

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, July 07, 2020, in the Commissioners Room, at the Nobles County Government Center, Worthington, Minnesota. The following Commissioners were in attendance in the Board Room: Justin Ahlers, Gene Metz, Robert S. Demuth, Donald Linssen and Matt Widboom.

The meeting was called to order by Chairperson Ahlers at 9:00 A.M. followed by the Pledge of Allegiance.

1.0 Call to Order	
2.0 Pledge of Allegiance	
3.0 Approval of Agenda Item 5.3 was pulled from the agenda.	
<u>VOTING</u> It was duly passed to approve the agenda with adjustments. Motion by: Widboom, Matt Seconded by: Linssen, Donald	
4.0 Consent Agenda	
4.1	June 23, 2020 Regular Board Meeting Minutes <u>Attachments:</u> June 23, 2020 Draft Regular Board Meeting Minutes
4.2	June 16, 2020 Board of Equalization Meeting Minutes <u>Attachments:</u> June 16, 2020 Draft Board of Equalization Meeting Minutes
4.3	Meetings & Conferences – Travel Expenses <u>Attachments:</u> Travel Expenses paid June 16, 2020 and July 02, 2020
4.4	PCard/Auditor's Warrants <u>Attachments:</u> Accounts Payable Summary Auditor's Warrants
<u>VOTING</u> It was duly passed to approve the Consent Agenda. Moved by: Metz, Gene Seconded by: Widboom, Matt	
5.0	Department Presentations
5.1 (A)	Roundabout at Oxford and Diagonal Stephen Schnieder presented the board with information regarding a roundabout at Oxford and Diagonal in Worthington that needs to be scheduled for construction.
<u>VOTING</u> It was duly passed to authorize the Public Works Director to hire a consultant to design the roundabout and adjacent approach road projects. Moved by: Widboom, Matt Seconded by: Demuth, Robert S.	
5.1 (B)	Local Options Sales Tax Public Hearing <u>Attachments:</u> Notice of Public Hearing draft

Minnesota Statutes allow for counties to implement a local option sales tax of up to ½ cent for transportation projects. Before implementing the sales tax, a public hearing is needed to provide the public the opportunity to comment on the taxes and the proposed projects. The county board set a Public Hearing Date for March 24, 2020, but the hearing was postponed due to the COVID-19 meeting restrictions. It was recommended to the board to set a new public hearing date, time and location.

VOTING

It was duly passed to table the item until further in the meeting to determine a meeting location.
Moved by: Demuth, Robert S.
Seconded by: Metz, Gene

5.2 (A)	Conditional Use Permit <u>Attachment:</u> Planning and Zoning Minutes 6/24/2020
----------------	---

Ryan Henning, DBA Henning Construction Inc., Adrian, MN applicant, and Leonard & Laura Stover, Adrian, MN landowners, a request for a conditional use permit for the stockpiling of gravel, asphalt, and concrete, concrete crushing, and storage building to be constructed at a future date. Public hearing is required under Section 508 Mining and Excavation Permits of the Nobles County Land Use Ordinance. This parcel of land is located on an approximate 10-acre tract in the NE ¼ of the SE ¼, Section 14, Twp. 102, Range 43, (Westside Township). It was recommended to the board to approve the request of Ryan Henning, DBA Henning Construction, Inc., Adrian, MN, applicant, and Leonard & Laura Stover, Adrian, MN, landowners, a request for a conditional use permit for the stockpiling of gravel, asphalt, and concrete, concrete crushing, and storage building to be constructed at a future date with the following conditions:

- 1.) Henning Construction will be responsible for dust control should the need arise, and for maintenance of Cory Avenue above and beyond Westside Township's maintenance.
- 2.) Henning Construction must notify Nobles County Environmental Services prior to operation of the concrete crushing operation.
- 3.) Weeds must be controlled on the 10-acre parcel of land.
- 4.) A Storm Water Pollution Prevention Plan permit must be in place.
- 5.) Henning Construction must receive a driveway permit from the township.
- 6.) Henning Construction and Westside Township have agreed that Henning Construction can utilize Cory Avenue as a 10-ton road year-round. If the Henning Construction operation causes any damages to Cory Avenue, Henning Construction will repair it.

