

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

BOARD OF COMMISSIONERS of Nobles County met in regular session on Tuesday, December 19, 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 and Donald Linssen. Absent: Robert S. Demuth

The meeting was called to order by Chairperson Linssen 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 amended adding 7.6 Application and Certificate for Payment – Brennan Construction and 7.7 AFSCME Highway Labor Agreement. Moved by: Ahlers, Justin Seconded by: Widboom, Matt	
<b>4. Recognition</b>	
<b>4.1</b>	<b>Visitors &amp; Guests Welcome</b>
<b>4.2</b>	<b>Award: Excellence in Performance</b>
	Stacie Golombiecki, Community Services Director, was acknowledged as the recipient of the Nobles County Excellence in Performance Award.
<b>4.3</b>	<b>Award: Recognition for Years of Service</b>
	Valerie Ruesch, County Assessor, was recognized for 30 years of service.
<b>5. Consent Agenda</b>	
<b>5.1</b>	<b>December 7, 2017 Regular Meeting Minutes</b>
	Discussion was held that a comment should be added to Item 7.3 Professional Services Agreement - LHB : "The cost is to be split evenly between the City, County and School District as approved June 20, 2017 for the feasibility study."  <b><u>Attachments:</u></b> December 7, 2017 Draft Regular Meeting Minutes
<b>5.2</b>	<b>December 7, 2017 2018 Budget &amp; Levy Meeting Minutes</b>
	<b><u>Attachments:</u></b> December 7, 2017 Draft 2018 Budget & Tax Levy Meeting Minutes
<b>5.3</b>	<b>Law Enforcement Contract - City of Wilmont</b>

	<b><u>Attachments/Handouts:</u></b> Sheriff's Agenda Request Contract for Law Enforcement Services
5.4	<b>Legal Services Agreement - Smith and Johnson</b>
	<b><u>Attachments:</u></b> Smith and Johnson – Extension of Agreement Letter
5.5	<b>Professional Services Agreement - Heidi Langerud</b>
	<b><u>Attachments:</u></b> Professional Services Agreement - Langerud
5.6	<b>Interpreter Agreements 2018</b>
	<b><u>Attachments:</u></b> Purchased Services Agreement – Manzo Purchased Services Agreement – Lah Dew
5.7	<b>NAC Mechanical &amp; Automation Customer Support Agreement</b>
	<b><u>Attachments:</u></b> NAC Customer Support Agreement
5.8	<b>Meetings &amp; Conferences - Travel Expenses</b>
	<b><u>Attachments:</u></b> Travel Expenses paid December 8, 2017
5.9	<b>Auditor's and Commissioner's Warrants</b>
	<b><u>Attachments:</u></b> Accounts Payable Summary Auditor's Warrants Commissioner's Warrants – General Fund Commissioner's Warrants – Public Works Fund Commissioner's Warrants – Family Services Fund
<b><u>VOTING</u></b>	
It was duly passed to approve the consent agenda with the additional notation for item 5.1 December 7, 2017 Meeting Minute under 7.3 Professional Services Agreement - LHB, adding "The cost is to be split evenly between the City, County and School District as approved June 20, 2017 for the feasibility study." Moved by: Metz, Gene Seconded by: Ahlers, Justin	
<b>6. Department Presentations</b>	
6.1	<b>Pheasants Forever/U.S. Fish &amp; Wildlife Service - Eran Sandquist/Todd Luke</b>
A.	<b>County Acquisition: PILT Payments vs. Annual Refuge Revenue Sharing Act Payments</b>
	Todd Luke, U.S. Fish and Wildlife Service, and Steven Burdick, Pheasants Forever, presented the Board with information on how Annual Refuge Revenue Sharing Act Payments, are different from PILT Payments, how it was established in Federal Law and how it can vary each year dependent on Congress. Mr. Luke answered questions of the Board in the areas of weed control in seeding and drainage benefits.

