

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

BOARD OF COMMISSIONERS of Nobles County met in regular session on Tuesday, February 20, 2018, 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 Demuth at 9:00 AM followed by the Pledge of Allegiance.

<b>1. Call to Order</b>	
<b>2. Pledge of Allegiance</b>	
<b>3. Approval of Agenda</b>	
<b><u>VOTING</u></b> It was duly passed to approve the agenda as presented. Moved by: Widboom, Matt Seconded by: Linssen, Donald	
<b>4. Recognition</b>	
<b>4.1</b>	<b>Visitors &amp; Guests Welcome</b>
<b>5. Consent Agenda</b>	
<b>5.1</b>	<b>February 6, 2018 Regular Meeting Minutes</b> <b><u>Attachments:</u></b> February 6, 2018 Draft Regular Meeting Minutes
<b>5.2</b>	<b>Greater MN Family Services Family Based Service Contract Renewal</b> <b><u>Attachments:</u></b> Purchase of Service Agreement for Greater MN Family Services
<b>5.3</b>	<b>2018 United Community Action Partnership Transportation Agreement</b> <b><u>Attachments:</u></b> Transportation Service Agreement
<b>5.4</b>	<b>2018 Southwest MN Regional MN Family Investment Program/Diversionsary Work Program - Purchase of Service Contract Renewal</b> <b><u>Attachments:</u></b> Purchase of Service Contract 2018
<b>5.5</b>	<b>Meetings &amp; Conferences - Travel Expenses</b> <b><u>Attachments:</u></b> Travel Expenses paid February 16, 2018
<b>5.6</b>	<b>Auditor's and Commissioner's Warrants</b> <b><u>Attachments:</u></b> Accounts Payable Summary Auditor's Warrants Commissioner's Warrants – General Revenue Fund Commissioner's Warrants – Public Works Fund Commissioner's Warrants – Family Services Fund

**VOTING**

It was duly passed to approve the Consent Agenda as presented.

Moved by: Metz, Gene

Seconded by: Ahlers, Justin

**6. Department Presentations**

**6.1 Environmental Services – Mark Koster**

**A. Solid Waste and Recycling Hauling Permits for 2018**

Stephen Schnieder, Public Works Director/County Engineer, presented the Board with information and recommendations in the area of the solid waste and recycling/hauling permits for 2018.

**VOTING**

It was duly passed to approve the hauling permits for 2018 as presented and required by the Nobles County Solid Waste Ordinance.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

**7. Administration Presentation - Tom Johnson**

**7.1 RFP for Government Center ADA and Landscape**

Tom Johnson, County Administrator, advised the majority of the site improvements will be on the 10th Street side with a few things around the plaza area and 3rd Avenue side to include new signage, etc.

**Attachments:**

Advertisement for Bids

**VOTING**

It was duly passed to authorize the posting of the RFP and that sealed bids for the site improvements to the Nobles County Government Center, Worthington MN will be received by Nobles County no later than 1:30 p.m. CDT on March 21, 2018.

Moved by: Linssen, Donald

Seconded by: Metz, Gene

**7.2 RFP for Government Center Air Handler Unit #4**

Tom Johnson, County Administrator, advised that Air Handler Unit #4 was considered for replacement more than 6 years ago but was removed from the list. This project is highly recommended now. Engineering Design Initiative (EDI) has been hired to complete the new design and lead times for several of the components are quite long so the installation will not happen until Fall 2018. The project will take 1 - 1 1/2 weeks.

**Attachments:**

Advertisement for Bids

Replacement Schedule

**VOTING**

It was duly passed to authorize the posting of the RFP and that sealed bids for the Nobles County Government Center Air Handling Unit #4 Replacement, Worthington, MN, will be received by Nobles County no later than 2:00 PM CDT on March 27, 2018.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

