

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, November 03, 2020, at the Board of Commissioners Room, Government Center, Worthington, Minnesota. The following Commissioners were in attendance in the Board Room: Justin Ahlers, Gene Metz, Donald Linssen, Robert S. Demuth 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	
<u>VOTING</u> It was duly passed to approve the agenda as presented. Motion by: Widboom, Matt Seconded by: Metz, Gene	
4.0 Recognition	
4.2 Excellence in Performance – October 2020 Rachel Van Gorp, Social Worker, was recognized as the recipient of the Excellence in Performance award for October 2020.	
4.3 Veterans Service Officer Recognition Bill “Brock” Brockberg was recognized for his appointment as Nation Aide-de-Camp to the Veterans of Foreign Wars Commander-in-Chief.	
5.0 Consent Agenda	
5.1	October 20, 2020 Regular Board Meeting Minutes Draft <u>Attachments:</u> October 20, 2020 Draft Regular Board Meeting Minutes
5.2	Meetings & Conferences – Travel Expenses <u>Attachments:</u> Travel Expenses paid October 23, 2020
5.3	Pcard/Auditor's Warrants <u>Attachments:</u> Accounts Payable Summary Auditor’s Warrants
5.4	2021 SSTS Program Grant Agreement <u>Attachments:</u> FY 2021 State of Minnesota Board of Water and Soil Resources MPCA SSTS Program Grant Agreement
5.5	Medical Examiner Contract Agreement <u>Attachments:</u> Agreement
<u>VOTING</u> It was duly passed to approve the Consent Agenda. Moved by: Demuth, Robert S. Seconded by: Widboom, Matt	

6.0	Public Hearing
6.1	<p>Public Hearing – Proposed Property Tax Abatement DK Buildings Parcel 31-3406-255</p> <p>A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions</p> <p>1. DK Buildings Parcel 31-3406-255– Resolution 202054 (<i>Action</i>)</p> <p><u>Attachments:</u> NHI Nobles County Guidelines Application information Resolution 202054</p>
<p>A. A motion by Matt Widboom and seconded by Gene Metz, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for DK Buildings Parcel 31-3406-255</p> <p>B. Tom Johnson, Nobles County Administrator, reviewed the Nobles Home Initiative Application.</p> <p>C. No public comments were received.</p> <p>D. On a motion by Robert S. Demuth and seconded by Donald Linssen, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.</p> <p>E. On a motion by Gene Metz and seconded by Robert S. Demuth, it was duly passed to adopt Resolution 202054 approving tax abatement to DK Buildings Parcel 31-3406-255 pursuant to Minnesota Statute 469.1813..</p>	
6.2	<p>Public Hearing – Proposed Property Tax Abatement DK Buildings Parcel 31-3406-255</p> <p>A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions</p> <p>1. DK Buildings Parcel 31-3406-255– Resolution 202055 (<i>Action</i>)</p> <p><u>Attachments:</u> NHI Nobles County Guidelines Application information Resolution 202055</p>
<p>A. A motion by Donald Linssen and seconded by Matt Widboom, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for DK Buildings Parcel 31-3406-255</p> <p>B. Tom Johnson, Nobles County Administrator, reviewed the Nobles Home Initiative Application.</p> <p>C. No public comments were received.</p> <p>D. On a motion by Robert S. Demuth 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 Justin Ahlers and seconded by Gene Metz, it was duly passed to adopt Resolution 202055 approving tax abatement to DK Buildings Parcel 31-3406-255 pursuant to Minnesota Statute 469.1813..</p>	
6.3	<p>Public Hearing – Proposed Property Tax Abatement V & O Properties Parcel 31-3493-515</p> <p>A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions</p> <p>1. V & O Properties Parcel 31-3493-515 – Resolution 202056 (<i>Action</i>)</p> <p><u>Attachments:</u> NHI Nobles County Guidelines</p>

