

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF NOBLES COUNTY, MINNESOTA

The County Board of Nobles County met in regular session this 1st day of March, 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 as amended, adding items 4.3 2016 4-H Community Youth Leadership Award for Indian Lake Progressives 4-H Club, 8.5 Closed Session for Litigation and 8.6 Resolution 201618 in support of Environmental and Natural Resources Trust Fund Grant Application.

Gene Bertrand, IT Support Specialist, was acknowledged as the recipient of the Nobles County Excellence in Performance Award.

Commissioner Zylstra advised the Board that the Indian Lake Progressives 4-H Club would be recognized on Thursday, March 10th at the Association of Minnesota Counties Legislative Conference for their fundraising and replacement of the playground equipment in the Brewster City Park. They were selected out of 13 applicants for the 2016 4-H Community Youth Leadership Award.

On a motion by Marvin Zylstra and seconded by Donald Linssen, it was duly passed to approve the consent agenda.

- 5.1 February 16, 2016 Regular Meeting Minutes
- 5.2 Meetings & Conferences – February 19, 2016 Travel Expenses
- 5.3 Auditor's and Commissioner's Warrants

On a motion by Matt Widboom and seconded by Robert Demuth Jr., it was duly passed to open the public hearing to review, discuss and consider the proposed property tax abatement requests for Rick and Karen Bullerman.

The proposed tax abatement request for construction of a single family home was reviewed. No public comments were received.

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

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to adopt the following resolution number 201614:

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, Rick and Karen Bullerman are the owners of certain property within Nobles County, legally described as follows:

Parcel ID: 21-0362-100 217 Eighth Street West, Adrian MN (LOT 1 BLK 2 Country Club First Addition)

WHEREAS, Rick and Karen Bullerman have made application to Nobles County for the abatement of taxes as to the above-described parcel; and

WHEREAS, Rick and Karen Bullerman 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.

On a motion by Matt Widboom and seconded by Robert Demuth Jr., it was duly passed to adopt the following resolution number 201615:

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, Rick and Karen Bullerman are the owners of certain property within Nobles County, legally described as follows:

Parcel ID: 21-0362-450 Outlot A of Country Club First Addition, & W 15.24' of S 48.40' of LOT 1, BLK 1 & W 15.24' of LOT 1, BLK 4-Both in Landhuis First Addition

WHEREAS, Rick and Karen Bullerman have made application to Nobles County for the abatement of taxes as to the above-described parcel; and

WHEREAS, Rick and Karen Bullerman 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.

Abraham Algadi, Worthington Regional Economic Development Commission (WREDC), and Jason Vote, WREDC Board, provided the Board with an annual report, an announcement of the creation of the WREDC Rental Housing Challenge Fund and information on the upcoming Worthington Bio Conference.

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

On a motion by Marvin Zylstra and seconded by Donald Linssen, it was duly passed to adopt the following resolution number 201616 approving an advance of up to \$1,600,000.00 for financing approved County State Aid Highway Projects:

WHEREAS, the County of Nobles is planning to implement County State Aid Street Project in 2016 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date: February 15, 2016		\$ 3,203,262.49
Less estimated disbursements:		
Project #_SAP 53-606-019_	\$ 510,000_	
Project #_SAP 53-615-020_	\$ 905,000_	
Project #_SAP 53-616-031_	\$ 925,000_	
Project #_SAP 53-639-001_	\$ 1,185,000_	
Project #_SAP 53-639-003_	\$ 120,000_	
Project #_SP 53-613-015_	\$ 640,000_	
Project #_SAP 53-620-007_	\$ 140,000_	
Project #_SAP 53-615-019_	\$ 125,000_	
Bond Principle (if any)	\$ _____	
Project Finals (overruns-if any)	\$ 53,000_	
Other_Engineering__	\$ 200,000.00	
Total Estimated Disbursements		\$ 4,803,000_
Advance Amount (amount in excess of acct balance)		\$ 1,600,000.00_

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Nobles in an amount up to \$1,600,000 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

On a motion by Robert Demuth Jr. and seconded by Gene Metz, it was duly passed that sealed bids will be received by the Nobles County Board of County Commissioners of Nobles County, Minnesota, at the office of the County Administrator, Nobles County Government Center, PO Box 757, 315 Tenth Street, Worthington, MN 56187 until 1:30 p.m. on Tuesday, March 29, 2016, for the following projects:

PROJECT NO. SAP 053-606-019, SAP 053-615-020, SAP 053-616-031, SAP 053-639-001, SAP 053-639-003

TYPE OF WORK: Bituminous Paving

DESCRIPTION OF WORK:

- SAP 053-606-019, County Project No. 0610
C.S.A.H. 13 to C.S.A.H. 4, being approximately 3.018 miles in length.
- SAP 053-615-020, County Project No. 1513
C.S.A.H. 16 to Murray County Line, being approximately 6.184 miles in length.
- SAP 053-616-031, County Project No. 1623
Between T.H.91 and C.S.A.H. 34, being approximately 5.078 miles in length.
- SAP 053-639-001, County Project No. 3901
South Dundee City limits to C.S.A.H. 39, being approximately 0.494 miles in length.
- SAP 053-639-003, County Project No. 3903
North County Line Dundee - West 1st Avenue to C.S.A.H.1, being approximately 0.278 miles in length.

