

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, May 7, 2019, 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 Widboom at 9:00 AM followed by the Pledge of Allegiance.

1.0 Call to Order	
2.0 Pledge of Allegiance	
3.0 Approval of Agenda	
<u>VOTING</u> It was duly passed to approve the agenda as presented. Motion by: Ahlers, Justin Seconded by: Demuth, Robert S.	
4.0 Recognition	
4.1	Visitors & Guests Welcome
4.2	Excellence In Performance
	Jose Soto, Case Aide, was acknowledged as the recipient of the Nobles County Excellence In Performance Award.
4.3	DHS Certificate of Processing Timelines
	Nobles County Community Services Eligibility staff involved in and responsible for processing SNAP applications were recognized and commended for achieving a 96% or higher rate of timeliness for both Expedited & 30 day processing timelines in the fourth quarter of 2018. Those employees include Tiffany Bose, Katie Groen, Nan Henning, Leyvi Hinojosa, Jackie Kramer, Kayla Markus, Jessica Morales, Diane Schettler and Colette Smythe.
5.0 Consent Agenda	
5.1	April 23, 2019 Regular Meeting Minutes <u>Attachments:</u> April 23, 2019 Draft Regular Meeting Minutes
5.2	Solid Waste and Recycling Hauling Permits for 2019
5.3	Meetings & Conferences – Travel Expenses <u>Attachments:</u> Travel Expenses paid April 26, 2019
5.4	Auditor's and Commissioner's Warrants <u>Attachments:</u> Accounts Payable Summary Auditor's Warrants Commissioner's Warrants – General Revenue

	Commissioner's Warrants – Public Works Commissioner's Warrants – Family Service Fund
<u>VOTING</u> It was duly passed to approve the Consent Agenda as presented. Moved by: Metz, Gene Seconded by: Linssen, Donald	
6.0 Department Presentations	
6.1	Community Services – Stacie Golombiecki
A.	Out of State Airline Travel
	Stacie Golombiecki, Community Services presented the Board with information and a recommendation to approve out of state airline travel for a social work staff to accompany a minor on a flight to facilitate family reunification efforts.
<u>VOTING</u> It was duly passed to approve the out of state airline travel for a social work employee. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
6.2	Heron Lake Watershed District – Jan Voit
A.	Annual Update
	Jan Voit, District Administrator, presented the Board with an annual update for 2018 of activities and public drainage system management. Mark Bartosh and Bruce Leinen, Board Managers were in attendance. Chairperson Widboom stated the Board would benefit from roundtable discussion between the Nobles County Board and the Heron Lake Watershed Board of Managers. Ms. Voit acknowledged this has been discussed and that she would like to complete policy and procedures manual and checklist to review with both Boards and the goal is this summer. <u>Attachments/Handouts:</u> Heron Lake Watershed District PowerPoint Presentation Heron Lake Watershed District Annual Report 2018
6.3	Environmental Services – Kathy Henderschiedt
A.	Conditional Use Permit #03-2019 Linda & Dale Kruse, Little Rock, IA
	Kathy Henderschiedt, Planning & Zoning Administrator, presented the Board with information and recommendation in the area of a conditional use permit for the continued operation and expansion of an existing gravel pit, aggregate crushing site, and hot mix plant. This parcel of land is located in the NW ¼, except a 17.7-acre tract, and except a 60.79-acre tract, Section 35, TWP 101, Range 42, (Little Rock Township). <u>Attachments:</u> Planning and Zoning Minutes April 24, 2019
<u>VOTING</u> It was duly passed to approve Conditional Use Permit #03-2019 to Linda & Dale Kruse, Little Rock, IA for the continued operation and expansion of an existing gravel pit, aggregate crushing site, and hot mix plant with the following 5 conditions as recommended by the Planning and Zoning Commission:	

