

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF NOBLES COUNTY, MINNESOTA

The County Board of Nobles County met in regular session this 5th day of April, 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 Marvin Zylstra and seconded by Matt Widboom, it was duly passed to approve the agenda.

JoAnne Bartosh gave an Advocate, Connect, Educate (A.C.E.) 2015 Overview and recognized a number of the A.C.E. volunteers that were present. The volunteers serve in many capacities including: woodworkers, tax services at CAL, Bibles for Missions, Sanford Worthington Hospital Auxiliary, Bone Builders, Pioneer Village, Historical Society, Manna Food Pantry, Recycled Treasurers, High School Greeters, Meals on Wheels-Senior Dining and Hospital, TAC Rummage Sale, and Healthy Choices/Healthy Life.

Lori Winters, Account Technician, was acknowledged as the recipient of the Nobles County Excellence in Performance Award.

On a motion by Robert Demuth Jr. and seconded by Donald Linssen, it was duly passed to approve the consent agenda.

- 5.1 March 22, 2016 Regular Meeting Minutes
- 5.2 Meetings & Conferences . Travel Expenses
- 5.3 Auditor~~s~~ and Commissioner~~s~~ Warrants

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to open the public hearing to review, discuss and consider the proposed property tax abatement request for Mark Janssen.

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 Robert Demuth Jr., it was duly passed to close the hearing.

On a motion by Donald Linssen and seconded by Matt Widboom, it was duly passed to adopt the following resolution number 201624:

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, Mark Janssen is the owner of certain property within Nobles County, legally described as follows:

Parcel ID: 22-0010-000 1678 El Mirage, PO Box 162, Bigelow MN (LOT 16 BLK 2)

WHEREAS, Mark Janssen has made application to Nobles County for the abatement of taxes as to the above-described parcel; and

WHEREAS, Mark Janssen has 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.

Juanita Lauritsen, Eriann Faris, and Mary Mulder gave an annual update on the Southwest Minnesota Private Industry Council.

Wayne Smith, Environmental Services Director, presented the Board with information and recommendations on four conditional use permits.

On a motion by Robert Demuth Jr. and seconded by Marvin Zylstra, it was duly passed to approve Conditional Use Permit #04-2016 to Bullerman Livestock & Grain, Adrian, MN, for expansion of an existing feedlot to consist of a 66qx 273qdeep pitted cattle barn with the following conditions as recommended by the Nobles County Planning Advisory Commission: 1) the good neighbor policy be adhered to, 2) there be a dead animal containment structure on site, 3) the liquid manure must be incorporated; however, the solid manure may be surface applied and 4) must receive all necessary permits from the MPCA prior to construction. This parcel of land is located on the S ½ NW ¼ NW ¼ and N ½ SW ¼ NW ¼, Section 06, Twp. 102, Range 42 (Olney Township).

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to approve Conditional Use Permit #05-2016 to Marty Weiss, Adrian, MN, for expansion of an existing feedlot to consist of a 51qx 192qtotal confinement with concrete pit below for swine with the following conditions as recommended by the Nobles County Planning Advisory Commission: 1) all manure to be incorporated, 2) the good neighbor policy be adhered to and 3) there be a dead animal containment structure on the property and all necessary permits from the State must be received prior to construction. This parcel of land is located in the NW ¼ exc. 1-90, exc. 2 120 acres and exc. 2 tracts cont. 5.84 acres and 5.04 acres and on 23.80 acres in the N ½ of Section 17, Twp. 102, Range 42 (Olney Township).

On a motion by Donald Linssen and seconded by Robert Demuth Jr., it was duly passed to approve Conditional Use Permit #07-2016 to Brian Gengler, Adrian, MN, for expansion of an existing feedlot to consist of a 270qx 300qx 14qearthen basin for manure with the condition that the good neighbor policy be adhered to as recommended by the Nobles County Planning Advisory Commission. This parcel of land is located on the NW ¼ of Section 33, Twp. 103, Range 42 (Larkin Township).

On a motion by Matt Widboom and seconded by Gene Metz, it was duly passed to approve Conditional Use Permit #10-2016 to James Larson, Rushmore, MN, for a new livestock site to consist of a 66qx 146qdeep pitted cattle barn with the following conditions as recommended by the Nobles County Planning Advisory Commission: 1) the good neighbor policy be adhered to, 2) there be a dead animal containment structure on site and 3) the liquid manure must be incorporated, the solid may be land applied. This parcel of land is located on the W ½ SE ¼, Section 3, Twp. 102, Range 41 (Dewald Township).

