letter of Support for the Indian Lake Progressives 4-H Club.

On a motion by Donald Linssen and seconded by Matt Widboom, it was duly passed to approve the consent agenda.

- 5.1 January 5, 2016 Regular Meeting Minutes
- 5.2 Meetings & Conferences . January 8, 2016 Travel Expenses
- 5.3 Auditor~~s~~ and Commissioner~~s~~ Warrants

On a motion by Matt Widboom and seconded by Donald Linssen, it was duly passed to open the public hearing to review, discuss and consider the proposed property tax abatement request for Larry Davis.

The proposed tax abatement request for construction of a single family home was reviewed. No public comments were received.

On a motion by Robert Demuth Jr. and seconded by Marvin Zylstra, it was duly passed to close the hearing.

On a motion by Robert Demuth Jr. and seconded by Donald Linssen, it was duly passed to adopt the following resolution number 201604:

WHEREAS, Minnesota Statute 469.1813 gives authority to the County of Nobles to grant an abatement of property taxes imposed by the County if certain criteria are met; and

WHEREAS, in addition to the statutory requirements, the Nobles County has adopted the Nobles Home Initiative guidelines which must be met before an abatement of taxes will be granted for residential development; and

WHEREAS, Larry Davis is the owner of certain property within Nobles County, legally described as follows:

Parcel ID: 31-0994-000; Lot 2, Castlewood Knolls, City of Worthington, Nobles County Minnesota.

WHEREAS, Larry Davis has made application to Nobles County for the abatement of taxes as to the above-described parcel; and

WHEREAS, Larry Davis has met the statutory requirements outlined under Minnesota Statute 469.1813 Subdivision 1(1) and Subdivision 2(i) as well as the County's Nobles Home Initiative guidelines for tax abatement;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA:

1. The Nobles County does, hereby grant an abatement of Nobles County share of real estate taxes upon the above-described parcel for the construction of a new single family home.
2. The tax abatement will be for no more than five years commencing on the first year of taxes payable for the assessed value(s) related to the capital improvements outlined in Paragraph 1.
3. The County shall provide the awarded abatement payment following payment of due real estate taxes annually. One single payment shall be made to the owner of record by December 30<sup>th</sup> of that calendar year.

- 4. The tax abatement shall be for the residential capital improvements only. Land values and the current base value are not eligible and will not be abated.
- 5. The abatement shall be null and void if construction is not commenced within 6 months of the approval of this resolution or if real estate taxes are not paid on or before the respective payment deadlines annually.

Stephen Schnieder, Public Works Director/County Engineer, presented the Board with information and recommendations in the area of the Natural Resources Block Grant.

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, the FY 2016 & 2017 Natural Resources Block Grant with the State of Minnesota Board of Water and Soil Resources in the amount of \$44,495. A copy of the grant was before the Board and is made a part of this resolution by reference.

Stephen Schnieder, Public Works Director/County Engineer, presented the Board with information and recommendations in the area of CSAH Bridge Prioritization and the Municipal Construction Funding Policy.

On a motion by Donald Linssen and seconded by Gene Metz, it was duly passed to adopt the following resolution number 201605:

WHEREAS, Nobles County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government, and

WHEREAS, Nobles County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

NOW, THEREFORE BE IT RESOLVED that the following deficient bridge is a high priority and Nobles County intends to replace, rehabilitate, or remove this bridge as soon as possible when funds are available,

Old Bridge Number	Road Number	Total Project Cost	Township or State Bridge Funds	Federal Funds	Local or State Aid Funds	Proposed Construction Year
L2622	CSAH 13	\$345,000	\$122,500		\$222,500	2017

NOW, THEREFORE, BE IT RESOLVED, that the Nobles County Board of Commissioners does hereby request authorization to replace, rehabilitate, or remove this bridge.

Mr. Schnieder updated the Board with a correction to the information in the area of the City of Dundee's request for funding for diagonal parking as part of the CSAH 39 reconstruction project in town. Past Board Policy from 1985 and 1995 set the standard for the street width at 44 feet with the added cost for diagonal parking that does not currently exist being the city's responsibility. As the diagonal parking in front of the church is eligible for funding by the county and the business that would like to add diagonal parking has agreed to pay for their portion, the City of Dundee has approved the CSAH 39 project.

Mr. Schnieder advised that since the current policy for funding Municipal Construction Projects is 20 years old, it may be appropriate to establish a new policy reconfirming the funding eligibility for municipal projects.

The consensus of the Board was to review the 1985 policy, 1995 policy and draft policy at a future work session to discuss State Aid Allotments and safety.

Tom Johnson, County Administrator, presented the Board with information and recommendations in the area of an amendment to the Southwest Mental Health Center's Article of Incorporation and a Certificate of Completion for the Nobles County War Memorial Library HVAC Replacement.

