

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

BOARD OF COMMISSIONERS of Nobles County met in regular session on Tuesday, May 23, 2017, 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 Linssen at 9:00 AM followed by the Pledge of Allegiance.

1. Call to Order	
2. Pledge of Allegiance	
3. Approval of Agenda	
<u>VOTING</u> It was duly passed to approve the agenda as presented. Moved by: Ahlers, Justin Seconded by: Widboom, Matt	
4. Recognition	
4.1	Visitors & Guests Welcome
4.2	Award: Recognition for Years of Service
	Kent Wilkening, Sheriff, was recognized for 30 years of service.
5. Consent Agenda	
5.1	May 2, 2017 Regular Meeting Minutes <u>Attachments:</u> May 2, 2017 Draft Regular Meeting Minutes
5.2	Jt Powers Agreement - DOC Work Release Contract Renewal - Resolution 201737 <u>Attachments:</u> Jt Powers Agreement Resolution 201737
5.3	Local Collaborative Time Study Agreement with MN DHS <u>Attachments:</u> Local Collaborative Time Study Agreement
5.4	2017 United Community Action Partnership Transportation Agreement <u>Attachments:</u> 2017 United Community Action Partnership Transportation Agreement
5.5	Public Health Emergency Preparedness Grant Agreement 2017-2022 <u>Attachments:</u> PHEP Grant Agreement
5.6	Statewide Health Improvement Program Health Educator Agreement <u>Attachments:</u> SHIP Health Educator Agreement between DVHHS and NCCS

5.7	Meetings & Conferences - Travel Expenses Attachments: Nobles County Travel Expenses paid May 12, 2017
5.8	Auditor's and Commissioner's Warrants Attachments: Accounts Payable Summary Auditor's Warrants Commissioner's Warrants – General Revenue Commissioner's Warrants – Public Works Commissioner's Warrants – Family Service Fund
6. Department Presentations	
6.1	Minnesota Counties Intergovernmental Trust - Jane Hennagir
A.	2017 MCIT Member Report
	Jane Hennagir, Minnesota Counties Intergovernmental Trust, presented the Board with the 2017 Member Report for Nobles County.
6.2	Public Works - Stephen Schnieder
A.	Environmental Services
1.	Okabena-Ocheda Watershed, Worthington MN CUP 07-2017
	Dan Livdahl, Okabena-Ocheda Watershed, was present to answer questions of the Board.
<u>VOTING</u> It was duly passed to approve Conditional Use Permit 07-2017 to Okabena-Ocheda Watershed, Worthington, MN applicant, City of Worthington, for enlarging ponds and installing sand filters with the following conditions: 1.) The applicant will be responsible for maintenance of the outlets and they must be kept in working order. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
2.	Lismore Telephone, Lismore MN CUP 12-2017
<u>VOTING</u> It was duly passed to approve Conditional Use Permit 12-2017 to Lismore Telephone, Lismore MN, applicant, Warren Wass landowner, for construction of a 10' x 16' utility hut. Moved by: Ahlers, Justin Seconded by: Widboom, Matt Abstained: Metz, Gene Commissioner Metz abstained as he is on the Board for Lismore Telephone Company.	
3.	Lismore Telephone, Lismore MN CUP 13-2017
<u>VOTING</u> It was duly passed to approve Conditional Use Permit 13-2017 to Lismore Telephone, Lismore MN, applicant, Nobles Cooperative Electric landowner, for construction of a 10' x 16' utility hut. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S. Abstained: Metz, Gene Commissioner Metz abstained as he is on the Board for Lismore Telephone Company.	