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 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 Wednesday, May 4, 2016, for the following project:

PROJECT NO. SAP 053-613-015

TYPE OF WORK: Bituminous Paving

DESCRIPTION OF WORK:

SAP 053-613-015

C.S.A.H. 13, Iowa State Line to C.S.A.H. 35, being approximately 9.108 miles in length.

The Major items of work are:

7,810 CU. YD. Shoulder Base Aggregate, CL. 1
31,825 TON Bituminous Wearing Course

On a motion by Robert Demuth Jr. and seconded by Marvin Zylstra, it was duly passed to adopt the following resolution number 201625 approving final payment for contract 15001:

WHEREAS, Contract 15001 has in all things been completed and the County Board being fully advised in the premises,
NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Nobles County, Minnesota, do hereby accept said completed project for and in behalf of Nobles County and authorize final payment as specified herein.

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to award the contract to Duinink Inc. of Prinsburg, MN, the lowest responsible bidder, at a cost of \$2,636,132.01.

On a motion by Robert Demuth Jr. and seconded by Gene Metz, it was duly passed to direct the Public Works Director to forward the current comments received to date to Nobles 2 Power Partners, LLC.

Beth Van Hove, County Auditor-Treasurer, presented the Board with information and recommendations in the area of the Auditor-Treasurers Office.

On a motion by Marvin Zylstra and seconded by Robert Demuth Jr., it was duly passed to proceed with the non-public/sealed bid auction of the parcel to the nine adjacent property owners of the forfeited property (Parcel #31-3839-250) and follow terms established in Resolution 201515 %terms for the Sale of Tax Forfeited Land in Nobles County.+

Ms. Van Hove advised that the Tax Forfeited Property Sale on June 3, 2015, had net proceeds of \$32,908.33. Ms. Van Hove reviewed the distribution options outlined in the statute.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to approve the distribution of net revenue as detailed in MS 282.08 to Step 4, Optional fund allocations, with no funds distributed to Forest Development, 20% distributed to the Nobles County Parks for acquisition and maintenance of county parks or recreational areas and Step 5, the remaining balance distributed to Local Taxing District to include 40% to the County, 20% to the City or Township and 40% to the School District.

On a motion by Marvin Zylstra and seconded by Donald Linssen, it was duly passed to adopt, without changes, the proposed draft Nobles County Tax Policy . Abatements of and Additions to Tax+as presented.

Stacie Golombiecki, Community Services Director, presented the Board with information and recommendations in the area of an interpreter agreement, public employee airline travel request, and a 2016 Adult Mental Health Grant Acceptance.

On a motion by Marvin Zylstra and seconded by Matt Widboom, it was duly passed to authorize the County Board Chairperson and Administrator to sign, on behalf of Nobles County, an Interpreter Services Agreement with Plaesay Say for the time period of April 1, 2016 to December 31, 2016. 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 approve the airline travel request to Atlanta, Georgia, for Casey Borgen to attend the multi-state conference to identify, share, and leverage sustainable strategies for scaling the National Diabetes Prevention Program.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to accept the 2016 Adult Mental Health Grant Award for 2016; and further, to authorize the County Board Chairperson to sign, on behalf of Nobles County, a Grant Agreement with the Mental Health Division of the Department of Human Services. A copy of the Grant Agreement was before the Board and is made a part of this resolution by reference.

Commissioner Marvin Zylstra excused himself from the meeting at 10:28 a.m.

On a motion by Robert Demuth Jr. and seconded by Donald Linssen, it was duly passed to use available funds to purchase a new vehicle for Emergency Management.

Absent: Marvin Zylstra

Commissioner Widboom questioned if the vehicle would be purchased locally. Ms. Jacobs advised local dealer are able to match the state contract pricing or are within \$500, so the vehicle would be purchased locally.

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

On a motion by Matt Widboom 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 Employeesq Union Local No. 320 representing Sheriff Dept.- Non Licensed 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.

Absent: Marvin Zylstra

Tom Johnson, County Administrator, presented the Board with information and recommendations in the area of County Administration.

On a motion by Donald Linssen and seconded by Matt Widboom, it was duly passed to approve Resolution 201622 appointing Dr. Greg Clark as the Coroner of Nobles County effective April 1, 2016 through December 31, 2019; and further, authorizing the Board Chair and Administrator to sign, on behalf of Nobles County, a Professional Agreement with Avera Medical Group Worthington for Coroner Services.