VOTING

It was duly passed to approve the conditional use permit #02-2020 with stated conditions.
Moved by: Metz, Gene
Seconded by: Ahlers, Justin

5.4 (C)	2020 County Position Allocation Updated <u>Attachment:</u> Resolution 202003
----------------	--

In accordance with the adopted 1976 Personnel Act, Chapter 182, Laws of 1976, the act provides for County Personnel Administration to set the maximum positions allocated to each office for 2020, which have been set for 2020. The Board has requested an update to the resolution. During the 2021 budget discussion at the June 30, 2020 the Board requested that the resolution that was approved for the 2020 position allocation list be amended. The amendment requested for discussion is to require department heads to request board approval prior to filling any positions. Discussion was had regarding the current 16 open positions in various hiring stages and whether these positions would need to go through board approval. It was ultimately decided to grandfather these 16 positions in so they do not need board approval and could continue with whichever hiring stage they were at.

VOTING

It was duly passed to approve the 2020 Amended Position Allocation Resolution 202003.
Moved by: Ahlers, Justin

Seconded by: Demuth, Robert S.	
5.4 (A)	Deputy A/T – Recorder Floater Position <u>Attachments:</u> Job Description
In the 2020 budget a new position for the Auditor-Treasurer’s office was approved. A/T and Recorder worked to combine the position to a floater between the two offices. The new position description has been reviewed and pointed by George Gmach to be 203 point value and a level 7 pay.	
<u>VOTING</u> It was duly passed to approve the job description and associated point value. Moved by: Linssen, Donald Seconded by: Metz, Gene It was passed to approve for the hiring of the Deputy Auditor-Treasurer-Recorder Floater Position. Moved by: Widboom, Matt Seconded by: Demuth, Robert S. In Favor: Widboom, Matt; Demuth, Robert S.; Metz, Gene; Linssen, Donald Opposed: Ahlers, Justin	
5.4 (B)	Deputy Auditor-Treasurer Position Reclassification <u>Attachments:</u> Job description with changes Job description – final edit
Due to a vacancy in the Auditor/Treasurer’s office, The Deputy Auditor/Treasurers Administration and Deputy Auditor/Treasurer Accounting positions be updated and combined into one job description. Due to the Finance department taking over some of the Auditor/Treasurers duties and more emphasis is now on ditches, tax abatements and elections. George Gmach reviewed the recommended changes to the 2 positions that are combined into one job description with the following recommendations. The points increased to 236 and the pay level stayed the same at a 9.	
<u>VOTING</u> It was duly passed to approve the Deputy Auditor-Treasurer Tax/Record/Elections job description and associate point values. Moved by: Demuth, Robert S. Seconded by: Linssen, Donald It was passed to approve the hiring of the Deputy Auditor-Treasurer Tax/Records/Election position. Moved by: Demuth, Robert S. Seconded by: Widboom, Matt In Favor: Widboom, Matt; Demuth, Robert S.; Metz, Gene; Linssen, Donald Opposed: Ahlers, Justin	
5.1 (B)	Local Options Sales Tax Public Hearing
<u>VOTING</u> It was duly passed to un table the Local Options Sales tax public hearing item. Moved by: Widboom, Matt Seconded by: Linssen, Donald	
It was discussed and decided to schedule a public hearing for Tuesday August 18 th at 9:05 a.m. and a continuation at 7:00 p.m. at the Worthington Event Center, Worthington MN.	
<u>VOTING</u> It was duly passed to hold a public hearing for the local option sales tax on Tuesday August 18, 2020 at 9:05 a.m. with a continuation at 7:00 p.m. at the Worthington Event Center in Worthington, MN. Moved by: Metz, Gene Seconded by: Widboom, Matt	

