

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

The Board of Commissioners of Nobles County met in regular session on Tuesday, June 08, 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 Linsen, and Bob Paplow. Absent was Robert S. Demuth.

The meeting was called to order by Chairperson Metz 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>VOTING</b> It was duly passed to approve the agenda as presented. Motion by: Ahlers, Justin Seconded by: Paplow, Bob	
<b>4.0 Recognition</b> Joyce Jacobs, Auditor-Treasurer and Jase Pater, Tax/Records/Elections and Auditor-Treasurer were awarded with the May Excellence in Performance award.	
<b>5.0 Consent Agenda</b>	
<b>5.1</b>	<b>May 18, 2021 Regular Board Meeting Minutes Draft</b> <b>Attachments:</b> May 18, 2021 Draft Regular Board Meeting Minutes
<b>5.2</b>	<b>May 26, 2021 Special Board Meeting Minutes Draft</b> <b>Attachments:</b> May 26, 2021 Draft Special Board Meeting Minutes
<b>5.3</b>	<b>Meetings and Conferences – Travel Expenses</b> <b>Attachments:</b> Expenses paid June 4, 2021
<b>5.4</b>	<b>Auditor’s &amp; Commissioner’s Warrants</b> <b>Attachments:</b> Accounts Payable Summary Auditor’s Warrants
<b>5.5</b>	<b>MN DNR Snowmobile Maintenance Grant Agreement</b> <b>Attachments:</b> Resolution 202127
<b>5.6</b>	<b>Refugee Health Program Grant Agreement for 2021-2026</b> <b>Attachments:</b> MDH Letter Grant Awards per County
<b>5.7</b>	<b>Housing Support Agreements for 2021-2022</b> <b>Attachments:</b> 2021 - 2022 CCSI Housing Support Agreement 2021 - 2022 Ecumen Meadows Housing Support Agreement 2021 - 2022 HSI Housing Support Agreement 2021 - 2022 Unity House Housing Support Agreement 2021 - 2022 New Dawn Housing Support Agreement

	<p>2021 - 2022 Adrian Country Living Cottages Housing Support Agreement  2021 - 2022 Prairie House Housing Support Agreement  2021 - 2022 Sunrise View Housing Support Agreement  2021 - 2022 Golden Horizons Housing Support Agreement</p>
<p><b><u>VOTING</u></b>  It was duly passed to approve the consent agenda as presented.  Moved by: Linssen, Paplow  Seconded by: Paplow, Bob</p>	
<b>6.0</b>	<b>Public Hearing</b>
<b>6.1</b>	<p><b>Public Hearing – Proposed Property Tax Abatement  Allen Brands Parcel 10-0350-340</b>  <b>A. Open Hearing (Action)</b>  <b>B. Proposed Abatement – Discussion</b>  <b>C. Public Comment</b>  <b>D. Close Hearing (Action)</b>  <b>E. Decisions</b>  <b>1. Allen Brands Parcel 10-0350-340 – Resolution 202129 (Action)</b>  <u>Attachments:</u>  NHI Nobles County Guidelines  Application information  Resolution 202129</p>
<p><b><u>VOTING</u></b>  <b>A.</b> A motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for Allen Brands Parcel 10-0350-340  <b>B.</b> Bruce Heitkamp, Nobles County Administrator, reviewed the Nobles Home Initiative Application.  <b>C.</b> Discussion was had on the project being a “shouse” (shed / house) and if the entire project would be included in the abatement, or just the living portion. Ultimately, it was decided to include the entire project in the abatement.  <b>D.</b> On a motion by Donald Linssen and seconded by Bob Paplow, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.  <b>E.</b> On a motion by Justin Ahlers and seconded by Bob Paplow, it was duly passed to adopt Resolution 202129 approving tax abatement to Allen Brands Parcel 10-0350-340 pursuant to Minnesota Statute 469.1813..</p>	
<b>8.0</b>	<b>Department Presentations</b>
<b>8.1 (A)</b>	<p><b>Zachary Schmitz – CUP #07-2021</b>  <u>Attachments:</u>  Planning and Zoning Draft Minutes</p>
<p>Zachary Schmitz, Round Lake, MN, applicant, Susanne Murphy, Worthington, MN landowner, requesting a conditional use permit for a home-extended business consisting of a machine shop. Public hearing is required under Section 603.4 – #3 Home Extended Businesses - of the Nobles County Land Use Ordinance. This parcel of land is located in the East 462’ of the North 1,039’ of the NE ¼ of the SE ¼ in Section 29, TWP 102, Range 39, (Lorain Township).</p>	
<p><b><u>VOTING</u></b>  It was duly passed to approve CUP #07-2021 for Zachary Schmitz and Susanne Murphy for a home-extended business consisting of a machine shop.  Moved by: Ahlers, Justin  Seconded by: Linssen, Donald</p>	
<b>7.0</b>	<b>Special Presentations</b>
<b>7.1</b>	<b>A.C.E. 2020 Annual Report</b>
<p>Michelle Baumhoefner and Joanne Bartosh presented the Board the 2020 A.C.E. of SW Minnesota annual report. They reported the challenges along with successes the organization has had in the previous year. The Commissioners thanked everyone for their efforts during the year.</p>	
<b>8.0</b>	<b>Department Presentations (continued)</b>

