

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

BOARD OF COMMISSIONERS of Nobles County met in regular session on Tuesday, October 3, 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 as amended, adding item 7.7 Proposed Management Plan of Lake Ocheda – Public Hearing written or formal testimony. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.	
4. Recognition	
4.1	Visitors & Guests Welcome
4.2	Excellence In Performance
	Louise Naumann, Diane Willemsen, Samantha Paplow and Lynette Thompson were acknowledged as the recipients of the Nobles County Excellence in Performance Award.
5. Consent Agenda	
5.1	September 19, 2017 Regular Meeting Minutes <u>Attachments:</u> September 19, 2017 Draft Regular Meeting Minutes
5.2	FY2018 Snowmobile Maintenance Grant Agreement <u>Attachments:</u> State of Minnesota Grant Contract Agreement
5.3	Nobles County DAC - Renewal Agreement for 2017-2019 <u>Attachments:</u> Purchase of Service Agreement
5.4	Interpreter Agreement for 2017-2018 <u>Attachments:</u> Purchased Services Agreement
5.5	Meetings & Conferences - Travel Expenses <u>Attachments:</u> Travel Expenses paid September 29, 2017
5.6	Auditor's and Commissioner's Warrants

	<p><u>Attachments:</u> Accounts Payable Summary Auditor's Warrants Commissioner's Warrants – General Revenue Fund Commissioner's Warrants – Public Works Fund Commissioner's Warrants – Family Services Fund</p>
<p><u>VOTING</u> It was duly passed to approve the consent agenda as presented.</p> <p>Moved by: Metz, Gene Seconded by: Ahlers, Justin</p>	
<p>6. Department Presentations</p>	
6.1	Public Works - Stephen Schnieder
A.	Environmental Services
1.	Conditional Use Permit 27-2017 Lismore Cooperative Telephone, Lismore MN
	<p>Stephen Schnieder, Public Works Director/ County Engineer, presented the Board with information and recommendations in the area of Conditional Use Permits and local road improvement projects.</p> <p>Commissioner Metz stated for the record he was abstaining from voting as he has Board Delegation with the Lismore Cooperative Telephone Company.</p> <p><u>Attachments:</u> Planning and Zoning Minutes September 27, 2017</p>
<p><u>VOTING</u> It was duly passed to approve the request of Lismore Cooperative Telephone, Lismore, MN for a conditional use permit for the construction of a 300' communication tower on a tract 782' x 812' in SE Corner of SE ¼, Section 3, Twp. 10 3, Range 41 (Summit Lake Township) with the following conditions as recommended by the Nobles County Planning Advisory Commission: Applicant must meet all FCC & FAA lighting requirements and these permits must be provided to Nobles County prior to construction. The tower must be constructed according to plans presented. Weeds at tower site must be controlled by the landowner(s).</p> <p>Moved by: Demuth, Robert S. Seconded by: Widboom, Matt Abstained: Metz, Gene</p>	
2.	Conditional Use Permit 28-2017 Verizon Wireless, Bloomington MN
	<p>Mr. Schnieder advised the pupose for the communication tower in this location is due to trouble with communications along the Minnesota/Iowa border.</p>
<p><u>VOTING</u> It was duly passed to approve the request of Verizon Wireless, Bloomington, MN for a conditional use permit for the construction of a 244' communication tower in the SE ¼ Exc. Tract 468' x 662' in S 1/2, Section 24, Twp. 10 3, Range 41 (Summit Lake Township) with the following conditions as recommended by the Nobles County Planning Advisory Commission: Applicant must meet all FCC & FAA lighting requirements and these permits must be provided to Nobles County prior to construction. The tower must be constructed according to the plans presented. Weeds at</p>	

