

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, December 22, 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.

<b>1.0 Call to Order</b>	
<b>2.0 Pledge of Allegiance</b>	
<b>3.0 Approval of Agenda</b>	
<b><u>VOTING</u></b> It was duly passed to approve the agenda with adjustments, removing items 6.7 (A) and 6.8 (B) (4) and the addition of 6.9 (A) and (B). Motion by: Widboom, Matt Seconded by: Metz, Gene	
<b>4.0 Recognition</b>	
<b>5.0 Consent Agenda</b>	
<b>5.1</b>	<b>December 08, 2020 Regular Board Meeting Minutes Draft</b> <b><u>Attachments:</u></b> December 08, 2020 Draft Regular Board Meeting Minutes
<b>5.2</b>	<b>December 08, 2020 TNT Board Meeting Minutes Draft</b> <b><u>Attachments:</u></b> December 08, 2020 Draft TNT Board Meeting Minutes
<b>5.3</b>	<b>Meetings &amp; Conferences – Travel Expenses</b> <b><u>Attachments:</u></b> Travel Expenses paid December 04, 2020 and December 18, 2020
<b>5.4</b>	<b>PCard/Auditor's Warrants</b> <b><u>Attachments:</u></b> Accounts Payable Summary Auditor's Warrants
<b>5.5</b>	<b>Child and Teen Checkup Program Grant Agreement for 2021-2023</b> <b><u>Attachments:</u></b> Contract
<b>5.6</b>	<b>2021-2022 Day Care Consultation Agreements</b> <b><u>Attachments:</u></b> Agreement
<b>5.7</b>	<b>Purchase of Service Agreement – Community Connectors</b> <b><u>Attachments:</u></b> Agreement
<b>5.8</b>	<b>Lutheran Social Services Guardianship Renewal Agreements 2021</b> <b><u>Attachments:</u></b> Agreement

5.9	<b>Southwest Health and Human Services Successful Transition to Adulthood (STAY) Program Agreement 2021</b> <u>Attachments:</u> Agreement
5.10	<b>2021 United Community Action Partnership Transportation Agreement</b> <u>Attachments:</u> Agreement
5.12	<b>CHIPS Attorney</b> <u>Attachments:</u> Agreement
<b><u>VOTING</u></b> It was duly passed to approve the Consent Agenda. Moved by: Demuth, Robert S. Seconded by: Linssen, Donald	
7.0	<b>Administration Presentation</b>
7.1	<b>Lincoln Pipestone Rural Water Bond Payoff – Resolution 202081</b> <u>Attachments:</u> Extract of Minutes Resolution 202081
The Lincoln Pipestone Rural Water Board voted unanimously to pay off the outstanding General Obligation Water Revenue Crossover Refunding Bonds, Series 2012A. LPRW wishes to call for the redemption of this bond which was issued by Nobles County. Due to Nobles County being the issuer, the board needs to approve the redemption of \$470,000 of the outstanding bonds maturing from 2022 to 2024 to be completed in February of 2021. There are no costs for the County in this approval.	
<b><u>VOTING</u></b> It was duly passed to adopt resolution 202081 and approve redemption of \$470,000 of the outstanding bonds maturing from 2022-2024 to be completed in February 2021. Moved by: Metz, Gene Seconded by: Widboom, Matt	
6.0	<b>Department Presentations</b>
6.4 (A)	<b>Requisition for Personnel</b> <u>Attachments:</u> Requisition
The Sheriff's department is requesting to refill one full time female correctional officer.	
<b><u>VOTING</u></b> It was duly passed to approve the requisition for personnel for the sheriff's department. Moved by: Linssen, Donald Seconded by: Ahlers, Justin	
6.1 (A)	<b>Gravel Road Repair Contract</b> <u>Attachments:</u> Contract 20005
FEMA identified funding for the repair of damaged gravel road in 2019. The work proposed exceeds the limits for doing quotes. Bids were approved to comply with state statutes. 3 bids were received for doing the gravel road repairs. The high bid was for \$676,255.05, the second bid was for \$228,829.50 and the low bid was for \$194,302.25 from Henning Construction, Inc. of Adrian, MN. The estimated cost of the project was \$319,880.00	
<b><u>VOTING</u></b> It was duly passed to award contract 20005 to Henning Construction, Inc. in the amount of \$194,302.35 Moved by: Widboom, Matt Seconded by: Metz, Gene	