<b>8.2 (A)</b>	<b>Crop Damages Payments</b> <u>Attachments:</u> Resolution 2021-02
The Nobles County Drainage Authority has no resolutions in place to pay damages out before the completion of an Improvement project. These payments should be paid in a timely manner to landowners. Payments for temporary damages could involve lost crops resulting in lost income for the farmers of said lands. The temporary damages should not wait for the end of a project if the project goes over more than one complete construction season.	
<b>VOTING</b> It was duly passed to adopt resolution 2021-02 and pay crop damages in a timely manner. Motion by: Ahlers, Justin Seconded by: Paplow, Bob	
<b>8.2 (B)</b>	<b>Resolution To Set Interest Rates For Ditch Liens/Negative Balances</b> <b>Grass Strip Damages Payments</b> <u>Attachments:</u> Resolution 202126
One of the requirements of the Redetermination process is to pay out the Grass Strip Damages to each qualifying landowner. These payments are very costly to the ditch systems and will send most of them into a negative balance. The Drainage Authority will have to borrow money from the general fund to pay the damages. An interest rate needs to be established that can be applied to any and all liens as a result of maintenance, repairs, assessments and project expenses for individual parcel owners as well as the ditch funds. Joyce Jacobs, Auditor-Treasurer surveyed neighboring counties and found that they vary from 2% to 7%. Interest rates on other current assessments vary from 3.5% to 5.9% as shown below: HL Watershed Septic Loans – 3.5% Lincoln Pipestone Rural Water – 5.9% PACE Loans – 4.0% AgBMP Septic Loans 3% for 2021 (4% for 2020) Drainage law requires County Boards to set the interest rate on a drainage lien not to exceed the rate determined by the state court administrator for judgements under Minn. Stat. 549.09 or six percent, whichever is greater. That current rate is 4% (and has been since 2003).	
<b>VOTING</b> It was duly passed to adopt resolution 202126 and establish the interest rate of 4.0%. Motion by: Paplow, Bob Seconded by: Metz, Gene	
<b>8.3 (A)</b>	<b>CSAH 4 Railroad Crossing MN/DOT Agreement #1030866</b> <u>Attachments:</u> MnDOT Agreement Resolution 202124
Funding has become available to install signals and gates for the railroad crossing on CSAH 4 off Trunk Highway 60 north of Bigelow. An agreement is needed for the work to be done. 90% (\$196,905.60) of the project is being funded by federal aid through the MN Department of Transportation, with Nobles County covering 10% (\$21,878.40) of the costs using State Aid funds. This project is in the proposed 5-year road improvement program. This crossing is the last paved roadway along the Union Pacific Railroad in Nobles County that does not have signals and gates protection.	
<b>VOTING</b> It was duly passed to approve MnDOT agreement #1030866 and resolution 202124. Motion by: Paplow, Bob Seconded by: Linssen, Donald	
<b>8.3 (B)</b>	<b>Proposed 5-year Road Plan</b> <u>Attachments:</u> 5-year road plan
It has been a few years since the 5-Year road program has been updated and approved.	

