

**OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY,
MINNESOTA**

BOARD OF COMMISSIONERS of Nobles County met in regular session on Tuesday, August 08, 2017, in the Commissioners Room, at the Nobles County Government Center, Worthington, Minnesota. The following Commissioners were in attendance: Justin Ahlers, Gene Metz, Matt Widboom, Robert S. Demuth and Donald Linssen.

The meeting was called to order by Chairperson Linssen at 9:00 AM followed by the Pledge of Allegiance.

1. Call to Order	
2. Pledge of Allegiance	
3. Approval of Agenda	
<u>VOTING</u> It was duly passed to approve the agenda with additions 8.7 Broadband Local Loan with First State Bank Southwest and 8.8 Government Center Foundation Change Order #1. Moved by: Metz, Gene Seconded by: Ahlers, Justin	
4. Recognition	
4.1	Visitors & Guests Welcome
4.2	Excellence In Performance
	Michael Schei, K-9 Deputy Sheriff, was acknowledged as the recipient of the Nobles County Excellence in Performance Award.
7.4 B.	SNAP Certificate of Commendation
	Tammy Fishel, Income Maintenance Supervisor, introduced the Eligibility Unit who were recognized for achieving a 96% timeliness rate the first quarter of 2017 in both SNAP Expedited and 30-Day Processing. <u>Attachments:</u> MN DHS SNAP Certificate
5. Consent Agenda	
5.1	July 18, 2017 Regular Meeting Minutes <u>Attachments:</u> July 18, 2017 Draft Regular Meeting Minutes
5.2	July 24, 2017 Special Meeting Minutes <u>Attachments:</u> July 24, 2017 Draft Special Meeting Minutes
5.3	Fraud Prevention Cooperative Agreement Renewal <u>Attachments:</u> Cooperative Agreement for Fraud Prevention Investigation Program
5.4	Meetings & Conferences - Travel Expenses <u>Attachments:</u> County Travel Expenses paid July 21, 2017 and August 4, 2017

5.5	Auditor's and Commissioner's Warrants <u>Attachments:</u> Accounts Payable Summary Auditor's Warrants Commissioner's Warrants – General Fund Commissioner's Warrants – Public Works Fund Commissioner's Warrants – Family Services Fund
VOTING It was duly passed to approve the consent agenda as presented. Moved by: Demuth, Robert S. Seconded by: Widboom, Matt	
6. Public Hearing	
6.1	Proposed Property Tax Abatement - North Development Group LLC Parcel 31-3845-000 A. Open Hearing (Action) B. Proposed Abatements – Discussion C. Public Comment D. Close Hearing (Action) E. Decision - Resolution 201752 (Action)
<u>Attachments:</u> NHI Nobles County Guidelines North Development Group LLC application Parcel 31-3845-000 2017 Property Tax Statement Resolution 201752	
A. On a motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to open the Proposed Property Tax Abatement Public Hearing. B. Tom Johnson, County Administrator, reviewed the proposal for tax abatement for construction of 72 market rate rental housing units. The abatement was approved November 8, 2016 but was null and void after 6 months of the approval as construction had not commenced. C. No public comments were received. D. On a motion by Robert S. Demuth and seconded by Matt Widboom, it was duly passed to close the Proposed Property Tax Abatement Public Hearing. E. On a motion by Justin Ahlers and seconded by Robert S. Demuth, it was duly passed to adopt Resolution 201752 granting an abatement of property taxes imposed by the County.	
7. Department Presentations	
7.1	MN Department of Transportation
A.	2018-2027 Ten Year Capital Highway Investment Plan (CHIP)
Greg Ous and Gordon Regenscheid provided the Board with an update on the MnDot District 7 Ten Year Capitol Highway Investment Plan. They advised the 2018-2037 MN State Highway Investment Plan revealed \$39 Billion in total needs while the total revenue is only \$21 Billion. Mr. Ous and Mr. Regenscheid answered questions of the Board in the areas of fixing Hwy 59 North of Worthington, medians on Oxford Street, State Highway 91 completion, "haying rules" and weed control guidelines and expediting the permitting process.	
7.2	Public Works - Stephen Schnieder

