

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, October 8, 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: Demuth, Robert S. Seconded by: Metz, Gene	
4.0 Recognition	
4.1	Visitors & Guests Welcome
4.2	Excellence in Performance
	Bill Brockberg, Nobles County Veterans Service Officer, was acknowledged as the recipient of the Nobles County Excellence in Performance award for September 2019.
5.0 Consent Agenda	
5.1	September 17, 2019 Regular Meeting Minutes <u>Attachments:</u> September 17, 2019 Draft Regular Meeting Minutes
5.2	Snowmobile Grant <u>Attachments:</u> Snowmobile FY 2020 Maintenance and Grooming Grant
5.3	Temporary Liquor License Date Change (Lao Buddhist Temple) <u>Attachments:</u> Original Signed Sheriff Document Original Application and Permit Original Resolution 201424
5.4	ISD518-Community Ed. Child and Teen Check Ups Outreach Agreement <u>Attachments:</u> Purchase of Services Agreement
5.5	Department of Health Master Grant Contract <u>Attachments:</u> Master Grant Contract for Community Health Boards
5.6	Nobles County DAC Purchase of Service Renewal Agreement 2019-2021 <u>Attachments:</u> Purchase of Service Agreement

5.7	Proposed Renewal of Office of Justice Grant <u>Attachments:</u> Grant Agreement
5.8	Meetings & Conferences – Travel Expenses <u>Attachments:</u> Travel Expenses paid September 27, 2019 Travel Expenses paid Board September 27, 2019
5.9	PCard/Auditor's Warrants <u>Attachments:</u> Accounts Payable Summary Auditor's Warrants
<u>VOTING</u> It was duly passed to approve the Consent Agenda as presented. Moved by: Metz, Gene Seconded by: Linssen, Donald	
6.0 Public Hearing	
6.1	Public Hearing – Proposed Property Tax Abatement Joel and Julie Lorenz Parcel 31-3776-895 A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions 1. Joel and Julie Lorenz Parcel 31-3776-895 – Resolution 201960 (<i>Action</i>)
	<u>Attachments:</u> NHI Nobles County Guidelines Lorenz Parcel 31-3776-895 Application Information Resolution 201960
	A. A motion by Justin Ahlers and seconded by Robert S. Demuth, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for Joel and Julie Lorenz Parcel 31-3776-895 B. Tom Johnson, Nobles County Administrator, reviewed the Nobles Home Initiative Application. C. No public comments were received. D. On a motion by Robert S. Demuth and seconded by Justin Ahlers, it was duly passed to close the Proposed Property Tax Abatement Public Hearing. E. Because of the June construction start date, it was discussed to contact the owner and verify the information on the application form.
<u>VOTING</u> It was duly passed to table Resolution 201960 tax abatement to Joel and Julie Lorenz Parcel 31-3776-895 pursuant to Minnesota Statue 469.1813. Moved By: Ahlers, Justin Seconded by: Widboom, Matthew	
7.0 Department Presentations	
7.1	Public Works – Stephen Schnieder
A.	County State Aid Highway 19 Bridge Bid Opening <u>Attachments:</u> Contract No. 19005

