

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, May 04, 2021, 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 Bob Paplow.

The meeting was called to order by Chairperson Metz 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: Demuth, Robert S. Seconded by: Paplow, Bob	
4.0 Recognition	
Lourdes Garibay, Francisco Esqueda Picon, and Nadia Cardenas-Gallagher, Office Support Team, were recognized as the April Excellence in Performance award recipients.	
5.0 Consent Agenda	
5.1	April 20, 2021 Regular Board Meeting Minutes Draft <u>Attachments:</u> April 20, 2021 Draft Regular Board Meeting Minutes
5.2	Meetings & Conferences – Travel Expenses <u>Attachments:</u> Expenses paid – Employees Expenses paid – Board
5.3	Auditor’s & Commissioner’s Warrants <u>Attachments:</u> Accounts Payable Summary Auditor’s Warrants
6.0 Department Presentations	
6.1 (A)	Resolution 202121 Ordering Razing of Hazardous Building <u>Attachments:</u> Exhibit A Resolution 202121
The Public Health Unit of Community Services has been working with the property owner of 108 Kentucky Ave., Adrian MN since the fall of 2019 in trying to abate a public health nuisance. As of today’s date, the nuisance still exists. Jason Kloss, Environmental Health Manager, of Southwest Health and Human Services completed an updated inspection of the home on April 8, 2021. Jason’s report dated April 21, 2021 documents the hazardous conditions present and lays out the steps needed to abate them. Public Health is seeking a resolution ordering the property owner to abate the nuisance and correct the existing hazardous conditions within 28 days from the date the order is served on them. If the order is not complied with the county can seek a court order authorizing demolition.	

<u>VOTING</u>	
It was duly passed to approve resolution 202121 authorizing the razing of a hazardous building located at 108 Kentucky Avenue in Adrian, MN. Moved by: Ahlers, Justin Seconded by: Paplow, Bob	
6.1 (B)	DHS Human Service Performance Management Report Cash Assistance and Supplemental Nutrition Assistance Program (SNAP) Timeliness Measures <u>Attachments:</u> Report
Tammy Fishel, Eligibility Supervisor, went over the Cash Assistance and SNAP Timeliness Measures performance report for the reporting period of January 1, 2020 – December 31, 2020. No action was needed by Commissioners.	
6.1 (C)	Minnesota Department of Health Grant Agreement – COVID-19 vaccine implementation and COVID-19 response grant <u>Attachments:</u> Agreement
The MN Department of Health has notified Community Services that it is eligible to receive an additional COVID-19 vaccine implementation and COVID-19 response grant in the amount of \$330,641.00. Community Services-Public Health, is responsible for pandemic vaccination implementation as well as pandemic response efforts and is working in close collaboration with health care systems, external agencies, and other community partners on those efforts. This grant will help fund the various COVID- 19 mitigation activities that are currently happening, as well as continued implementation of the vaccination process. The grant period is 4/1/2021 – 12/31/2021 and the funding can be used for staff time, supplies, community messaging, subcontracting with other entities, etc.	
<u>VOTING</u>	
It was duly passed to approve the COVID-19 Vaccine Implementation and COVID-19 Response Grant Agreement Motion by: Demuth, Robert S. Seconded by: Ahlers, Justin	
6.2 (A)	Worthington Rendering Company - Worthington, MN – CUP #02-2021
Worthington Rendering Company, Worthington, MN, applicant, Boyer Valley Company, Ankeny, IA, landowner, requesting to add an enclosed loading area to an existing structure. Public hearing is required under Section 505.2 of the Nobles County Land Use Ordinance - Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit issued, shall require an amended conditional use permit and all procedures shall apply as if a new permit were being issued. This parcel of land is located on a 2-acre tract in Section 8, 11-acres in Section 17, and 12.5-acres in Section 18, TWP 102, Range 39, (Lorain Township).	
<u>VOTING</u>	
It was duly passed to approve CUP #02-2021, the request of Worthington Rendering Company, Worthington, MN, applicant, Boyer Valley Company, Ankeny, IA, landowner, to add an enclosed loading area to an existing structure. Moved by: Ahlers, Justin Seconded by: Linssen, Donald	
6.2 (B)	Jeremy Van Ede - Adrian, MN – CUP #03-2021
Jeremy Van Ede, Adrian, MN a request for a conditional use permit for the construction of a 192' x 102' total confinement swine barn. Public hearing is required under Section 725.12 – (#1a) A conditional use permit will be required when an existing feedlot is expanded over total operation of 1,000 animal units. This parcel of land is located on a tract 435.6' x 500' in the NE ¼ of the SE ¼, Section 9, Twp. 102, Range 43, (Westside Township).	
<u>VOTING</u>	