	<ol style="list-style-type: none"> 1.) Permit is good for 6 years with a 3-year review; 2.) Noxious weeds must be controlled in and around the site; 3.) Environmental Services must be notified each season before hot mix plant is started; 4.) Applicant will do their utmost to control dust. This could include, but is not limited to, slowing down of trucks hauling, being aware of wind direction and possibly taking an alternate route, and applying an approved dust control substance; 5.) Reclamation must be completed in accordance with the Nobles County Land Use Ordinance. <p>Moved by: Metz, Gene Seconded by: Linssen, Donald</p>
B.	<p>Conditional Use Permit #05-2019 Duinick, Inc., Prinsburg, MN</p>
	<p>Ms. Henderschiedt presented the Board with information and recommendation in the area of a conditional use permit for the continued operation of an existing gravel pit, aggregate crushing site, and hot mix plant. This parcel of land is located in the NW ¼, Section 29, TWP 103, Range 42, (Larkin Township).</p> <p>Attachments: Planning and Zoning Minutes April 24, 2019</p>
<p><u>VOTING</u></p>	
<p>It was duly passed to approve Conditional Use Permit #05-2019 to Duinick, Inc., Prinsburg, MN for the continued operation of an existing gravel pit, aggregate crushing site, and hot mix plant with the following 5 conditions as recommended by the Planning and Zoning Commission:</p>	
<ol style="list-style-type: none"> 1.) Permit is good for 6 years with a 3-year review; 2.) Noxious weeds must be controlled in and around the site; 3.) Environmental Services must be notified each season before hot mix plant is started; 4.) Applicant will do their utmost to control dust. This could include, but is not limited to, slowing down of trucks hauling, being aware of wind direction and possibly taking an alternate route, and applying an approved dust control substance; 5.) Reclamation must be completed in accordance with the Nobles County Land Use Ordinance. 	
<p>Moved by: Demuth, Robert S. Seconded by: Widboom, Matt</p>	
C.	<p>Conditional Use Permit #04-2019 V & M Locker & Grocery, Leota MN</p>
	<p>Ms. Henderschiedt presented the Board with information and recommendation in the area of a conditional use permit to expand an existing grocery store & locker plant, and relocate an existing storage building. This parcel of land is located in the Re-Sub of Auditor's Outlots, Lot 28 except the East 100' & West 32' of North 150' and Lot 29 except the North 175', Block 1, of Section 5, TWP 104, Range 43 (Leota Township).</p> <p>Attachments: Planning and Zoning Minutes April 24, 2019</p>
<p><u>VOTING</u></p>	
<p>It was duly passed to approve Conditional Use Permit #04-2019 to V & M Locker & Grocery, Leota, MN to expand an existing grocery store & locker plant, and relocate an existing storage building as recommended by the Planning and Zoning Commission.</p>	
<p>Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
D.	<p>Feedlot Ordinance Revisions</p>
	<p>Ms. Henderschiedt presented the Board with information and recommendation in the</p>

	<p>area of updates to the Nobles County Land Use Ordinance Section 725-Feedlots and advised the committee took the recommendations of the public maintaining the existing setbacks along with adding setbacks from rural churches, cemeteries and parks as well as language regarding variances from nearby property owned by relatives.</p> <p><u>Attachments:</u> Planning and Zoning Minutes April 24, 2019 Livestock Feedlots Draft</p>
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VOTING
 It was duly passed to approve the Feedlot Ordinance revisions as presented and as recommended by the Nobles County Planning Commission with an adoption date of June 1, 2019.
 Moved by: Metz, Gene
 Seconded by: Demuth, Robert S.

6.4	Finance – Jerry Vyskocil
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A.	Designation of All Vendor Payment Types as Auditor Warrants – Resolution 201921
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	<p>Jerry Vyskocil, Finance Director, presented the Board with information and a recommendation in the area of streamlining payments by designating all warrants as Auditor’s Warrants. Minnesota Statute 375.18 allows a County Board, at its discretion, to delegate its authority to review and pay certain claims made against the County to a County Administrative Official. Commissioners Ahlers expressed concern with Capital Assets acquisition and Mr. Vyskocil responded that the Capital Assets policy could be reviewed to address the concerns.</p> <p><u>Attachments:</u> Resolution 201921 MN Statute 375.18 General Powers</p>
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VOTING
 It was passed to adopt Resolution 201921 as follows:

The County Board of Nobles County, Minnesota hereby ordains:

Whereas, County Boards are authorized by Minnesota Statutes 375.18, Subdivision 1b to delegate the authority to pay claims; and

Whereas, the Nobles County Board of Commissioners finds that such delegation promotes efficiency in the financial management of the County; and

Whereas, the County Board has established internal accounting and administrative control procedures to ensure the proper disbursement of public funds; and

Whereas, such internal accounting and administrative control procedures have been incorporated into the Nobles County Accounting and Policy Procedures Manuals and adopted by County Board.

NOW, THEREFORE, BE IT RESOLVED that the Nobles County Board of Commissioners hereby delegates its authority to pay claims to the Finance Director or his/her designee according to procedures set forth in the Nobles County Accounting and Policy Procedures Manual; and authorizes that all forms of vendor payments be processed as Auditor Warrants, eliminating the Commissioner Warrant process.