<b>6.1 (B)</b>	<b>RUPP, ANDERSON, SQUIRES &amp; WALDSPURGER, P.A. – RETAINER FOR 2020</b> <u>Attachments:</u> Retainer Letter Agreement
Environmental Servcies wishes to continue to retain Scott Anderson of Rupp, Anderson, Squires & Waldspurger, P.A. to provide advice and consultations on zoning issues as well as ongoing training for Board of Adjustment and Planning and Zoning Committees for \$5,000.00. This agreement is the same as in past years. The previous rate was \$4,800.00. Additionally, staff rates are increasing by \$5 per hour in the proposed retainer agreement.	
<b>VOTING</b> It was duly passed to approve the retainer for Scott Anderson for \$5,000. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
<b>6.1 (C)</b>	<b>2019 Highway Department Annual Report</b> The 2019 Highway Department annual report for 2019 has been completed. Public Works Director reviewed highlights of the report with the board.
<b>6.2 (A)</b>	<b>Nobles 2 Power Partners LLC – CUP #07-2020</b> <u>Attachments:</u> Draft 12/16/2020 P&Z minutes
Nobles 2 Power Partners LLC, Omaha, NE, applicant, and NBP, Inc., Lilydale, MN, landowner, requesting to amend an existing conditional use permit for a temporary laydown yard for wind turbine components by extending the sunset date. Public hearing is required under Section 603.4 (7) Dams, power plants, switching yards, transmission lines of over 35KV, flowage areas, and pipelines of the Nobles County Land Use Ordinance. This parcel of land is located on a 14.27-acre tract in the Southwest Corner of the SW ¼, Section 13, TWP 104, Range 42, (Wilmont Township). Conditions recommended are: 1.) Appropriate signs must be placed along the roadway to inform public of excessive truck traffic when the blades are being moved. 2.) Site must be returned to farmland once no longer needed for Nobles 2 Wind project. 3.) Permit will sunset on December 31, 2021 and will no longer be considered valid.	
<b>VOTING</b> It was duly passed to approve the conditional use permit #07-2020 for Nobles 2 Power Partners, LLC with conditions as stated. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
<b>6.8 (B)</b> <b>(1)</b>	<b>Courthouse/Library - Union Contract</b> <u>Attachments:</u> Labor Agreement
Union contracts will end December 31, 2020. Negotiation meetings began in mid-October. A tentative agreement was reached and voting is currently taking place by the union members. The deadline for the ballots is December 22, 2020. The voting deadline will be the day of the Board meeting. In the best interest of the employees, we are requesting that you approve the tentative agreement as presented contingent based on the union members approving and signing the agreement before December 31, 2020. After much discussion and consideration of requests on the part of both the union and the county negotiating teams, changes were identified, salary increases were agreed to for a 1 year term and a final contract proposal is attached.	
<b>VOTING</b> It was duly passed to approve the tentative agreement for the Courthouse/Library as presented contingent on the union members approving and signing the agreement before December 31, 2020. Moved by: Metz, Gene Seconded by: Linssen, Donald	