	Application information Resolution 202056
	<p>A. A motion by Gene Metz and seconded by Donald Linssen, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for V & O Properties Parcel 31-3493-515</p> <p>B. Tom Johnson, Nobles County Administrator, reviewed the Nobles Home Initiative Application.</p> <p>C. No public comments were received.</p> <p>D. On a motion by Donald Linssen 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 Donald Linssen and seconded by Justin Ahlers, it was duly passed to adopt Resolution 202056 approving tax abatement to V & O Properties Parcel 31-3493-515 pursuant to Minnesota Statute 469.1813..</p>
6.4	<p>Public Hearing – Proposed Property Tax Abatement V & O Properties Parcel 31-3493-515</p> <p>A. Open Hearing (Action)</p> <p>B. Proposed Abatement – Discussion</p> <p>C. Public Comment</p> <p>D. Close Hearing (Action)</p> <p>E. Decisions</p> <p>1. V & O Properties Parcel 31-3493-515 – Resolution 202057 (Action)</p> <p><u>Attachments:</u> NHI Nobles County Guidelines Application information Resolution 202057</p>
	<p>A. A motion by Gene Metz and seconded by Robert S. Demuth, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for V & O Properties Parcel 31-3493-515</p> <p>B. Tom Johnson, Nobles County Administrator, reviewed the Nobles Home Initiative Application.</p> <p>C. No public comments were received.</p> <p>D. On a motion by Justin Ahlers and seconded by Matt Widboom, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.</p> <p>E. On a motion by Matt Widboom and seconded by Gene Metz, it was duly passed to adopt Resolution 202057 approving tax abatement to V & O Properties Parcel 31-3493-515 pursuant to Minnesota Statute 469.1813..</p>
7.0	Department Presentations
7.1 (A)	<p>County Road 57 Bridge Replacement</p> <p><u>Attachments:</u> Resolution 202059</p>
	<p>Bridge Number L3308 on County Road 57 has become eligible for state funding. This bridge was proposed for replacement with county funding, but was not done due to the higher costs when bid. The State bonding for bridges will not pick up around 90% of the project cost. The construction plans and required permits are ready to move this project forward for construction once the funding is approved. Prioritizing the bridge is the next step in receiving state bond funding.</p>
	<p><u>VOTING</u></p> <p>It was duly passed to approve resolution 202059 prioritizing bridge L3308 for state funding. Moved by: Widboom, Matt Seconded by: Metz, Gene</p>
7.1 (B)	<p>City of Brewster Snow Removal Agreement</p> <p><u>Attachments:</u> Agreement Brewster Resolution Resolution 202060</p>
	<p>The City of Brewster provides snow removal service on the main street through town and on the road to the soy bean plant. This speeds up plowing operations for the rural routes. The city also plows and hauls snow which the county does not do. This allow for the payment of some of the</p>

snow removal operations that were not being paid for in the past. It also provides continuity in operations since the county doesn't need to do part of the roadway while the city does another part.

VOTING

It was duly passed to approve resolution 202060 for a snow removal agreement with the City of Brewster.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

7.1 (C) Downtown Snow Removal Service

Attachments:

Agreement

Resolution 202061

The snow removal services for the downtown parking lots has expired. Quotes were requested with one contractor submitting a quote. The low quote is from the same contractor that provided the service for the past 3 years.

VOTING

It was duly passed to approve resolution 202061 for an agreement with Greg Gruis for snow removal services.

Moved by: Widboom, Matt

Seconded by: Linssen, Donald

7.1 (D) Adrian Shop Concrete Pavement

Attachments:

Final Payment

Resolution 202062

The concrete pavement work at the Adrian Shop has been completed. The county board needs to accept the completed contract and authorize final payment

VOTING

It was duly passed to approve resolution 202062 authorizing final payment to be made for the Adrian Shop concrete work.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

7.1 (E) Requisition for Personnel

Attachments:

Requisition

A highway maintenance worker has accepted the position of the Drainage System Coordinator. Getting a replacement hired as soon as possible is needed with winter season coming soon.

VOTING

It was duly passed to approve the requisition for personnel for a highway maintenance worker.

Moved by: Demuth, Robert S.

