

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

The Board of Commissioners of Nobles County met in regular session on Thursday, December 6, 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 3:00 PM followed by the Pledge of Allegiance.

1.0 Call to Order	
2.0 Pledge of Allegiance	
3.0 Approval of Agenda	
<u>VOTING</u>	
It was duly passed to approve the agenda with addendum, adding 4.3 Retirement Recognition, 7.4 Snow Removal Contract – Adrian Branch Library and 7.5 FEMA Office Space Request. Motion by: Linssen, Donald Seconded by: Widboom, Matt	
4.0 Recognition	
4.1	Visitors & Guests Welcome
4.2	Excellence In Performance
	Samantha Paplow, Deputy Auditor/Treasurer-Motor Vehicle I, was acknowledged as the recipient of the Nobles County Excellence In Performance Award.
4.3	Retirement Recognition
	Lynn Wilson, County Recorder, was acknowledged for her service to Nobles County and its citizens for over 18 years and was presented with a retirement gift.
5.0 Consent Agenda	
5.1	November 20, 2018 Regular Meeting Minutes <u>Attachments:</u> November 20, 2018 Draft Regular Meeting Minutes
5.2	Legal Services Agreement <u>Attachments:</u> Smith and Johnson Legal Services Agreement renewal
5.3	Guardianship Services Renewal Agreements 2019 <u>Attachments:</u> LSS Guardianship Agreements (3) Brett Lehman Guardianship Agreement Jana Piotter Guardianship Agreement Vicki Poier Guardianship Agreement
5.4	Interpreter Agreements 2019 <u>Attachments:</u> Renewal Agreements: Ayayew Bejica

	Abdi Koji Carolina Manzo Guadalupe Rendon Victor Rocha Jeanette Valdez
5.5	Renewal Agreement – Community Connectors Attachments: Purchase of Service Agreement with Southwest Minnesota Opportunity Council
5.6	MN DHS 2019-2020 Adult Mental Health Grant Contract Attachments: State of Minnesota Department of Human Services County Grant Contract
5.7	2019 United Community Action Partnership Transportation Agreement Attachments: United Community Action Partnership Transportation Agreement 2019
5.8	SSTS Program Grant Agreement Attachments: FY 2019 State of MN BWSR MPCA SSTS Program Grant Agreement
5.9	Meetings & Conferences – Travel Expenses Attachments: Travel Expenses paid November 21, 2018
5.10	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
<u>VOTING</u> It was duly passed to approve the Consent Agenda as presented. Moved by: Metz, Gene Seconded by: Ahlers, Justin	
6.0 Department Presentations	
6.1	Head Start – Lori Gunnink
A.	Head Start Update
	Lori Gunnink, Head Start Director, presented the Board with information in the area of ERSEA (Eligibility, Recruitment, Selection, Enrollment and Attendance) tasks as some of the most important work performed by Head Start Programs and assessing the needs of our community and recruiting the children and families most in need.
6.2	Public Works – Stephen Schnieder
A.	City of Worthington Cooperative Agreement – Resolution 201859
	Stephen Schnieder, Public Works Director/County Engineer, presented the Board with a request from the City of Worthington to assist with a bridge replacement project on Fox Farm Road. Attachments: Cooperative Agreement Resolution 201859

VOTING

It was duly passed to adopt Resolution 201859 authorizing that the Chairperson and the Administrator be authorized to enter into an agreement with the City of Worthington for engineering services for the replacement of bridge number L3310 and that such Agreement be part of this Resolution.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

7.0 Administration Presentation - Tom Johnson

7.1 Application and Certificate for Payment – Roadside Developers Inc./Bisbee Plumbing & Heating

Tom Johnson, County Administrator, presented the Board with information and a recommendation in the area of the status of Air Handler Unit #4 project and payment request of Application No. 18-000900003.

Attachments:

AIA Document: Application and Certificate for Payment No. 18-000900003

VOTING

It was duly passed to approve Payment Application No. 18-000900003 in the amount of \$71,396.12 to Roadside Developers Inc., Bisbee Plumbing & Heating as presented.