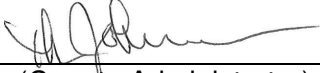
4.	Lismore Telephone, Lismore MN CUP 14-2017
<p><u>VOTING</u> It was duly passed to approve Conditional Use Permit 14-2017 to Lismore Telephone, Lismore MN, applicant, Arthur Frame landowner, for the construction of a 10' X 16' utility hut. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin Abstained: Metz, Gene Commissioner Metz abstained as he is on the Board for Lismore Telephone Company.</p>	
B.	Highway
1.	MNDOT Master Partnership Agreement - Resolution 201736
	<p><u>Attachments:</u> State of MN and Nobles County Master Partnership Contract Master Partnership Contract Exhibit A Resolution 201736</p>
<p><u>VOTING</u> It was duly passed to adopt Resolution 201736 authorizing the County Board Chair and Deputy County Administrator to execute Master Partnership Contract #1028030 between the State of Minnesota and Nobles County, and any amendments thereto. Moved by: Metz, Gene Seconded by: Widboom, Matt</p>	
6.3	Auditor/Treasurer - Beth Van Hove
A.	Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License - Lao Buddhist Temple
	<p><u>Attachments:</u> Application and Permit Sheriff Approval of Application and Permit</p>
<p><u>VOTING</u> It was duly passed to approve the applications from the Lao Buddhist Temple for temporary on-sale liquor licenses for three one day special events on June 3, July 8, and August 12, 2017 to be held on their property located at 24268 Oliver Avenue, in Worthington Township. Moved by: Demuth, Robert S. Seconded by: Widboom, Matt</p>	
6.4	Drainage System - Beth Van Hove, Brad Harberts
A.	Approving Waiver of Conflict of Interest - Resolution 201733
	<p>Jeffrey L. Flynn, Flynn & Riordan PLLC, was present representing a number of property owners in Summit Lake Township opposed to the CD 11 improvement. Mr. Flynn expressed his concern that the conflict is between his clients and Kurt Deter's representation of the Nobles County Board. He stated the fact that Rinke Noonan is Council on drainage issues, although an unrelated case, it would be an unfair hearing and his clients want a fair case. Bruce Sellers, Wendland Sellers Law Office, P.A., was present representing Nobles County. Mr. Sellers stated he does not believe there was a conflict and that there is no question in his mind who Rinke Noonan represents in the CD 11 petition. He stated the most important part in this matter is the Engineer, who is impartial, and the Engineer's report is the only thing the Board will consider under Statute. Mr. Sellers provided the Board with the following options: 1) Table the Waiver of Conflict of</p>

	<p>Interest; 2) Turn the petition for CD 11 back to the Kanaranzi-Little Rock Watershed District; or 3) Approve the Waiver of Conflict of Interest and resolution.</p> <p><u>Attachments:</u> Rinke Noonan Letter Resolution 201733</p>
<p><u>VOTING</u> It was duly passed to adopt Resolution 201733 approving the Conflict Waiver from Rinke Noonan on Nobles County Public Drainage and CD 11 Improvement. Moved by: Metz, Gene Seconded by: Demuth, Robert S.</p>	
6.5	Community Services - Stacie Golombiecki
A.	Worthington Regional Healthcare Foundation - Mini Grant Award
	<p>Cecilia Bofah and Casey Borgen, Nobles County Community Services; Leticia Rodriguez, University of Minnesota Extension; and Jeff Rotert, Worthington Regional Health Care Foundation; presented the Board with information on a mini-grant that will be used to support the University of Extension's "I Can Prevent Diabetes" (ICPD) Program.</p> <p><u>Attachments:</u> Worthington Regional Health Care Foundation Award Letter</p>
<p><u>VOTING</u> It was duly passed to approve acceptance of the \$1,000 mini-grant form the Worthington Regional Health Care Foundation. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin</p>	
8. Administration Presentation – Sue Luing	
7.1	Court Security - RFP Authorization
	<p>Kent Wilkening, Sheriff, advised this is the same plan as 2 years ago and we should receive word by the end of June if any funds will be received from the 2017 Safe and Secure Courthouse Initiative Grant.</p> <p><u>Attachments:</u> RFP for Court Security booth</p>
<p><u>VOTING</u> It was duly passed to authorize the posting of the RFP for the proposed security booth on the courts side of the PJC as drafted. Moved by: Widboom, Matt Seconded by: Metz, Gene</p>	
7.2	Professional Services Agreement - PJC Noise Issues
	<p>Kathleen Kusz, County Attorney, advised the Board of noise issues with rooms that should be sound proof but are not on the Court's side. Commissioner Ahlers stated he was not in favor of paying an upfront retainer of \$5,000 and a not to exceed cost of \$10,000 when there may be things that can be done in-house with insulation and acoustic tile. Commissioner Linssen stated this is a very sensitive area and there have been attempts in the past to reconcile the noise issue. Sheriff Wilkening stated this issue has been worked on since moving into the building. A study was brought in</p>

