

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, May 18, 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: Linssen, Donald Seconded by: Ahlers, Justin	
4.0 Recognition	
Mark Koster, Environmental Services Manager, was recognized for 20 years of service.	
5.0 Consent Agenda	
5.1	May 04, 2021 Regular Board Meeting Minutes Draft <u>Attachments:</u> May 04, 2021 Draft Regular Board Meeting Minutes
5.2	Auditor's & Commissioner's Warrants <u>Attachments:</u> Accounts Payable Summary Auditor's Warrants
<u>VOTING</u> It was duly passed to approve the consent agenda as presented. Moved by: Demuth, Robert S. Seconded by: Paplow, Bob	
6.0	Special Presentation – American Legion – Terrie Gulden
6.1	Memorial Day Funding
<p>Veteran Terrie Gulden contacted Veteran Service Officer Jim Dunn to inquire about Nobles County's annual Memorial Day Appropriation. The Memorial Day Appropriation is part of Nobles County's Veteran Services Budget. Mr. Gulden and area Veterans wish to discuss this appropriation with the Board of Commissioners prior to Memorial Day. Nobles County currently budgets \$850.00 dollars to distribute between eight (8) organizations. That is an average of \$106.25 per organization.</p> <p>The following are excerpts from the MN Statute in regards to Memorial Day Appropriations: 375.34 MEMORIAL DAY, APPROPRIATION FOR OBSERVANCE. <i>The county board of each county may appropriate from the revenue fund of the county not more than \$3,500 annually to aid in the observance of Memorial Day in commemoration of the noble and valiant deeds of the</i></p>	

nation's soldier dead.

375.35 \$300 TO MILITARY SERVICE ORGANIZATIONS FOR MEMORIAL DAY.

A county board may also appropriate annually not more than \$300 to each post of a recognized military

service persons' organization or society, holding charter from Congress or incorporated in this state, organized

and existing in the county, to defray the expenses of Memorial Day exercises.

It was agreed upon that the amount should be raised for those organizations that participate in Memorial Day activities. Discussion was had on what type of documentation was acceptable to show participation, which was stated to be a short letter stating the activity they provided to the community.

VOTING

It was duly passed to approve the transfer of \$2,150.00 from reserves along with \$850.00 currently budgeted in the Veteran Service Memorial Day Fund to the Auditor-Treasurer's office to be distributed in \$300 increments to all 10 veteran organizations within the County if they provide documentation of participation of a Memorial Day activity to the Veteran Service Officer. The amount distributed to each organization will change with the state statute maximum allowable amount.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

7.0 Public Hearing

7.1	<p>Public Hearing – Proposed Property Tax Abatement Kelly and Connie Vortherms Parcel 23-0104-000</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. Kelly and Connie Vortherms Parcel 23-0104-000 – Resolution 202123 (<i>Action</i>)</p> <p><u>Attachments:</u> NHI Nobles County Guidelines Application information Resolution 202123</p>
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A. A motion by Justin Ahlers and seconded by Bob Paplow, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for Kelly and Connie Vortherms Parcel 23-0104-000

B. Bruce Heitkamp, Nobles County Administrator, reviewed the Nobles Home Initiative Application.

C. No public comments were received.

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.

E. On a motion by Justin Ahlers and seconded by Bob Paplow, it was duly passed to adopt Resolution 202123 approving tax abatement to Kelly and Connie Vortherms Parcel 23-0104-000 pursuant to Minnesota Statute 469.1813..

8.0 Department Presentations

8.1 (A) Joint Ditch Authority JD 1 & CD 10

During the redetermination process H2Over Viewers has determined that land in Jackson County is now contributing to these two ditches. Previously these two ditches did not have any contributing acres from Jackson County so they were not a Joint Ditch. The Ditch Authority must appoint four members to the Joint Board. Jackson County will appoint one county commissioner.

VOTING

<p>It was duly passed to appoint Commissioners: Demuth, Ahlers, Linssen and Paplow to the JD1 and CD10 Joint Board. Motion by: Metz, Gene Seconded by: Demuth, Robert S.</p>	
8.2 (A)	<p>City of Dundee Parade Permit <u>Attachments:</u> Application for parade permit Dundee detour map</p>
<p>The City of Dundee is applying for a parade permit to celebrate Dundee Nothing Days to be held on Saturday, July 31, 2021 from 2:00 p.m. to 3:00 p.m. Board policy requires that the permit be approved by the county board to close a county highway for a parade or special event.</p>	
<p><u>VOTING</u> It was duly passed to approve the parade and special use permit for the City of Dundee contingent on the City providing a certificate of insurance. Motion by: Ahlers, Justin Seconded by: Paplow, Bob</p>	
8.2 (B)	<p>City of Ellsworth Parade Permit <u>Attachments:</u> Application for parade permit Certificate of Insurance Ellsworth detour map</p>
<p>The City of Ellsworth is applying for a parade permit to celebrate Family Fun Days to be held on Saturday, June 12, 2021 from 6:30 p.m. to 8:00 p.m. Board policy requires that the permit be approved by the county board to close a county highway for a parade or special event.</p>	
<p><u>VOTING</u> It was duly passed to approve the parade and special use permit for the City of Ellsworth. Motion by: Linssen, Donald Seconded by: Demuth, Robert S.</p>	
8.3 (A)	<p>Professional Services Agreement <u>Attachments:</u> Proposal Budget Sheet Heather Worthington Agreement Meghan Kelley Agreement</p>
<p>The County continues to pursue our goal of developing an adult mental health short-term crisis facility. As a next step in this effort, we have consulted with both the Department of Human Services and subject matter experts from the Southeast corner of the State who completed a similar project in that region. This led us to the realization that we need to secure assistance in managing our project.</p>	
<p><u>VOTING</u> It was duly passed to approve a professional service agreement with Heather Worthington, Worthington Advisors, LLC. Moved by: Ahlers, Justin Seconded by: Paplow, Bob</p> <p>It was duly passed to approve a professional service agreement with Meghan Kelley Mohs, Independent HHS Consultant. Moved by: Demuth, Robert S. Seconded by: Linssen, Donald</p>	
8.4 (A)	<p>Administrative Policy Article 14 <u>Attachments:</u> Policy Article 14</p>