Having a program provides the direction for future projects that need to be worked on and the anticipated year the projects need to be ready for construction. Federal projects need to be included in the county approved program. The CSAH 35, Oxford Street project needs to be in an approved program. The proposed 5-year improvement program was reviewed at the county work session on April 28, 2021. A road tour was held on May 26, 2021 to review many of the proposed projects. Discussion was had on the plan and Commissioner Paplow recommended moving up the highway in Bigelow as that project has not happened for many years.

**VOTING**

It was duly passed to approve the 5-year road plan as presented.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

**8.4 (A) Minnesota River Area Agency on Aging, Inc. (MNRAAA) Cares Act Funding Opportunity**

**Attachments:**

Grant Proposal

The Minnesota Area Agency on Aging has CARES Act Funding available to support Farmers Market projects for people age 60 and over. MNRAAA will be awarding funding through Mini Grant proposals submitted until the available funds have been exhausted. The total amount available per applicant is \$5,000. Allowable costs include staff time required to register eligible participants, provision of \$4.00 tokens for participants to use to purchase fresh fruits and vegetables from vendors at the market, and staff time required to reimburse vendors for the tokens. The funds will be received by the agency on a reimbursement basis as expenditures are reported back to MNRAAA each quarter.

**VOTING**

It was duly passed to approve staff to move forward with the grant application for the MNRAAA Cares Act Funding.

Moved by: Ahlers, Justin

Seconded by: Linssen, Donald

**8.4 (B) Moving Health Equity Data to Action (MEDA) Grant Application Program**

**Attachments:**

MEDA Plan

The Minnesota Department of Health has issued a request for proposals for funding through the CDC's State Physical Activity and Nutrition Program (SPAN) grant funds. Through this funding, the Office of Statewide Health Improvement Initiatives (OSHII) supports scalable, evidence-based strategies that are locally-led and focus on advancing health equity. This project is being conducted in two cohorts with cohort one currently underway, and cohort two beginning summer 2021 and ending August 31st, 2023. Grant applications are due no later than June 18, 2021. The funds available for this work are a maximum of \$82,500 per chosen local public health agencies for the two year time period.

**VOTING**

It was duly passed to approve staff to move forward with the grant application for the MEDA grant.

Moved by: Paplow, Bob

Seconded by: Ahlers, Justin

**8.5 (A) Appointment of Driver's License Agent**

**Attachments:**

Resolution 202125

With the retirement of Louise Naumann, the License Center will need to appoint a new Driver's License Agent for the Nobles County License Center. Tanya Echternach started her new role as the Lead for the License Center on June 1st. The appointment allows Tanya to be the point of contact for our office with the MN Department of Public Safety. The state has requested that she be appointed by a board resolution.

**VOTING**

It was duly passed to adopt resolution 202125 and appoint Tanya Echternach as the Driver's License Agent.

Motion by: Linssen, Donald

Seconded by: Paplow, Bob

**8.5 (B) Year End Reports for 2020**

	<b><u>Attachments:</u></b> Reports (5)
For information: a. Nobles County – Unpaid Taxes – As of December 31, 2020 b. Tax Delinquent – As of January 1, 2020 c. Nobles County Auditor-Treasurer Report of Tax Delinquency 2.) Requires Consideration and Acceptance a. Nobles County Auditor-Treasurer’s Report of Cash and Investments – As of December 31, 2020 b. Nobles County Cash and Investments Collateral Report – As of December 31, 2020	
<b><u>VOTING</u></b> It was duly passed to accept Nobles County Cash Investments and Balances report along with the Nobles County Cash and Investments Collateral Report – December 31, 2020 for audit purposes. Motion by: Ahlers, Justin Seconded by: Paplow, Bob	
<b>9.0 Administration Presentation</b>	
<b>9.7</b>	<b>Structure Demolition</b> <b><u>Attachments:</u></b> Quotes (Jeppesen & Soo Sanitary)
The County Board previously acted to negotiate the acquisition of the 108 Kentucky Avenue property, Adrian, MN. County Attorney Joseph Sanow admirably negotiated a recorded deed and the Board can now act to order the improvement of this recently-acquired problem property. Some of the minor improvement details have already been addressed. County Action is now required to approve a quote which will return the property to an empty lot. Several attempts were made to remedy this property over the past two years. Nobles Public Health and Community Service’s staff previously requested quotes from area contractors for demolition and to return property to an empty lot. The following firms answered the request for proposals with a quote: <input type="checkbox"/> Jeppesen Gravel \$10,500.00 <input type="checkbox"/> Soo Sanitary Excavating 7,827.25 (with many open cost figures) Discussion was had on if Jeppesen Gravel would still do the demolition for \$10,500.00. Administrator Heitkamp assured he had discussions with Jeppesen who stated they would honor the quote. Commissioner Ahlers asked that Jeppesen review the property once more and confirm the amount.	
<b><u>VOTING</u></b> It was duly passed to accept the quote from Jeppesen Gravel in the amount of \$10,500.00. Moved by: Paplow, Bob Seconded by: Ahlers, Justin	
<b>9.4</b>	<b>Auditor-Treasurer/Recorder Floater Position</b> <b><u>Attachments:</u></b> Position Description (Draft) Position Description (Final)
Joyce Jacobs, County Auditor Treasurer and Thelma Yager, County Recorder requested updates to the Deputy A/T-Recorder Floater position. They completed updates to the job description and submitted it to Administration. Sue Luing, HR Director submitted the changes to George Gmach for review with the following recommendations. Due to the changes requested the Deputy Auditor/Treasurer/Recorder Floater would increase associated point values from 203 to 217 which would change it from a pay level 7 to a pay level 8.	
<b><u>VOTING</u></b> It was duly passed to approve the updated Deputy Auditor-Treasurer/Recorder Floater job description and the associated point values. Moved by: Paplow, Bob Seconded by: Ahlers, Justin	
<b>9.1</b>	<b>Fair Board 2021 Appropriation Amount</b>