	<p><b><u>Attachments/Handouts:</u></b>  Pheasants Forever County Acquisition Notification  Bloom WPA Addition Map</p>
<b>6.2</b>	<b>Public Works - Stephen Schnieder</b>
<b>A.</b>	<b>Delegated Contract Process MnDOT Agreement No. 1030053 - Resolution 201779</b>
	<p>Stephen Schnieder, Public Works Director/County Engineer, presented the Board with information and a recommendation in the area of the 2012 Delegated Contract Process agreement expiring allowing the State to receive federal highway funding on behalf of Nobles County and to manage federal contracts.</p> <p><b><u>Attachments:</u></b>  MnDOT Contract No. 1030053  Resolution 201779 for MnDOT Agreement</p>
<p><b><u>VOTING</u></b>  It was duly passed to adopt Resolution 201779 approving MnDOT Contract No. 1030053, the State of Minnesota Agency Agreement for Federal Participation in Construction, superseding agreement 00053.  Moved by: Ahlers, Justin  Seconded by: Widboom, Matt</p>	
<b>B.</b>	<b>Accountant Assistance</b>
	<p>Mr. Schnieder advised the Board of the benefits of hiring a neighboring county's Accountant to provide assistance in the transition of hiring a new Accountant for Nobles County.</p>
<p><b><u>VOTING</u></b>  It was duly passed to authorize hiring Accountant assistance in the interim.  Moved by: Ahlers, Justin  Seconded by: Metz, Gene</p>	
<b>6.3</b>	<b>Emergency Management - Joyce Jacobs</b>
<b>A.</b>	<b>SafeAssure - Contract/Agreement</b>
	<p>Joyce Jacobs, Emergency Management Director, presented the Board with information and a recommendation in the area of a contract for training, including department specific training, with SafeAssure. County Attorney, Kathleen Kusz, advised the Contract/Agreement page referring to the first line stating "This agreement is made this seventh day of November 2017 between Nobles County, Worthington Minnesota....." and in the last paragraph "In consideration of this signed agreement/contract, for the period of Twelve Months from the signing month, ....." Ms. Jacobs confirmed the intent is a January 1, 2018 start date and Ms. Kusz suggested that the last paragraph be changed to "In consideration of this signed agreement/contract from January 1, 2018..." Ms. Jacobs acknowledged and stated she would have changes made prior to the signing of the agreement. Ms. Jacobs answered questions of the Board including how SafeAssure helps Nobles County in the instance of an accident but that we must allow for travel time. Tom Johnson, County Administrator, added that it will not guarantee we would not have fees through OSHA, but training is a preventative measure.</p>

<b><u>VOTING</u></b>	
It was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, the one year contract with SafeAssure. Moved by: Metz, Gene Seconded by: Ahlers, Justin	
<b>6.4</b>	<b>Drainage System - Brad Harberts/Beth Van Hove</b>
<b>A.</b>	<b>Sediment Removal</b>
	Brad Harberts, Drainage System Coordinator, and Beth Van Hove, Auditor-Treasurer, presented the Board with information and recommendations in the area of improvement issues that were brought to the attention of the Nobles County Drainage Authority at the CD#11 hearing, which included areas of sediment deposits upstream and downstream of road crossings and unauthorized culverts placed in Nobles County Ditch Systems. Questions were answered of the Board including that these are maintenance issues that can be done by the Highway department with the exception of the two unauthorized culverts. No contact has been made with the two property owners and through research found no approval was given. The consensus of the Board was for Ditch Council to advise.
<b><u>VOTING</u></b>	
It was duly passed to direct the Drainage System Coordinator to have the sediment in Ditch 11B removed; and further, to advise with Ditch Council to start procedures to have the unauthorized culverts removed. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
<b>B.</b>	<b>Individual Ditch Systems Year End Balance 2017</b>
	Beth Van Hove, Auditor-Treasurer, presented the Board with information and a recommendation in the area of transferring monies to two individual ditch systems that will have a deficit cash balance.  <b><u>Attachments:</u></b> Ditch Balance through 12/29/17
<b><u>VOTING</u></b>	
It was duly passed to transfer monies in the amount of \$32,000 as of December 31, 2017 from the General Fund to County Ditches #2 and #5 which will have deficit cash balances as of 2017 year end; and further, effective January 1, 2018, reimburse the monies back to the General Fund. Moved by: Metz, Gene Seconded by: Widboom, Matt	
<b>6.5</b>	<b>Auditor/Treasurer - Beth Van Hove</b>
<b>A.</b>	<b>2017 Final Payment of Bills</b>
	Beth Van Hove, Auditor-Treasurer, presented the Board with information and a recommendation in the area of the payment of final bills for 2017 including family service administration claims, capital improvement claims and general government claims as permitted under M.S. 375.18 Subd. 1b prior to year end so expenses are included in the 2017 budget.  <b><u>Attachments:</u></b> Ditch Balance through 12/29/17