Moved by: Metz, Gene

Seconded by: Linssen, Donald

7.2 Amendment to Agreement – Southwest Minnesota Housing Partnership

Mr. Johnson advised that largely due to changes in all the small office remodel projects and the Government Center site improvements project, Southwest MN Housing Partnership project managers have gone well over the planned budget for time and additional funds are being requested to continue to assist in completion of the projects. The Board held discussion on the original project management contract for the CIP Bond Projects in the amount of \$70,000 and the amendment increasing the project lump sum to \$82,000. Mr. Johnson advised the Board that project managers Craig Skorzewski and Shawn Nelson have both handled issues during the projects well.

Attachments:

Nobles County Construction Projects

VOTING

It was duly passed to table the Amendment to the Agreement; and further, direct staff to negotiate with the Southwest Minnesota Housing Partnership for project management services.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

In Favor: Ahlers, Justin; Widboom, Matt; Demuth, Robert S.; Linssen, Donald

Opposed: Metz, Gene

7.3 Change Order – Government Center AHU #4 Replacement

Mr. Johnson advised the Board of necessary changes to the Air Handler Unit #4 project in the Government Center.

Attachments/Handouts:

Bisbee Proposal

AIA Document G701-2001 Change Order Number 1

VOTING

It was duly passed to approve the AIA Document, Change Order 1 in the amount of \$2,850.00 with Roadside Developers, Inc. dba Bisbee Plumbing & Heating for the Air Handler #4 Replacement Project at the Government Center.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

7.4	Snow Removal Contract – Adrian Branch Library
	<p>Mr. Johnson advised the Board a contract had recently been negotiated with Randy Graham for snow removal, but the contract was removed from the November 20th agenda as Mr. Graham did not provide a standard amount to be paid per snow and ice removal event. Wes Henricksen, Adrian Plumbing and Electrical, Inc. has proposed a standard fee of \$40.00 per event for services to remove snow from the rear staff parking pad and rear staff access sidewalk at the Adrian Branch Library.</p> <p>Attachments: Professional Service Agreement for Snow & Ice Removal at the Adrian Branch Library Facility in Adrian MN</p>
<p><u>VOTING</u> It was duly passed to authorize the County Administrator to sign, on behalf of Nobles County, the Professional Service Agreement for Snow & Ice Removal at the Adrian Branch Library Facility in Adrian, MN for snow and ice removal in the amount of \$40.00 per snow & ice removal event from its rear parking area and rear sidewalk commencing December 6, 2018 and terminating May 15, 2019. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
7.5	FEMA Office Space Request
	<p>Mr. Johnson advised FEMA (Federal Emergency Management Agency) has requested office space for up to 30 staff to follow up on damages from storms in the area. Mr. Johnson advised the County can accomodate their request with space in the old KidsPeace area at the Prairie Justice Center. Although FEMA typically does not pay rent, the staff placement here will generate revenue in our community.</p>
<p><u>VOTING</u> It was duly passed to allow the Federal Emergency Management Agency to occupy space in the old KidsPease area of the Prairie Justice Center for their office needs. Moved by: Metz, Gene Seconded by: Widboom, Matt</p>	
8.0 Inter-Agency Reports / Announcements	
8.1	Committee and Board Reports
	<p>District I - Commissioner Ahlers reported on Environmental & Natural Resource policy meetings at the Association of Minnesota Counties Annual Conference and events welcoming His Excellency Francois Nkuna Balumuene, Ambassador of the Democratic Republic of The Congo to Worthington.</p> <p>District II - Commissioner Metz reported on Rural Minnesota Energy Board meetings for discussions on PACE, Employee Wellness & Recognition and General Government policy meetings at the Association of Minnesota Counties Annual Conference.</p> <p>District III - Commissioner Widboom reported on the Nobles County Fair Board.</p> <p>District IV - Commissioner Demuth reported on events welcoming His Excellency Francois Nkuna Balumuene, Ambassador of the Democratic Republic of The Congo to Worthington, the Okabena-Ocheda Watershed Board of Managers and welcomed Commissioner Widboom as an addition fo the OOWD Advisory Board</p>