tower site must be controlled by the landowner(s). Construction must be started by December 31, 2019.	
Moved by: Metz, Gene Seconded by: Ahlers, Justin	
B.	Highway
1.	City of Round Lake LRIP Project Application - Resolution 201761
	<p>Mr. Schnieder advised the City of Round Lake intends to apply for Local Road Improvement Program funding to rehabilitate the concrete pavement on Rohrer Street between County Road 57 and TH 264, and on 2nd Ave between TH 264 and Rohrer Street. In order for the City of Round Lake to apply for the funding, they need a sponsoring entity to act as the project manager and fiscal host for the funding. The sponsoring entity needs to be either a county or city over 5,000 population.</p> <p>Abraham Algadi, Executive Director of Worthington Regional Economic Development Corporation, was present for the discussion and questions of the Board.</p> <p><u>Attachments:</u> City of Round Lake Resolution 2017-09-13 Round Lake Project Map Resolution 201761</p>
<u>VOTING</u>	
It was duly passed to adopt Resolution 201761, designating Nobles County as Fiscal Agent on behalf of the City of Round Lake, subject to funding availability.	
Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.	
6.2	Library - Clint Wolthuizen
A.	Adrian Branch Library Surplus Items Declaration
	Clint Wolthuizen, Library Director, presented the Board with information and recommendations in the area of surplus property.
<u>VOTING</u>	
It was duly passed to declare surplus the old shelving and furniture of the Adrian Branch Library.	
Moved by: Metz, Gene Seconded by: Widboom, Matt	
B.	Plum Creek Library System Partnership
	Mr. Wolthuizen presented information in the area of the benefits to the Nobles County Library in having their partnership with Plum Creek Library system. This partnership provides many services and savings to Nobles County, including the following: paying the fees for interlibrary loans and delivery, technical support, legacy funds, association with 26 libraries and 12 schools, administering e-rate programs for internet, coordinating educational opportunities and connecting all libraries into the MN link. In the last year, Nobles County sent 22,000 materials to other libraries and received 9,634 items. This is a great savings to Nobles County as we did not have to purchase those items. For a stand-alone library, the circulation of materials would be quite expensive.
6.3	Auditor/Treasurer - Beth Van Hove

A.	Repurchase of Tax Forfeited Land - Set County Service Fee
	Beth Van Hove, Auditor-Treasurer, presented the Board with information and a recommendation in the area of setting a county service fee for the repurchase of tax forfeited property. Ms. Van Hove recommended a county service fee of \$500 be set and paid in addition to the basic repurchase price of a tax forfeited property. County Attorney Kusz recommended that for transparency, the county service fee should be broken down to show actual costs and to have value for work and items. Discussion was held if this service fee should be added to all tax forfeited properties. County Administrator Johnson advised that when it comes to the sale of a tax forfeited property, there are no options and it would be more for the purchaser to pay, which may discourage potential bidders.
<p><u>VOTING</u> It was duly passed to set a County Service Fee for the repurchase of tax-forfeited property at \$500.00.</p> <p>Moved by: Widboom, Matt Seconded by: Demuth, Robert S.</p>	
B.	Written Application to Repurchase
	<p>Ms. Van Hove advised the Board of MN Statute §282.241 which outlines the criteria for repurchase of tax forfeited property and advised of the procedure in Statute if the property owner were to become delinquent again in the future. The property owner of parcel 21-0189-000 was present and responded "yes" when the Board asked him if he was able to pay \$3,248.44 in three days to repurchase his property.</p> <p><u>Attachments:</u> Written Application - Ruppert</p>
<p><u>VOTING</u> It was duly passed to approve Option 2, approving the written request and allow three days to make full payment of delinquent taxes, assessments, penalties, interest and costs as outlined in statute plus require the property owner pay 2017 taxes which are \$404.00 + the current penalty of \$22.22. This would make the total amount due \$2,322.22 + \$426.22 + County Service Fee of \$500.00, for a grand total of \$3,248.44.</p> <p>Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p>	
6.4	Drainage System - Brad Harberts/Beth Van Hove
A.	Joint Ditch Authority Appointments
	<p>Brad Harberts, Drainage System Coordinator, and Beth Van Hove, Auditor-Treasurer, presented the Board with information and recommendations in the areas of Board appointments to the Joint Ditch Authorities and setting an informational meeting for landowners and a public hearing for County Ditch #11.</p> <p><u>Attachments:</u> Proposed Joint Ditch Authority Appointments</p>
<p><u>VOTING</u> It was duly passed to approve all joint ditch authority appointments as presented. Joint County Legislative Proposal Committee to clarify roles of Drainage Authority and Watershed District: Commissioners Ahlers (D), Metz (D) and Widboom (A). Judicial Ditch 4: Commissioner Ahlers (D), Metz (D) and Widboom (D).</p>	