**VOTING**

It was duly passed to authorize the County Auditor-Treasurer to pay bills December 29, 2017 without prior County Board approval as permitted under M.S. 375.18 Subd. 1b; and further these claims would be brought before the Board at their first meeting in January 2018 for review and approval.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

**B. Nobles Home Initiative - 2017 Payment**

Beth Van Hove, Auditor-Treasurer, presented the Board with the payments for the 2017 payments to be made to the participants of the Nobles Home Initiative Program.

**Attachments:**

NHI December 2017 Refund Spreadsheet

**6.6 Finance - Jerry Vyskocil**

**A. 2017 Budget Amendments - Resolution 201780**

Jerry Vyskocil, Finance Director, presented the Board with information and a recommendation in the area of a 2017 budget amendment as Nobles County received and expended funds in 2017 that were not contained in the 2017 approved budget.

**Attachments:**

Resolution 201780

Request for 2017 Budget Amendments

**VOTING**

It was duly passed to adopt Resolution 201780 to amend the 2017 budget to adjust the total expenditures in Fund 37 to a total of \$9,122,188 and in Fund 38 to a total Revenue of \$6,620,425 Expenses \$4,005,372 and add to Bond reserves of \$2,615,053 and increase Revenues in Fund 01 by \$130,778 and in Fund 05 by \$8,758 with the appropriate offset to the respective revenue and expense accounts to balance each fund.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

**B. 2018 Property Tax Levy Adoption - Resolution 201781**

**Attachments/Handouts:**

2018 Budget Summary/Tax Levy by Fund

Resolution 201781

2018 Budget Summary/Tax Levy by Fund - Updated

**VOTING**

It was duly passed to adopt Resolution 201781, ordering spread of the levy in the amount of \$13,611,729, equivalent to 3.2%; and further, to direct the County Administrator to certify the spread levy with the County Auditor for collection in 2018.

Moved by: Metz, Gene

Seconded by: Ahlers, Justin

**C. 2018 Budget Adoption - Resolution 201782**

**Attachments:**

Resolution 201782

**VOTING**

It was duly passed to adopt Resolution 201782, approving the 2018 Budget of \$39,574,397.

