

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, June 4, 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 Chairperson Widboom at 9:00 AM 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 as amended, recognizing the addition of 7.5 B. Request for Proposals – Prairie Justice Ctr Security Camera System. Motion by: Demuth, Robert S. Seconded by: Linssen, Donald	
4.0 Recognition	
4.1	Visitors & Guests Welcome
4.2	Excellence In Performance
	Ryan Como, Jail Program Coordinator, and Michelle Ebbers, Public Health Nurse, were acknowledged as the recipients of the Nobles County Excellence In Performance Award.
4.3	Award: Recognition for Years of Service
	Ryan Como, Jail Program Coordinator, was in attendance and was recognized for his 15 years of service with a presentation of his anniversary award.
5.0 Consent Agenda	
5.1	May 21, 2019 Regular Meeting Minutes <u>Attachments:</u> May 21, 2019 Draft Regular Meeting Minutes
5.2	Solid Waste & Recycling Facility Permit – Michael Fogelman DBA Mike’s Mini-Excavating
5.3	Meetings & Conferences – Travel Expenses <u>Attachments:</u> Travel Expenses paid May 24, 2019
5.4	Auditor’s Warrants <u>Attachments:</u> Accounts Payable Summary Auditor’s Warrants by 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 Public Hearings	
6.1	<p>Public Hearing – Proposed Property Tax Abatement Matt and Darcy Ulbrich; Parcel 17-0140-000</p> <p>A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decision – Resolution 201924 (<i>Action</i>)</p>
	<p><u>Attachments:</u> NHI Nobles County Guidelines WREDC Summary and Recommendation NHI Application Ulbrich Resolution 201924</p>
	<p>A. On a motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for Matt and Darcy Ulbrich, Parcel 17-0140-000.</p> <p>B. Abraham Algadi, Executive Director of WREDC, reviewed the Nobles Home Initiative Application.</p> <p>C. No public comments were received.</p> <p>D. On a motion by Gene Metz and seconded by Robert S. Demuth, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.</p> <p>E. On a motion by motion by Robert S. Demuth and seconded by Donald Linssen, it was duly passed to adopt Resolution 201924 approving tax abatement to Matt and Darcy Ulbrich for parcel 17-0140-000 pursuant to Minnesota Statute 469.1813.</p>
6.2	<p>Public Hearing – Proposed Property Tax Abatement Cooperative Farmers Elevator; Parcel 15-0193-300</p> <p>A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decision – Resolution 201925 (<i>Action</i>)</p>
	<p><u>Attachments:</u> NC Business Subsidy Policy CFE Application Resolution 201925 Development and Tax Abatement Agreement</p>
	<p>A. On a motion by Justin Ahlers and seconded by Matt Widboom, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for Cooperative Farmers Elevator, Parcel 15-0193-300.</p> <p>B. Tom Johnson, County Administrator/Interim Emergency Manager, reviewed the application and advised that Bigelow has not gotten final approval for annexation yet. Bob Frank, CFE East Region Manager, and Roger Hinrichs, CFE Bigelow Location Manager, provided information for the building project.</p> <p>C. No public comments were received.</p> <p>D. On a motion by Gene Metz and seconded by Justin Ahlers, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.</p> <p>E. On a motion by motion by Justin Ahlers and seconded by Donald Linssen, it was duly passed to adopt Resolution 201925 approving tax abatement to Cooperative Farmers Elevator for a period of five (5 years) with the annual amount of the tax abatement equal to the percentages in Table A of the County’s share of real estate taxes upon the value added to the Facility and the</p>

	Development Property, and the total amount of the tax abatement granted shall not exceed \$149,999.99 (the "Abatement Assistance"); and further, contingent upon the language agreement between Cooperative Farmers Elevator and Nobles County's Bond Counsel.
7.0	Department Presentations
7.1	Sheriff – Kent Wilkening
A.	H.E.A.T. Tactical Team
	Kent Wilkening, Sheriff, presented the Board with information and a recommendation in the area of approving a Joint Powers Agreement for sharing of Law Enforcement Officers and providing Emergency Response Assistance. Attachments: 28E Agreement for Sharing Of Law Enforcement Officers and Providing Emergency Response Assistance (H.E.A.T. Tactical Team)
<u>VOTING</u>	
It was duly passed to approve the Joint Powers Agreement for the H.E.A.T. Tactical Team with a cost of \$2,100 per year; and further, authorize the County Board Chair to sign, on behalf of Nobles County, the 28E Agreement for Sharing of Law Enforcement Officers and Providing Emergency Response System. Moved By: Metz, Gene Seconded by: Ahlers, Justin	
B.	Range Use Agreement
	Kent Wilkening, Sheriff, presented the Board with information and a recommendation in the area of authorizing the Sheriff to sign a facility use agreement with the City of Worthington for use of the City's outdoor firearms shooting range. County Attorney, Kathleen Kusz, was present and stated her concerns were mostly issues of clarity, but that she was informed that it was a "take or leave it" agreement. Attachments: County Attorney Comments Range Use Agreement
<u>VOTING</u>	
It was duly passed to authorize the Sheriff to sign the Range Use Agreement with the City of Worthington for use of the outdoor firearms shooting range for the purpose of firearms training. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
7.2	Plum Creek Library System – Jim Trojanowski
A.	County Funding to Library System
	Jim Trojanowski, Plum Creek Library System Director, presented the Board with information in the area of continued reduction in state funding each year since 2009, which has been the equivalent of ½ % reduction each year. Mr. Trojanowski advised the Plum Creek Library System will be making a request to the 9 counties for an increase in funding from this fiscal year of \$2,500 to \$3,250 for the next fiscal year.
7.3	Public Works
A.	Highway – Stephen Schnieder
1.	Rural Street Lighting Contract