	<b><u>Attachments:</u></b> Supporting Documents
The 2021 Budget process was completed and two different amounts were shared regarding the Fair Board Appropriation. A Fair Board appropriation amount of \$25,000.00 was introduced during the Annual Budget Meeting on December 8, 2020. Spreadsheets sharing an incorrect amount of \$35,000.00 were communicated to staff, who then informed Fair Board Members of a \$35,000.00 appropriation amount.	
<b><u>VOTING</u></b> It was passed to approve the \$35,000 2021 appropriation to the Nobles County Fair. Moved by: Paplow, Bob Seconded by: Metz, Gene In favor: Paplow, Bob; Metz, Gene; Demuth, Robert S.; Linszen, Donald Opposed: Ahlers, Justin	
<b>9.2</b>	<b>Red Rock Rural Water System Joint Powers Agreement</b> <b><u>Attachments:</u></b> JPA
The Red Rock Rural Water System (“System”) extends into Nobles County and serves the City of Dundee and perhaps others within the Northeastern portion of Nobles County. The System is now starting a “Great Bend Water Treatment Plant Project”, or “WTP Project”. The WTP Project will replace one of Red Rock’s current water treatment plants. Only 0.1% of Red Rock’s system resides within Nobles County (\$7,100.00 of this liability) The \$7.1 million dollar costs for the WTP Project will be financed as follows: \$4,831,000.00 – GO Bonds \$2,219,000.00 – grant funds from the United States Department of Agriculture \$50,000.00 – Red Rock’s contribution \$7,100,000.00 – Total WTP Project cost	
<b><u>VOTING</u></b> It was duly passed to adopt resolution 202128 in support of the Red Rock Rural Water System joint power agreement. Moved by: Metz, Gene Seconded by: Ahlers, Justin	
<b>9.3</b>	<b>Public Works Overhead Door Replacement</b> <b><u>Attachments:</u></b> Quotes (Z Door Men & Doubler Construction LLC )
An overhead door on the Public Works Building in Worthington requires replacement. The door is approximately thirty years old and had several panel replacements throughout the years. This item is being brought before the Board as the cost of the door replacement is in excess of \$5,000.00. The replacement of this door was not specifically budgeted for but the Maintenance Department is advising that additional repairs to the obsolete door would not be good use of funds. Two quotes were received for the project.	
<b><u>VOTING</u></b> It was duly passed to accept the quote from Z Door Men in the amount of \$13,535.00. Moved by: Ahlers, Justin Seconded by: Paplow, Bob	
<b>9.5</b>	<b>Reading Sanitary Sewer</b>
The community of Reading, MN is in dire need of a communal sanitary sewer system. Nobles County has already established a Sanitary Sewer District to derive an acceptable sanitary system for Reading. However, the process to establish a sanitary sewer system, through the District, has met obstacles. At this point, a reasonable-cost option and/or acceptable Minnesota Pollution Control Agency (MPCA) means of creating this system has not been agreed-upon. The Minnesota Management and Budget Department (MMB) will accept proposals for the State’s 2022 Budget additions through June 18, 2021. Representative Rod Hamilton and Senator Bill Weber are both aware of the issue. They both recommend the Reading Sewer Project attempt to be placed upon MMB’s list of budgetary projects for 2022. Wenck’s Peter Miller	

has offered to submit the Reading Project on behalf of Nobles County and the Sewer District. Miller has prior experience with this project.

