

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

BOARD OF COMMISSIONERS of Nobles County met in regular session on Tuesday, March 06, 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.

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: Linssen, Donald	
4. Recognition	
4.1	Visitors & Guests Welcome
4.2	Recognition for Years of Service
	Chairperson Demuth announced Erin Top, Corrections Agent, is unable to attend to be recognized for 10 years of service and be given her award due to the inclement weather.
5. Consent Agenda	
5.1	February 20, 2018 Regular Meeting Minutes <u>Attachments:</u> February 20, 2018 Draft Regular Meeting Minutes
5.2	Minnesota Viewer's Association Membership Renewal <u>Attachments:</u> MN Viewer's Association Memorandum
5.3	Meetings & Conferences - Travel Expenses <u>Attachments:</u> Travel Expenses paid March 2, 2018
5.4	Auditor's and Commissioner's Warrants <u>Attachments:</u> Accounts Payable Summary Auditor's Warrants Commissioner's Warrants – General Revenue Fund Commissioner's Warrants – Public Works Fund Commissioner's Warrants – Family Services Fund

<u>VOTING</u>	
It was duly passed to approve the Consent Agenda as presented. Moved by: Metz, Gene Seconded by: Widboom, Matt	
4. Recognition	
4.3	Excellence In Performance
	Kristi Liepold, Deputy Sheriff, was acknowledged as the recipient of the Nobles County Excellence in Performance Award.
8. Administration Presentation - Tom Johnson	
8.1	Fairgrounds Road Improvements
	<p>Ron McCarvel, Nobles County Fair Association, Jason Schutz, United Prairie Bank, and Scott Langerud, Worthington Hockey Association, presented the Board with information and a recommendation in the area of the Nobles County Fair Road Project Loan Request. Mr. McCarvel advised the road has deteriorated over the last 5 to 7 years and that the Fair Association is trying to set up a note to pay for concrete and rehabilitation of the road. The Fair Association had constructed the new bathroom facility in 2007 at a cost of more than \$260,000. The construction was completed with the support of partners like the Worthington FFA Chapter, ISD 518, Nobles County Racing Association, Worthington Block and Tile and many individual supporters. A loan of \$75,000 was taken out in April of 2007 with a second loan taken out October 2007 for \$30,025. These two loans were then rolled into one loan in April of 2008 in the amount of \$96,025 of which there is a current balance on the loan of \$42,599. The proposed project will consist of removing the existing asphalt and concrete from building to building along the main entrance loop from Stower Drive to the front gates of Nobles County Pioneer Village, grading and adding granular filler for a better base and installing 5-6" of concrete along this path. Drains will be installed along the Hockey Arena to remove the roof run off of the arena and new lights and electrical services along the street to the affected buildings. Other in-kind contributions, such as design and surveying, have been offered. Criteria will be established for each entity providing in-kind services so that it is all tracked the same.</p> <p><u>Attachments/Handout:</u> Nobles County Fair Road Project Loan Request</p>
<u>VOTING</u>	
It was duly passed to approve the County Board Chair and Administrator to sign paperwork using county bond as collateral for a loan up to \$300,000 for the Fairgrounds road improvements. Moved by: Widboom, Matt Seconded by: Ahlers, Justin	
7.1	Drainage System - Brad Harberts/John Shea, Nobles SWCD
	<p>A. Motion to recess regular County Board meeting/convene as Ditch Authority B. County tile work on JD#11 Sec. 11 Summit Lake Twsp. C. Motion to adjourn as Ditch Authority/reconvene regular County Board meeting</p> <p><u>Attachments:</u> Ron's Appraisal Service – Evaluation and Recommendation</p>
	A. On a motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to recess the regular County Board meeting and convene as the Ditch Authority.