On a motion by Robert Demuth Jr. and seconded by Matt Widboom, it was duly passed to adopt the following resolution number 201608:

WHEREAS, the Southwestern Mental Health Center's Board of Directors determined the Centers existing corporate office at 216 East Luverne Street, Luverne, MN no longer suited the needs of the corporation, and

WHEREAS, the Southwestern Mental Health Center Board of Directors purchased and remodeled new corporate office space at 117 South Spring Street, Luverne, MN, and

WHEREAS, the Southwestern Mental Health Center's Articles of Incorporation reflect the Center's registered corporation office as 216 East Luverne Street, Luverne, MN

BE IT HEREBY RESOLVED, that the Nobles County Board of Commissioners, all being voting members of Southwestern Mental Health Center, Inc. pursuant to Minnesota Statutes 317A.133 Subd. 3 do hereby authorize the Board of Directors of said corporation to amend the Articles of Incorporation by changing the location of the registered office of the corporation to 117 South Spring Street, Luverne, MN without further approval of the members with voting rights.

On a motion by Matt Widboom and seconded by Donald Linssen, it was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, a Certificate of Substantial Completion with Engineering Design Initiative (EDI) and Schwickert's Tecta America, LLC for the Boiler Replacement, Air Handler Replacement and the Cooling System Replacement at the War Memorial Building.

Jon Ramlo, Rock Nobles Community Corrections Director, presented the Board with information and a recommendation in the area of a resolution in support of approving the State of Minnesota Joint Powers Agreement authorizing Rock Nobles Community Corrections Staff access to Minnesota Government Access (MGA) for the provision of allowing access to case records of the Minnesota Judicial Branch.

On a motion by Robert Demuth Jr. and seconded by Marvin Zylstra, by unanimous vote it was duly passed to adopt the following resolution number 201607:

**WHEREAS**, the Nobles County and Rock County Boards of Commissioners organized Rock Nobles Community Corrections to provide a community based corrections program; and

**WHEREAS**, under Minn. Stat. § 299C.46 the Bureau of Criminal Apprehension (BCA) must provide a criminal justice data communications network to benefit criminal justice agencies in Minnesota ; and

**WHEREAS**, Rock Nobles Community Corrections is authorized by law to utilize the criminal justice data communications network pursuant to terms set out in the State of Minnesota Joint Powers Agreement Authorized Agency, SWIFT Contract #103645; and

**WHEREAS**, the BCA either maintains repositories of data or has access to repositories of data that benefit criminal justice agencies in performing their duties; and

**WHEREAS**, Rock Nobles Community Corrections needs to access the data in support of its criminal justice duties.

**NOW THEREFORE BE IT RESOLVED**, that the Nobles County Board of Commissioners supports the State of Minnesota Joint Powers Agreement to create a method by which the Agency has access to those systems and tools for which it has eligibility, and to memorialize the requirements to obtain access and the limitations on that granted access.

Tom Johnson, County Administrator, presented the Board with information and a recommendation in the area of a letter of support encouraging the Minnesota Pollution Control Agency (MPCA) having appropriate staff trained and authorized to complete their permit process in a timely manner.

On a motion by Matt Widboom and seconded by Donald Linssen, it was duly passed to authorize the County Administrator to amend the drafted letter presented by requesting a response back to understand what the MPCA is doing as an agency to support a reasonable timeline and to send as completed.

Kent Wilkening, Sheriff, presented the Board with information and a recommendation in the area of the City's request to purchase the Nobles County K-9.

On a motion by Donald Linssen and seconded by Marvin Zylstra, it was duly passed to approve the sale of the K-9 Frankee to the City of Worthington in the amount of \$10,000.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to authorize the Sheriff to use the \$10,000 from the sale of the K-9 to purchase a new K-9 for the Sheriff's Department.

Clint Wolthuisen, Library Director, presented the Board with information and a recommendation in the area of the Adrian Branch Library Space Utilization Study.

On a motion by Robert Demuth Jr. and seconded Gene Metz, it was duly passed approve the contract with George Lawson in the amount of \$3,825 for the provision of identifying changes in the layout of services, collections, and traffic flow that would improve public service or staff effectiveness without significant structural

alterations at the Adrian Branch Library; and further, that the \$3,825 be paid from the Capital Projects Building Fund. A copy of the planning proposal was before the Board and is made a part of this resolution by reference.

Tom Johnson, County Administrator, presented the Board with information and a recommendation in the area of a resolution supporting the Broadband Vision Statement.

On a motion by Robert Demuth Jr. and seconded by Marvin Zylstra, it was duly passed to adopt the following resolution number 201609:

**WHEREAS**, in an effort to demonstrate cooperation and a united voice; and  
**WHEREAS**, it may be a significant factor in the 2016 legislative funding for improvements in broadband infrastructure for Cities, Schools and Counties to formally adopt the Vision Statement *"Everyone in Minnesota will be able to use convenient, affordable world-class broadband networks that enable us to survive and thrive in our communities and across the globe."*

**NOW THEREFORE BE IT RESOLVED**, that the Nobles County Board of Commissioners adopts the statewide vision statement for broadband.