	Stephen Schnieder, Public Works Director, presented the Board with information regarding four bids that were received to replace a timber bridge on CSAH 19 Southwest of Adrian. All bids were higher than the estimated cost of \$830,783.60. The lowest bid was \$924,213.56. It was recommended to the board to accept the low bid and award the contract to Structural Specialties of Hutchinson, MN.
<u>VOTING</u> It was duly passed to award the bid to the low bidder in the amount of \$924,213.56. Moved by: Metz, Gene Seconded by: Ahlers, Justin	
B.	Bridge Prioritization <u>Attachments:</u> Resolution 201959
	Stephen Schnieder presented the board with two bridges within the County (Bridge Number 53508 and 53515) that now meet the requirements for replacement. The County Board needs to make these bridges a priority for replacement to be eligible for funding. It was recommended to the Board to approve resolution 201959 prioritizing the bridges for funding.
<u>VOTING</u> It was duly passed to approve Resolution 201959. Moved by: Ahlers, Justin Seconded by: Linssen, Don	
7.2	Environmental Services – Kathy Henderschiedt
A.	Verizon Wireless Conditional Use Permit <u>Attachments:</u> Nobles County Planning and Zoning Minutes 9/26/19 Conditional Use Permit
	Kathy Henderschiedt, presented the board with a conditional use permit request from Verizon Wireless, Bloomington, MN and Jackie’s Farms LLC, Sioux Falls, SD for the construction of a 295’ communication tower. The parcel of land is located in the SE 1/4, except a Tract 468’ x 662’ in the S 1/2, Section 24, Twp. 103, Range 41 (Summit Lake Township). It was recommended to the board to approve the request with the conditions as is.
<u>VOTING</u> It was duly passed to approve the conditional use permit with conditions as presented. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
7.3	Auditor-Treasurer – Joyce Jacobs
A.	Professional Service Agreement <u>Attachments:</u> Professional Service Agreement
	Joyce Jacobs, Auditor-Treasurer, presented the Board with a professional service agreement between the Auditor-Treasurer’s office and Kristine Ray (Contractor). The agreement is for the period of October 9, 2019-December 31, 2019 at \$25.00 per hour, it shall not exceed \$3,000. It was recommended to the Board to approve the agreement.
<u>VOTING</u> It was duly passed to approve the professional service agreement between the Auditor-Treasurer’s Office and Kristine Ray as presented. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
B.	2020 Ditch Maintenance Assessments <u>Attachments:</u> Proposed 2020 Maintenance Assessments

	Joyce Jacobs presented the board with the proposal for the 2020 ditch maintenance assessments. It was recommended to the board to approve the assessments without changes to the proposed levels.
<u>VOTING</u> It was duly passed to approve the 2020 Ditch Maintenance Assessment as presented. Moved by: Demuth, Robert S. Seconded by: Widboom, Matthew	
7.4	County Attorney - Joe Sanow
A.	Contract for Appellate Work <u>Attachments:</u> Travis Smith E-mail Legal Services Agreement
	Joe Sanow, County Attorney, presented the Board with a Legal Services Agreement between the County Attorney's office and Travis Smith. The contract is for appellate work from Travis Smith regarding a case handled by the County Attorney's office that is hoping to be presented to the U.S. Supreme Court. It is not known yet if the case will be heard but in preparing the case for consideration, Mr. Smith's expertise is needed. It was recommended to the Board to approve the contract for appellate work.
<u>VOTING</u> It was duly passed to approve the contract for appellate work between the County Attorney's office and Travis Smith. Moved by: Ahlers, Justin Seconded by: Linssen, Donald	
B.	Contract for Special Assistant County Work <u>Attachments:</u> Legal Services Agreement
	Joe Sanow presented the Board with a legal service agreement between the County Attorney's office and William F. Klumpp. The agreement is for help handling a murder case the County Attorney's office is prosecuting. It was recommended to the Board to approve the contract.
<u>VOTING</u> It was duly passed to approve the contract between the County Attorney's office and William F. Klumpp. Moved by: Metz, Gene Seconded by: Demuth, Robert S.	
7.5	Assessor – Valerie Ruesch
A.	Professional Service Agreement <u>Attachments:</u> Professional Service Agreement
	Valerie Ruesch, Nobles County Assessor, presented the Board with a legal service agreement between the Assessor's office and Gary Spaeth. The contract is for Mr. Spaeth to provide assessing services to the county pertaining to assessment for the ad valorem tax purposes. It was recommended to the Board to approve the contract.
VOTING It was duly passed to approve the Legal Service Agreement between the Nobles County Assessor's office and Gary Spaeth. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
7.6	Human Resources – Sue Luig
A.	Finance Director Reclassification <u>Attachments:</u> Finance Director Job Description