	<p>B. Brad Harberts, Nobles County Drainage Coordinator, and John Shea, Nobles SWCD District Manager, presented the Board with information and a recommendation from Ron Ringquist in consideration on the petition for removal of property from Nobles County Judicial Ditch No. 11-B. The Board discussed the petitioned parcels as well two parcels not specified in the petition but affected by the wetland restoration and questioned if they legally can make a change to those parcels not on the petition. County Attorney, Kathleen Kusz, advised that generally you can't change what the petition says without contacting the petitioners. Commissioner Metz questioned if the reduction to the benefits is approved, can the Board re-evaluate again in 5 to 10 years? Mr. Harberts advised that it could take years of a wet cycle before we would see anything. Mr. Shea advised that the SWCD parcels are holding water for the whole system so he is not sure why they are paying anything as they are not benefitting from the tile.</p> <p>Beth Van Hove, Auditor-Treasurer, approached the Board and advised that there is no rush for their decision as the benefit will not be charged in 2018 anyway.</p> <p>The Board discussed that they would like to review further and that the Soil and Water Conservation District should have the time to review as well before a decision is made. The consensus of the Board was to take no action.</p>
	<p>C. On a motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to adjourn as the Ditch Authority and to reconvene the regular County Board meeting.</p>
8.5	DEED Opportunity Zones Community Development Program - Resolution 201810
	<p>Jason Brisson, City of Worthington Director of Community/Economic Development, and Tom Johnson, County Administrator, presented the Board with information regarding preparing an application for obtaining funds from the MN Opportunity Zone program for redevelopment/housing. A new federal tax bill allows for grants in identified specific census tracts, which Nobles County has 3 identified tracts which are in the city limits north of diagonal and east of the railroad and south of the railroad to the downtown area of Worthington, as well as all 5 townships in the southern portion of the county. Criteria for qualifying was discussed such as income and poverty level. Statewide, the Governor is allowed to include 25% of the eligible census tracts into the program and with that inclusion, projects may be submitted for funding support. Mr. Brisson advised many of the details have not been released but the initial application deadline is fast approaching and that the reason for requesting the Board to authorize that he and the County Administrator prepare the application is that the local decision makers were strongly encouraged to collaborate with their perspective county and that the 3 tracts requested to be designated as opportunity zones need to be prioritized.</p> <p><u>Attachments:</u> 2010 Census Tract Map Map of Census Tracts eligible for consideration of inclusion Resolution 201810</p>
	<p><u>VOTING</u> It was duly passed to adopt Resolution 201810 that the Nobles County Administrator and the City of Worthington Director of Economic Development be authorized to prepare an application for the DEED Opportunity Zones Community Development Program. Moved by: Metz, Gene Seconded by: Linssen, Donald</p>
	6. Public Hearing
6.1	<p>Proposed Property Tax Abatement - New Fashion Pork, LLP A. Open Hearing (Action) B. Proposed Abatement - Discussion</p>

	<p>C. Public Comment D. Close Hearing (Action) E. Decision (Action)</p> <p><u>Attachments/Handout:</u> NFP Tax Abatement Request – Summary of Terms and conditions of Development Agreement Proposed Development and Tax Abatement Agreement NFP Proposed New Feedmill summary</p>
	<p>A. On a motion by Justin Ahlers and seconded by Robert S. Demuth, it was duly passed to open the public hearing to consider the proposed property tax abatement of New Fashion Pork, LLP.</p> <p>B. Vince Baack, New Fashion Pork, LLP., presented the Board with the background of the New Fashion Pork, LLP request for tax abatement to build a new feedmill to replace its Worthington facility. NFP is owned by the Freking family from Sioux Valley with their current feedmill on Oxford Street by Marthaler Ford in Worthington MN. NFP is a large company established in 1994 that raises 1.2 million pigs/year and has just under 400 employees. The main feedmill is in Estherville, IA. NFP had evaluated several sites in Jackson and Nobles counties and have ultimately settled on 2 sites which include the CVC Co-op site in Round Lake and a rural Jackson County site and have reviewed options with both County Administrators to evaluate tax abatement options. NFP prefers the City of Round Lake site given current infrastructure and grain storage capabilities. There are a few environmental issues which are solvable. The total project investment is approximately \$10 million with an approximate taxable investment of \$4.80 million, creating up to 9 full time positions. The feed production is estimated at 150,000 ton/year with annual corn use of up to 2.50 million bushels/year (approximately 12,500 acres of corn). The new feedmill will utilize state-of-the-art feed manufacturing and dust collection equipment. Right now the Worthington feedmill is at a 70,00 ton capacity rate. The new facility would be fashioned to 150,000 ton capacity. The Estherville feedmill is a 250,000 capacity and runs 20 hours a day, 6 days a week. The Round Lake site is also preferred as it would be equally distant from the sites. It could be looked at as a 50 year asset/commitment to the community. NFP is currently working on the purchase agreement with Crystal Valley. Kathleen Kusz, County Attorney, advised there were several items that needed to be defined in the agreement presented.</p> <p>C. Chairman Demuth opened the public comment portion of the meeting. No public comments were received.</p> <p>D. On a motion by Justin Ahlers and seconded by Donald Linssen, it was duly passed to close the public hearing.</p>
	<p><u>VOTING</u> E. It was duly passed to approve the proposed tax abatement to New Fashion Pork, LLP for a period of fifteen (15) years with the annual amount of the tax abatement equal to Sixty Seven percent (67%) of the County’s share of real estate taxes upon the Facility and the Development Property, and the total amount of the tax abatement granted shall not exceed \$149,999.99; and further, contingent upon the language agreement between New Fashion Pork, LLP’s Attorney and Nobles County’s Bond Counsel. Moved by: Ahlers, Justin Seconded by: Widboom, Matt</p>
	<p>8. Administration Presentation - Tom Johnson</p>