Moved by: Widboom, Matt

Seconded by: Ahlers, Justin

<b>6.3 A.</b>	<b>SafeAssure - Contract/Agreement</b>
	Sue Luing, Human Resources Director/Deputy County Administrator, provided the Board with an update on item 6.3 A. SafeAssure - Contract/Agreement on behalf of Joyce Jacobs, Emergency Management Director. The statements in the contract advised for change by the County Attorney were completed and received. And clarification was received in the case of an accident that when OSHA arrives, SafeAssure will be contacted and they will send a staff person as soon as possible to be with Nobles County for the entire investigation and closing. The agreement is all inclusive. There is no extra charge for this.
<b>6.7</b>	<b>Human Resources - Sue Luing</b>
<b>A.</b>	<b>2018 Non-union Compensation Plan</b>
	Ms. Luing presented the Board with information and a recommendation in the area of the 2018 compensation plan for non-union employees.  <b>Attachments:</b> 2018 Pay Data Base - Hourly 2018 Pay Data Base - Annual
<b><u>VOTING</u></b> It was duly passed to approve the 2018 non-union employees' compensation plan be amended to include a 2.25% cost of living adjustment (COLA) increase for each level and step. Moved by: Ahlers, Justin Seconded by: Widboom, Matt	
<b>B.</b>	<b>2018 Temporary/Seasonal Worker Wages</b>
	Ms. Luing presented the Boad with information and a recommendation in the area of the 2018 wages for temporary/seasonal employees. It was duly passed to approve the increase of the 2018 temporary/seasonal hourly pay rate to \$12.00 with \$0.50 per hour increase for each year the same person returns as presented.
<b><u>VOTING</u></b> It was duly passed to approve the increase of the 2018 temporary/seasonal hourly pay rate to \$12.00 with \$0.50 per hour increase for each year the same person returns as presented. Moved by: Metz, Gene Seconded by: Linssen, Donald	
<b>7. Administration Presentation - Tom Johnson</b>	
<b>7.1</b>	<b>2018 Elected Officials Salaries &amp; Budgets</b> <b>A. County Attorney Salary &amp; Budget - Resolutions 201783 &amp; 201784</b> <b>B. County Auditor-Treasurer Salary &amp; Budget - Resolutions 201785 &amp; 201786</b> <b>C. County Recorder Salary &amp; Budget - Resolutions 201787 &amp; 201788</b> <b>D. County Sheriff Salary &amp; Budget - Resolutions 201789 &amp; 201790</b> <b>E. Board Compensation/Per Diem - Resolutions 201791</b>
	Tom Johnson, County Administrator, advised by MN Statute the Board is required to set salaries for all elected positions and budgets for their respective departments prior to January 1, 2018 and recommended utilizing the data provided and information from the numerous meetings to set the annual salary for all elected positions and then each respective department operating budget for calendar year 2018.  Commissioners Ahlers stated for the record he understood what the elected positions have said in regard to their salary increases but that he still really supports the 2.25% cost of living adjustment as given to others.

**Attachments:**

Resolution 201783 - Salary of County Attorney  
Resolution 201784 - Budget of County Attorney  
Resolution 201785 - Auditor/Treasurer Salary  
Resolution 201786 - Auditor/Treasurer Budget  
Resolution 201787 - Recorder Salary  
Resolution 201788 - Recorder Budget  
Resolution 201789 - Sheriff Salary  
Resolution 201790 - Sheriff Budget  
Resolution 201791 - Board Compensation & Per Diem

**VOTING**

**A.** It was duly passed to adopt Resolution 201783 that the 2018 salary for the Nobles County Attorney shall be \$117,425.

Moved by: Linssen, Donald

Seconded by: Widboom, Matt

It was duly passed to adopt Resolution 201784 that the budget for the office of the Nobles County Attorney shall be \$910,301.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

**B.** It was duly passed to adopt Resolution 201785 that the 2018 salary for the Nobles County Auditor-Treasurer shall be \$83,000.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

It was duly passed to adopt Resolution 201786 that the budget for the office of the Nobles County Auditor-Treasurer shall be \$789,084.

Moved by: Metz, Gene

Seconded by: Linssen, Donald

**C.** It was duly passed to adopt Resolution 201787 that the 2018 salary for the Nobles County Recorder shall be \$78,043.

Moved by: Widboom, Matt

Seconded by: Metz, Gene

It was duly passed to adopt Resolution 201788 that the budget for the office of the Nobles County Recorder shall be \$299,912.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

**D.** It was duly passed to adopt Resolution 201789 that the 2018 salary for the Nobles County Sheriff shall be \$110,920.