Seconded by: Widboom, Matt

7.2 (A) Requisition for Personnel

Attachments:

Requisition

A 4/5th time Deputy has moved to a full time Deputy position. It was requested to refill the 4/5th time deputy position.

VOTING

It was duly passed to approve the requisition for a 4/5th time deputy.

Moved by: Demuth, Robert S.

Seconded by: Linssen, Donald

7.3 (A) Contract Extension with Mary Viessman

Attachments:

Agreement

The County Attorney's office is requesting a 30 day extension to a professional service agreement with Mary Viessman.	
<u>VOTING</u> It was duly passed to approve extension to Mary Viessman's professional service agreement. Moved by: Widboom, Matt Seconded by: Metz, Gene	
7.4 (A)	Nobles County Solar Energy Ordinance <u>Attachments:</u> Planning & Zoning Draft Minutes 10/28/2020 Nobles County Solar Energy Ordinance
Environmental Services presented a Nobles County Solar Energy Ordinance recommended by the Nobles County Planning Commission.	
<u>VOTING</u> It was duly passed to approve the Nobles County Solar Energy Ordinance as recommended by the Nobles County Planning Commission to be effective January 1, 2021. Moved by: Metz, Gene Seconded by: Demuth, Robert S.	
7.6 (A)	CARES Act Consultation Services <u>Attachments:</u> Agreement
In preparation for our single audit, CliftonLarsonAllen (CLA) has reviewed some of our CARES Act documentation. Since CLA is our auditing firm, we need to sign an engagement letter for consulting services to avoid any conflicts of interest.	
<u>VOTING</u> It was duly passed to approve the Finance department to engage CLA for the purposes of CARES Act consultation services. Moved by: Widboom, Matt Seconded by: Linssen, Donald	
7.7 (A)	Public Works Director and Highway Maintenance Superintendent Position Reclassification <u>Attachments:</u> Public Works Director Position Description Highway Maintenance Superintendent Position Description
In consideration of the resignation of the Drainage System Coordinator, the Board determined that this position should be part of the Public Works department rather than reporting to the Auditor/Treasurer. This position will still continue to work with both departments to meet the statute guidelines. Mr. Schnieder requested to have his position and that of the Highway Maintenance Superintendent (the direct supervisor for the Drainage System Coordinator) reclassified. George Gmach reviewed the recommended changes to the 2 positions with the following recommendations. Both positions had a change in associated point values but did not change pay levels. Discussion was held on what it would take to bump these positions up. It was explained that the PW Director was at a 574 and the next level was 614 points. The Highway Maintenance Superintendent was at a 366 and the next level was 370 in points.	
<u>VOTING</u> It was passed to approve the Public Works Director position description and associated points. Moved by: Demuth, Robert S. Seconded by: Widboom, Matt In Favor: Demuth, Robert S.; Linssen, Donald; Metz, Gene Opposed: Widboom, Matt; Ahlers, Justin It was passed to approve the Public Works Director position description and associated points. Moved by: Widboom, Matt Seconded by: Metz, Gene	