Judicial Ditch 7: Commissioner Ahlers (D) and Metz (D). Judicial Ditch 9: Commissioner Ahlers (D), Metz (D) and Widboom (D).
 Judicial Ditch 11: Commissioner Ahlers (D) and Widboom (D).
 Judicial Ditch 12: Commissioner Ahlers (D), Metz (D) and Widboom (D).
 Judicial Ditch 13: Commissioner Ahlers (D) and Widboom (D).
 Judicial Ditch 17: Commissioner Ahlers (D), Metz (D) and Widboom (D).
 Judicial Ditch 20: Commissioner Ahlers (D) and Metz (D).
 Judicial Ditch 24: Commissioner Ahlers (D), Widboom (D) and Demuth (D).
 Judicial Ditch 26: Commissioner Ahlers (D) and Widboom (D).
 Judicial Ditch 45: Commissioner Ahlers (D) and Widboom (D).
 Judicial Ditch 76: Commissioner Ahlers (D), Metz (D) and Widboom (D).

Moved by: Metz, Gene
 Seconded by: Linssen, Donald

B. County Ditch #11-Meeting Dates

VOTING

A motion was made by Robert S. Demuth and seconded by Justin Ahlers to approve setting the County Ditch #11 Informational Meeting at 10:00 am. on Friday, November 3rd and setting the County Ditch #11 Final Hearing at 10:00 a.m. on Tuesday, November 7th, 2017 if it worked for the schedule of Jeffrey Flynn, Attorney At Law.

The Board held discussion that Mr. Flynn had requested to be notified of all County Ditch #11 meetings. It was confirmed that Mr. Flynn had already been notified of the proposed dates and voiced no conflicts as well as being notified of the information included in today's meeting.

On a motion by Gene Metz and seconded by Robert S. Demuth it was duly passed to amend the motion by striking out if it worked for the schedule of Jeffrey Flynn, Attorney At Law.

The amended motion was duly passed to approve setting the County Ditch #11 Informational Meeting at 10:00 am. on Friday, November 3rd and setting the County Ditch #11 Final Hearing at 10:00 a.m. on Tuesday, November 7th, 2017.

6.5 Extension - Katie Klosterbuer

A. Departmental Update: 4-H Week

Katie Klosterbuer, 4-H Program Coordinator, presented the Board with information in the area of 4-H activities and programs. Ms. Klosterbuer advised there were 73 new 4-Hers and volunteers enrolled throughout the 2017 4-H year and a new community club, Clovers, was formed. There are many volunteer-led learning opportunities and we have one of the best dog programs in the State of Minnesota. The 2016/2017 year has also provided more professional enhancement opportunities for Katie and a Learn and Lead Cohort program. Membership is increasing due to the after school club formed for EDGE students.

Attachments:

Nobles County 4-H In Review

6.6 Extension - Kia Harries/Sue Luing

A. U of MN Extension Amendment

Kia Harries, Regional Director of Extension, and Sue Luing, Human Resources Director/Deputy County Administrator, presented the Board with information in the area

	<p>of an amendment to the University of Minnesota Extension MOA with Nobles County to transition the office support staff to a U of MN employee effective January 1, 2018.</p> <p><u>Attachments:</u> Addendum to MOA</p>
<p><u>VOTING</u> It was duly passed to approve the amendment of the MOA with the U of MN Extension Service for the additional position and funding to be effective January 1, 2018.</p> <p>Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
6.7	Human Resources - Sue Luing
A.	2018 County Cafeteria Contribution
	<p>Sue Luing, HR Director/Deputy County Administrator, presented the Board with information and a recommendation in the area of the 2018 County Cafeteria Contribution.</p>
<p><u>VOTING</u> It was duly passed to approve the 2018 county cafeteria contribution be set at \$770.00/month per FTE.</p> <p>Moved by: Metz, Gene Seconded by: Widboom, Matt</p>	
6.8	Attorney - Kathleen Kusz
A.	Proposed amendment to legal services agreement
	<p>Kathleen Kusz, County Attorney, presented the Board with information and a recommendation in the area of a legal services agreement with the City of Worthington for providing prosecution services. The current agreement requires the County Attorney to maintain separate databases for city and county cases. This amendment would allow for the use of a unified database beginning January 1, 2018.</p> <p><u>Attachments:</u> Purchase of Service Agreement</p>
<p><u>VOTING</u> It was duly passed to approve the amendment to the Legal Services Agreement between the Nobles County Attorney's office and the City of Worthington.</p> <p>Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin</p>	
7.1	Nobles Home Initiative Renewal
	<p>Tom Johnson, County Administrator, presented the Board with information and recommendations in the area of extending the Nobles Home Initiative Program through December 31, 2022. Abraham Algadi, Executive Director of Worthington Regional Economic Development Corporation, advised the Board of plans to introduce a Commercial Tax Abatement Program and the value of the tax abatement program for residential home construction.</p> <p><u>Attachments:</u> Nobles County NHI Guidelines terminating 12/31/17 Proposed Nobles County NHI Guidelines terminating 12/31/22</p>