	<p>District V - Commissioner Linssen reported on Public Safety policy meetings at the Association of Minnesota Counties Annual Conference, Regional Solid Waste Task Force and Emergency Management Planning Advisory Committee meetings.</p> <p>Management Team - Attorney Kathleen Kusz had no report.</p> <p>County Administration – Administrator Tom Johnson surveyed the Board’s preference on if the County should take responsibility for asbestos removal documentation. It is currently in the Demolition contract that the Contractor is responsible for any and all environmental permits, inspections and necessary remediation (asbestos, fuel oil, etc.). The consensus of the Board was that the County needs proof and should retain the documentation received from the contractor.</p>
8.2	<p>Correspondence <u>Attachments:</u> Recruitment Update Nobles 2 Power Partners, November 2018 MN Historical Society</p>
8.3	<p>Calendar <u>Attachments:</u> Commissioners Calendar – December 2018</p>
<p><u>VOTING</u> It was duly passed to recess the regular board meeting at 3:55 p.m. until 4:30 p.m. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
9.0	<p>Public Hearing – Assessment of All Taxable Property (Referred to as “True County“ Assessing)</p>
A.	<p>Motion to open Public Meeting</p>
<p><u>VOTING</u> It was duly passed to open the Public Hearing on the Assessment of All Taxable Property. Moved by: Linssen, Donald Seconded by: Ahlers, Justin</p>	
B.	<p>Presentation</p>
	<p>Valerie Ruesch, County Assesor, explained the purpose of the public hearing and advised Minnesota Statute provides that any county in the State of Minnesota is authorized to provide for the assessment of all taxable property in the County by the County Assesor. As Minnesota Statute 270C.9901 Assessor Accreditation; Waiver states that every individual who appraises or physically inspects real property for the purpose of determining its valuation or classification for property tax purposes must obtain licensure as an accredited Minnesota assessor from the State Board of Assessors by July 1, 2022, or within five years of that person having become licensed as a certified Minnesota assessor, whichever is later. Ms. Ruesch advised Wally Schultz has been assessing for Nobles County for many years and his accreditation terminates in one year, but he has agreed to stay on and will get the accreditation to continue. Other assessors have given their notice that they will not pursue continuing the accreditation.</p>
C.	<p>Public Comment</p>
<p>Wally Schultz addressed the Board and advised he will continue assessing through 2021. He spoke in favor of the Nobles County Board electing to provide for the assessment of all taxable property under the supervision of the County Assesor, resulting in a fair and true assessment of property within Nobles County. The Board questioned if Mr. Schultz could see any disadvantage</p>	

to this election for the County to provide the assessment. Mr. Schultz responded that it will be positive for all staff to be in the office and assessing will be more uniform.

D. Motion to close Public Hearing

VOTING

It was duly passed to close the Public Hearing on the Assessment of All Taxable Property.
Moved by: Widboom, Matt
Seconded by: Metz, Gene

E. Decision – Resolution 201860

VOTING

It was duly passed to adopt Resolution 201860 as follows:

WHEREAS, Minnesota Statute 273.052 states that any county in the State of Minnesota is authorized and empowered to provide for the assessment of all taxable property in the County by the County Assessor; and

WHEREAS, Minnesota Statute 273.055 states that the election to provide for assessment of property by the County Assessor, as provided in 273.052, shall be made by the Board of County Commissioners by resolution to be effective at the second assessment date following the adoption of the resolution; and

WHEREAS, the Nobles County Board of Commissioners finds that the assessment of all taxable property under the supervision of the County Assessor shall result in a fair and true assessment of property within Nobles County.