8.2	WELCOME, EDUCATION, LIBRARY, LIVABILITY (WELL)
	<p>Mr. Johnson advised the concept of the WELL project (Welcome, Education, Library, Livability) has been widely supported so far, including by Representative Hamilton and Senator Weber and he further advised he had met with the Committee Chairman for capital improvement and state bonding. Most likely, the community would have to come up with a 50% match and the committee likes phased projects. The Board discussed the necessity for the equal support and cooperation of the City of Worthington and Independent School District 518 as the County Administrator has taken the lead. The community's match would be around \$13 million with other additional expenses, so closer to \$17 million. The Board further discussed that if legislators call to schedule a hearing for the requested bonding and if they give the "go ahead", is the County the only entity prepared?</p> <p>The consensus of the Board was to direct the County Administrator to set up a joint meeting of the full boards of the County of Nobles, City of Worthington and Independent School District 518.</p> <p>No action was taken.</p> <p><u>Attachments:</u> WELL Collaborative Story</p>
8.3	Mental Health Bonding - Resolution 201809
	<p>The Association of Minnesota Counties had requested counties to consider a resolution supporting the inclusion of mental health infrastructure in the bonding bill. The Board held discussion of the needs statewide and the 266% increase in costs for mental health in Nobles County.</p> <p><u>Attachments:</u> Resolution 201809 affirming Nobles County's support for mental health bonding</p>
<p><u>VOTING</u></p> <p>It was duly passed to adopt Resolution 201809 as presented affirming Nobles County's support for state capital investments for regional behavioral health crisis program facilities and permanent supportive housing for people with behavioral health needs.</p> <p>Moved by: Linssen, Donald</p> <p>Seconded by: Demuth, Robert S.</p>	
8.4	Public Works Backup Generator
	<p>Mr. Johnson advised that a backup generator for the fuel island at Public Works is included in the Capital Improvement Projects bond. The initial intent was to provide backup power for the fuel island in the event of a significant disaster with an extended power outage so that public safety vehicles could refuel. There are no known fueling systems in the area with this capacity. Capital Improvement Project Managers from Southwest Minnesota Housing Partnership spoke with local electricians for a variety of options. It was recommended to approve a proposal from Fulda Electric, who has a solid history with Nobles County, at a total cost of \$3,995.54 and a bid bond was included for security, which was higher than the other proposal received.</p> <p>As the specifications of the generator proposed were not included, the consensus of the Board was to direct the County Administrator to get the specifications of the generator and to confirm the amount of the bid bond. No action was taken.</p> <p><u>Attachments:</u> Engelkes Electric Estimate Fulda Electric Proposal</p>