<b>6.8 (B)</b> <b>(2)</b>	<b>Correctional Officers - Union Contract</b> <b><u>Attachments:</u></b> Labor Agreement
<p>Union contracts will end December 31, 2020. Negotiation meetings began in mid-October. A tentative agreement was reached and voting is currently taking place by the union members. The deadline for the ballots is December 22, 2020. The voting deadline will be the day of the Board meeting. In the best interest of the employees, we are requesting that you approve the tentative agreement as presented contingent based on the union members approving and signing the agreement before December 31, 2020. After much discussion and consideration of requests on the part of both the union and the county negotiating teams, changes were identified, salary increases were agreed to for a 1 year term and a final contract proposal is attached.</p>	
<p><b><u>VOTING</u></b> It was duly passed to approve the tentative agreement for the Correctional Officers as presented contingent on the union members approving and signing the agreement before December 31, 2020. Moved by: Ahlers, Justin Seconded by: Widboom, Matt</p>	
<b>6.8 (B)</b> <b>(3)</b>	<b>Highway - Union Contract</b> <b><u>Attachments:</u></b> Labor Agreement
<p>Union contracts will end December 31, 2020. Negotiation meetings began in mid-October. A tentative agreement was reached and according to an email received on December 8th from Eric Austin, Labor Representative the union members will be voting the week of December 17th. At the time, the Board agenda was being sent out we have not heard from the union as to whether the agreement was approved or not by the members. In the best interest of the employees, we are requesting that you approve the tentative agreement as presented contingent based on the union members approving and signing the agreement before December 31, 2020. After much discussion and consideration of requests on the part of both the union and the county negotiating teams, changes were identified, salary increases were agreed to for a 1 year term and a final contract proposal is attached.</p>	
<p><b><u>VOTING</u></b> It was duly passed to approve the tentative agreement for the Highway Union as presented contingent on the union members approving and signing the agreement before December 31, 2020. Moved by: Linssen, Donald Seconded by: Demuth, Robert S.</p>	
<b>6.8 (B)</b> <b>(5)</b>	<b>Human Services - Union Contract</b> <b><u>Attachments:</u></b> Labor Agreement
<p>Union contracts for all bargaining units will end December 31, 2020. Negotiation meetings began in mid-October. A tentative agreement was reached and ratified by the union members. After much discussion and consideration of requests on the part of both the union and the county negotiating teams, changes were identified, salary increases were agreed to for a 1 year term and a final contract proposal is attached.</p>	
<p><b><u>VOTING</u></b> It was duly passed to approve the agreement for the Human Services Union as presented. Moved by: Metz, Gene Seconded by: Ahlers, Justin</p>	
<b>6.3 (A)</b>	<b>Ditch Clean Out</b>
<p>Judicial ditch #8 needs around 2,000 feet cleaned. Currently the flow of water is being restricted which is also effecting farm land near the tile. 3 contractors have been contacted and estimates are about \$4.00/foot. Discussion was had on when the project could be completed and how many trees would need to be removed to complete the work. Mr. Reker estimated about 10 trees would</p>	

need to be removed. Commissioner Linssen also expressed concern over contacting all effected property owners to be notified of the project.

**VOTING**

It was duly passed to approve the clean out of approximately 2,000 ft. of JD8.

Moved by: Widboom, Matt

Seconded by: Ahlers, Justin

It was duly passed to approve Public Works staff to start work and hire appropriate contractors to start work as soon as possible while also contacting effected land owners.

Moved by: Widboom, Matt

Seconded by: Ahlers, Justin

**6.5 (A) Center for Tech and Civic Life Grant Award Acceptance**

**Attachments:**

Grant

Nobles County has been awarded a grant from the Center for Tech and Civic Life in the amount of \$11,659.50. The grant funds must be used for the public purpose of planning and operationalizing safe and secure election administration in Nobles County in 2020. Because the grant was awarded after the elections, it was requested that the grant be accepted and the Auditor-Treasurer's office be given permission to research and use the grant funds on a qualifying purchase.

**VOTING**

It was duly passed to approve the acceptance of the grant in the amount of \$11,659.50

Moved by: Widboom, Matt

Seconded by: Demuth, Robert S.