NOW, THEREFORE, BE IT RESOLVED, that the Nobles County Board of Commissioners hereby elects to provide for the assessment of all property in Nobles County by the County Assessor, in accordance with Minnesota Statute 273.052, et. seq.

BE IT FURTHER RESOLVED, that the effective date of this resolution shall be the second assessment date following the adoption, or January 2, 2020.

BE IT FURTHER RESOLVED, that the offices of all township and city assessors in Nobles County shall be terminated 90 days before the above assessment date and shall turn over all tax records relating to property in Nobles County to the County Assessor at that time.

Moved by: Ahlers, Justin
Seconded by: Metz, Gene

10.0 Public Meeting – Classifying Tax Forfeited Lands

A. Motion to open Public Meeting

VOTING

It was duly passed to open the public meeting for Classifying Tax Forfeited Lands.
Moved by: Linssen, Donald
Seconded by: Demuth, Robert S.

Tom Johnson, County Administrator, explained the purpose of the public meeting and provided the Board with information in the area of classifying the tax-forfeited parcels as Non-Conservation or Conservation.

- B. Classify Parcels as Non-Conservation or Conservation**
- C. Approve for Sale At Public/Non-Public Auction**
- D. Set Basic Sale Price of Parcels**

VOTING

It was duly passed to classify Parcel 03-0242-500, Township of Dewald, as Non-Conservation.
Moved by: Ahlers, Justin
Seconded by: Widboom, Matt

VOTING

It was duly passed that Parcel 03-0242-500, Township of Dewald, be sold by sealed bid.

Moved by: Widboom, Matt

Seconded by: Demuth, Robert

VOTING

It was duly passed to set the minimum basic sale price for Parcel 03-0242-500, Township of Dewald, of \$1.00.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

VOTING

It was duly passed to classify Parcel 10-0230-000, City of Leota, as Non-Conservation, to be sold at public auction and set the minimum basic sale price of \$1.00.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

Chairperson Demuth addressed the audience and opened the floor for public comment on Parcels 03-0242-500 and 10-0230-000. No public comments were received.

Chairperson Demuth addressed the audience and opened the floor for public comment on Parcel 21-0224-000. No public comments were received.

VOTING

It was duly passed to classify Parcel 21-0224-000, City of Adrian, as Non-Conservation, to be sold at public auction and set the minimum basic sale price of \$1.00.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

Chairperson Demuth addressed the audience and opened the floor for public comment on Parcel 25-0020-000. No public comments were received.

VOTING

It was duly passed to classify Parcel 25-0020-000, City of Ellsworth, as Non-Conservation, to be sold at public auction and set the minimum basic sale price of \$1.00.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

Mr. Johnson advised the current occupant of Parcel 28-0220-000, City of Round Lake, is avoiding all eviction procedures. Commissioner Ahlers stated the residence should be vacant prior to being sold. County Attorney Kusz stated that as the resident has evaded being served by Law Enforcement, she does not believe that a Judge would rule in favor without the property being sold.

Chairperson Demuth addressed the audience and opened the floor for public comment on Parcel 28-0220-000. No public comments were received.

VOTING

It was duly passed to classify Parcel 28-0220-000, City of Round Lake, as Non-Conservation, to be sold at public auction and set the minimum basic sale price of \$1.00.

Moved by: Widboom, Matt

Seconded by: Demuth, Robert S.

In Favor: Metz, Gene; Widboom, Matt; Demuth, Robert S.

Opposed: Ahlers, Justin; Linssen, Donald

Mr. Johnson advised the City of Round Lake submitted a letter expressing interest in purchasing Parcel 28-0023-000 for the City use for snow storage. Chairperson Demuth addressed the audience and opened the floor for public comment on Parcel 28-0023-000. No public comments were received.

VOTING

It was duly passed to classify Parcel 28-0023-000, City of Round Lake, as Conservation for public use, to be sold to the City of Round Lake for \$1.00.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

Mr. Johnson advised the City of Rushmore submitted a letter expressing interest in purchasing the 3 tax-forfeited parcels: 29-0024-000 for the City of Rushmore Fire Department, 29-0069-000 could be developed as commercial property or new home construction and 29-0101-000 would be marketed to encourage new home construction. Chairperson Demuth addressed the audience and opened the floor for public comment on Parcels 29-0024-000, 29-0069-000 and 29-0101-000. No public comments were received.

