

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF NOBLES COUNTY, MINNESOTA

The County Board of Nobles County met in regular session this 19th day of April, 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 Matt Widboom and seconded by Marvin Zylstra, it was duly passed to approve the agenda.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to approve the consent agenda.

- 5.1 April 5, 2016 Regular Meeting Minutes
- 5.2 Amendment 2 to SWIFT Contract #94424
- 5.3 ECB Joint Powers - Resolution 201628
- 5.4 Meetings & Conferences . Travel Expenses
- 5.5 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 J. Scot and Kathleen Henning.

Abraham Algadi, Worthington Regional Economic Development Corporation, reviewed the proposal for the tax abatement request for construction of a single family home. No public comments were received.

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to close the hearing.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to adopt the following resolution number 201627:

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, J. Scot and Kathleen Henning are the owners of certain property within Nobles County, legally described as follows:

Parcel ID: 21-0261-000 First Addition, Lots 10,11,12 Block 32, Adrian MN

WHEREAS, J. Scot and Kathleen Henning have made application to Nobles County for the abatement of taxes as to the above-described parcel; and

WHEREAS, J. Scot and Kathleen Henning have 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 30th 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.

Sherri Smith, MN Cornerstone Nobles-Rock Drug Court, and Morgan Woodbury, Rock-Nobles Community Corrections, gave an annual update on the MN Cornerstone Nobles-Rock Drug Court in the 5th Judicial District.

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

On a motion by Donald Linssen and seconded by Robert Demuth Jr., it was duly passed to extend the employment for the Public Works Temporary Worker through May 2016, or until the regular worker can return to work.

Chris Dybeveck, Chief Deputy Sheriff, presented the Board with information and a recommendation in the area of the 2016 State of MN Boat and Water Safety Grant.

On a motion by Marvin Zylstra and seconded by Donald Linssen, it was duly passed to authorize the County Board Chairperson and Administrator to sign, on behalf of Nobles County, the 2016 State of Minnesota Annual County Boat and Water Safety Grant Agreement effective January 1, 2016 through June 30, 2017. A copy of the Grant Agreement was before the Board and is made a part of this resolution by reference.

Clint Wolthuizen, Library Director, George Lawson, Library Planning Consultant, and Meredith Vaselaar, Branch Librarian, presented the Board with the Adrian Branch Library Conceptual Renovation Plan for completion at the end of 2016 or beginning of 2017. Library Board Members Peg Faber and Rita Domagala also attended in support.

The Conceptual Plan was reviewed for the 1,568 sq. ft. Adrian Branch Library at a cost of approximately \$150/sq. ft. Adrian Library Project Resolution 1.1, adopted by the Nobles County Library Board, reaffirming its shared responsibility and commitment with Nobles County Commissioners to provide a highly effective, accessible, and safe library facility was before the Board.

On a motion by Robert Demuth and seconded by Matt Widboom, it was duly passed to support moving forward with the Adrian Branch Library Conceptual Renovation Plan.

The consensus of the Board was to support the concept although unable to approve the project until the final figures are in place and when it is confirmed where the funds will be designated from.

Beth Van Hove, County Auditor-Treasurer, presented the Board with information and recommendations in the area of a public hearing for Nobles/Murray Judicial Ditch #12 and the demolition of tax forfeited properties.

Ms. Van Hove informed the Board that a letter has been drafted for the livestock owner by Kurt Deter which cites the statute stating a landowner cannot damage the ditch system.

On a motion by Matt Widboom and seconded by Gene Metz, it was duly passed to set the Nobles/Murray Judicial Ditch #12 public hearing for Tuesday, May 24th at 12:30 p.m. in the Nobles County Board of Commissioners Room, Government Center, 315 Tenth Street, Worthington MN; and further, that notice letters be posted, sent to the livestock owner and the landowners in the ditch system.

On a motion by Donald Linssen and seconded by Matt Widboom, it was duly passed to demolish the three tax forfeited property homes listed as 308 S. Walnut Street, Ellsworth (Parcel 25-0069-000), 1615 Okabena Street, Worthington (Parcel 31-2658-000) and 304 N. Bishop Ave, Rushmore (Parcel 29-0087-000). The information provided at the meeting incorrectly referenced Parcel # 31-2658-000 as 1651 Okabena Street.

In discussion, the Board asked if the demolishing will be completed in-house or if it will be put out for bids. Ms. Van Hove confirmed that it was more cost effective to put demolishing services out for bids.

Stacie Golombiecki, Community Services Director, presented the Board with information and recommendations in the area of a StratisHealth Consulting Agreement Amendment and a Southern Prairie Community Care MOU Amendment.

On a motion by Matt Widboom and seconded by Robert Demuth Jr., it was duly passed to authorize the County Board Chairperson to sign, on behalf of Nobles County, Amendment #1 to the Agreement with StratisHealth, extending the agreement until October 31, 2016. A copy of the Amendment was before the Board and is made a part of this resolution by reference.