**6.5 (B) 2021 Ditch Maintenance Assessments**

**Attachments:**

2021 Proposed Ditch Assessments

Each of the 36 ditch systems in Nobles County is required to have adequate funds for future maintenance expenses. Any 2021 assessments must be approved by the Board and submitted to the Auditor-Treasurer for the 2021 Property Tax Statements. A proposal for the 2021 ditch maintenance assessments was presented to the board. The proposal is for all ditches to be assessed between 0-50%.

**VOTING**

It was duly passed to approve CD11 at a 10% assessment for 2021.

Moved by: Ahlers, Justin

Seconded by: Widboom, Matt

It was duly passed to approve the remainder of the ditches at the recommended changes for 2021.

Moved by: Demuth, Robert S.

Seconded by: Metz, Gene

**6.5 (C) Year End Ditch Balances**

**Attachments:**

Ditch Balances

As of December 16, 2020, six of the Nobles County Ditch systems and five of the Judicial Ditch systems will have a deficit cash balance. Minnesota Statute 103E.655, subd. 2 allows for loans to be made from the General Fund to a ditch system with insufficient cash to pay expenditures. If the County Board transfers money from another fund to a drainage system account, the money must be reimbursed from the proceeds of the drainage system that received the transfer.

**VOTING**

It was duly passed to approve the transfer of monies in the amount of \$108,000 no later than December 31, 2020 from the General Fund to the ditches as listed in the board packet which will

have deficit cash balances as of 12/16/2020. Effective 1/4/2021 and reimburse the monies back into the General Fund.

Moved by: Linssen, Donald

Seconded by: Widboom, Matt

**6.6 (A)** **Library Strategies Consulting Group**  
**Attachments:**  
MOA

The Library wishes to hire an outside firm to conduct a community assessment to see what the Library should be offering to fulfill the needs of the county. The library sought out potential firms that could conduct such a study. Bids were solicited and received from three entities. All bids were discussed on December 7 at a library board meeting, and Library Strategies was considered the best option. Commissioner Widboom expressed thoughts to keep progress moving once the study is complete and fulfill the identified needs.

**VOTING**

It was duly passed to approve the contract with Library Strategies of St. Paul for \$14,000 plus the cost for translation services or additional focus groups/interviews (if required) not to exceed \$30,000.

Moved by: Widboom, Matt

Seconded by: Metz, Gene

**6.6 (B)** **Library Circulation Assistant Position**  
**Attachments:**  
Position Description

Currently there are a 0.6 FTE, 0.4 FTE and a 0.2 FTE position at the Worthington Library, it was recommended to the board to combine these positions into two 0.6 FTE positions to better serve the Library and employees.

**VOTING**

It was duly passed to approve the consolidation of the 0.6 FTE, 0.4 FTE and 0.2 FTE positions into two 0.6 FTE positions effective 01/01/2021.

Moved by: Demuth, Robert S.

Seconded by: Widboom, Matt

**6.7 (B)** **County Sheriff's 2021 Budget**  
**(1)** **Attachments:**  
Resolution 202075

Each elected official has a department budget that needs to be set for 2021. The proposed 2021 Sheriff's budget was presented at \$5,076,466.

**VOTING**

It was duly passed to approve resolution 202075.

Moved by: Widboom, Matt

Seconded by: Linssen, Donald

**6.7 (B)** **County Recorder's 2021 Budget**  
**(2)** **Attachments:**  
Resolution 202076

Each elected official has a department budget that needs to be set for 2021. The proposed 2021 Recorder's budget was presented at \$341,339.

**VOTING**

It was duly passed to approve resolution 202076.

Moved by: Demuth, Robert S.

Seconded by: Ahlers, Justin

**6.7 (B)** **County Attorney's 2021 Budget**  
**(3)** **Attachments:**  
Resolution 202077

Each elected official has a department budget that needs to be set for 2021. The proposed 2021 Attorney's budget was presented at \$942,655.