	<p>Commissioners Ahlers stated for the record that he would be recusing himself from this decision due to his involvement with Loosbrock Digging Service, Inc. of Lismore. Stephen Schnieder, Public Works Director/County Engineer, presented the Board with information and a recommendation in the area of awarding the contract for rural street lighting. The one bid received out of six contractors that received plans was 16.5% under the estimated cost.</p> <p><u>Attachments/Handouts:</u> Contract No. 19002 Intersection Lighting Systems</p>
	<p><u>VOTING</u> It was duly passed to accept the low bid and award the contract to Loosbrock Digging Service for the bid amount of \$361,598.41 as presented. Moved by: Metz, Gene Seconded by: Widboom, Matt In Favor: Metz, Gene; Widboom, Matt, Demuth, Robert S.; Linssen, Donald Opposed: None Recused: Ahlers, Justin</p>
B.	Environmental Services – Kathy Henderschiedt
1.	Conditional Use Permit #06-2019 Leroy and Suann Tweet, Kenneth MN
	On behalf of Kathy Henderschiedt, Planning and Zoning Administrator, Stephen Schnieder, Public Works Director/County Engineer, presented the Board with information and recommendations on 4 conditional use permits.
	<p><u>VOTING</u> It was duly passed to approve the request of Leroy & Suann Tweet, Kenneth, MN for the continued operation of an existing gravel pit, aggregate crushing site, and stockpile site with conditions as recommended by the Planning and Zoning Commission, in addition to modifying the condition that “existing stockpiles that do not meet the setback requirement must be moved or adjusted to meet the required 30’ setback from the road right-of-way” to include the deadline of October 31, 2019. Moved by: Metz, Gene Seconded by: Demuth, Robert S.</p>
2.	Conditional Use Permit #07-2019 Nobles County Landfill, Inc., Worthington MN
	Eric Joens was present and answered questions of the Board.
	<p><u>VOTING</u> It was duly passed to approve the request of Nobles County Landfill, Worthington, MN to relocate and construct a new scale room, scale, and office/shop as recommended by the Planning and Zoning Commission. Moved by: Ahlers, Justin Seconded by: Linssen, Donald</p>
3.	Conditional Use Permit #08-2019 K-Line Properties LLC, DBA Chandler Feed Co., Chandler MN
	<p><u>VOTING</u> It was duly passed to approve the request of K-Line Properties, LLC – DBA Chandler Feed Company, Chandler, MN to add loading bins to an existing elevator as recommended by the Planning and Zoning Commission. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>
4.	Conditional Use Permit #09-2019 K-Line Properties LLC, DBA Chandler Feed Co., Chandler MN
	<p><u>VOTING</u> It was duly passed to approve the request of K-Line Properties, LLC – DBA Chandler Feed</p>