	NHI Resolution Template NHI Agreement Template
<u>VOTING</u> It was duly passed to approve the Nobles Home Initiative Program through December 31, 2022 as presented. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
6.9	Northland Securities - George Eilertson
A.	Resolution 201760 - Calling for a Public Hearing on Proposed Property Tax Abatements for Issuing Taxable Tax Abatement Bonds (Fiber Optic Broadband Project)
	George Eilertson, Northland Securities, presented the Board with information and recommendations in the area of financing for the fiber optic broadband project and advised of steps related to Taxable General Obligation Tax Abatement Bonds. Representatives from the Lismore Cooperative Telephone Company were present and explained that LCTC could not enter the areas underserved by other providers. <u>Attachments:</u> Resolution 201760 Preliminary Bond Schedule Preliminary Calendar
<u>VOTING</u> A motion was made by Justin Ahlers and seconded by Matt Widboom to adopt Resolution 201760 calling for a public hearing on proposed property tax abatements for issuing taxable tax abatement bonds (Fiber optic broadband project). On a motion by Justin Ahlers and seconded by Matt Widboom, it was duly passed to amend the motion by adding the public hearing will be held at 9:00 a.m. on Tuesday, October 24th, 2017. The amended motion was duly passed to adopt Resolution 201760 calling for a public hearing on proposed property tax abatements for issuing taxable tax abatement bonds (Fiber optic broadband project) and the hearing will be held at 9:00 a.m. on Tuesday, October 24th, 2017. Moved by: Ahlers, Justin Seconded by: Widboom, Matt Abstained: Metz, Gene Commissioner Metz stated for the record he was abstaining from voting as he has Board Delegation with the Lismore Cooperative Telephone Company.	
8. Administration Presentation - Tom Johnson	
7.2	PJC Roof Project - Proposal Requests 1 & 2
	Craig Skorczewski and Shawn Nelson, Southwest Minnesota Housing Partnership Project Managers, presented the Board with information and recommendations in the areas of two proposal requests for the Prairie Justice Center Roof and Wall Rehabilitation project. <u>Attachments:</u> Proposal Request 1 and Proposal Request 2

VOTING

It was duly passed to authorize the work on Proposal Request Number 1 in the amount of \$5,205.00 to include on roof area B3, furnish and install one roof drain, and pipe approximately 45' of 4" cast iron pipe to the 5' down leader as indicated on sheet #1, provided by Inspec on 8/31/17.

Moved by: Metz, Gene
Seconded by: Demuth, Robert S.

It was duly passed to authorize the work on Proposal Request Number 2 in the amount of \$8,188.00 to include install through wall flashing per detail 13/A2.5 with the adjustment of: Removing and replacing the soldier course and one running bond course in lieu of six courses, removing pea gravel in the cavity, installing replacement insulation and no cutting brick backs off. Four windows total, noted by Inspec on 9/22/17.

Moved by: Demuth, Robert S.
Seconded by: Ahlers, Justin

7.3	PJC Roof Project - Inspec Amendment 3
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	<p>The Board held discussion on the roles of the Southwest Minnesota Housing Partnership Project Managers and the Inspec Site Managers. When Mr. Skorczewski and Mr. Nelson were asked if they thought additional fees for Inspec's construction observation were necessary, they responded that part of their role was inspection and observation so it is probably not necessary.</p> <p>No action was taken.</p> <p>Mr. Skorczewski provided an update on the PJC roof project and the effects of the recent weather and almost 8" of rain.</p> <p><u>Attachments:</u> Inspec Amendment 3</p>
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7.4	Government Center Landscape - Stockwell Engineers Design and Planning Amendment #2
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	<p>Tom Johnson, County Administrator, advised the Board the proposed scope of work for the Government Center Landscape has changed as a result of the foundation repairs being completed prior to the start of the landscape improvements. A couple of small areas on the northwest corner of the building were not included in either original proposal.</p> <p><u>Attachments:</u> Stockwell Amendment 2</p>
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VOTING

It was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, Amendment #2 to the Stockwell Engineers Professional Services Agreement for the purpose of changes to the proposed scope as a direct result from the foundation repairs being completed prior to the start of any landscape improvements.