VOTING

It was duly passed to classify Parcel 29-0024-000, City of Rushmore, as Conservation for public use, to be conveyed to the City of Rushmore.

Moved by: Metz, Gene

Seconded by: Linssen, Donald

Commissioner Ahlers made a motion to classify Parcel 29-0069-000, City of Rushmore, as Non-Conservation.

County Attorney Kusz reviewed portions of Minnesota Statute 282.01 Tax-Forfeited Lands; Classification, Sale which stated the county board determines that a sale at a reduced price is in the public interest because a reduced price is necessary to provide an incentive to correct the blighted conditions that make the lands undesirable in the open market, or the reduced price will lead to the development of affordable housing.

Commissioner Ahlers rescinded his motion, opening for further discussion.

Chairperson Demuth addressed the audience and opened the floor for public comment on Parcel 29-0069-000. No public comments were received.

VOTING

It was duly passed to classify Parcel 29-0069-000, City of Rushmore, as Non-Conservation and to sell the parcel to the City of Rushmore for \$1.00 based on the evidence provided and the request by the City of Rushmore as the Board believes it will lead to the development of affordable housing.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

Chairperson Demuth addressed the audience and opened the floor for public comment on Parcel 29-0101-000. No public comments were received.

VOTING

It was duly passed to classify Parcel 29-0101-000, City of Rushmore, as Non-Conservation and to sell the parcel to the City of Rushmore for \$1.00 based on the evidence provided and the request by the City of Rushmore as the Board believes it will lead to the development of affordable housing.

Moved by: Metz, Gene

Seconded by: Ahlers, Justin

Chairperson Demuth addressed the audience and opened the floor for public comment on Parcel 31-0910-000. No public comments were received.

VOTING

It was duly passed that Parcel 31-0910-000, City of Worthington, be sold by sealed bid to the adjacent landowners at \$1.00 and the Minimum Basic Sale Price be set at \$1.00 plus any assessments.

Moved by: Ahlers, Justin

Seconded by: Demuth, Robert S.

E. Review Terms of Auction – Resolution 201515

The Board held discussion as to if sufficient language was included in the terms of the auction in regard to occupancy. No action was taken.

F.	Set Date for Public Sale
<p><u>VOTING</u> it was duly passed to set the public sale date, time and location for Tax-Forfeited Land in Nobles County as Tuesday, February 19, 2019, 1:00 p.m. in the Farmers Room of the Government Center, 315 Tenth Street, Worthington MN. Moved by: Widboom, Matt Seconded by: Metz, Gene</p>	
<p>11.0 Other / Future Business</p> <p>Public Meeting – 2019 Proposed County Budget and Tax Levy Thursday, December 6, 2018 6:00 p.m. Board of Commissioners Rm, 3rd Floor, Government Center 315 Tenth Street, Worthington MN 56187</p> <p>Commissioners At Your Cafe Tuesday, December 11, 2018 8:30 a.m. – 10:30 a.m. Ellsworth Café, 303 S. Broadway St., Ellsworth MN</p> <p>Employee Holiday Social Thursday, December 13, 2018 9:00 a.m. – 11:00 a.m.; 2:00 p.m. – 4:00 p.m. Farmer’s Rm, Government Center, 315 Tenth Street, Worthington MN 56187</p> <p>Nobles Economic Opportunity Network (N.E.O.N.) Thursday, December 18, 2018 5:30 p.m. BioTechnology Advancement Center, 1527 Prairie Drive, Worthington MN</p>	
12.0 Adjournment	
<p><u>VOTING</u> It was duly passed to adjourn the meeting at 5:47 p.m. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin</p>	



(Chairperson)



(County Administrator)