Moved by: Widboom, Matt

Seconded by: Metz, Gene

It was duly passed to adopt Resolution 201790 that the budget for the office of the Nobles County Sheriff shall be \$4,547,536.

Moved by: Metz, Gene

Seconded by: Linssen, Donald

**E.** It was duly passed to adopt Resolution 201791 that the 2018 compensation of Commissioners of Nobles County shall be \$19,236; and further, that the per diem payment for service by individual Commissioners be set at up to \$150.00 per day.  
 Moved by: Widboom, Matt  
 Seconded by: Linssen, Donald

<b>7.2</b>	<b>2018 Boards, Committees &amp; Commissions</b>
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**VOTING**  
 It was duly passed to reappoint Pam Deuel, At Large/Health representative, to a 2 year term expiring December 31, 2019.  
 Moved by: Ahlers, Justin  
 Seconded by: Widboom, Matt

It was duly passed to reappoint Dolores Ella, Worthington, Amy Woitalewicz, Worthington, and James Elsing, Fulda, to three year terms expiring December 31, 2020 on the Developmental Achievement Center Board.  
 Moved by: Widboom, Matt  
 Seconded by: Metz, Gene

It was duly passed to reappoint Rick VonHoldt, Fire Services, David McNab, Emergency Medical Services, and Tom Johnson, Government Administration, to three year terms expiring December 31, 2020 on the Emergency Management Planning Advisory Committee.  
 Moved by: Ahlers, Justin  
 Seconded by: Widboom, Matt

It was duly passed to appoint Megan Prins, Worthington, and to reappoint Kile Behrends, Worthington, to three year terms expiring December 31, 2020.  
 Moved by: Metz, Gene  
 Seconded by: Ahlers, Justin

It was duly passed to reappoint Katie Meyer, Worthington, to a three year term expiring December 31, 2020.  
 Moved by: Widboom, Matt  
 Seconded by: Ahlers, Justin

It was duly passed to reappoint David Thier, District III and Richard Schlichte, District IV, and to appoint Mike Harmon of District IV to represent District III.  
 Moved by: Ahlers, Justin  
 Seconded by: Widboom, Matt

It was duly passed to reappoint John Penning, District II representing District V and Brent Feikema, District II to three year terms expiring December 31, 2020.  
 Moved by: Ahlers, Justin  
 Seconded by: Metz, Gene

<b>7.3</b>	<b>2018 IRS Standard Mileage Rate</b>
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The IRS has not yet released the standard mileage rates for 2018. The rates are typically updated in December for the following year so it is expected the IRS will release the 2018 rates soon.

<b>7.4</b>	<b>Application and Certificate for Payment - Gag Sheet Metal Inc.</b>
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Tom Johnson, County Administrator, advised that contractor will be back in the spring to complete the permanent roof on the PJC Garage and for the Public Works roof.