<b><u>VOTING</u></b>	
It was duly passed to approve resolution 202077. Moved by: Metz, Gene Seconded by: Widboom, Matt	
<b>6.7 (B) (4)</b>	<b>County Auditor-Treasurer's 2021 Budget</b> <b><u>Attachments:</u></b> Resolution 202078
Each elected official has a department budget that needs to be set for 2021. The proposed 2021 Auditor-Treasurer's budget was presented at \$908,577.00.	
<b><u>VOTING</u></b>	
It was duly passed to approve resolution 202078. Moved by: Linssen, Donald Seconded by: Demuth, Robert S.	
<b>6.7 (C)</b>	<b>2021 Budget Adoption – Resolution 202080</b> <b><u>Attachments:</u></b> 2021 Budget Summary Resolution 202080
A summary of the 2021 budget was presented.	
<b><u>VOTING</u></b>	
It was duly passed to approve the 2021 budget as presented resolution 202080. Moved by: Linssen, Donald Seconded by: Demuth, Robert S.	
<b>6.7 (D)</b>	<b>2021 Property Tax Levy Adoption – Resolution 202079</b> <b><u>Attachments:</u></b> 2021 Budget Summary Resolution 202079
A summary of the 2021 budget by fund and tax levy for 2021 was presented.	
<b><u>VOTING</u></b>	
It was duly passed to approve the 2021 budget summary/tax levy by fund resolution 202079. Moved by: Demuth, Robert S. Seconded by: Widboom, Matt	
<b>6.8 (A)</b>	<b>2021 County Position Allocation</b> <b><u>Attachments:</u></b> Resolution 202074
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 2021. Discussion was had on returning to previous ways (2019) and not requiring department heads to bring forth a vacant position to the board. The position allocation presented did not include a change to Library staffing that was approved prior in the meeting, this will be updated prior to signing.	
<b><u>VOTING</u></b>	
It was passed to approve the 2021 position allocation with the adjustment of the library part time column to be 3.73 and that each position listed on the allocation when a vacancy occurs in 2021 may be filled by the department head without additional approval from the Board of Commissioners. Moved by: Widboom, Matt Seconded by: Linssen, Donald In Favor: Widboom, Matt; Linssen Donald; Metz Gene; Demuth, Robert S. Opposed: Ahlers, Justin	
<b>6.9 (A) Addendum</b>	<b>Requisition for Personnel</b> <b><u>Attachments:</u></b> Requisition
The Assessor's department is requesting to refill two full time property appraisers.	

**VOTING**

It was duly passed to approve the requisition for personnel for the Assessor's department.

Moved by: Metz, Gene

Seconded by: Widboom, Matt

**7.0 Administration Presentation**

**7.2 2021 County Calendar**

**Attachments:**

Tentative 2021 Calendar

The tentative 2021 county calendar was presented.

**VOTING**

It was duly passed to approve the 2021 county calendar as presented.

Moved by: Linssen, Donald

Seconded by: Demuth, Robert S.

**7.4 SafeAssure Contract**

**Attachments:**

Agreement

Nobles County is required to provide training to keep employees safe within the various workplaces. Policies, procedures, and equipment are all provided to maintain safe work environments. Department Heads and the Safety Officer are tasked with ensuring that up-to-date safety practices are maintained. Specialized consultant services are needed to ensure compliance with OSHA standards. Since 2018, SafeAssure was hired to provide OSHA-required safety training to Nobles County employees; thus ensuring that facilities and employment practices remain compliant with OSHA regulations. This training includes the annual AWAIR training that is required for all employees (both the online and in-person presentation). Other department-specific training classes are also provided. Online Material Safety Data Sheets are offered through SafeAssure.

**VOTING**

It was duly passed to approve the 2021 agreement with SafeAssure.