Administrative Policy Article 14 Public Health COVID 19 Emergency Policy was updated and is being presented for approval. Article 14 Public Health COVID 19 Emergency Policy is the policy that gives direction to employees for procedures related to COVID 19. The policy was updated with current guidelines and includes more CDC website links so that information is the most current. This policy has been reviewed by the management team.

VOTING

It was duly passed to approve Administrative Policy Article 14 Public Health COVID-19 Emergency policy as presented.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob

8.5 (A)	Settlement Proposal re: Pettibone v. Nobles County Community Services <u>Attachments:</u> Agreement
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This case has been active for almost two years. It is currently set for trial in October, but could be moved again if the criminal trial calendar requires it. The property will continue to deteriorate during that time. A settlement proposal has been made in this case. The County pays \$30,000, all parties dismiss all claims against each other, and the County would obtain the property at 108 Kentucky Avenue in the City of Adrian. This would all occur prior to 5pm on June 1, 2021. This proposal requires Board approval. If this settlement is accepted, the property would be vacated in less than two weeks and the county could begin clean up efforts as early as June 2nd. The City of Adrian has express an interest in partnering with the County on clean up costs and possibly acquiring the property later. If accepted as proposed, the Board would need to authorize Stacie Golombiecki to sign the agreement, and direct the County finance department to prepare the disbursements as soon as possible to meet the Agreement's terms. Discussion was had on having further conversations with the City of Adrian to have them contribute more assistance to the clean up process.

VOTING

It was duly passed to accept the settlement agreement as presented.

Motion by: Demuth, Robert S.

Seconded by: Paplow, Bob

9.0 Administration Presentation

9.1	American Rescue Plan (ARP) Funds <u>Attachments:</u> County Amounts Fact Sheet
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The Federal Government has authorized counties to receive American Rescue Plan (ARP) funds so additional aid can be offered to "allowable need areas" throughout counties. These funds are directly transferred from the U.S. Treasury Department to counties. Nobles County's ARP funding allocation is \$4,201,180.00. County funds are directly transferred from the U.S. Treasury. Cities and townships would have to certify through the State for their funding. Differentiating from the CARES funding; unused city and township ARP does not get returned to counties. Collaboration can still take place between Nobles County and other local units but unused funding does not default back to the county for a last-chance effort to have it spent "here".

VOTING

It was duly passed to approve staff to certify for the Nobles County allocation of American Rescue Plan funding.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

9.2	Sheriff Retirement and Office-Vacancy Items
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The Nobles County Sheriff has announced his retirement and will effectively vacate the elected office on July 1, 2021. The Board of Commissioners have an array of options to appoint a new

Sheriff. An officer, who is qualified with the Minnesota Board of Police Officer Standards and Training (POST), and meets statutory requirements, is eligible for the Nobles County Sheriff appointment (effective July 1, 2021). The Board discussed the options available to them with appointing the next Nobles County Sheriff. Compensation for an elected position is negotiated. Labor Counsel advised the Board of Commissioners to start by establishing a starting wage range for this appointed position.

VOTING

It was duly passed to approve a starting salary range for the appointed Sheriff to be \$91,000 - \$99,000.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

It was duly passed to approve to discuss/act upon a selection process for a future appointment by vote.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

10.0 Inter-Agency Reports/Announcements

10.1 Committee and Board Reports

District I - Commissioner Ahlers – Reported on RNCC and pleased Attorney Sanow was appointed to the board.

District V - Commissioner Linssen – Reported on the EMPAC meeting and upcoming events. Also reported on the LEC meeting and cleaning up the “car lot” behind the Prairie Justice Center.

District IV – Commissioner Demuth – No Report.

District II - Commissioner Metz – Reported that the legislative breakfast will be held at the Worthington Fire Hall.

District III - Commissioner Paplow – No Report.

Attorney – Joe Sanow – Reported that cases are picking up but still doing many trials over Zoom.

Administration – Bruce Heitkamp – Reported on ARP funding planning. Tawn Hall will start as Emergency Manager/Deputy Administrator on June 21st.

10.2 Correspondence

Attachments:

- Recruitment Update
- Nobles County Art Center Board Meeting Minutes April 2021
- NSWCD Profit & Loss January – April
- NSWCD Bills Payable as of April 30, 2021
- NSWCD Board Meeting Minutes April 21, 2021
- NSWCD Meeting Agenda May 19, 2021

10.3 Calendar

Attachments:

- May 2021
- June 2021

11.0 Work Session – Wednesday May 26, 2021

8:30 a.m. Nobles County Board Room

Board Meeting – Tuesday June 8, 2021

9:00 a.m. Nobles County Board Room

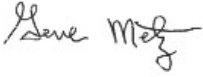
12.0 Adjournment

VOTING

It was duly passed to adjourn the meeting at 10:18 a.m.

Moved by: Linssen, Donald

Seconded by: Ahlers, Justin



(Chairperson)



(County Administrator)