	<p>There is a \$300,000 retainer still to be paid.</p> <p><b><u>Attachments:</u></b> Gag Sheet Metal Pay Application #4</p>
<p><b><u>VOTING</u></b> It was duly passed to approve Payment Application #4 for payment of \$485,965.82 to Gag Sheet Metal, Inc. as certified by INSPEC's architect in connection with the contract for the 2017 PJC Reroof and Wall Rehabilitation project. Moved by: Metz, Gene Seconded by: Ahlers, Justin</p>	
<b>7.5</b>	<b>Meridian Behavioral Health LLC - Lease Agreement</b>
	<p>Tom Johnson, County Administrator, advised that Meridian Behavioral Health LLC had bought out New Beginnings and intended to lease the same space as before. Nobles County was previously informed we must consider carefully who would lease any of the spaces as it has the potential of negatively impacting the holders of the bonds from a tax perspective until the final debt services payment in February 2022. Working with our bond counsel, we know Meridian Behavioral Health is an acceptable lessee and will not impact the bonds.</p> <p><b><u>Attachments:</u></b> Lease Agreement - Meridian Behavioral Health LLC</p>
<p><b><u>VOTING</u></b> It was duly passed to authorize the County Board Chair and Administrator to sign, on behalf of Nobles County, a lease agreement with Meridian Behavioral Health LLC from January 1, 2018 through December 31, 2018; and further the agreement may be renewed for one additional one year period by an informal letter of agreement signed at least 60 days prior to its expiration. Moved by: Ahlers, Justin Seconded by: Widboom, Matt</p>	
<b>7.6</b>	<b>Application and Certificate for Payment - Brennan Construction</b>
	<p><b><u>Attachments/Handout:</u></b> Application and Certificate for Payment – PJC Garage Addition 003-#3155</p>
<p><b><u>VOTING</u></b> It was duly passed to approve Payment Application #3 for the payment of \$240,480.15 to Brennan Construction of MN, Inc. as certified by Falls Architecture, LLC in connection with the Prairie Justice Center Garage Addition Project. Moved by: Metz, Gene Seconded by: Widboom, Matt</p>	
<b>7.7</b>	<b>AFSCME Highway Labor Agreement</b>
	<p>Tom Johnson, County Administrator, advised verbal approval was received from the AFSCME Local Representative for the 2018 – 2020 labor agreement.</p> <p><b><u>Attachments/Handout:</u></b> Labor Agreement between County of Nobles and AFSCME Council 65</p>
<p><b><u>VOTING</u></b> It was duly passed to approve the AFSCME Council 65, Local No. 2558A Contract for Highway Employees effective January 1, 2018 as presented. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	

<b>8. Inter-Agency Reports / Announcements</b>	
<b>8.1</b>	<b>Committee and Board Reports</b>
	<p>District I - Commissioner Ahlers reported on Emergency Management Planning Advisory Committee (EMPAC) and Reading sewer project meetings.</p> <p>District II - Commissioner Metz reported on Library Board, Southwestern Minnesota Opportunity Council (SMOC) and the Bigelow Commissioners at your Cafe event.</p> <p>District III - Commissioner Widboom Southwestern Mental Health Center and Fairgrounds road improvements.</p> <p>District IV - Commissioner Demuth was absent.</p> <p>District V - Commissioner Linssen reported on Emergency Management Planning Advisory Committee (EMPAC), Advocate.Connect.Educate. (A.C.E.), Nobles Economic Opportunity Network (NEON), Southern Prairie Community Care (SPCC), Chief Elected Officials, New Fashion Pork and the Bigelow Commissioners at your Cafe event.</p> <p>Management Team – Attorney Kathleen Kusz had no report.</p> <p>County Administration - Administrator Johnson reported on the Daughters of the American Revolution cleaning a plaque from the Government Center grounds in the spring of 2018, a sellable tax-forfeited house in Leota, the job which will be posted for an Accountant and he extended his appreciation to Commissioner Linssen for acting as Chairperson in 2017.</p>
<b>8.2</b>	<b>Correspondence</b>
	<p><b><u>Attachments/Handout:</u></b></p> <p>Recruitment Memo</p> <p>HLWD District Administrator's Report November 2017</p> <p>Worthington's International Festival Letter</p> <p>MN Historical Society – Armory Letter</p> <p>Worthington Area Convention Center Letter</p>
<b>8.3</b>	<b>Calendar</b>
	<p><b><u>Attachment:</u></b></p> <p>Commissioners' Calendar – January 2018</p>
<b>9. Other / Future Business</b>	
<b>10. Adjournment</b>	
<p><b><u>VOTING</u></b></p> <p>It was duly passed to adjourn the meeting at 10:48 a.m.</p> <p>Moved by: Ahlers, Justin</p> <p>Seconded by: Metz, Gene</p>	



(Chairperson)



(County Administrator)