**VOTING**

It was duly passed to approve Administration to move forward with the Reading sanitary sewer to be included in the 2022 legislative budget request and working with Wenck's Peter Miller to create a plan.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

**9.6 Annual Leave Payout Exception**

Ryan Kruger was selected last month as the next Nobles County Sheriff. Ryan has more than 480 hours of annual leave accrued. According to policy the County can only pay out up to 480 hours into a Health Care Savings Plan (HCSP). Any hours above 480 would be lost. It is being presented to the board to move any hours above 480 into a 1 time payment to his VEBA account.

**VOTING**

It was duly passed to table the item for a special board meeting planned for June 15, 2021.

Moved by: Ahlers, Justin

Seconded by: Linssen, Donald

**9.8 County Engineer and Public Works Supervision**

Nobles County experienced the retirement of the person within the Engineer position within the last two months. The Public Works Director is retiring at the end of this month. There are statutory requirements for a county to have a Professional Engineer (PE) appointed. Our current Professional Engineer is also the retiring Public Works Director, Stephen Schnieder. Options were discussed for the time after Schnieder's retirement but more time is needed to see if any applicants apply or other measures are needed.

**9.9 Emergency Management Performance Grant**

**Attachments:**

2019 Grant Agreement

Resolution 202130

2020 Grant Agreement

Resolution 202131

Minnesota Department of Public Safety (State) requires for the County Board to acknowledge, by resolution, the Emergency Management Performance Grants (EMPG) offered to counties. Administrator Heitkamp presented the Board with a 2019 EMPG grant and a 2020 EMPG grant.

**VOTING**

It was duly passed to adopt resolution 202130 in acknowledgement of the \$21,915.00 funds received for 2019.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

It was duly passed to adopt resolution 202131 in acknowledgement of the \$21,782.00 funds received for 2020.

Moved by: Metz, Gene

Seconded by: Linssen, Donald

**10.0 Inter-Agency Reports/Announcements**

**10.1 Committee and Board Reports**

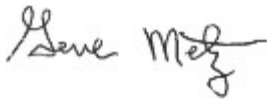
District I - Commissioner Ahlers – Attended the 1W1P meeting and spoke on how that is moving forward.

District V - Commissioner Linssen – Solid waste meeting – talked about the need for a demolition landfill.

District IV – Commissioner Demuth – Excused absence.

District II - Commissioner Metz – Attended the EWRC meeting where discussion was had on requesting more funds for 2022.

District III - Commissioner Paplow – No Report.	
Attorney – Joe Sanow – Courts should be resuming to normal on June 14 <sup>th</sup> .	
Administration – Bruce Heitkamp – The International Festival has reached out for the 2021 celebration. American Rescue Funds, still being discussed. Hoping to pick NEON up again soon. Wrapping up the A/T and Recorder remodel. Jury room doors are in at courtroom C.	
<b>10.2</b>	<b>Correspondence</b> <b>Attachments:</b> Recruitment Update Nobles County Fair Booth Reservation HLWD Hearing
<b>10.3</b>	<b>Calendar</b> <b>Attachments:</b> June 2021
<b>11.0</b>	<b>County Board of Review – Tuesday June 15, 2021</b> 6:00 p.m. Nobles County Board Room <b>Board Meeting – Tuesday June 22, 2021</b> 9:00 a.m. Nobles County Board Room <b>Work Session – Wednesday June 30, 2021</b> 8:30 a.m. Nobles County Board Room
<b>12.0 Adjournment</b>	
<b>VOTING</b> It was duly passed to adjourn the meeting at 11:23 a.m. Moved by: Paplow, Bob Seconded by: Linssen, Donald	




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(Chairperson)




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(County Administrator)