A.	Environmental Services
1.	Conditional Use Permit 21-2017 Brad Lonneman, Adrian MN
	<u>Attachments:</u> Planning and Zoning Minutes July 26, 2017
<u>VOTING</u> It was duly passed to approve Conditional Use Permit 21-2017 to Brad Lonneman, Adrian MN, for the construction of a 101' x 192' total confinement barn located in the N 1/2 of the SE 1/4 Section 2, Twp. 101, Range 42 (Little Rock Township). Moved by: Ahlers, Justin Seconded by: Widboom, Matt	
2.	Conditional Use Permit 22-2017 Mary Jean Pigman, Worthington MN
<u>VOTING</u> It was duly passed to approve Conditional Use Permit 22-2017 to Mary Jean Pigman, Worthington MN, for a home extended business to consist of antiques and collectibles located on the South 10 acres of a 20 acre tract in Gov't Lot 1, Section 3, Twp. 101, Range 40 (Bigelow Township). Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
B.	Highway
1.	Bridge Replacement Contract Advertisement for Bids
	<u>Attachments:</u> Advertisement for Bids
<u>VOTING</u> It was duly passed to approve the updated advertisement for bids to replace 5 bridges. Moved by: Metz, Gene Seconded by: Ahlers, Justin	
2.	County State Aid Highway 1 Railroad Crossing Replacement
	<p>Stephen Schnieder, Public Works Director, and Frank McDowell, New Vision Coop, presented information in the area of the County State Aid Highway 1 Railroad Crossing Replacement request for a 50-50 cost share to upgrade the Brewster crossing from wood planking to concrete pads between the ties. Mr. Schnieder advised that he agreed with Mr. McDowell that a longer term solution is a better solution but advised that one of the permit conditions when the crossings were permitted to be installed was that the owner of the crossing would cover the cost to maintain the crossing in a safe manner for the public. If the County were to agree to cost share, the money would need to come out of Municipal Maintenance.</p> <p>A motion was made by Matt Widboom to approve cost sharing in the amount of \$44,000. The motion died due to lack of a second.</p> <p>Mr. Schnieder advised the current practice would be adhered to and the County would work with New Vision to restore the pavement and provide traffic control and detour signing. Mr. Schnieder estimated the costs incurred for this would be \$10,000. No action taken.</p> <p><u>Attachments:</u> New Vision Correspondence and Job Estimate</p>

3.	Establish Reading Subordinate Service District - Resolution 201753
	Attachments: Resolution 201753
VOTING It was duly passed to adopt Resolution 201753 establishing the Subordinate Service District for the Community of Reading. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.	
7.3	Auditor/Treasurer - Beth Van Hove
A.	Motor Vehicle Department Hours
	Kris Ray, Chief Deputy Auditor-Treasurer, and Louise Naumann, Deputy Auditor/Treasurer - MV II Lead, presented the Board with information in the area of the request to change the Motor Vehicle Department hours and the changes in reporting requirements with the statewide upgrade of the vehicle computer system.
VOTING It was duly passed to approve changing the Nobles County Motor Vehicle Department hours to 8:00 a.m. - 4:00 p.m. Moved by: Metz, Gene Seconded by: Demuth, Robert S.	
B.	Implementation of Credit Card Use
	Lynn Wilson, County Recorder, and Jerry Vyskocil, Finance Director, presented the Board with information and a recommendation in the area of the implementation of credit card use for fees paid in the Auditor-Treasurer's office and Recorder's office. They advised there would be no cost to the county and all fees would be charged to the card users. Tom Johnson, County Administrator, questioned Section 2, 2.2 Activation Fee where it states "If applicable, Client shall pay the one-time Activation Fee set forth on the Product Application." Mr. Johnson stated his concern was that there was no statement in the agreement which declared that no activation fee would be charged to Nobles County and advised it should be clarified with Point & Pay LLC. Kathleen Kusz, County Attorney, advised that a signed letter could be attached to the agreement clarifying to void the activation fee or to specify an amount. Attachments: E-payment Services Agreement
VOTING It was duly passed to implement credit card usage pending no fee charged to the County as described by Counsel, County Attorney Kathleen Kusz. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
7.4	Community Services - Stacie Golombiecki
A.	Community Services County Burial Plan
	Tammy Fishel, Income Maintenance Supervisor, presented the Board with information in the area of the Community Services County Burial Plan updates since 2012. Attachments: Burial Plan Application for County Burial

VOTING

It was duly passed to approve the Nobles County Community Services Burial Plan.