Moved by: Metz, Gene
 Seconded by: Linssen, Donald
 In favor: Metz, Gene; Widboom, Matt; Demuth, Robert S.; Linssen, Donald
 Opposed: Ahlers, Justin

7.0 Administration Presentation – Tom Johnson
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7.1	Appointment of Deputy Registrar of Motor Vehicles and Driver Licensing Agent – Resolution 201904
	<p>Sue Luing, Human Resource Director, presented the Board with information and a recommendation in the area of appointing the Auditor-Treasurer to perform the duties of Deputy Registrar of Motor Vehicles and Driver’s Licensing Agent as outlined in Minnesota Statutes §168.33 and 171.06.</p> <p>Attachments: Resolution 201904 DVS Letter</p>
<p><u>VOTING</u> It was duly passed to adopt Resolution 201904 as presented:</p> <p style="padding-left: 40px;">WHEREAS, Minnesota Statutes §171.061, authorizes the County Board to appoint an individual to serve as the Driver’s Licensing Agent; and WHEREAS, the State of Minnesota, Department of Public Safety has requested duties of the Deputy Registrar of Motor Vehicles be covered by an individual; BE IT NOW RESOLVED, that the Nobles County Board of Commissioners appoints Joyce Jacobs, County Auditor-Treasurer, to perform the duties of the Deputy Registrar of Motor Vehicles and Driver’s Licensing Agent as outlined in Minnesota Statutes §168.33 and 171.06.</p> <p>Moved by: Demuth, Robert S. Seconded by: Metz, Gene</p>	
7.2	Divestiture of the Armory
	<p>Ms. Luing presented the Board with information in the area of one proposal received from the Nobles County Historical Society. Ms. Luing advised that Tom Johnson, County Administrator, reviewed the proposal stating it was well written.</p> <p>A motion was made by Justin Ahlers and seconded by Gene Metz to direct Tom Johnson County Administrator, to draft a Development Agreement with assistance from Dorsey & Whitney, LLP and negotiate with the Nobles County Historical Society to ultimately be agreed upon by both parties.</p> <p>Discussion was held that the final draft would be approved by both the Historical Board and County Board. Commissioner Ahlers stated for the record, “Although I sit on the Nobles County Historical Society Board, I saw this (proposal) for the first time when you saw this.”</p> <p>Attachments: NCHS Proposal to Purchase the Worthington Armory</p>
<p><u>VOTING</u> It was duly passed to direct Tom Johnson, County Administrator, to draft a Development Agreement with assistance from Dorsey & Whitney, LLP and negotiate with the Nobles County Historical Society to ultimately be agreed upon by both parties. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
7.3	Government Center Site Improvement Project Corrections
	<p>Ms. Luing presented the Board with information in the area of one proposal received from Ideal Landscape & Design and the recommendation that Administration cannot support the proposal with such a great increase from the previous proposal on which negotiations were based with the former contractor. Discussion was held if splitting up the project would bring in smaller contractors and a bid bond may not be required.</p>

	<p>Further discussion was held that the 4th Avenue entrance is a priority and taking no action or splitting up the project will in turn delay the project even longer. Chairperson Widboom advised he would like to see the Board direct the Administrator to negotiate with Ideal Landscape & Design rather than going back to the drawing board as other contractors are getting busy with projects. Other concerns were raised that if the project is broken apart, all parts of the project won't look the same and the County may not get multiple bidders.</p> <p><u>Attachments:</u> Bid Tabulation</p>
<u>VOTING</u>	<p>It was duly passed to direct Tom Johnson, County Administrator, to negotiate with Ideal Landscape & Design and to bring the information back to the next Board of Commissioners meeting May 21, 2019. Moved by: Linssen, Donald Seconded by: Ahlers, Justin</p>
8.0 Inter-Agency Reports / Announcements	
8.1	Committee and Board Reports
	<p>District I - Commissioner Ahlers had no report.</p> <p>District II - Commissioner Metz reported on One Watershed One Plan.</p> <p>District III - Commissioner Widboom reported on Library Board (in Commissioner Metz's absence) and Nobles County Fair Association meetings.</p> <p>District IV - Commissioner Demuth reported on a Planning and Zoning seminar.</p> <p>District V - Commissioner Linssen reported on A.C.E. (Advocate.Connect.Educate.) and Park Board meetings.</p> <p>Management Team - Attorney Kusz reported on attending Park Board and Planning & Zoning meetings.</p> <p>County Administration – Human Resource Director Luing advised Tom Johnson was attending FEMA's Preliminary Damage Assessments and had reported there are \$3 million in losses, which includes \$2.6 million for Energy Companies.</p> <p><u>Attachments:</u> Park Board Minutes March 2019 Park Board Minutes April 2019</p>
8.2	<p>Correspondence</p> <p><u>Attachments:</u> Recruitment Update 1st Half 2019 Appropriation Payment Art Center Civil Air Patrol Appropriation Appreciation Letter Notice of Proposed Partial Street Vacation KTD Sponsorship Request Seeds of Hope SWMHC 60th Anniversary</p>
8.3	<p>Calendar</p> <p><u>Attachment:</u> Commissioners Calendar –May 2019</p>

9.0 Other / Future Business

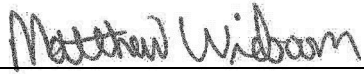
10.0 Adjournment

VOTING

It was duly passed to adjourn the meeting at 10:05 a.m.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene



(Chairperson)


(County Administrator)