6.0	Administration Presentations
6.1	<p>Counties Providing Technology Joint Powers Agreement Changes <u>Attachments:</u> CPT Letter JPA with changes indicated JPA final edit</p>
<p>Counties Providing Technology (CPT) Board has approved changes to the Joint Powers Agreement (JPA) and each member county is to ratify the changes. The board reviewed the attached documentation indicating the changes.</p>	
<p><u>VOTING</u> It was duly passed to approved the updated Joint Powers Agreement dated June 22, 2020. Moved by: Metz, Gene Seconded by: Demuth, Robert S.</p>	
6.2	<p>Herlein-Boote <u>Attachments:</u> Letter</p>
<p>At a recent meeting Administration was to draft and then amend a document to update activity regarding water concerns stemming from the Herlein-Boote slough. Administration drafted a letter which was attached. The letter was reviewed by our water attorney who recommended minor edits. The Board acted upon further edits during the June 23, 2020 Commissioners Meeting. One last amendment was agreed upon to the attached letter, which was to the last paragraph.</p>	
<p><u>VOTING</u> It was passed to approve the letter as amended. Moved by: Metz, Gene Seconded by: Linssen, Donald In Favor: Widboom, Matt; Demuth, Robert S.; Metz, Gene; Linssen, Donald Opposed: Ahlers, Justin</p>	
6.3	PJC Sidewalk Project
<p>The PJC main sidewalk is in poor condition and should be replaced. This is the second round of bids for the project. The first time posted we only received one proposal and it was rejected, and the board directed Administration to re-bid the project. Several contractors considered making proposals, but at the last minute chose not to. Again there is only one bid and from Ideal Landscape & Design Inc. They did reduce their proposal more than 10% because of the flexible start date which was a change in the specifications hoping to make it easier for additional contractors to consider. Ideal Landscape & Design Inc \$74,500.00</p>	
<p><u>VOTING</u> It was duly passed to approve administration to develop an agreement with Ideal Landscape & Design Inc. for the PJC sidewalk replacement. Moved by: Widboom, Matt Seconded by: Metz, Gene</p>	
6.4	<p>CARES Act Funding <u>Attachments:</u> CARES Act Fund Distribution List</p>
<p>CARES Act funds were released by the State of Minnesota in recent days. Nobles County will receive more than \$2.7million to assist with costs related to COVID-19. There are 3 primary criteria for the use of these funds: 1) The related expenses were reasonably necessary. 2) The expenses were not accounted for in the current approved budget. 3) Costs for county consideration must be incurred between March 1,2020 and December 1, 2020.</p>	

The information was discussed and it was decided to hold a work session on Wednesday July 15th.

VOTING

No Action was needed.

7.0 Inter-Agency Reports/Announcements

7.1 Committee and Board Reports

District V - Commissioner Linssen – Reported on attending a Southern Prairie meeting where it was voted to send some funding back to the county. Also reported on ACE where insurance coverage was discussed.

District IV - Commissioner Demuth – No Report

District I - Commissioner Ahlers – No Report

District II - Commissioner Metz – Reported on PACE and Rural Energy Board

District III - Commissioner Widboom – No Report

County Administration – Bruce Heitkamp reported that pre COVID-19 work is resuming while still remaining busy with COVID discussions. Working on a Mutual Aid grant and receiving bids which will be brought before the board at a later meeting.

Tom Johnson reported that 2021 budget discussions are starting.

7.2 Correspondence

Attachments:

Recruitment Update

Nobles SWCD Agenda 6/24/2020

HLWD Project 2 Agenda 7/9/2020

HLWD JD 36 Agenda 7/9/2020

HLWD JD 14 Agenda 7/8/2020

Nobles SWCD Meeting Minutes 5/20/2020

KLR Profit/Loss as of 6/30/2020

Calendar of Events

Nobles SWCD Program Summary

Nobles SWCD Bills Payable as of 5/31/2020

Nobles SWCD Profit/Loss as of 5/31/2020

Nobles SWCD Profit Loss as of 5/31/2020

KLR Agenda 7/9/2020

Calendar of Events

KLR Bills Payable as of 6/30/2020

KLR Balance Sheet as of 6/30/2020

KLR Ditch Balance as of 6/30/2020

KLR Meeting Minutes 5/21/2020

A Caring Place (for kids) Letter to Commissioners

SW Initiative Foundation Flier

7.3 Calendar

Attachments:


July 2020 Calendar

8.0 Other / Future Business

Redetermination of Joint Judicial Ditches – Tuesday July 07, 2020

Nobles County Government Center – Board Room

	JD 4, 9 & 76 – 11:40 a.m. JD 17 – 11:50 a.m. JD 11 & 26 – 12:00 p.m.
9.0 Adjournment	
<u>VOTING</u> It was duly passed to adjourn the meeting at 10:14 A.M. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	



(Chairperson)

(County Administrator)