Moved by: Metz, Gene
Seconded by: Widboom, Matt


7.5	Prairie Justice Center State Permit Fee
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	Mr. Johnson advised that since the Prairie Justice Center houses a correctional facility, State permitting and inspections are required.
<u>VOTING</u>	
It was duly passed to authorize payment of the permit fee for the Prairie Justice Center Garage addition as invoiced without prior board approval.	
Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
7.2	PJC Roof Project - Proposal Requests 1 & 2
	Mr. Johnson requested the Board to return to item 7.2. The Board had approved both Proposal Requests, but had not authorized him to sign the Change Order when processed.
<u>VOTING</u>	
It was duly passed to authorize the County Administrator to sign the Change Order for the PJC Roof Project Proposal No. 1 and Proposal No. 2 when processed.	
Moved by: Metz, Gene Seconded by: Demuth, Robert S.	
7.6	Application and Certification for Payment - Ideal Landscape Application #2
	Commissioner Widboom strongly encouraged one of the entrances needs to open soon. Mr. Nelson, SWMHP, advised that issue has been addressed and they are preparing to open up the 10th Street entrance. Discussion was held on the need to clean up the sidewalks after all the rain as mud and debris are being tracked into the building.
	<u>Attachments:</u> Ideal Landscape Application #2
<u>VOTING</u>	
It was duly passed to approve Payment Application #2 for the payment of \$386,757.83 to Ideal Landscape and Design, Inc. as certified by Falls Architecture Studio, LLC. for the Government Center Foundation Repair Project.	
Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
7.7	Proposed Management Plan of Lake Ocheda - Public Hearing written or formal testimony
	The Board discussed the public notice received of the public hearing regarding proposed management of Lake Ocheda in Nobles County. Gene Metz asked the Board if they wanted to make any formal comments or requests as he will be in attendance. Robert S. Demuth, member of the Okabena-Ocheda Advisory Committee, advised he would be in attendance and gave the board a summary of the temporary water level drawdown plan.
	No action taken.
	<u>Handout:</u> Notice of Public Hearing
8. Inter-Agency Reports / Announcements	

8.1	Committee and Board Reports
	Attachments: Heron Lake Watershed District July 18, 2017 minutes
	<p>District I-Commissioner Ahlers reported on a delay in the proceedings of County Ditch #12.</p> <p>District II-Commissioner Metz reported on Buffalo Ridge Regional Rail Authority (BRRRA), Association of Minnesota Counties (AMC) Task Force and Wilmont City Council meetings.</p> <p>District III-Commissioner Widboom had no report.</p> <p>District IV-Commissioner Demuth reported on the Okabena Ocheda Watershed District meeting.</p> <p>District V-Commissioner Linssen reported on the Southern Prairie Community Care (SPCC) meeting.</p> <p>Management Team- County Attorney Kusz had no report.</p> <p>County Administrator-Tom Johnson reported on the collaborative facility, Worthington Regional Economic Development Corporation (WREDC), Union Negotiations, Pollinator Program, Buffalo Ridge Regional Rail Authority (BRRRA), and Minnesota Association of County Administrator (MACA)/ Minnesota Association of County Human Resources Managers (MCHRMA) meetings.</p>
8.2	Correspondence
	Attachments: Recruitment Memo Art Center Appropriation Payment Historical Society Appropriation Payment
8.3	Calendar
	Attachments: October Commissioners' Calendar
9. Other / Future Business Nobles Economic Opportunity Network Thursday, October 12, 2017 5:30 p.m. – 7:00 p.m. BioTechnology Advancement Center, 1527 Prairie Drive, Worthington MN	
10. Adjournment	
VOTING It was duly passed to adjourn the meeting at 11:21 a.m. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.	



(Chairperson)



(County Administrator)