

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF NOBLES COUNTY, MINNESOTA

The County Board of Nobles County met in regular session this 18th day of October, 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.

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

- 5.1 October 4, 2016 Regular Meeting Minutes
- 5.2 October 4, 2016 County Ditch No. 11 Public Hearing Minutes
- 5.3 Meetings & Conferences - Travel Expenses
- 5.4 Auditor's and Commissioner's Warrants

Scott Rall, Pheasants Forever, presented the Board with information and recommendations in the area of participating in a pollinator program at the Prairie Justice Center site.

Mr. Rall advised because this site is in the city limits the County would need to check on permitting to light grass fires within the city limits as well as to have beehives in the city limits. If those 2 issues are addressed, the project can move ahead. Mr. Rall reviewed the timeline for burning, spraying, seeding and mowing for a successful project.

Commissioner Linssen expressed the importance of notifying the City early of the intention as well as the Joint Law Enforcement Committee for the Prairie Justice Center. Commissioner Zylstra supported notifying the Joint LEC Committee.

Robert Demuth Jr. made a motion to endorse the concept of the pollinator program at the PJC site with the possibility of funding it to \$3,000.00. The motion died for lack of a second.

A motion was made by Marvin Zylstra and seconded by Robert Demuth Jr. to refer the pollinator program at the PJC site to the Joint Law Enforcement Committee for the Prairie Justice Center; and further, the Joint LEC Committee make a recommendation as to how to proceed designating a dollar amount for the project.

Commissioner Widboom questioned if it would substantially delay the project to wait for a recommendation from the Joint LEC Committee.

Mr. Rall advised that if no funds are allocated in 2016, the funding would need to be addressed by February or March of 2017. The perimeters could be mowed yet this fall, the burn has to be done in spring 2017 and sprayed right after.

Commissioner Zylstra withdrew his motion to refer the pollinator program at the PJC site to the Law Enforcement Committee for the Prairie Justice Center as no vote had yet been taken. Commissioner Zylstra advised he felt it was best for this to be handled through the budget process for 2017.

On a motion by Matt Widboom and seconded by Donald Linssen, it was duly passed to support the pollinator program at the PJC site with the 2017 appropriation amount proposed by the Budget Committee; and further, contingent upon the Joint LEC Committee and all affected entities are noticed of this project.

Stephen Schnieder, Public Works Director/County Engineer, presented the Board with information and recommendations in the area of final payment for Contract 16002, a bituminous surfacing of County State Aid Highway 13.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to adopt the following resolution number 201650 accepting the completed bituminous project and authorizing final payment:

Whereas; Contract No. 16002 has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and in behalf of the Nobles County Public Works and authorize final payment in the amount of \$74,704.39.

Stephani Diekmann, Fiscal Supervisor, Tammy Crowell, Administrative Services Supervisor, and Terri Janssen, CHS Administrator/Public Health Director, presented the Board with information and recommendations in the area of a Purchased Services Agreement with SWHHS, a Clinical Education Agreement with Dordt College and an Interpreter Agreement.

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 Purchased Services Agreement between Nobles County and Southwest Health and Human Services for the provision of Nobles County providing staff to prepare legal documents regarding paternity, establishment and modifications-related SWHHS child support documents through February 28, 2017. 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 Matt Widboom, it was duly passed to authorize the County Board Chair and County Administrator to sign, on behalf of Nobles County, a Clinical Education Agreement between Nobles County Community Services and Dordt College for the provision of providing clinical experience to students enrolled in the Upper Division Baccalaureate of Science in Nursing (BSN) for Registered Nurses program of the College for the period August 1, 2016 through July 31, 2017. A copy of the Agreement was before the Board and is made a part of this resolution by reference.

Chairperson Metz asked Ms. Janssen where most Dordt College graduates studying the BSN program end up. Ms. Janssen did not have that information readily available but stated she could provide it at a later date. The Commissioners requested that she forward that information when it is available.

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 Purchased Services Agreement between Nobles County, by its Nobles County Community Services Agency, and Thoo Thoo for the provision of interpreter services commencing November 1, 2016 and terminating on December 31, 2017. A copy of the Agreement was before the Board and is made a part of this resolution by reference.

