

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

The Board of Commissioners of Nobles County met for its Annual Meeting on Tuesday, January 8, 2019, 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 County Administrator, Tom Johnson, at 9:00 AM followed by the Pledge of Allegiance.

1.0 Call to Order	
2.0 Pledge of Allegiance	
3.0 Election of Officers	
3.1	Election of Board Chair
<u>VOTING</u> It was duly passed to nominate Matt Widboom for the position of Chairperson for 2019. Moved by: Metz, Gene Seconded by: Linssen, Donald It was duly passed to declare a unanimous ballot be cast for Commissioner Widboom as Chairperson. Newly elected Chairperson Widboom then presided over the meeting and extended appreciation, on behalf of the Board of Commissioners, for Commissioner Demuth's service as Chairperson in 2018. Commissioner Demuth extended his gratitude for the confidence of the fellow Commissioners and staff.	
3.2	Election of Vice Chair
<u>VOTING</u> It was duly passed to nominate Justin Ahlers for the position of Vice Chairperson for 2019. Moved by: Demuth, Robert S. Seconded by: Metz, Gene It was duly passed to declare a unanimous ballot be cast for Commissioner Ahlers as Vice Chairperson.	
4.0 Approval of Agenda	
<u>VOTING</u> It was duly passed to approve the agenda as presented. Motion by: Ahlers, Justin Seconded by: Demuth, Robert S.	
5.0 Recognition	
5.1	Visitors & Guests Welcome
6.0 Consent Agenda	

6.1	December 18, 2018 Regular Meeting Minutes Attachments: December 6, 2018 Draft Regular Meeting Minutes
6.2	2019 Warrant Payment Authorization – Resolution 201901 Attachments: Resolution 201901
6.3	Legal Services Agreement – Rinke Noonan Attachments: Legal Services Agreement
6.4	2019 Children’s Mental Health Screening Grant Acceptance Attachments: 2019 MN Department of Human Services – Children’s Mental Health Screening Grant Agreement
6.5	2018 Annual County Ag Inspector (CAI) Report Attachments: 2018 Annual Report and Workplan Summary
6.6	Contract for Legal Services (CHIPS) – Kinser Law Office PLLC Attachments: Legal Services Contract
6.7	CliftonLarsonAllen LLP Engagement Letter Attachments: CLALLP Engagement Letter
6.8	Meetings & Conferences – Travel Expenses Attachments: Travel Expenses paid January 4, 2019
6.9	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
VOTING It was duly passed to approve the Consent Agenda as presented. Moved by: Metz, Gene Seconded by: Linssen, Donald	
7.0 Department Presentations	
7.1	Public Works/Highway – Stephen Schnieder
A.	Rural Lighting Agreement No. 1031300 Attachments: MnDot Contract No. 1031300 Resolution 201903
	1. Motion to rescind Resolution 201837 from December 18th due to errors in agreement
	Stephen Schnieder, Public Works Director/County Engineer, advised the Board that the Minnesota Department of Transportation found errors in the agreement that they put together for Nobles County after the agreement was approved by the County Board on December 18, 2018.

<u>VOTING</u>	
It was duly passed to rescind Resolution 201837 for Mn/DOT Agreement No. 1031300 approved December 18, 2018 due to errors in the agreement. Moved by: Linssen, Donald Seconded by: Demuth, Robert S.	
2. Rural Lighting Agreement No. 1031300 – Resolution 201903	
<u>VOTING</u>	
It was duly passed to adopt Resolution 201903 approving Mn/DOT Agreement No. 1031300 as presented for the provision for lighting system construction along various intersections in the County which are defined in said agreement. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
B.	2019 Bridge Replacement Contract
	Stephen Schnieder, Public Works Director/County Engineer, presented the Board with the results of the bid opening for 2019 Bridge replacement work. Six bids were received ranging from \$1,442,362.00 to \$1,605,036.80 and the estimated project cost was \$1,542,788.45.
<u>VOTING</u>	
It was duly passed to award the bid for 2019 bridge replacement work to Midwest Contracting, LLC in the amount of \$1,442,362.00 Moved by: Metz, Gene Seconded by: Ahlers, Justin	
C.	2019 Bituminous Paving Contract
	Stephen Schnieder, Public Works Director/County Engineer, presented the Board with the results of the bid opening for 2019 Bituminous Paving work. Three bids were received ranging from \$3,104,800.95 to \$3,274,840.50 and the estimated project cost was \$2,710,823.05. Mr. Schnieder advised the Board could reject the bids but Contractors are looking for work right now and it is not expected to see a change in oil prices.
<u>VOTING</u>	
It was duly passed to award the bid for 2019 Bituminous Paving work to Duininck Inc in the amount of \$3,104,800.95. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
8.0 Administration Presentation – Tom Johnson	
	Tom Johnson, County Administrator, presented the Board with information and recommendations in the area of County Administration and organizational business required during the statutory meeting.
8.1	2019 Operating Rules and Guidelines <u>Attachments:</u> Nobles County BOC 2019 Operating Rules & Guidelines
<u>VOTING</u>	
It was duly passed to adopt the 2019 Operating Rules & Guidelines as presented. Moved by: Metz, Gene Seconded by: Widboom, Matt	
8.2	2019 Meeting Dates <u>Attachments:</u> 2019 Meeting Calendar