WHEREAS, Minnesota Statute §390.11, subd. 2, authorizes the Board of County Commissioners to appoint, by resolution, a Coroner; and

WHEREAS, Nobles County appointed Dr. Greg Clark as the Coroner of Nobles County effective January 1, 2016 through March 31, 2016; and

WHEREAS, Dr. Clark has expressed an interest in continuing his appointment term as Coroner; and

WHEREAS, Dr. Greg Clark is an employee of Avera Medical Group Worthington; and

WHEREAS, Nobles County and Avera Medical Group Worthington desire to enter into a written agreement governing the compensation of physicians from Avera Medical Group Worthington who perform Coroner's services;

NOW, THEREFORE BE IT RESOLVED by the Nobles County Board of Commissioners that Dr. Greg Clark is appointed Nobles County Coroner for the period of April 1, 2016 through December 31, 2019, and that the Professional Service Agreement regarding the compensation and the services provided by the Coroner and Assistant Coroners, an agreement which is between Nobles County and Dr. Clark's employer, Avera Medical Group Worthington, is approved and authorized on behalf of Nobles County.

Absent: Marvin Zylstra

On a motion by Matt Widboom and seconded by Robert Demuth Jr., it was duly passed to adopt Resolution 201626 proclaiming April 2016 as National County Government Month.

Whereas, the nation's 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe, vibrant and economically resilient communities; and

Whereas, Nobles County and all counties take pride in our responsibility to protect and enhance the health, well-being and safety of our residents in efficient and cost-effective ways; and

Whereas, through National Association of Counties (NACo) President Sallie Clark's Safe and Secure Counties+ initiative, NACo is encouraging counties to focus on strengthening the safety and security of their communities; and

Whereas, in order to remain healthy, vibrant, safe, and economically competitive, America's counties provide public health, justice, emergency management and economic services that play a key role in everything from residents' daily health to disaster response; and

Whereas, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote programs and services to the public we serve; and

Whereas, Nobles County has a very dedicated staff serving the more than 20,000 citizens across the county, partnering with many agencies to ensure that service meets the needs of our county in a cost effective manner.

Therefore, be it resolved, that we, the Nobles County Board of Commissioners, do hereby proclaim April 2016 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government.

Absent: Marvin Zylstra

On a motion by Robert Demuth Jr. and seconded by Donald Linssen, it was duly passed to approve the following resolution:

WHEREAS, it is the duty of the Board of Commissioners to appoint citizens to various Boards, Committees and Commissions of Nobles County.

BE IT THEREFORE RESOLVED, to appoint the following persons, for the term specified on Boards, Committees and Commissions as listed:

Extension Committee:
(3 year term expiring December 31, 2018)
Thi Synavone, Worthington

Absent: Marvin Zylstra

On a motion by Matt Widboom and seconded by Donald Linssen, it was duly passed to close the meeting at 10:41 a.m. per Minnesota Statute §13D.05 Subd. 3(c)(3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property related to the mall property.

Absent: Marvin Zylstra

On a motion by Donald Linssen and seconded by Matt Widboom, it was duly passed to open the meeting at 11:01 a.m.

Absent: Marvin Zylstra

Chairman Metz reported the Board had completed discussion on the consideration of offers or counteroffers for the purchase or sale of real or personal property related to the mall property. The closed meeting recording was sealed and will be safely stored.

Committee and Board reports were received from the following:

District I-Commissioner Zylstra was absent.

District II. Commissioner Metz reported on the Broadband informational meeting in Slayton, the message to Legislatures and the importance of broadband and a solution is needed.

District III-Commissioner Widboom reported on the Extension meeting.

District IV-Commissioner Demuth reported on Southwest Minnesota Opportunity Council and Planning & Zoning meetings. He noted there were four applications for animal confinements and they are young family members investing in Nobles County which is good to see.

District V-Commissioner Linssen reported on the A.C.E. (Advocate, Connect, Educate) of Southwest Minnesota meeting.

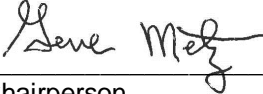
County Administrator-Tom Johnson proposed the Commissioners hold a work session to discuss the Armory Master Plan.

The consensus of the board was to hold a work session on Thursday, April 14th at 8:30 a.m. in the Executive Conference Room of the Government Center regarding the Armory and related issues.


The %Commissioners at your Café+date was changed to Friday, April 15th at 9:00 a.m. at the Leota Café, 11768 110th Street, Leota, MN 56153.

On a motion by Robert Demuth Jr. and seconded by Donald Linssen, it was duly passed to adjourn the meeting at 11:12 a.m.

Attest:



Chairperson



County Administrator