Moved by: Demuth, Robert S.

Seconded by: Widboom, Matt

8. Administration Presentation - Tom Johnson

8.7

Broadband Local Loan with First State Bank Southwest

Commissioner Gene Metz recused himself as a Commissioner on this item and explained that he would represent Lismore Cooperative Telephone Company and joined Greg Raymo, First State Bank Southwest, at the presenter's table.

Greg Raymo, First State Bank Southwest, addressed the Board and thanked them for the investment opportunity. Commissioner Ahlers requested clarification on how the County was providing a direct infusion of cash. Mr. Johnson advised the County would pay the initial lease payment of \$226,451.00, then the County would pay an additional grant of \$750,000 and payments would be split between 2017 and 2018. Lismore Cooperative Telephone Company would pay the Principal and Interest payments of the loan.

Mr. Metz advised the Board that the project is running ahead of schedule and will be completed in 2017 rather than 2018. He also stated "on the record" that he has never come before any of the Nobles County Commissioners discussing the Broadband Loan opportunity.

Commissioner Ahlers stated "we are building a library" as this project benefits everyone in the County. Large and small towns throughout the County will benefit from this as well as the City of Worthington.

Attachments/Handouts:

Kinetic Leasing – Municipal Lease Purchase Agreement

VOTING

It was duly passed approving the County to pay the \$226,451.00 initial lease payment, payment of \$375,000 cash in 2017 and \$375,000 cash in 2018 in addition to any underwriting fees for the loan; and further, establish that the Wind Energy Resources be used for the funding.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

Recused: Metz, Gene

8.1

Contractor Selection for PJC Garage Addition

Mr. Johnson advised the bids came in under estimate and reviewed the bid recommendation from Falls Architecture for the base bid of \$1,164,000 plus alternate no. 1 for \$5,500 to add a third color to the precast panel to more closely duplicate the colors on the Prairie Justice Center.

Attachments:

Bid Tabulation Sheet

Bid Recommendation from Falls Architect Studio

VOTING

It was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, an agreement with Brennan Companies, Mankato MN, for the PJC Garage Addition project in the amount of \$1,169,500 as proposed.

Moved by: Demuth, Robert S.

Seconded by: Widboom, Matt

8.2

Professional Service Agreement - Falls Architecture Studio

	<p><u>Attachments:</u> Government Center Relocation Proposal (pg 2) Professional Services Agreement</p>
	<p><u>VOTING</u> It was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, a Professional Services Agreement with Falls Architecture Studio for a total cost of \$1,500.00 to develop a Government Center Counter Relocation plan for the old vault area in the Auditor-Treasurer area. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>
8.3	Professional Services Agreement Amendment - Falls Architecture Studio
	<p><u>Attachments:</u> Amendment 1 to Professional Services Agreement Executed Professional Services Agreement for Law Enforcement Garage Addition</p>
	<p><u>VOTING</u> It was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, an amendment to the Professional Services Agreement with Falls Architecture Studio for the total cost of \$10,500 to complete the design for two walk up windows and for the code review and formal design for the security booth. Moved by: Metz, Gene Seconded by: Demuth, Robert S.</p>
8.4	Professional Services Agreement - PJC addendum to the INSPEC Agreement
	<p><u>Attachments:</u> Updated Amendment #1 corrected paragraph L. Remarks Amendment #2 to Professional Services Agreement</p>
	<p><u>VOTING</u> It was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, the amendments for the Professional Services Agreement with INSPEC for the Prairie Justice Center. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>
8.5	Re-bid Public Works Partial Reroof Project
	<p><u>Attachments:</u> RFP for Partial reroof of Nobles County Public Works Facility</p>
	<p><u>VOTING</u> It was duly passed to authorize Administration to re-bid the Partial reroof of Nobles County Public Works Facility project as presented. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin</p>
8.6	AMC Fall Policy Conference
	<p>Mr. Johnson advised the AMC Fall Policy Conference will be held Thursday, September 14th and Friday, September 15th at Breezy Point Resort and to advise Administration if any assistance with registration and lodging reservations is needed.</p>
8.8	Government Center Foundation Change Order #1
	<p>Tom Johnson, County Administrator, advised the Government Center Foundation project began yesterday, August 7th, and it was discovered by the contractor and architect that the membrane that was installed in the prior repair has failed and was not completely adhered or provided full coverage on the wall. With this concern, the</p>