The Major items of work are:

- 34,350.00 TON of TYPE SP 9.5 WEARING COURSE MIXTURE (2,B)
- 3,250.00 TON of TYPE SP 9.5 NON WEARING COURSE MIXTURE (2,B)
- 868.00 LIN FT of 12" RC PIPE SEWER
- 19,072.00 SQ FT of 4" CONCRETE WALK
- 3,692.00 LIN FT of CONCRETE CURB & GUTTER DESIGN B624

Mr. Schnieder provided the Board with information on the history of the City of Lismore Maintenance Agreement where the City provides snow and ice removal on County State Aid Highway 31. This agreement set the rate for compensation in 1996 by an average of tracked costs. Mr. Schnieder advised costs have increased over the past years and setting a new rate for snow and ice removal based on current average costs would be appropriate. Nobles County has an agreement with two other cities and one township and proposed all contracts be reviewed for a term of 5 years. County Attorney, Kathleen Kusz, suggested one year agreements be drafted with the option to renew up to four times so that they are reviewed periodically for updates and increases. The consensus of the Board was to direct Mr. Schnieder to draft the agreements for snow and ice removal and to forward them to the County Attorney for final review.

Mr. Schnieder provided the Board with information regarding animals, specifically livestock, accessing the open ditches which have increased the frequency for when these sections of ditches need to be maintained. All the benefitted land owners pay for this additional maintenance cost, not just the land owner of the livestock. The consensus of the Board was to direct Mr. Schnieder to advise with Kurt Deter on the matter to determine how other counties may be handling the situation or what action may be taken. County Attorney Kathleen Kusz requested if any ordinances would be introduced for the County Attorney to enforce, she would like to be a part of the discussion.

Stephen Schnieder, Public Works Director/County Engineer, and Kent Wilkening, Sheriff, presented the Board with information and recommendations in the area of interactive speed signing and LED stop signs. Sheriff Wilkening advised he would like the Board to consider solutions for CSAH 9 at Reading and on CSAH 13 at Rushmore as those locations receive the most complaints for speeding hazards.

On a motion by Gene Metz and seconded by Marvin Zylstra, it was duly passed to approve the installation of 8 total permanent speed signs at Leota, Lismore, Reading, Wilmont, and on Crailsheim Drive in Worthington and 1 LED stop sign placed on Nobles County 13 at the intersection of CSAH 35.

The Board directed Mr. Schnieder to pursue a speed study at CSAH 9 at Reading and on CSAH 13 at Rushmore.

Kent Wilkening, Sheriff, presented the Board with information and a recommendation in the area of the replacement of a squad.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to approve the transfer of \$7,400 to the Sheriff's budget from the general fund to replace the squad.

Beth Van Hove, Auditor-Treasurer, presented the Board with information and recommendations in the areas of a report of cash investments as of December 31, 2015 and the Cash and Investments Collateral Report as of December 31, 2015.

On a motion by Robert Demuth Jr. and seconded by Donald Linssen, it was duly passed to accept the report of cash investments as of December 31, 2015 as presented.

On a motion by Gene Metz and seconded by Marvin Zylstra, it was duly passed to accept the cash and investments collateral report as of December 31, 2015 as presented.

Stacie Golombiecki, Community Services Director, and Terri Janssen, CHS Administrator/Public Health Director, presented the Board with information and a recommendation in the area of agreements.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to authorize the County Board Chair and County Administrator to sign, on behalf of Nobles County, a Purchase of Service Agreement with the Greater Minnesota Family Services for the provision of intensive family based counseling and life management skills training services to families. A copy of the Agreement 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 authorize the County Board Chair and County Administrator to sign, on behalf of Nobles County, a Purchase of Services Agreement with the Southwestern Mental Health Center for the provision of Intensive Family Based Services. A copy of the Agreement was before the Board and is made a part of this resolution by reference.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to authorize the County Board Chairperson and Administrator to sign, on behalf of Nobles County, an interpreter services agreement with Sivily Lasichan. A copy of the agreement was before the Board and is made a part of this resolution by reference.