On a motion by Donald Linssen and seconded by Marvin Zylstra, it was duly passed to authorize the County Board Chairperson and County Administrator to sign, on behalf of Nobles County, an Amendment to the 2014 - 2016 Memorandum of Understanding with Southern Prairie Community Care effective for the period beginning April 1, 2016. A copy of the Amendment was before the Board and is made a part of this resolution by reference.

Sue Luing, HR Director/Deputy County Administrator, presented the Board with information and recommendations in the area of personnel.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to appoint Valerie Ruesch as the Nobles County Assessor to fill the unexpired term ending December 31, 2016 retroactively to January 4, 2016; and further, to forward the recommendation to the Minnesota Department of Revenue.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to adopt the following resolution number 201630 approving Personnel Board of Appeals Findings and Conclusions:

WHEREAS, a hearing before the Nobles County Personnel Board of Appeals (PBA) was scheduled for April 1, 2016 with ample notice to Heather Kirchner, the individual seeking relief before the PBA;

WHEREAS, the hearing was held in accordance with the personnel policies applicable to the PBA; and

WHEREAS, the PBA has made findings and recommendations to the County Board as required by the personnel policies; and

WHEREAS, the findings and conclusions contain private personnel data as defined in Minn. Stat. § 13.43 subdivision 4, which cannot be released to the public; and

WHEREAS, the County Board has reviewed the findings of fact, conclusions, recommendations and exhibits;

NOW, THEREFORE, BE IT RESOLVED, by the Nobles County Board of Commissioners, as follows:

1. The findings of fact, conclusions of the Nobles County Personnel Board of Appeals are adopted and the recommendations adopted as Board actions.
2. The personnel record of Heather Kirchner will continue to reflect that she resigned her employment effective March 16, 2015.
3. County Administration is directed to have a copy of this resolution and the findings, conclusions and actions served on Ms. Kirchner and her counsel of record by mail, and to place a copy in her personnel file.

Tom Johnson, County Administrator, presented the Board with information and recommendations in the area of County Administration.

On a motion by Robert Demuth Jr. and seconded by Matt Widboom, it was duly passed to approve payment to Worthington Public Utilities in the amount of \$25,462.81 for the Joint Fiber Optic Network Extension. A copy of the invoice and the November 10, 2011 Agreement for Sharing of Fiber Optic Capacity between Worthington Public Utilities and Nobles County was before the Board and is made a part of this resolution by reference.

On a motion by Robert Demuth Jr. and seconded by Donald Linssen, it was duly passed to approve 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:

**Community Services Advisory Committee:
(2 year term expiring December 31, 2018)**
Amna Bashir Arabi, Worthington (At Large . Human Services)

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to approve 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 unexpired term expiring December 31, 2016)**
Scott Hain, Worthington

On a motion by Donald Linssen and seconded by Gene Metz, it was duly passed to approve 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:

**Zoning Board of Appeals:
(3 year unexpired term expiring December 31, 2017)**
Brent Feikema, Lismore (District II)

Committee and Board reports were received from the following:

District I-Commissioner Zylstra reported on the %Commissioners at your Café+, Southern Minnesota Opportunity Council (SMOC), the Armory Public Meeting, County Board Work Session, Emergency Management Planning Advisory Committee (EMPAC), BioScience Conference, Fair Board, Judicial Ditches 9 and 13, and Nobles Economic Opportunity Network (NEON) meetings.

District II. Commissioner Metz reported on the %Commissioners at your Café+, Rural Minnesota Energy Board and the Zoning Board of Appeals/Board of Adjustment meetings.

District III-Commissioner Widboom reported on the Southwestern Mental Health Center and Extension meetings.

District IV-Commissioner Demuth reported on the Nobles Economic Opportunity Network (NEON) meeting.

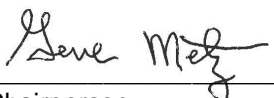
District V-Commissioner Linssen reported on Nobles Economic Opportunity Network (NEON), Prairie Justice Center Court Security and Emergency Management Planning Advisory Committee (EMPAC) meetings.

Management Team-Kathleen Kusz reported on a future Zoning Board of Appeals/Board of Adjustment training to be held in Worthington and World Elder Abuse Awareness Day on June 15th.

County Administrator-Tom Johnson reported an additional \$100,000 will available through the Blandin Broadband Communities, updates on the Feasibility Study, a Community Health Worker event at Minnesota West, Nobles Economic Opportunity Network (NEON) and the upcoming work session on April 27th.

On a motion by Robert Demuth Jr. and seconded by Marvin Zylstra, it was duly passed to adjourn the meeting at 10:46 a.m.

Attest:



Chairperson



County Administrator