<b>7.3</b>	<b>Public Works Boiler Replacement</b>
	<p>Tom Johnson, County Administrator, advised that with the Public Works partial reroof and chimney removal project, the boiler for that portion of the building should be replaced. Project managers from Southwest Minnesota Housing Partnership have solicited bids for this with the low bid coming it at \$20,345 versus \$43,900. The Commissioners questioned if anything is missing from the low bid resulting in such a difference between them. Mr. Johnson advised that Shawn Larsen from SWMHP has reviewed the bids carefully and stated there is nothing missing and that it is in line with the project estimate.</p> <p><b><u>Attachments:</u></b>  Busse Bid  Gag Sheet Metal Bid  Gag Sheet Metal Engineering Specs</p>
<p><b><u>VOTING</u></b>  It was duly passed to approve Busse Plumbing &amp; Heating to replace the smaller Public Works boiler as quoted for \$20,345.00.  Moved by: Widboom, Matt  Seconded by: Linssen, Donald</p>	
<b>7.4</b>	<b>Construction Change Order 05 - Foundation Water Intrusion</b>
	<p>Tom Johnson, County Administrator, advised the final details of the Government Center Foundation Repairs project changes have been agreed to by the Architect, Falls Architecture Studio, LLC., and the contractor, Ideal Landscaping and Design, to complete the final change order for a net increase of \$4,866.00. This brings the total project up to \$580,000 which is still way under budget. The County is holding approximately \$60,000 to make sure the grass comes up in the spring, the sprinklers are operational, etc. Commissioner Ahlers asked what the end result was in the negotiation of price for the use of gravel vs. pea rock. Mr. Johnson advised there was no cost relief given.</p> <p><b><u>Attachments:</u></b>  Change Order 5 – Ideal Landscape and Design</p>
<p><b><u>VOTING</u></b>  It was duly passed to approve Change Order No. 05 for the Government Center Foundation Repairs project as presented for a net increase of \$4,866.00.  Moved by: Linssen, Donald  Seconded by: Demuth, Robert S.</p>	
<b>7.5</b>	<b>Application and Certification for Payment No. 6 - Gag Sheet Metal Inc.</b>
	<p><b><u>Attachments:</u></b>  Application for Payment – Gag Sheet Metal</p>
<p><b><u>VOTING</u></b>  It was duly passed to approve Payment Application No. 6 for the payment of \$57,380.42 to Gag Sheet Metal Inc. in connection with the 2017 Re-Roofing Prairie Justice Center project as certified by INSPEC's Architect.  Moved by: Widboom, Matt  Seconded by: Ahlers, Justin</p>	
<b>7.6</b>	<b>Worthington Cemetery Appropriation</b>
	<p>Tom Ahlberg, Worthington Cemetery Association, presented the Board with information on the financial status of the Worthington Cemetery Association. The Worthington</p>

	<p>Cemetery Association has seen a decrease in revenues over the last several years and the Association has been in contact with both the City and the County Administrators, as well as several Board and Council members to try and find a solution. Mr. Ahlberg advised the Association has taken money out of their own pockets to pay bills this month and repairs or updates to equipment have not been made. The Association has requested \$10,000 from the City and \$10,000 from the County. Discussion was held that if the Association chooses to disban, the City and the County would need to have a long discussion on who is required by statute to take the Worthington Cemetery over. Tom Ahlberg reiterated that it is not the intent of the Association to disban. They are thankful to have received donations since a newspaper article was published a few weeks ago. There are more cremations now than burials which contributes to the decrease in revenues.</p> <p>The Board held further discussion on if they authorize payment of the request if it is necessary to make it contingent upon whether or not the City also contributes. Kathleen Kusz, County Attorney, advised that the contingency is appropriate; otherwise, it could later be interpreted as admission of authority. Mr. Ahlberg suggested that the 9 lots previously purchased by the County for County Burials could be sold by the Association for an infusion of cash and the County would not be taking on any new liability if the City were to not authorize.</p>
<p><b><u>VOTING</u></b></p>	<p>It was duly passed to appropriate \$5,000.00 to the Worthington Cemetery Association contingent upon the City of Worthington committing a matching amount immediately; and further, to authorize the Nobles County Board Chair and Administrator to appropriate another \$5,000, again contingent up on the City of Worthington committing a matching amount, at the request of the Worthington Cemetery Association.</p> <p>Moved by: Ahlers, Justin  Seconded by: Linssen, Donald</p>
<p><b>8.0</b></p>	<p><b>Drainage Authority: Findings and Final Order for County Ditch #11</b></p>
	<p><b><u>Attachments:</u></b>  Findings and Final Order for County Ditch #11 approved February 6, 2018  Amended Findings and Final Order for County Ditch #11</p>
<p><b>A.</b></p>	<p><b>Motion to recess regular County Board meeting/Convene as Ditch Authority</b></p>
	<p><b><u>VOTING</u></b></p> <p>It was duly passed to recess the regular County Board meeting and convene as the Nobles County Ditch Authority.</p> <p>Moved by: Ahlers, Justin  Seconded by: Metz, Gene</p>
	<p>Bruce Sellers, Council to the Nobles County Board of Commissioners acting as the Ditch Authority for County Ditch #11, advised he had reviewed the 3 hours of audio from the public meetings held. Mr. Sellers reviewed the timeline of events from the receipt of the petition. At the December 7th, 2017 continuation of the Final Hearing from November 7th, 2017, there was a 3-2 vote on the dismissal of the petition. At the February 6th Board meeting, there was a 3-2 vote again to accept the Findings and Order refusing to establish the project and dismissing the petition for improvements. Mr. Sellers advised the Board they are no longer discussing the dismissal or relitigacy. The approval should be based on if the findings are accurate from the November 7th and December 7th hearings and he advised to please vote accordingly. Mr. Sellers advised the February 6th Findings and Final Order must be rescinded due to minor changes in the language ordering the payment of expenses (paragraph B) as by statute. This would dismiss the petition and the petitioners would be liable for the expenses incurred, which the cost should not be substantial. The 30 day window for</p>