VOTING

It was duly passed to adopt the 2019 meeting schedule that meetings be held the first Tuesday after the first Monday and the second to last Tuesday of each month at 9:00 a.m. with the following exceptions as presented:

- Changing the December 3rd meeting to begin at 3:00 p.m. and holding the 2020 Proposed Budget and Tax Levy Public Meeting at 6:00 p.m. that same evening.
- Holding the December 24th meeting on December 17th.

Moved by: Demuth, Robert S.

Seconded by: Linssen, Donald

8.3

2019 County Legal Newspaper

Tom Johnson, County Administrator, advised that for the 2018 County Legal Newspaper designation, the Board requested proposals be obtained from The Globe and Nobles County Review. The Globe's circulation was larger at a lower rate per inch for advertising. The Globe's 2019 marketing proposal was received at the same reduced rate.

Attachment:

Nobles County 2019 Marking Proposal – The Globe

A motion was made by Justin Ahlers to table action on declaring the County Legal Newspaper and get additional Bids. Gene Mez seconded the motion for discussion.

Kathleen Kusz, County Attorney, advised if this item is tabled, employees must be notified and directed on what to do in the interim.

VOTING

The motion made by Justin Ahlers and seconded by Gene Metz to table action on declaring the County Legal Newspaper and get additional Bids failed.

In Favor: Ahlers, Justin

Opposed: Metz, Gene; Wdboom, Matt; Demuth, Robert S.; Linssen, Donald

VOTING

It was duly passed to designate The Globe, Worthington, as the legal newspaper of the County for 2019 and the County Web page www.co.nobles.mn.us as the official publication for transportation projects pursuant to MN Statutes 331A.12; and further, to authorize the County Administrator to sign, on behalf of Nobles County, and Advertising Agreement with the Globe for 2019.

Moved by: Demuth, Robert S.

Seconded by: Linssen, Donald

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

Opposed: Ahlers, Justin

8.4

2019 Fee Schedule

Attachments:

2019 Fee Schedule

VOTING

It was duly passed to adopt the revised fee schedule to be effective January 1, 2019 as presented.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

8.5

2019 Board Appointments

Attachments:

Proposed 2019 Committee Appointments

VOTING

It was duly passed to appoint members of the Board represent the Board of Commissioners on committees; and further, to authorize the payment of per diem and expense reimbursement for their attendance at assigned committee meetings as presented.

Moved by: Ahlers, Justin
Seconded by: Demuth, Robert S.

8.6 2019 Boards, Committees & Commissions – Citizen Appointments

The Board reviewed all applications and recommendations.

Attachments:

2019 Nobles County Boards and Committees Listing
Extension Recommendation and application (1)
HLWD Recommendations and applications (2 for 1 position)
Park Board Applications (2 for 2 positions)
Revolving Loan Fund Review Committee Application

VOTING

It was duly passed to reappoint Julie Buntjer, Worthington, to a 3 year term on the Extension Committee expiring December 31, 2021.

Moved by: Metz, Gene
Seconded by: Linssen, Donald

A motion was made by Justin Ahlers and seconded by Gene Metz to appoint Mark Bartosh, Dundee, to a 3 year term on the Heron Lake Watershed Board of Managers expiring February 14, 2022.