<p>Company, Chandler, MN to construct an 88' x 24' scale as recommended by the Planning and Zoning Commission. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p>	
7.4	Drainage System – Joyce Jacobs
A.	Motion to recess regular County Board meeting/Convene as Ditch Authority
<p><u>VOTING</u> It was duly passed to recess the regular County Board meeting and convene as the Ditch Authority. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
B.	Joint Ditch Authority Appointments
	<p>Joyce Jacobs, Auditor/Treasurer, presented the Board with information on the upcoming final hearings for 3 of the joint ditches and a recommendation in the area of Joint Ditch Authority Appointments, proposing that appointments be determined by commissioner district.</p> <p><u>Attachments:</u> Judicial Ditch Appointment Listing</p>
<p><u>VOTING</u> It was duly passed to approve the ditch appointments as presented and discussed including the amendment of Joint County Judicial Ditch 13 to appoint Commissioners from District II and District III and the amendment of Joint County Judicial Ditch 24 to appoint Commissioners from District I and District III. Moved by: Metz, Gene Seconded by: Widboom, Matt</p>	
<p>Ms. Jacobs advised that the appointment for Joint County Judicial Ditch 13 will return to Commissioner Districts I and III after Commissioner Ahlers has completed his term(s) and there is no longer a conflict.</p>	
C.	Motion to adjourn as Ditch Authority/Reconvene County Board meeting
<p><u>VOTING</u> It was duly passed to adjourn as the Ditch Authority and reconvene the County Board Meeting. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
7.5	Information Technology – Angelo Torres
A.	I-Series/AS400 Purchase
	<p>Angelo Torres, I.T. Director, presented the Board with information and a recommendation in the area of proposals received for the replacement of the IBM I-Series/AS400 Server and advised of the differences in the proposals.</p> <p><u>Attachments:</u> CPS Technology Solutions Proposal Redstone Tech, Inc. & Heppner Consulting, Inc. Proposal</p>
<p><u>VOTING</u> It was duly passed to approve the purchase of an I-Series/AS400 replacement in the amount of \$29,971 with payment out of the General Fund Reserves. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p>	

B.	Request for Proposals – Prairie Justice Ctr Security Camera System
	Mr. Torres presented the Board with information and a recommendation in the area of a request for proposals to replace the security camera system at the Prairie Justice Center. The Board questioned where the money would come from to fund this project and County Administrator, Tom Johnson, advised he and Mr. Torres will work with the Finance Director to select where it is appropriate to pay it from. Attachments: RFP
<u>VOTING</u> It was duly passed to approve the request for proposals for the PJC Security Camera System, setting that proposals be submitted to the Nobles County Administration office no later than 1:30 p.m., Friday, July 12, 2019. Moved by: Metz, Gene Seconded by: Linssen, Donald	
7.6	County Attorney – Kathleen Kusz
A.	Retirement Notification
	Kathleen Kusz, Nobles County Attorney, presented the Board with an official notice that she will be leaving her position and retiring on September 30, 2019. Attachments: Official Notice of Retirement
<u>VOTING</u> It was duly passed to accept the retirement letter of Kathleen Kusz, Nobles County Attorney, for her retirement on September 30, 2019. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
The Board of Commissioners thanked Ms. Kusz for her years of service and for providing a long notice.	
8.0 Administration Presentation – Tom Johnson	
8.1	2019 Board Appointments – PrimeWest Voting Delegate and Alternate
	Tom Johnson, County Administrator, advised as part of the PrimeWest partnership initiated by the adopted resolution to join PrimeWest, representatives need to be appointed to the Board. The Board held discussion that Murray County has reconsidered their involvement but advised that the issue at hand is whether or not to appointment representatives to the PrimeWest Board. Attachments: 2019 Board Appointments
<u>VOTING</u> It was duly passed to appoint Commissioner Donald Linssen as the Delegate representing Nobles County on the PrimeWest Board. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
<u>VOTING</u> It was duly passed to appoint Commissioner Robert S. Demuth as the Alternate representing Nobles County on the PrimeWest Board. Moved by: Ahlers, Justin Seconded by: Widboom, Matt	
8.2	Amendment to Marsden Cleaning Services Agreement

	<p>Mr. Johnson presented the Board with information and recommendation to amend the current Marsden contract to include the Library and Public Works buildings.</p> <p><u>Attachments:</u> Scope of services Marsden quote</p>
<p><u>VOTING</u> It was duly passed to authorize Administration to amend the current Marsden contract to include the Library and Public Works buildings. Moved by: Demuth, Robert S. Seconded by: Metz, Gene</p>	
8.3	Supporting the Legacy Funds Grant Application – Resolution 201926
	<p>Mr. Johnson presented the Board with information and a recommendation in the area of authorizing the Nobles County Historical Society to submit a Legacy Funds Grant application to the Minnesota State Historical Society on behalf of Nobles County, as current owner, to install a new HVAC system in the Armory.</p> <p><u>Attachments:</u> Resolution 201926</p>
<p><u>VOTING</u> It was duly passed to adopt Resolution 201926 as follows: WHEREAS, Nobles County is a political subdivision in the state of Minnesota; and WHEREAS, Nobles County desires to approve the submission of a Legacy funds grant application to the Minnesota State Historical Society, with a pre-application deadline of July 26, 2019; and WHEREAS, It is understood that the focus of this proposal will be for the purchase and installation of a museum quality HVAC system for the reuse of the Armory facility by the Nobles County Historical Society. NOW, THEREFORE, BE IT RESOLVED that Nobles County authorizes representatives of the Historical Society to prepare and submit the grant application Moved by: Ahlers, Justin Seconded by: Linssen, Donald</p>	
8.4	Application for State Bond Funds for W.E.L.L.
	<p>Mr. Johnson advised the Board of the opportunity to apply for MN State Bond Funds for the 2020 cycle. Proposals need to be uploaded by June 14th. Commissioner Ahlers advised he had received comments from constituents who are in favor of a Library, but not in favor of the W.E.L.L. project.</p> <p><u>Attachments/Handouts:</u> 2018 application data</p>
<p><u>VOTING</u> It was passed to approve Administration to submit an application for state bond funds for the W.E.L.L. project in the 2020 state bond process. Moved by: Metz, Gene Seconded by: Demuth, Robert S. In Favor: Metz, Gene; Demuth, Robert S.; Widboom, Matt; Linssen, Donald Opposed: Ahlers, Justin</p>	
8.5	W.E.L.L. – Resolution 201927
	<p>Mr. Johnson advised a resolution should accompany the application for state bond funds for the W.E.L.L. project.</p>
<p><u>VOTING</u> It was passed to adopt Resolution 201927 as follows: WHEREAS, Nobles County is a political subdivision in the state of Minnesota; and</p>	