8.6	Request for Proposals - Nobles County Government Center Underground Fuel Tank Replacement
	<p>Mr. Johnson advised that a backup fuel tank for the Government Center was included in the Capital Improvement Projects bond. The County has been notified that the backup fuel tank will not pass the bi-annual inspection in 2018. The current tank is approximately 20 years old but with the soils and new codes taking effect, the tank needs to be replaced this spring.</p> <p><u>Attachments:</u> RFP for Underground Fuel Tank Replacement</p>
<p><u>VOTING</u> It was duly passed to approve the Request for Proposals for advertising for replacement of the back-up fuel storage tank as presented. Moved by: Metz, Gene Seconded by: Ahlers, Justin</p>	
8.7	Application and Certification for Payment - Brennan Construction of MN, Inc.
	<p>Mr. Johnson advised the Pay Application received from Brennan Construction of MN, Inc. in connection with the Prairie Justice Garage Addition Project has been certified by Jeff Nelson, Falls Architecture Studio.</p> <p><u>Attachments:</u> Application and Certification for Payment - Brennan Construction</p>
<p><u>VOTING</u> It was duly passed to approve the Application and Certificate for Payment No. 005-#3178 to Brennan Construction of MN, Inc. in the amount of \$309,366.55 Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p>	
8.8	14th Annual Worthington Regional Bio Conference
	<p>Mr. Johnson advised the 14th annual Worthington Regional Bio Conference on Thursday, April 5th and Friday, April 6th.</p> <p><u>Attachments:</u> 2018 Bio Conference tentative schedule</p>
9. Inter-Agency Reports / Announcements	
9.1	Committee and Board Reports
	<p><u>Attachments/Handout:</u> Nobles County Fair Association – February 12, 2018 Minutes</p>
	<p>District I - Commissioner Ahlers reported on the Association of Minnesota Counties Legislative Conference.</p> <p>District II - Commissioner Metz reported on Association of Minnesota Counties Legislative Conference and Plum Creek Library System meetings.</p> <p>District III - Commissioner Widboom reported on Commissioners At Your Cafe/Coffee with Your Commissioners at the Adrian Branch Library and the Fairgrounds Road Improvement project meeting.</p>

	<p>District IV - Commissioner Demuth thanked Commissioner Widboom for attending the Fairgrounds Road Improvement project meetings.</p> <p>District V - Commissioner Linssen reported on Nobles Economic Opportunity Network (NEON), New Fashion Pork and pipeline safety meetings.</p> <p>Management Team – Attorney Kathleen Kusz had no report.</p> <p>County Administration - Administrator Johnson reported on the One Watershed One Plan (1W1P).</p>
9.2	Correspondence
	<p><u>Attachments/Handout:</u> Recruitment Memo Art Center – Appropriation Thank You Civil Air Patrol – Appropriation Thank You Coffee With Your Commissioners Poster – March 5th</p>
9.3	Calendar
	<p><u>Attachments/Handout:</u> Commissioners’ Calendar – March 2018</p>
10.0	Closed Session
10.1	County Administrator - Annual Performance Evaluation
	<p>On a motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to close the meeting at 10:17 a.m. pursuant to Minnesota Statute §13D.05 Subd. 3(a) to evaluate the performance of County Administrator, Tom Johnson, in accordance with his employment agreement.</p> <p>On a motion by Matt Widboom and seconded by Justin Ahlers, it was duly passed to open the meeting at 11:39 a.m.</p> <p>Chairperson Demuth advised the Board has completed the County Administrator’s Performance Evaluation. The closed meeting recording was sealed and will be safely stored.</p>
11. Other / Future Business	<p>Nobles Economic Opportunity Network Thursday, March 8, 2018 5:30 p.m. – 7:00 p.m. BioTechnology Advancement Center, 1527 Prairie Drive, Worthington MN</p> <p>WREDC Annual Meeting Wednesday, March 14, 2018; social hour 5:30 p.m., dinner 6:30 p.m. Worthington Event Center, 1447 Prairie Drive, Worthington MN</p> <p>County Administrator, Tom Johnson, announced due to the cancellation of the Dundee City Council meeting on March 5th, the “Coffee With Your Commissioners” event had also been cancelled due to the weather. The City Council meeting has been rescheduled to Monday, March 12th at 5:30 p.m. and the consensus of the Board was to hold the “Coffee With Your Commissioners” event on March 12th at 4:30 p.m.</p>
12. Adjournment	

VOTING

It was duly passed to adjourn the meeting at 11:41 a.m.

Moved by: Ahlers, Justin

Seconded by: Linssen, Donald



(Chairperson)



(County Administrator)