Beth Van Hove, Auditor-Treasurer, presented the Board with information and recommendations in the area of an application for 2015 Property Tax Abatement and to consider the delegation of authority to the County Auditor for the approval of abating taxes as allowed by Minnesota Statute §375.192. Ms. Van Hove advised that Project Morning Star, a public charity, had submitted their property tax exemption to the State which was approved after the 1<sup>st</sup> of the year. If the Board approved the tax abatement, special assessments still must be paid.

On a motion by Donald Linssen and seconded by Gene Metz, it was duly passed to abate the 2015 taxes for Project Morning Star in the amount of \$1,086.00.

Ms. Van Hove advised that the Auditor-Treasurer has abated small amounts within the limits of state statute and requested direction from the Board if this shall continue or if the Board would like to consider delegating the authority to the County Auditor for the approval of abating taxes as allowed by Minnesota Statute §375.192.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to authorize the Auditor-Treasurer to abate taxes up to \$500.00 for a period of up to 60 days until a resolution can be adopted by the Board according to Minnesota Statute §375.192 Subd. 4.

Tom Johnson, County Administrator, presented the Board with information and a recommendation in the area of a Personnel Leave of Absence and Citizen Appointments.

On a motion by Donald Linssen and seconded by Matt Widboom, it was duly passed to grant the request for an additional 30 days leave of absence.

On a motion by Gene Metz and seconded by Donald Linssen, 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:

**Personnel Board of Appeals:**  
**(3 year term expiring December 31, 2018)**  
Jenny Andersen, Worthington

On a motion by Matt Widboom and seconded by Robert Demuth Jr., 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, 2018)**  
Ronald Ozmun, Worthington

Terri Janssen, CHS Administrator/Public Health Director, presented the Board with information and recommendations in the area of contracts.

On a motion by Robert Demuth Jr. and seconded by Marvin Zylstra, it was duly passed to authorize the County Board Chairperson and CHS Administrator/Public Health Director to sign, on behalf of Nobles County, a Memorandum of Agreement between Southwest Minnesota State University and Nobles County Community Services for the provision of providing a Public Health preceptor opportunity for students in the Baccalaureate of Science in Nursing (BSN) program. A copy of the Memorandum of Agreement was before the Board and is made a part of this resolution by reference.

On a motion by Matt Widboom and seconded by Donald Linssen, it was duly passed to authorize the County Board Chairperson and CHS Administrator/Public Health Director to sign, on behalf of Nobles County, a Memorandum of Agreement between Northwest Technical College and Nobles County Community Services for Student Training Experience/Internship for Non-Allied Health Programs for the provision of providing a training site for qualified students enrolled in the Community Health Worker Program. A copy of the Memorandum of Agreement was before the Board and is made a part of this resolution by reference.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to authorize the County Board Chairperson and CHS Administrator/Public Health Director to sign, on behalf of Nobles County, Amendment No. 3 to Grant Contract GRK%85978 between the Department of Human Services and Nobles County Community Services for the provision of Early and Periodic Screening, Diagnosis and Treatment Administrative Services to Medical Assistance eligible children birth through 20 years of age. A copy of the Grant Contract Amendment was before the Board and is made a part of this resolution by reference.

On a motion by Marvin Zylstra and seconded by Donald Linssen, it was duly passed for Nobles County to go on record with a letter to accompany the application for the 2016 AMC 4-H Community Leadership Award in support of the Indian Lake Progressives 4-H Club to be signed by the County Board Chairperson and County Administrator.

Committee and Board reports were received from the following:

District I-Commissioner Zylstra reported on Management Team, Emergency Management Planning Advisory Committee (EMPAC) and Round Lake City Council meetings.

District II. Commissioner Metz reported on Armory and Feasibility Study meetings.

District III-Commissioner Widboom reported on the Rock Nobles Community Corrections meeting.

District IV-Commissioner Demuth reported on the Rock Nobles Community Corrections meeting.

District V-Commissioner Linssen reported on Emergency Management Planning Advisory Committee (EMPAC), Nobles Economic Opportunity Network (NEON) and the Listening Session Legislative Breakfast.

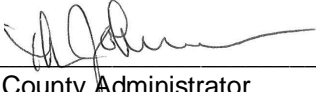
Management Team-No update.

County Administrator-Tom Johnson reported on the Nobles Economic Opportunity Network (NEON) and that all 3 grants submitted to the Broadband Communities for the Library, Community Education, and equipment for distribution of fiber to the BioTechnology Advancement Center were accepted as written.

On a motion by Robert Demuth Jr. and seconded by Matt Widboom, it was duly passed to adjourn the meeting at 10:19 a.m.

Attest:

  
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Chairperson

  
\_\_\_\_\_  
County Administrator