Chairperson Widboom advised he spoke with both Mr. Ewert and Mr. Bartosh prior to the meeting and feel they were both good candidates but of the opinion that it's important to have new perspectives and opinions.

Commissioner Ahlers stated he has known Mr. Bartosh and served with him on the Graham Lakes Board and although they did not always agree, they were respectful of each other.

Commissioner Linssen stated he believes that Mr. Ewert has done a good job and that Mr. Bartosh is qualified but is in favor of term limits.

It was duly passed to appoint Mark Bartosh, Dundee, to a 3 year term on the Heron Lake Watershed Board of Managers expiring February 14, 2022.

Moved by: Ahlers, Justin
Seconded by: Metz, Gene
In Favor: Ahlers, Justin; Metz, Gene; Widboom, Matt; Linssen, Donald
Opposed: Demuth, Robert S.

It was duly passed to reappoint Galen Benton, Worthington, to a 3 year term on the Park Board expiring January 31, 2022.

Moved by: Demuth, Robert S.
Seconded by: Ahlers, Justin

It was duly passed to reappoint Roger Henning, Rushmore, to a 3 year term on the Park Board expiring January 31, 2022.

Moved by: Linssen, Donald
Seconded by: Demuth, Robert S.

It was duly passed to appoint Brad Meester, Bigelow, to a 2 year unexpired term on the Revolving Loan Fund Review Committee expiring December 31, 2020.

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

8.7	PJC Roof Project Change Order #2 – Gag Sheet Metal Inc.
	Tom Johnson, County Administrator, presented the Board with information and a recommendation in the area of a final change order for the 2017 PJC Roof Project. <u>Attachments:</u> AIA Document – Change Order
<u>VOTING</u>	It was duly passed to approve Change Order No. 2 with Gag Sheet Metal for a deduct of \$28,531.98. Moved by: Ahlers, Justin Seconded by: Widboom, Matt
8.8	Application and Certification No. 9 – Gag Sheet Metal Inc.
	Tom Johnson, County Administrator, presented the Board with information and a recommendation in the area of a payment request for the 2017 PJC Roof Project. <u>Attachments:</u> AIA Document – Application and Certificate for Payment
<u>VOTING</u>	It was duly passed to approve Gag Payment Application No. 9 for the 2017 PJC Re-Roofing Project in the amount of \$62,593.02. Moved by: Demuth, Robert S. Seconded by: Linssen, Donald
8.9	Application and Certification for Payment No. 18-000900004 – Roadside Developers
	Tom Johnson, County Administrator, presented the Board with information and a recommendation in the area of a payment request for the Air Handler #4 Replacement Project. <u>Attachments:</u> AIA Document – Application and Certificate for Payment
<u>VOTING</u>	It was duly passed to approve Roadside Developers Inc. Bisbee Plumbing Application and Certificate for Payment No. 18-000900004 for the Air Handler Unit #4 Replacement Project in the amount of \$4,587.55. Moved by: Metz, Gene Seconded by: Ahlers, Justin
8.10	PJC Garage Addition Final Application and Certificate for Payment – Brennan Construction
	Tom Johnson, County Administrator, presented the Board with information and a recommendation in the area of a payment request for the PJC Garage Addition Project. <u>Attachments:</u> AIA Document – Application and Certificate for Payment
<u>VOTING</u>	It was duly passed to approve Brennan Construction Application and Certificate for Payment No. 008-#3280 FINAL for the PJC Garage Addition Project in the amount of \$12,430.55 and to close the project. Moved by: Demuth, Robert S. Seconded by: Widboom, Matt In Favor: Metz, Gene; Widboom, Matt; Demuth, Robert S.; Linssen, Donald Opposed: Ahlers, Justin
8.11	Emergency Manager Interim Appointment
	Tom Johnson, County Administrator, presented the Board with information and a