In Favor: Demuth, Robert S.; Linssen, Donald; Metz, Gene; Widboom, Matt Opposed: Ahlers, Justin	
8.0	Administration Presentation
8.1	Red Rock Rural Water System Appointments Attachments: Background Information Resolution 202058
Due terms expiring for 3 Red Rock Rural Water System (RRRWS) Board member action is needed. Glen Friedrich, Marlow Nickel, and Les Anderson each have terms expiring December 31, 2020. The RRRWS board unanimously adopted a Motion which recommends all three individuals be re-appointed to a new four year term. As a member county, the Nobles County Board needs to adopt the attached resolution confirming the reappointments.	
VOTING It was duly passed to adopt resolution 202058 confirming the re-appointment of Glen Friedrich, Marlow Nickel, and Les Anderson to new four year terms on the RRRWS board as recommended by the RRRWS board. Moved by: Demuth, Robert S. Seconded by: Widboom, Matt	
8.2	Joint Powers Agreements
Several communities have not completed joint powers agreements with Worthington and Nobles County related to the distribution of CARES funds. It was recommended to the board to approve administration to sign the agreements as they come in and bring to the board for final approval after.	
VOTING It was duly passed to approve Administration to sign the JPA's as they are received. Moved by: Widboom, Matt Seconded by: Ahlers, Justin	
8.3	Wilmington Joint Powers Agreement Attachments: Wilmington JPA
Wilmington submitted a JPA between the EDA of the City of Worthington, Nobles County and the City of Wilmington.	
VOTING It was duly passed to approve the JPA with the City of Wilmington. Moved by: Metz, Gene Seconded by: Linssen, Donald	
8.4	CARES Act Funding Update
County-wide, just over \$4MM was received in CARES Act (CRF) funding with the County receiving just over \$2.7MM. In collaboration with all the cities and townships, a plan was developed for those dollars to be distributed to the businesses and organizations who are eligible. There have been nearly 200 applications received in 5 categories, nearly all were eligible and have been, or will be, funded. The current challenge is to determine where the balance of funds will go. Including any that may be returned to the county by the cities and townships.	
VOTING It was passed to approve CARES Act payment for small business, non-profit and outer city of Worthington businesses pending all documents are received. Justin Ahlers & Gene Metz recused themselves from the vote Moved by: Widboom, Matt Seconded by: Demuth, Robert S. It was duly passed to approve the CARES Act funding as recommended by the sub-committee as presented. Moved by: Ahlers, Justin	

Seconded by: Metz, Gene

It was duly passed to approve the CARES Act distribution for Adrian, Bigelow and Brewster.
Moved by: Widboom, Matt
Seconded by: Metz, Gene

7.5 Nobles Soil and Water Conservation District
Attachments:
Map

Nobles SWCD wants to better manage water levels to control weeds and future invasive if necessary. When the current structure is opened to drain the water on SL11 it drains the basin first so the shallow wetland on the southside cannot be controlled separately, this causing more water to be drained than necessary to control for water levels and wildlife properly. SWCD goal is to hold as much water as we can during the spring and summer to take pressure off the ditch when it is needed most.
Discussion was had on assuring the structure would be a positive impact for everyone including landowners.

VOTING

It was duly passed to approve the additional water control structure on CD11.
Moved by: Metz, Gene
Seconded by: Demuth, Robert S.

9.0 Closed Session

Closed session under the attorney-client privilege pursuant to Minn. Stat. § 13D.05, subd. 3(b), to discuss the following pending litigation: *Esparza, et al. v. Nobles County, et al.*, Case No. 53-cv-18-751 and to discuss Union negotiation strategy.

VOTING

It was duly passed to close the meeting pursuant to Minnesota Statute Section 13D.05, subd. 3(b) to discuss the civil suit *Esparza, et al. v. Nobles County, et al.* Court File No. 53-cv-18-751 with our attorney.

Moved by: Widboom, Matt
Seconded by: Metz, Gene

It was duly passed to reopen the meeting.

Moved by: Linssen, Donald
Seconded by: Widboom, Matt

10.0 Inter-Agency Reports/Announcements

10.1 Committee and Board Reports

District V - Commissioner Linssen – No Report.

District IV – Commissioner Demuth – No Report.

District I - Commissioner Ahlers – No Report.

District II - Commissioner Metz – No Report.

District III - Commissioner Widboom – No Report.

Administration – Tom Johnson – No Report.

Administration / Emergency Management – Bruce Heitkamp – No Report.

10.2 Correspondence
Attachments:

	Recruitment Update Judicial Ditches Documentation HLWD Budget Hearing 8/19/2020 HLWD Regular Meeting Minutes 8/19/2020 HLWD Agenda 10/19/2020
10.3	Calendar <u>Attachments:</u> November 2020 Calendar
11.0	Other / Future Business Board Meeting Tuesday, November 17, 2020 9:00 a.m.
12.0 Adjournment	
<u>VOTING</u> It was duly passed to adjourn the meeting at 11:23 a.m. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	



(Chairperson)



(County Administrator)