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

Mr. Johnson advised the Board of a construction change order for the 9th Street Entrance Repair project in the amount of \$6,648.09 for the provision of removing concrete retaining wall, installing new block retaining wall in place of concrete and removal and replacement of existing east curved retaining wall and removal and replacement of west block retaining wall.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to approve Construction Change Order No. 1 for the 9th Street Entrance Repair Project in the amount of \$6,648.09. A copy of the Construction Change Order was before the Board and is made a part of this resolution by reference.

Steve Doom, Doom & Cuyppers Construction, Inc., and Cory Bomgaars, BTU Heating & Cooling, Inc., addressed the Board with information on specifications for controls for the snow melt system that were omitted from the bid.

Mr. Doom advised that he received 2 other bids for subcontracting the installation of the snow melt system, which were both considerably higher than BTU. Mr. Doom explained that it is not uncommon to see large differences between bids. The omission was found when the Controls Technicians contacted BTU. Mr. Doom advised that with the actual cost of the controls, with no mark up at \$12,725.00, BTU's bid is still substantially lower than the other 2 bids he received for the subcontracting work.

Mr. Johnson addressed the Board with a couple of considerations. Would the Board still have approved the ice melt system received as an alternate from the base bid? Will this Board action change future bids and set precedence?

Commissioners Linssen advised that the cost of the controls was not as concerning as the possibility of future omissions from bids becoming an issue.

Kathleen Kusz, County Attorney, advised that the integrity of the bidding process is at stake. Going forward, you may not be aware of errors or of bidders intentionally skewing the bid.

A motion was made by Robert Demuth Jr. and seconded by Marvin Zylstra to approve the bid omission funding of \$12,725.00. The motion failed.

In Favor: Robert Demuth Jr., Marvin Zylstra

Opposed: Gene Metz, Matt Widboom, Donald Linssen

A motion was made by Matt Widboom to spend \$6,000 for the oversight of the control system. The motion died for lack of a second.

No action was taken on the Bid Omission Funding Request; therefore, the request was not approved.

Mr. Johnson advised the Board of the Budget Committee's recommendation to make a one-time payment to Project Morning Star in the amount of \$7,500 using 2016 contingency funds to complete updates needed.

Commissioner Widboom questioned why the Budget Committee recommended a one-time payment rather than paying as an appropriation. Budget Committee members Gene Metz and Donald Linssen advised that Project Morning Star requested the funding for 2016 so that they could complete the updates needed to be in compliance with the MN Department of Health so that they can get licensed and be eligible to receive grant funding. Appropriation requests are growing and paid annually. Commissioner Linssen advised that Project Morning Star is an asset to Nobles County and saving tax payer's dollars.

Kathleen Kusz, County Attorney, advised that there is a need that can't be met in city limits and that being outside the city limits removes the temptation.

Commissioner Zylstra questioned if there was any concern that Project Morning Star is faith based and receiving funding through tax dollars. United Way also funds similar projects.

Commissioner Widboom advised he would rather see the Project Morning Star funding request included as an appropriation if the Board supports the concept. Commissioner Widboom advised he is not sure if he will be able to support a one-time contingency fund payment.

Commissioner Demuth advised he understands and supports the intent of a one-time contingency fund payment. At a Board Work Session, the consensus of the Board was to request the Budget Committee to make a recommendation to proceed with the funding request and now the recommendation is before the Board.

On a motion by Robert Demuth Jr. and seconded by Donald Linssen, it was duly passed to authorize a one-time payment in the amount of \$7,500 to Project Morning Star using 2016 contingency funds as recommended by the Budget Committee.

In Favor: Robert Demuth Jr., Donald Linssen, Gene Metz

Opposed: Marvin Zylstra, Matt Widboom

Mr. Johnson advised the Board of the Budget Committee's recommendation to make a one-time payment to Senior Concerns in the amount of \$1,000 using 2016 contingency funds to aid in the Committee obtaining their 501c3 non-profit designation and with future programs.

On a motion by Matt Widboom and seconded by Robert Demuth Jr., it was duly passed to approve a one-time payment in the amount of \$1,000 to Senior Concerns using 2016 contingency funds as recommended by the Budget Committee.

On a motion by Marvin Zylstra 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:

Zoning Board of Appeals
(3 year unexpired term expiring December 31, 2018)
 Larry Janssen, Worthington

Mr. Johnson advised the Commissioners that information was placed in the agenda for their review to consider appointing a Commissioner to the 60/90 Corridor in the future.