	<p>earlier from the Architect that did the building or a firm he brought in and nothing had been acted on. Other acoustical issues have been taken care of in-house. The Board directed the Sheriff and Administration to work together to see if there is any documentation to a prior study. Commissioner Ahlers reiterated that it should be explored if anything can be done in-house with acoustic tile.</p> <p><u>Attachments:</u> Professional Services Agreement Kehl Associates LLC</p>
	<p><u>VOTING</u> It was duly passed to table action on the Professional Service Agreement for PJC noise issues until the June 6th Board meeting. Moved by: Widboom, Matt Seconded by: Ahlers, Justin</p>
7.3	Buffalo Ridge Regional Rail Authority Tie Clean-up Funds
	<p><u>VOTING</u> It was duly passed to approve transferring the full \$150,000.00 to the BRRRA Fund in Rock County from the Nobles County Environmental Fund. Moved by: Metz, Gene Seconded by: Widboom, Matt</p>
7.4	Tenth Street Landscape/ADA Improvements - RFP Authorization
	<p><u>Attachments:</u> Notice to Bidders</p>
	<p><u>VOTING</u> It was duly passed to authorize the posting of the RFP for the proposed landscape and ADA project along Tenth Street as drafted. Moved by: Demuth, Robert S. Seconded by: Linssen, Donald</p>
7.5	2017 Boards, Committees & Commissions - Citizen Appointments
A.	Extension Committee Appointment: Brad Meester, 3 year unexpired term expiring December 31, 2019
	<p><u>Attachments:</u> 2017 Boards & Committee Appointments Meester Application</p>
	<p><u>VOTING</u> It was duly passed to appoint Brad Meester to a 3 year unexpired term expiring December 31, 2019 on the Extension Committee as recommended. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p>
B.	Library Board Appointment: Marlene Greve, 3 year term expiring June 30, 2020
	<p><u>Attachments:</u> Greve Application</p>
	<p><u>VOTING</u> It was duly passed to appoint Marlene Greve to a 3 year term expiring June 30, 2020 on the Library Board as recommended. Moved by: Metz, Gene Seconded by: Linssen, Donald</p>

7.6	Lincoln Pipestone Rural Water System Board of Commissioners - Resolution 201738
	Attachments: Resolution 201738 Biographies for Lonneman, Spronk and Weber
VOTING It was duly passed to adopt Resolution 201738 reappointing Jerry Lonneman, Rodney Spronk and Joe Weber to four year terms on the LPRW Board of Commissioners as recommended. Moved by: Widboom, Matt Seconded by: Metz, Gene	
9. Inter-Agency Reports / Announcements	
8.1	Committee and Board Reports
	District I-Commissioner Ahlers reported on the Rock-Nobles Community Corrections Board and audit meeting. District II-Commissioner Metz reported on Rural Minnesota Energy Board, Kanaranzi-Little Rock Watershed Board, Buffalo Ridge Regional Rail Authority, Library Board and Plum Creek meetings. District III-Commissioner Widboom reported on the City, County, College, School meeting. District IV-Commissioner Demuth reported on the Okabena-Ocheda Watershed meeting. District V-Commissioner Linssen reported on the Nobles Economic Opportunity Network (N.E.O.N) and County Investment Committee meetings. Management Team-Kathleen Kusz had no report. Deputy County Administrator-Sue Luing had no report.
8.2	Correspondence
	Attachments: Recruitment Memo Art Council Newsletter Art Center Appropriation Payment HLWD District Administrator's Report HLWD Special Agendas Worthington Regional Health Care Foundation Thank You Prairie Ecology Bus Newsletter
8.3	Calendars
9. Other / Future Business	
10. Adjournment	


(Chairperson)


(County Administrator)