	<p>Request for Proposal had a requirement for the contractor to commit to a cost per foot for the previously waterproofed wall. The architect, Falls Architecture Studio, provided an expected total change order request in the amount of \$75,720.00. It was also discovered that the cement patio would need to be removed. The expected total change order request did not include the concrete patio replacement.</p> <p><u>Attachments/Handouts:</u> Foundation Waterproofing Change Order Information</p>
<p><u>VOTING</u> It was duly passed to approve the Administrator to sign Change Order #1 for the Government Center Foundation project once processed as proposed. Moved by: Metz, Gene Seconded by: Widboom, Matt</p>	
<p>9. Inter-Agency Reports / Announcements</p>	
<p>9.1</p>	<p>Committee and Board Reports</p>
	<p>District I-Commissioner Ahlers reported on the the Southern Minnesota Opportunity Council (SMOC) Joint Powers Transit, Public Hearing for the Reading Subordinate Sewer District and the special meeting of Township Boards and County Commissioners.</p> <p>District II-Commissioner Metz reported on the special meeting of Township Boards and County Commissioners, ongoing discussion with the DNR on land issues and the upcoming Association of MN Counties (AMC) Task Force meeting.</p> <p>District III-Commissioner Widboom extended his appreciation to his fellow Commissioners for their help in grilling at the Nobles County Employee picnic and to the Townships for the constructive meeting with the Commissioners.</p> <p>District IV-Commissioner Demuth reported on the Nobles County Fair this week.</p> <p>District V-Commissioner Linssen reported on Southern Minnesota Opportunity Council (SMOC) Joint Powers Transit, Southern Prairie Community Care (SPCC), the Nobles County Employee picnic, Public Hearing for the Reading Subordinate Sewer District, the special meeting of Township Boards and County Commissioners and the Regional Solid Waste Task Force.</p> <p>Management Team-Kathleen Kusz advised of a suggestion from janitorial staff to consider rotating the Employee Picnic to a Saturday afternoon where it would not conflict with evening work schedules. Mr. Johnson advised that suggestion should be provided to the Employee Wellness and Recognition Committee.</p> <p>County Administrator-Tom Johnson reported on upcoming Budget Committee meetings, tax forfeited properties and the special meeting of Township Boards and County Commissioners where the subject of Election Judges will require clarification on some details.</p>
<p>9.2</p>	<p>Correspondence</p>
	<p><u>Attachments:</u> Recruitment Memo Payment of 2017 3rd quarter ACE appropriation 1W1P Public Kick Off Events</p>
<p>9.3</p>	<p>Calendar</p>
	<p><u>Attachments:</u> August 2017 Calendar</p>
<p>10. Other / Future Business</p>	

Nobles County Fair

Wednesday, August 9th – Sunday, August 13th
Nobles County Fairgrounds, Worthington

*** Just a reminder: No NEON meeting this month.**

11. Adjournment

VOTING

It was duly passed to adjourn the meeting at 11:44 a.m.

Moved by: Ahlers, Justin

Seconded by: Demuth, Robert S.



(Chairperson)



(County Administrator)