WHEREAS, Nobles County desires to submit a bond request application with a local jurisdiction deadline of June 14, 2019; and

WHEREAS, This proposal will be for the design and construction of the WELL (Welcome, Education, Library, Livability) building in collaboration with the City of Worthington, ISD 518, Nobles County, the Nobles County Art Center, and possibly other entities; and

WHEREAS, Matching funds will be through private donations, reserve funds of each of the collaborative entities and a local general obligation bond; and

NOW, THEREFORE, BE IT RESOLVED that Nobles County authorizes Administration to prepare and submit the grant application for state bond funds to design and construct the WELL project.

Moved by: Demuth, Robert S.

Seconded by: Metz, Gene

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

Opposed: Ahlers, Justin

9.0 Inter-Agency Reports / Announcements

9.1 Committee and Board Reports

Vice-Chairperson Ahlers became the presiding officer as Chairperson Widboom had to suddenly excuse himself.

District I - Commissioner Ahlers reported on Southwestern Minnesota Opportunity Council (SMOC) transit, Nobles County Historical Society, Rock - Nobles Community Corrections and advised of a call from a Murray County Commissioner with a request to meet with Nobles and Pipestone Counties to discuss the Buffalo Ridge Drug Task Force.

District II - Commissioner Metz reported on the Plum Creek Library System Executive Board meeting

District III - Commissioner Widboom – absent.

District IV - Commissioner Demuth reported on Coffee with your Commissioners and the Planning and Zoning meeting.

District V - Commissioner Linssen reported on the Joint Law Enforcement Center Committee, Park Board and Coffee with your Commissioners.

Management Team - Attorney Kusz had no report

County Administration – Tom Johnson reported on Emergency Management, development of several agreements and the recent Public Employee Insurance Program (PEIP) presentations.

Attachments:

Okabena-Ocheda Watershed District Board of Mgrs Mtg Minutes May 7, 2019

9.2 Correspondence

Attachments:

Recruitment Update

Hwy 91 Project Open House Invite

Seeds of Hope SWMHC Invite

NFP Round Lake Feed Mill Open House Invite

Health Care Foundation Thank you for 2019 Manna Food Pantry Appropriation

9.3	Calendar <u>Attachment:</u> Commissioners Calendar - June 2019
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10.0 Other / Future Business

Association of Minnesota Counties District 8 Mtg

Thursday, June 6, 2019 8:30 a.m.
Tyler Golf Club, 420 County Rd 7, Tyler MN

Nobles Economic Opportunity Network (N.E.O.N.)

Thursday, June 6, 2019 5:30 p.m. – 7:00 p.m.
BioTechnology Advancement Center, 1527 Prairie Drive, Worthington MN

Highway 91 Project Open House

Monday, June 10, 2019 4:00 p.m. – 6:00 p.m.
Argonne American Legion Post #32, 109 Maine Ave, Adrian MN

Board of Commissioners Regular Meeting


Tuesday, June 18, 2019 9:00 a.m.
Board of Commissioners Rm, Gvt Ctr, 315 Tenth Street, Worthington MN

Board of Equalization

Tuesday, June 18, 2019 6:00 p.m. – 7:00 p.m.
Board of Commissioners Rm, Gvt Ctr, 315 Tenth Street, Worthington MN

11.0 Adjournment

VOTING
It was duly passed to adjourn the meeting at 10:23 a.m.
Moved by: Metz, Gene
Seconded by: Linssen, Donald
In Favor: Metz, Gene; Linssen, Donald; Ahlers, Justin; Demuth, Robert S.
Absent: Widboom, Matt



(Chairperson)



(County Administrator)