It was duly passed to approve CUP #03-2021, the request of Jeremy Van Ede, Adrian, MN, to construct a 192' x 102' total confinement swine barn with the following conditions:

- 1.) The site must have a dead animal containment structure.
- 2.) Manure from this site must be incorporated abiding by the required setbacks for manure application.
- 3.) The building must be constructed according to the plans provided.
- 4.) There will be no additional livestock expansion at this site.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob

6.2 (C) | New Vision Co-op - Reading, MN – CUP #05-2021

New Vision Co-op, Reading, MN, applicant, New Vision Co-op, Jeffers, MN, landowner, requesting a conditional use permit to construct a scale, scale house, and replacement office. Public hearing is required under Section 505.2 of the Nobles County Land Use Ordinance - Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit issued, shall require an amended conditional use permit and all procedures shall apply as if a new permit were being issued. This parcel of land is located on a 2.78-acre tract in the SW ¼ of the SW ¼, Section 24, TWP 103, Range 41, (Summit Lake Township).

VOTING

It was duly passed to approve CUP #05-2021, the request of New Vision Co-op, Reading, MN, applicant, New Vision Co-op, Jeffers, MN, landowner, for a conditional use permit to construct a scale, scale house, and replacement office with the following conditions:

- 1.) The project must be constructed according to the plans provided.

Moved by: Demuth, Robert S.

Seconded by: Metz, Gene

6.2 (D) | Chandler Feed Company - Leota, MN – CUP #06-2021

Chandler Feed Company, Leota, MN applicant, K-Line Properties LLC, Chandler, MN, landowner, requesting a conditional use permit to construct a 100' x 100' truck maintenance shop with wash bay. Public hearing is required under Section 505.2 of the Nobles County Land Use Ordinance - Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit issued, shall require an amended conditional use permit and all procedures shall apply as if a new permit were being issued. This parcel of land is located on a 7.11-acre tract in the southwest corner of the SW ¼ of Section 4, TWP 104, Range 43, (Leota Township).

VOTING

It was duly passed to approve the request of Chandler Feed Company, Leota, MN applicant, K-Line Properties LLC, Chandler, MN, landowner, for a conditional use permit to construct a 100' x 100' truck maintenance shop with wash bay with the following conditions:

- 1.) The building must be constructed according to the plans provided.

Motion by: Linssen, Donald

Seconded by: Demuth, Robert S.

6.3 (A) | Trunk Highway 91 Detour Agreement

Attachments:

Resolution 202118

Minnesota Department of Transportation is requesting approval of a detour agreement for the Trunk Highway 91 bridge replacement over Interstate 90.

The amount of compensation is \$11,974.96.

VOTING

It was duly passed to approve resolution 202118 and agreement No. 1046601.

Motion by: Ahlers, Justin

Seconded by: Paplow, Bob

6.3 (B) | Trunk Highway 60 Detour Agreement

	<u>Attachments:</u> Resolution 202119
Minnesota Department of Transportation made an error in calculating the amount of compensation Nobles County would receive under agreement number 1044761 for the Trunk Highway 60 detour. The new amount is \$2,700 higher.	
<u>VOTING</u> It was duly passed to approve resolution 202119 and agreement No. 1044761 Motion by: Demuth, Robert S. Seconded by: Linssen, Donald	
6.3 (C)	Wilmont Township Bridge Project <u>Attachments:</u> Resolution 202120
Wilmont Township has identified a drainage structure that requires replacement. The current structure is not classified as a bridge, but the new structure will meet the requirements. This makes the structure eligible for Town Bridge Account funding to pay for the cost of the project. To be eligible to receive funding, the bridge must be identified as a priority by the county board.	
<u>VOTING</u> It was duly passed to approve resolution 202120 prioritizing the Wilmont Township structure as a priority for funding. Motion by: Paplow, Ahlers Seconded by: Ahlers, Justin	
6.3 (D)	CR 54 and 60 Bituminous Paving Options
The County Board discussed options for paving existing county gravel roads at the work session on April 28, 2021. The two roadways that that could be ready for 2021 construction were County Road 54 and County Road 60. Both projects would be similar cost. However, there is only funding available to do one of the roadways. Discussion was had on options since bituminous paving is very competitive at this time.	
<u>VOTING</u> It was duly passed to approve County Road 54 for paving during the 2022 season. Motion by: Ahlers, Justin Seconded by: Linssen, Donald	
6.3 (E)	Township Bridge Contract
Bids were opened on April 26, 2021 for the replacement of two township bridges, one in Bigelow Township and the other in Olney Township. The County board needs to award the contract to the lowest responsible bidder.	
<u>VOTING</u> It was duly passed to award contract No. 21001 to Henning Construction, Inc. for the bid amount of \$319,958.32. Motion by: Paplow, Bob Seconded by: Demuth, Robert S.	
6.4 (A)	Personnel Policy P-225 Pension/Retirement <u>Attachments:</u> P-225
Policy P-225-Pension/Retirement can be deleted. The first section just states that comply with the State requirements for participation in PERA. We don't need a policy stating that we will comply with State requirements. Participating in PERA is not an option for the county. The second item references retirement parties. This is now identified in the Employee Wellness and Recognition EWR program. This policy is in conflict with the EWR program.	
<u>VOTING</u> It was duly passed to delete Personnel Policy P-225 Pension/Retirement policy. Motion by: Demuth, Robert S. Seconded by: Ahlers, Justin	