	recommendation in the area of appointing an interim Emergency Manager.
<u>VOTING</u>	
It was duly passed to appoint County Administrator, Tom Johnson, as the Interim Emergency Manager effective immediately. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
8.12	New Position Classification – Deputy County Administrator/Emergency Manager
	Tom Johnson, County Administrator, presented the Board with information in the area of a new position classification and succession planning and preparing the organization for future leadership.
<u>VOTING</u>	
It was duly passed to approve Job Description 1002 Deputy County Administrator/Emergency Manager and related points; and further, authorize hiring the position of Deputy County Administrator/Emergency Manager. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
8.13	2019 IRS Standard Mileage Rate
	Tom Johnson, County Administrator, advised beginning on January 1, 2019, the standard mileage rates for the use of a car (also vans, etc.) is 58 cents per mile for business miles driven, up from 54.5 cents for 2018. <u>Attachments:</u> IRS Announcement: IRS issues standard mileage rates for 2019
8.14	Upcoming Conferences
A.	AMC County Government 101: Newly Elected Officials Conference January 23-25, 2019 <u>Attachment:</u> AMC Agenda and Lodging Information
B.	AMC Legislative Conference: February 13-14, 2019 <u>Attachment:</u> AMC Tentative Schedule
C.	Rinke Noonan Drainage & Water Conference: February 14, 2019 <u>Attachment:</u> Rinke Noonan Schedule
9.1	Human Resources – Sue Luing
A.	2019 County Position Allocation – Resolution 201902
	Sue Luing, Human Resources, presented the Board with information to set the maximum positions allocated to each office for 2019. Ms. Luing advised due to the approval of the new position Deputy County Administrator/Emergency Manager, the resolution before the Board should be amended, striking out the Emergency Management Department from the position allocation on page 2 and adding the new Deputy County Administrator/Emergency Manager to the Executive Department on page 1. A motion was made by Justin Ahlers for passage of Resolution 201902 with striking out the Emergency Management Department on page 2 and adding Deputy County Administrator/Emergency Manager under the Executive Department on page 1; and further, removing Deputy County Administrator from Human Resources Director.

	<p>Mr. Johnson advised removing Deputy County Administrator from Human Resources Director was not an action item listed on the agenda and should be reviewed first.</p> <p>The motion died for lack of a second.</p> <p><u>Attachment:</u> Resolution 201902</p>
	<p>County Attorney, Kathleen Kusz, advised Ms. Luing to write the changes on the currently proposed resolution and pass it to each Commissioner for their review.</p>
<p><u>VOTING</u> It was duly passed to adopt Resolution 201902, the 2019 Position Allocation, as amended by the document Sue Luing circulated. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p>	
<p>10.0 Inter-Agency Reports / Announcements</p>	
10.1	Committee and Board Reports
	<p>District I - Commissioner Ahlers reported on the Nobles County Historical Society.</p> <p>District II - Commissioner Metz reported on the One Watershed One Plan (1W1P), Nobles 2 Wind Projects and Rural Minnesota Energy Board meetings.</p> <p>District III - Commissioner Widboom reported on the Nobles County Fair Board and Transportation meetings.</p> <p>District IV - Commissioner Demuth reported the Commissioners will participating in the Winterfest Chili Cook Off at the Event Center.</p> <p>District V - Commissioner Linssen had no report.</p> <p>Management Team - Attorney Kathleen Kusz had no report.</p> <p>County Administration – Administrator Tom Johnson had no report.</p> <p><u>Attachments:</u> Southwestern Mental Health Center, Inc. Board of Directors Dec. 12, 2018 Minutes Rock-Nobles Community Corrections 2018 Annual Mtg November 13, 2018 Minutes</p>
10.2	<p>Correspondence <u>Attachments:</u> Recruitment Update Yields, Soils, and Cover Crops Winter Workshop Nobles 2 Wind Project Fact Sheet Worthington Okabena Windsurfers Letter</p>
10.3	<p>Calendar <u>Attachments:</u> Commissioners Calendar – January 2019</p>
<p>11.0 Other / Future Business</p> <p>NEON Thursday, January 10, 2019 5:30 p.m. – 7:00 p.m. BioTechnology Advancement Centger, 1527 Prairie Drive, Worthington MN</p> <p>Holiday Dinner Thursday, January 17, 2019, 6:00 p.m. Duffer's, 851 Oxford St. W, Worthington MN</p>	

12.0 Adjournment

VOTING

It was duly passed to adjourn the meeting at 10:08 a.m.

Moved by: Linssen, Donald

Seconded by: Ahlers, Justin



(Chairperson)



(County Administrator)