Moved by: Metz, Gene

Seconded by: Widboom, Matt

**7.5 NAC Annual Customer Support Agreement**

**Attachments:**

Agreement

HVAC systems are very complex and software controlled so we have maintained a service contract with NAC Mechanical & Electrical Services annually for several years. NAC prepared a proposal for the annual service agreement to run from February 1, 2021 through January 31, 2022. The proposed fee for the full year is \$26,848.00, up from the current agreement that is \$22,750.00, to be billed on a quarterly basis. The services are the same as previous years, adding the Adrian Library. Maintenance staff are confident this is good value for the County. This agreement includes the Prairie Justice Center, the Government Center, the Worthington and Adrian Library and the Worthington Public Works buildings.

**VOTING**

It was duly passed to approve the NAC support agreement for 2021.

Moved by: Widboom, Matt

Seconded by: Ahlers, Justin

**7.6 HVAC Ionizer Systems**

A proposal was received for installing ionizing systems in each of our buildings HVAC systems. The proposal was discussed at the work session without final direction. Due to the total cost, if the board wishes to have Administration pursue the option further, we would then advertise for quotes because it is well over our \$25,000 bid threshold for the entire project and did not include low voltage communication wiring, estimated to cost between \$50,000 and \$75,000 for all occupied buildings. Ultimately, these systems will have a negative impact on the budget as addition service



will be required on systems and increased regularity of filter changes. The anticipated benefit is cleaner air, but it is difficult to show a real value.

**VOTING**

It was duly passed to table the item until the next meeting.

Moved by: Metz, Gene

Seconded by: Widboom, Matt

<b>7.3</b>	<b>2021 Fee Schedule</b> <b><u>Attachments:</u></b> Proposed 2021 Fee Schedule
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The proposed 2021 fee schedule was presented with updates or changes highlighted. Discussion was had on additions to the Auditor-Treasurer's. Ultimately it was decided to table the item until the next meeting.

**VOTING**

It was passed to table the 2021 fee schedule until the next meeting.

Moved by: Widboom, Matt

Seconded by: Ahlers, Justin

In favor: Widboom, Matt; Ahlers, Justin; Metz, Gene; Linssen, Donald

Opposed: Demuth, Robert S.

**8.0 Inter-Agency Reports/Announcements**

<b>8.1</b>	<b>Committee and Board Reports</b>
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District I - Commissioner Ahlers – Recapped on 2020 and expressed his gratitude on being chair. He thanked everyone for their hard work with COVID and thanked Commissioner Widboom for his years of service.

District V - Commissioner Linssen – Thanked the budget committee on their hard work. Reported on the ACE meeting and participation being down.

District IV – Commissioner Demuth – Thanked Commissioner Widboom on his years of service and being an asset to the board.

District II - Commissioner Metz – Also thanked Commissioner Widboom on his years of service.

District III - Commissioner Widboom – Thanked everyone during his years of service on the board. He expressed how he enjoyed serving the community and touched on his growth and accomplishments.

<b>8.2</b>	<b>Correspondence</b> <b><u>Attachments:</u></b> Recruitment Update Workers Compensation Certificate MAWA Announcement Nobles Soil & Water Profit/Loss HLWD Activity Report HLWD 10/19/2020 Meeting Minutes HLWD 12/16/2020 Agenda Nobles SWCD 12/23/2020 Agenda Nobles SWCD 11/18/2020 Meeting Minutes
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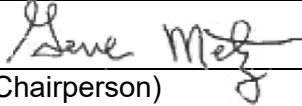
<b>8.3</b>	<b>Calendar</b> <b><u>Attachments:</u></b> None
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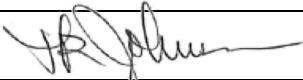
<b>9.0</b>	<b>Other / Future Business</b> <b>Work Session – Wednesday December 30, 2020</b>
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8:30 a.m. Nobles County Board Room
<b>Board Meeting – Tuesday January 05, 2021</b>
9:00 a.m. Nobles County Board Room

**10.0 Adjournment**

**VOTING**  
It was duly passed to adjourn the meeting at 11:29 a.m.  
Moved by: Widboom, Matt  
Seconded by: Metz, Gene

  
\_\_\_\_\_  
(Chairperson)

  
\_\_\_\_\_  
(County Administrator)