6.4 (B)	Personnel Policy P-244 Health Care Savings Plan <u>Attachments:</u> P-244 Draft P-244 Final
Personnel policy P-244 Health Care Savings Plan was updated and is being presented for approval. Minnesota State Retirement System (MSRS) administers our health care savings plans. They have to review and approve the language in our policies and union contracts that pertain to these accounts. The personnel policy P-244 Health Care Savings Plan for non union employees was submitted to MSRS and returned with the changes that are identified in the updated policy. This policy has been reviewed by the management team.	
<u>VOTING</u> It was duly passed to approve Personnel Policy P-244 Health Care Savings Plan as presented. Motion by: Linssen, Donald Seconded by: Paplow, Bob	
7.0 Administration Presentation	
7.1	Auditor-Treasurer Remodel Change Order <u>Attachments:</u> Change Order
A number of changes have occurred in the A/T remodel project requiring a change order totaling \$3,466.00.	
<u>VOTING</u> It was duly passed to approve the change order for the Auditor-Treasurer remodel in the amount of \$3,466.00 Moved by: Ahlers, Justin Seconded by: Paplow, Bob	
7.2	Sheriff Residency <u>Attachments:</u> Letter Resolution 202117
The Sheriff has sold his residence in Nobles County. Based on MN Statute 351.02 (documented in the letter), an elected official's office shall become vacant when an incumbent ceases to be an inhabitant of the county. A letter has been drafted requesting signed documentation supporting this requirement. Sheriff Wilkening asked to address the board which he stated he would not be proving the documentation requested but instead submitted his notice of retirement effective 07/01/2021.	
<u>VOTING</u> It was duly passed to approve resolution 202122 and accept the notice of retirement from Sheriff Wilkening effective July 1, 2021 with his last working day being June 30, 2021. Moved by: Paplow, Bob Seconded by: Linssen, Donald It was duly passed to take no action on resolution 202117 and not send the letter to Sheriff Wilkening. Moved by: Ahlers, Justin Seconded by: Paplow, Bob	
8.0 Inter-Agency Reports/Announcements	
8.1	Committee and Board Reports
District I - Commissioner Ahlers – Reported on the HLWD hiring process. District V - Commissioner Linssen – No Report. District IV – Commissioner Demuth – No Report.	

District II - Commissioner Metz – Reported on AMC and MRC meetings.

District III - Commissioner Paplow – No Report.
Attorney – Joe Sanow – No Report.

Administration – Bruce Heitkamp – Reported on the Library needing volunteers for their community study. American Rescue Funds, still waiting on more information. The short term crisis center moving forward after RFP's were collected and the Mutual Aid Study continues to be worked on.

8.2	Correspondence <u>Attachments:</u> Recruitment Update NSWCD Bills Payable Summary NSWCD Meeting Minutes 3/17/21 NSWCD Profit/Budget as of 03/2021 HLWD Agenda 4/21/21
8.3	Calendar <u>Attachments:</u> May 2021
9.0	Board Meeting – Tuesday May 18, 2021 9:00 a.m. Nobles County Board Room Work Session – Wednesday May 26, 2021 8:30 a.m. Nobles County Board Room
10.0 Adjournment	
<u>VOTING</u> It was duly passed to adjourn the meeting at 10:47 a.m. Moved by: Ahlers, Justin Seconded by: Linssen, Donald	



(Chairperson)



(County Administrator)