Beth Van Hove, Auditor-Treasurer, presented the Board with information in the area of 2017 Ditch Maintenance Assessments.

On a motion by Robert Demuth Jr. and seconded by Gene Metz, it was duly passed to approve and order spread the following ditch maintenance assessments collectible in the year 2017 as presented.

DITCH	DITCH BENEFIT	% OF BENEFIT TO COLLECT	COLLECTIBLE FROM	% OF TOTAL	AMOUNT	DITCH BALANCE AS OF 6/30/16	TOTAL TO BE COLLECTED
County Ditch #1	\$10,300.20	50%	Indian Lake Township	100.00%	\$5,150.10	\$9,909.21	\$5,150.10
County Ditch #2	\$8,252.40	50%	Bigelow Township	16.72%	\$689.90	(\$14,179.66)	\$4,126.20
			Ransom Township	83.28%	\$3,436.30		
County Ditch #4	\$7,676.83	50%	Dewald Township	46.23%	\$1,774.50	\$10,156.90	\$3,838.42
			Worthington Township	53.77%	\$2,063.92		
County Ditch #5	\$5,358.40	50%	Dewald Township	2.00%	\$53.58		
			Summit Lake Township	98.00%	\$2,625.62	(\$25,325.13)	\$2,679.20
County Ditch #6	\$5,494.09	50%	Lorain Township	58.00%	\$1,593.29		
			Worthington Township	10.00%	\$274.70		
			Worthington City	32.00%	\$879.05	\$12,224.26	\$2,747.05
County Ditch #9	\$4,305.00	50%	Indian Lake Township	100.00%	\$2,152.50	\$5,765.99	\$2,152.50
County Ditch #10	\$51,363.50	25%	Indian Lake Township	98.07%	\$12,593.05	\$21,394.54	\$12,840.88
			Round Lake City	1.93%	\$247.83		
County Ditch #11	\$6,019.20	50%	Summit Lake Township	100.00%	\$3,009.60	(\$2,289.75)	\$3,009.60
County Ditch #12	\$27,809.20	50%	Lorain Township	2.06%	\$286.43	\$6,545.29	\$13,904.60
			Worthington Township	1.12%	\$155.73		
			Worthington City	96.82%	\$13,462.43		
County Ditch #14	\$9,604.00	25%	Lorain Township	14.57%	\$349.83	\$5,969.82	\$2,401.00
			Hersey Township	85.43%	\$2,051.17		
County Ditch #25	\$14,919.60	25%	Indian Lake Township	100.00%	\$3,729.90	\$14,010.61	\$3,729.90
County Ditch #30	\$32,562.57	25%	Dewald Township	68.18%	\$5,550.29	\$11,044.82	\$8,140.64
			Summit Lake Township	31.82%	\$2,590.35		
Judicial Ditch #1	\$20,865.00	25%	Lorain Township	100.00%	\$5,216.25	\$14,194.68	\$5,216.25
Judicial Ditch #2	\$7,098.75	25%	Graham Lakes Township	15.78%	\$280.05	\$7,170.42	\$1,774.69
			Seward Township	84.22%	\$1,494.64		
Judicial Ditch #3	\$16,044.60	25%	Hersey Township	100.00%	\$4,011.15	\$4,791.99	\$4,011.15
Judicial Ditch #4 (J&N)	\$24,697.60	50%	Hersey Township	51.00%	\$6,297.89	\$31,485.07	\$12,348.80
			Brewster City	49.00%	\$6,050.91		
Judicial Ditch #5	\$11,344.80	25%	Lorain Township	94.00%	\$2,666.03	\$19,294.62	\$2,836.20
			Hersey Township	6.00%	\$170.17		
Judicial Ditch #6	\$10,355.52	25%	Lorain Township	100.00%	\$2,588.88	\$7,498.32	\$2,588.88
Judicial Ditch #7 (M & N)	\$149.00	50%	Wilmington Township	100.00%	\$74.50	\$551.12	\$74.50