	<p>Sue Luing, Human Resource Director, presented the Board with an updated job description for the Finance Director. The current Finance Director has announced his retirement and with the position being vacant and the growth and responsibilities of the job increasing now is the time to reevaluate the position. The County had George Gmach, compensation consultant, review the position and provide his recommended changes. Mr. Gmach recommended associate points of 492 which is a level 19 on the county pay scale.</p> <p>It was recommended to the Board to approve the Finance Director position description and associated point values.</p>
<p><u>VOTING</u> It was duly passed to approve the Finance Director position description and associate point values. Moved by: Linssen, Donald Seconded by: Demuth, Robert S.</p>	
B.	<p>Personnel Policy P-216 Non Pension Benefits <u>Attachments:</u> 2020 VEBA and HAS County Contributions (Table A) P-216 Non Pension Benefits (Edited) P-216 Non Pension Benefits (Final Draft)</p>
	<p>Sue Luing presented the Board with the County's P-216 Non Pension Benefits policy for approval. The county's labor attorney suggested that we update this policy to be in compliance with the Affordable Care Act. It is up for consideration of changing the mandatory enrollment of full time employees in the county's health insurance. In doing so, it would also change the mandatory enrollment in dental and basic life insurance. If mandatory enrollment is changed, there could be a change in rates for dental and basic life.</p> <p>There also needs to be a separate motion to set the VEBA, HSA and Cafeteria plan contributions separately.</p> <p>It was discussed on waiting at least one year to change the policy from mandatory to voluntary. The Commissioners felt that would give time for employees to review the policy. Commissioner Widboom expressed interest in changing the policy now.</p>
<p><u>VOTING</u> It was approved to approve policy P-216 as is and remain mandatory for health, dental and life insurance. Moved by: Metz, Gene Seconded by: Ahlers, Justin In Favor: Metz, Gene; Ahlers, Justin; Demuth, Robert S.; Linssen, Donald Opposed: Widboom, Matthew</p>	
<p><u>VOTING</u> It was duly passed to set the 2020 VEBA and HSA contributions as presented in Table A. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p>	
<p><u>VOTING</u> It was duly passed to set the 2020 Cafeteria Plan contributions as presented in Table A. Moved by: Ahlers, Justin Seconded by: Linssen, Donald</p>	
<p>8.0 Administration Presentation – Tom Johnson</p>	
8.1	<p>2020-2023 Recommended Red Rock Rural Water Systems Board Appointees <u>Attachments:</u> Biographical Information Resolution 201961</p>
	<p>Tom Johnson, County Administrator, presented the board with information regarding the reappointment of two current board members for the Red Rock Rural Water Systems</p>

	Board. Michael Curley and Jake Takle's terms are expiring December 31, 2019. It was recommended to approve Resolution 201961.
<u>VOTING</u> It was duly passed to approve Resolution 201961. Moved by: Metz, Gene Seconded by: Widboom, Matthew	
8.2	MoU for Site Evaluation <u>Attachments:</u> Memorandum of Understanding
	Tom Johnson presented the Board a MoU which is between Nobles County, City of Worthington and ISD518 for cost sharing of certain environmental and geotechnical consulting services. Discussion was held on lack of cost information. It was expressed to table the MoU until the October 22, 2019 Board meeting where numbers could be presented.
<u>VOTING</u> It was duly passed to table the MoU until the October 22, 2019 Board Meeting. Moved by: Metz, Gene Seconded by: Widboom, Matthew	
8.3	Progress Payment #2/Invoice 3548 <u>Attachments:</u> Invoice 3548
	Tom Johnson presented the Board with invoice 3548 from Ideal Landscape and Design Inc. for the correction of rejected parts of the landscaping project at the Government Center. It was recommended to approve the progress payment #2/Invoice 3548 in the amount of \$30,000.
<u>VOTING</u> It was duly passed to approve the progress payment #2/Invoice 3548 to Ideal Landscape and Design Inc. in the amount of \$30,000. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
8.4	ICS Agreement <u>Attachments:</u> ICS Agreement
	Tom Johnson presented the Board with the Owners Representative Agreement with ICS Consulting to act as the Owners Representative for the collaborative group in planning and design for the WELL project. Discussion was held regarding lack of budget numbers presented and not signing agreements until numbers are known. Both Commissioner Ahlers and Linssen stated they had a hard time signing a blank check in regards to the lack of figures. A motion was made to approve the ICS agreement based on the understanding that each entity would pay their percentage based on square foot usage.
<u>VOTING</u> It was accepted to approve the agreement with ICS based on the understanding that each entity would pay their percentage based on square foot usage. Moved by: Demuth, Robert S. Seconded by: Metz, Gene In Favor: Demuth, Robert S.; Metz, Gene; Widboom, Matthew Opposed: Ahlers, Justin; Linssen, Donald	
8.5	Minnesota Rural Counties Delegate