On a motion by Donald Linssen and seconded by Matt Widboom, it was duly passed to authorize the County Board Chairperson and County Administrator to sign, on behalf of Nobles County, a Memorandum of Agreement between Minnesota West Community and Technical College and Nobles County Community Services for Student Training Experience/Internship for the provision of providing a training site for qualified students enrolled in Nursing programs. A copy of the Memorandum of Agreement was before the Board and is made a part of this resolution by reference.

Sue Luing, Human Resources Director/Deputy County Administrator, presented the Board with information and a recommendation in the area of personnel.

On a motion by Robert Demuth Jr. and seconded by Gene Metz, it was duly passed to approve the Labor Agreement between the County of Nobles and Minnesota Teamsters Public and Law Enforcement Employees' Union Local No. 320 representing Supervisory Essential Employees retroactive to January 1, 2015 as presented. A copy of the Agreement was before the Board and is made a part of this resolution by reference.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to approve a \$50.00 per diem per day for the Personnel Board of Appeals.

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 Marvin Zylstra, it was duly passed to approve a membership to the Minnesota Viewers Association for the provision of receiving educational services.

On a motion by Matt Widboom and seconded by Robert Demuth Jr., it was duly passed to adopt the following resolution number 201617 opposing the creation of a Minnesota River Basin Commission:

WHEREAS, Senate File No. 2204 was introduced to the Minnesota State Senate on May 16, 2015 to establish a Minnesota River Basin Commission, and

WHEREAS, the proposed Minnesota River Basin Commission would plan, develop, implement, administer, construct and maintain water resource project and programs of benefit the Minnesota River Basin, and

WHEREAS, Senate File No. 2204 requests \$500,000 for initial organizational and administrative start-up cost and allows for future budget requests for administrative , organizational, and technical operations, and

WHEREAS, Senate File No. 2204 allows for future water management implementation funding requests from Lessard-Sams Outdoor Heritage Council, Clean Water Fund, and Legislative-Citizen Commission on Minnesota Resources,

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA: Nobles County does not support Senate File No. 2204, and

BE IT FURTHER RESOLVED, that State funding for restoring the Minnesota River Basin continue to be appropriated to those organizations currently working on those efforts and not be appropriated to any overarching organizations such as the proposed Minnesota River Basin Commission in Senate File No. 2204.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to adopt the following resolution number 201618 in support of Environmental and Natural Resources Trust Fund Grant Application:

WHEREAS, The Jackson/Nobles County Drainage Authority is committed to the promotion, and use of agricultural best management practices; and

WHEREAS, the Little Sioux Watershed Two-Stage Ditch and Wetland project within the Judicial Ditch 13 area are under development in Nobles and Jackson Counties and impact the Round Lake and Ewington Townships; and

WHEREAS, when fully constructed the wetland and two-stage ditch will provide water quality improvements to the receiving waters including the Little Sioux River; and

WHEREAS, projects such as the Little Sioux Watershed Two-Stage Ditch and Wetland bring wildlife habitat, reduce flooding and improve soil conditions in Nobles and Jackson Counties.

NOW, THEREFORE, BE IT RESOLVED that the Nobles County Board of Commissioners hereby supports the Jackson/Nobles County Drainage Authority in their application for grant funding from the Legislative Citizen Council on Minnesota Resources (LCCMR), Environmental and Natural Resources Trust Fund (ENTRF).

On a motion by Donald Linssen and seconded by Robert Demuth Jr., it was duly passed to close the meeting at 10:46 a.m. pursuant to Minnesota Statute §13D.05 Subd. 3(b) under the authority of the attorney-client privilege to discuss litigation.

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to open the meeting at 11:27 a.m.

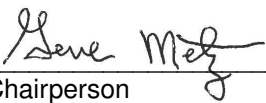
Chairman Metz reported the Board had completed discussion on the litigation. The closed meeting recording was sealed and will be safely stored.

Committee and Board reports were received from the following:

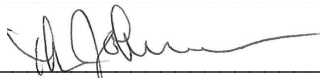
- District I-Commissioner Zylstra reported on Extension Committee and Fair Board meetings.
- District II-Commissioner Metz reported on Adrian Library space needs.
- District III-Commissioner Widboom reported on Southwestern Mental Health Consortium and District 8 Regional meetings.
- District IV-Commissioner Demuth reported on the Planning and Zoning Conference.
- District V-Commissioner Linssen reported on Southern Prairie Community Care and District 8 Regional meetings.
- Management Team-Kathleen Kusz reported that the Management Team has been notified that AED (Automated External Defibrillator) training will soon be available.
- County Administrator-Tom Johnson reported on a Blandin meeting and advised the demolition for the Adrian Pool Hall will occur mid-March.

On a motion by Robert Demuth Jr. and seconded by Marvin Zylstra, it was duly passed to adjourn the meeting at 11:39 a.m.

Attest:



Chairperson



County Administrator