Judicial Ditch #8	\$244,790.80	25%	Elk Township	70.58%	\$43,193.34	\$33,093.59	\$61,197.70
			Lorain Township	0.73%	\$446.74		
			Summit Lake Township	0.99%	\$605.86		
			Worthington Township	25.92%	\$15,862.44		
			Worthington City	1.78%	\$1,089.32		
Judicial Ditch #9 (N&J)	\$108,431.40	50%	Indian Lake Township	91.00%	\$49,336.29	(\$189,198.52)	\$54,215.70
			Lorain Township	9.00%	\$4,879.41		
Judicial Ditch #10	\$16,321.95	25%	Bigelow Township	100.00%	\$4,080.49	\$7,614.32	\$4,080.49
Judicial Ditch #11 (M&N)	\$7,396.00	25%	Graham Lakes Township	100.00%	\$1,849.00	\$7,641.09	\$1,849.00
Judicial Ditch #11B	\$336,315.83	25%	Bloom Township	0.26%	\$218.61		
			Larkin Township	5.38%	\$4,523.45		
			Summit Lake Township	88.10%	\$74,073.56		
			Wilmont Township	4.03%	\$3,388.38		
			Wilmont City	2.23%	\$1,874.96	\$103,206.93	\$84,078.96
Judicial Ditch #12 (M&N)	\$133,390.00	25%	Bloom Township	78.00%	\$26,011.05	\$23,799.67	\$33,347.50
			Seward Township	22.00%	\$7,336.45		
Judicial Ditch #12B	\$6,174.00	50%	Worthington Township	87.03%	\$2,686.62	\$13,811.71	\$3,087.00
			Worthington City	12.97%	\$400.38		
Judicial Ditch #13 (N&J)	\$43,377.10	50%	Indian Lake Township	2.62%	\$568.24	\$22,240.34	\$21,688.55
			Lorain Township	97.38%	\$21,120.31		
Judicial Ditch #16	\$69,776.85	25%	Bigelow Township	0.90%	\$157.00	\$9,148.95	\$17,444.21
			Indian Lake Township	99.10%	\$17,287.21		
Judicial Ditch #17 (J&N&M)	\$54,574.45	25%	Dundee City	2.00%	\$272.87		
			Kinbrae City	13.00%	\$1,773.67		
			Graham Lakes Township	85.00%	\$11,597.07	\$41,745.72	\$13,643.61
Judicial Ditch #20 (M&N)	\$1,580.80	25%	Seward Township	100.00%	\$395.20	\$1,711.74	\$395.20
Judicial Ditch #24 (N&J)	\$108.50	50%	Indian Lake Township	100.00%	\$54.25	\$136.87	\$54.25
Judicial Ditch #26 (M&N)	\$38,345.06	25%	Graham Lakes Township	100.00%	\$9,586.27	\$45,945.94	\$9,586.27
Judicial Ditch #45 (J&N)	\$8,150.00	50%	Graham Lakes Township	100.00%	\$4,075.00	\$772.45	\$4,075.00
Judicial Ditch #76 (J&N)	\$104,193.94	25%	Hersey Township	97.57%	\$25,415.51		
			Brewster City	2.43%	\$632.98	\$26,766.33	\$26,048.49
Consolidated	\$43,528.47	25%	Bigelow Township	23.45%	\$2,551.86		
Judicial Ditch #1			Dewald Township	13.05%	\$1,420.12		
			Ransom Township	60.24%	\$6,555.39		
			Worthington Township	3.26%	\$354.76	\$44,300.74	\$10,882.12
Bigelow Branch Channel #1	\$12,268.28	50%	Bigelow Township	100.00%	\$6,134.14	\$19,580.27	\$6,134.14
TOTAL COLLECTIBLE							\$445,378.72

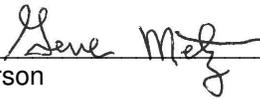
N - Nobles, M - Murray, J - Jackson

Ms. Van Hove presented the Board with an overview of the Auditor-Treasurer's office and how Elections affect their everyday work. Ms. Van Hove expressed she was grateful for the temporary help. To date, the Auditor-Treasurer's office received 652 absentee ballots. In 2014, the office received 604 absentee ballots. The last Presidential election had 9,600 voters. She received a stack of 60 new registrants from JBS from a voter registration event that was held and is aware that a similar voter registration event is being facilitated. Ms. Van Hove advised that she would like to take the Commissioners down to the Farmers Room for a tour of the Election set up and to explain the process.

Commissioner Metz advised of the future events listed at the end of the agenda, including the 10:30 a.m. Judicial Ditch No. 12 meeting between Nobles and Murray Counties.

On a motion by Matt Widboom and seconded by Marvin Zylstra, it was duly passed to adjourn the meeting at 10:11 a.m.

Attest:



Chairperson



County Administrator