	appeal would begin tomorrow. Mr. Sellers advised that he had spoken with Beth Van Hove, Auditor-Treasurer, in regard to the expenses related to the transfer of the petition from the Kanarazi-Little Rock Watershed to the County and that they would not be the petitioner's responsibility as it was not the petitioner's request.
<b>B.</b>	<b>Rescind Findings and Final Order for County Ditch #11</b>
<b><u>VOTING</u></b> It was duly passed to rescind the approval of the Findings and Final Order for County Ditch #11 from the February 6, 2018 meeting. Moved by: Widboom, Matt Seconded by: Ahlers, Justin	
<b>C.</b>	<b>Approval of Amended Findings and Final Order for County Ditch #11</b>
<b><u>VOTING</u></b> It was duly passed to approve the revised Findings and Final Order for County Ditch #11. Moved by: Ahlers, Justin Seconded by: Widboom, Matt	
<b>D.</b>	<b>Motion to adjourn as Ditch Authority/Reconvene regular County Board meeting</b>
<b><u>VOTING</u></b> It was duly passed to adjourn as the Ditch Authority and reconvene the regular County Board meeting. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
<b>9. Inter-Agency Reports / Announcements</b>	
<b><u>Attachments:</u></b> Heron Lake Watershed District Minutes – December 2017 Soil and Water Conservation District Minutes – January 2018 Nobles County Art Center Board Minutes – February 2018 Southwest Regional Development Commission Minutes – February 2018	
<b>9.1</b>	<b>Committee and Board Reports</b>
	District I - Commissioner Ahlers reported on Nobles Economic Opportunity Network (NEON) and Round Lake City Council meetings.  District II - Commissioner Metz reported on Public Utility Commission and State of MN Department of Natural Resources meetings.  District III - Commissioner Widboom reported on Extension committee, Nobles County Fair Association and Southwestern Mental Health Center meetings.  District IV - Commissioner Demuth reported on the Developmental Achievement Center meeting.  District V - Commissioner Linssen reported on Nobles Economic Opportunity Network (NEON), New Fashion Pork and pipeline safety meetings.  Management Team – Attorney Kathleen Kusz provided input on county employee issues in regard to the child care discussion held at NEON, housing and recruitment for seasonal positions in her office.  County Administration - Administrator Johnson reported on the Prairie Justice Center

	Garage Addition project, Minnesota City/County Management Association (MCMA) and a meeting on the collaborative facility project.
<b>9.2</b>	<b>Correspondence</b>
	<b>Attachments:</b> Recruitment Memo SRDC Child Care Resources Corridors of Commerce Nobles County Art Center Board
<b>9.3</b>	<b>Calendars</b>
	<b>Attachments:</b> Commissioners' Calendars for February and March 2018
<b>10. Other / Future Business</b>	
<b>Coffee with Your Commissioners</b> Monday, February 26, 2018 6:00 p.m. Adrian Branch Library, 214 Maine Ave, Adrian MN	
<b>Board of Commissioners Work Session</b> Tuesday, February 27, 2018 8:30 a.m. Board of Commissioners Rm, Government Ctr, 315 Tenth Street, Worthington MN	
<b>AMC Legislative Conference</b> Wednesday, February 28 – Thursday, March 1, 2018 InterContinental Hotel-St. Paul Riverfront, 11 East Kellogg Boulevard, St. Paul MN	
<b>11. Adjournment</b>	
<b><u>VOTING</u></b> It was duly passed to adjourn the meeting at 9:49 a.m. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.	

  
(Chairperson)

  
(County Administrator)