	Tom Johnson presented with the recent decision to join MRC the Board needs to appoint a delegate the that committee.
<u>VOTING</u> It was duly passed to appoint Gene Metz to the MRC committee and the rest of the Board as alternates. Moved by: Ahlers, Justin Seconded by: Linssen, Donald	
8.6	Association of Minnesota Counties Subcommittee Request <u>Attachments:</u> AMC Request
	Tom Johnson presented the board with information that AMC has announced a new subcommittee focusing on Economic Development, Workforce Development and housing issues. It was recommended to the Board to appoint the new Deputy County Administrator/Emergency Manager, Bruce Heitkamp to the subcommittee. Bruce has several years of experience in all three of these fields.
<u>VOTING</u> It was duly passed to appoint Bruce Heitkamp, Nobles County Deputy Administrator/Emergency Manager to the AMC Subcommittee to represent Nobles County. Moved by: Metz, Gene Seconded by: Demuth, Robert S.	
8.7	LHB Agreement <u>Attachment:</u> Professional Services Agreement
	Tom Johnson presented an architect agreement with LHB to lead the design for the WELL project. Included in the attachment is a proposal from LHB for the scope of services and related costs. The cost for all the identified scope of services is proposed at \$259,000.00 plus reimbursable expenses not to exceed 2% of this fee. It was discussed by Commissioner Ahlers that he fears spending money without knowing 100% if the project is going to happen. Tom Johnson expressed there is a 30-day termination clause.
<u>VOTING</u> It was agreed to approve the proposed agreement as presented. Moved by: Metz, Gene Seconded by: Demuth, Robert S. In Favor: Metz, Gene; Demuth, Robert S.; Widboom, Matthew Opposed: Linssen, Donald; Ahlers, Justin	
8.8	County Car Replacement
	Tom Johnson presented the Board with the option to replace county car pool car #3 which is a 2016 Equinox. Due to high mileage and known engine problems in that year/type of vehicle it would be beneficial to obtain a replacement in the 2019 budget year. No quote was available yet for the replacement car.
<u>VOTING</u> It was duly passed to approve the replacement of county car pool car #3 in 2019. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
8.9	Emergency Management Director/Deputy County Administrator Appointment
	Tom Johnson presented on the recent hire of Bruce Heitkamp as the Deputy County Administrator/Emergency Manager. With his hire Mr. Johnson no longer needs to be appointed interim Emergency Manager. It was recommended to the Board to appoint

	Bruce Heitkamp to be the Nobles County Emergency Manager and remove the “interim Emergency Manager” title from the County Administrator.
<u>VOTING</u> It was duly approved to appoint Bruce Heitkamp as Deputy County Administrator/Emergency Manager. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
<u>VOTING</u> It was duly approved to remove the “interim Emergency Manager” title from the County Administrator. Moved by: Metz, Gene Seconded by: Linssen, Donald	
9.0 Inter-Agency Reports/Announcements	
9.1	Correspondence <u>Attachments:</u> Recruitment Update Heron Lake Watershed District Grant Award Heron Lake Watershed District Summer Interns and Graduate Students 1995-2019 Blandin on Broadband Nobles County Art Center Board Meeting Minutes 10/1/19 Rock Nobles Community Corrections Executive Board Agenda 10/10/19 Rock Nobles Community Corrections Executive Board Meeting Minutes 9/12/19
9.2	Calendar <u>Attachments:</u> Commissioners Calendar –October 2019
10.0	Other / Future Business
House Bonding Committee – W.E.L.L. Tour Wednesday October 9, 2019 9:00 a.m. – 10:00 a.m. Nobles County Board Work Session Tuesday October 8, 2019 Directly following Board Meeting	
11.0 Adjournment	
<u>VOTING</u> It was duly passed to adjourn the meeting at 10:32 a.m. Moved by: Linssen, Donald Seconded by: Metz, Gene	

Matthew Lieberman

(Chairperson)

Donald Linssen

(County Administrator)