

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, April 05, 2022, at the Government Center, in the Commissioner’s Board Room, Worthington, Minnesota. The following Commissioners attended: Donald Linssen, Gene Metz, Justin Ahlers, Robert S. Demuth and Bob Paplow.

Chairperson Linssen called the meeting to order at 9:00 A.M. followed by the Pledge of Allegiance.

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| 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 | |
| 4.1 Visitors and Guests Welcome | |
| 5.0 Consent Agenda | |
| 5.1 | March 22, 2022 Regular Board Meeting Minutes Draft <u>Attachments:</u> March 22, 2022 Draft Minutes |
| 5.2 | Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid March 25, 2022 |
| 5.3 | Auditor’s & Commissioner’s Warrants <u>Attachments:</u> Accounts Payable Summary Auditor’s Warrants |
| 5.4 | HAVA Voting Equipment Grant Award Acceptance <u>Attachments:</u> Grant Agreement |
| 5.5 | Cost-Sharing Agreement for the Transportation of Students in Foster Care Placement – Round Lake-Brewster Public Schools ISD #2907 <u>Attachments:</u> Agreement |
| <u>VOTING</u> It was duly passed to approve the consent agenda as presented. Moved by: Metz, Gene Seconded by: Ahlers, Justin | |
| 6.0 | Public Hearing |
| 6.1 | Public Hearing – Nobles County Tobacco Ordinance A. Open Hearing (Action) B. Proposed Amendments – Discussion C. Public Comment D. Close Hearing (Action) E. Decisions <u>Attachments:</u> Current Tobacco Ordinance Proposed Updated Tobacco Ordinance |
| <u>VOTING</u> A. A motion by Justin Ahlers and seconded by Robert S. Demuth, it was duly passed to open the Public hearing for the Nobles County Tobacco Ordinance. | |

B. In accordance with the Federal T-21 law that was enacted August 1, 2020, Nobles County Community Services brought before the board the request to update the Nobles County Tobacco Ordinance. In addition to this proposal, further changes as previously brought before the board are requested. These revisions are brought forth in order to address the continued rise in youth tobacco use throughout the County.

The proposed changes made include:

- Mandatory T-21 law updates
- Updated youth oriented facility definition
- Updated drug paraphernalia language
- Removed language regarding “without limitation” and exempting menthol, mint and wintergreen from “flavored products”
- Removed the wording “or entity” from the definition of “licensee”
- Revised language pertaining to the sales of flavored products to the recommended language from the Public Health Law Center, keeping the provision exempting off-sale liquor establishments

C. Tony Hastings, Worthington High School Assistant Principal, commented that vaping sensors have been installed in several of the High School bathrooms. The school is working on education when someone is caught with a vape but the problem only continues to grow.

Cate Koehne, Adrian High School Principal, agreed with Mr. Hastings comments. She stated catching the students vaping is the hardest issue.

Huston Colman, a local tobacco shop owner, stated that while the ordinance did not affect his business he proposed a higher sales tax on tobacco in Nobles County to try and deter younger kids from starting smoking.

Jesse Raudenbush, part owner of a local gas station, stated his concern for loss of revenue to Nobles County businesses. He said consumers have several other surrounding counties they can chose to drive to and purchase items.

Commissioners discussed at length the proposed changes. Commissioner Ahlers stated he was in favor of harsher penalties for those caught purchasing tobacco for underage people. Both County Attorney Joe Sanow and Nobles County Sheriff Ryan Kruger agreed not many people are tried for providing tobacco to an underage person just because they are hard to catch. Commissioner Metz stated while he does not want to penalize local businesses he feels it is in the publics best interest to approve the changes. Commissioner Demuth stated that the duties of Commissioners are to promote the health, safety and welfare of their citizens.

D. On a motion by Justin Ahlers and seconded by Bob Paplow, it was duly passed to close the Nobles County Tobacco Ordinance Public Hearing.

E. On a motion by Gene Metz and seconded by Bob Paplow, it was passed to approve the Nobles County Tobacco Ordinance with updated language pertaining to all of the provisions listed above.

In Favor, Metz, Gene; Paplow Bob; Demuth, Robert S.; Linssen, Donald

Opposed: Ahlers, Justin

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| 7.0 | Department Presentations |
| 7.1 (A) | Professional Service Agreement – New Life Treatment Center <u>Attachments:</u> Professional Service Agreement |

Community Services is currently working with New Life Treatment Center on a proof of concept project for the planned Regional Short Term Crisis Residential Facility. The Agreement presented is to provide New Life some reimbursement for the time their staff spends working with us. As part of the process for determining the feasibility of the potential for New Life Treatment Center to become the provider for the planned Regional Short Term Crisis Residential Facility, we are currently working through an in depth rate setting tool provided to us by the Department of Human Services. Because rates for short term crisis facilities use a cost based rate, the tool is very complex and includes everything from staffing to building square footage used, to meals, janitorial service, utilities, and all other anticipated expenses. The staffing portion of the tool has been very intense on its own and has required several meetings and quite of bit of New Life’s staff time to complete. The Agreement presented provides New Life with reimbursement of \$100.00 per hour for this work and includes a not to exceed amount of \$10,000 for their expertise and time in helping us to develop the tool to completion.

Once this is done, we can submit the tool to the Department who will in turn give us an estimated daily rate for the facility. Ultimately this will determine the business plan for the facility and help us to build out a sustainability plan for the program moving forward.

VOTING

It was duly passed to approve the professional service agreement with New Life Treatment Center.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

7.2 (A) **Systems Administrator Position**

Attachments:

Systems Administrator Position Description

A Systems Administrator position in Information Technology (IT) was approved in the 2022 budget. This position provides technology support in the IT department. George Gmach our compensation plan consultant reviewed the job description and assigned the position 309 points which is a level 13 on our current pay scale.

VOTING

It was duly passed to approve the Systems Administrator position job description and associated point values.

Moved by: Metz, Gene

Seconded by: Paplow, Bob

8.0 Administration Presentation

8.1 **Proclamation of "County Government Appreciation Day"**

Attachments:

Resolution 202205

Nobles County, like other Minnesota counties, offer essential services supplied by wonderful people. The Association of Minnesota Cities (AMC) introduced an opportunity for all Minnesota counties to acknowledge county people and services through the proclamation of County Government Appreciation Day. April 26th is identified as this day of appreciation. Resolution 202205 was offered as Commission language to acknowledge and appreciate Nobles County's services, employees, and officials; respectively.

VOTING

It was duly passed to adopt resolution 202205 proclaiming April 26, 2022 as County Government Appreciation Day.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob

8.2 **American Recovery Plan Act Allocation**

Attachments:

County Capital Needs List

ARPA County Wide Project List

Nobles County will receive \$4,201,180.00 in American Recovery Plan Act (ARPA) funding. This program, granted through the Federal Treasury, assists Nobles County Commissioners offset the local effects of COVID-19. County Commissioners are now considering the appropriate use of these funds. Cities and area water/sewer agencies have shared projects along with their funding requests. The Commissioners have directed county staff to identify county capital-improvement projects. Also considered is the various roadway improvement-preservation projects, in which COVID affected maintenance schedules. Discussion was had on the varying options for spending the ARPA money. Commissioner Metz stated that a resolution is needed to declare how the county will spend the money.

VOTING

A motion was made, and failed, to use all ARPA money received for capital improvements within Nobles County.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

In Favor:

Opposed: Ahlers, Justin; Metz, Gene; Demuth, Robert S.; Linssen, Donald; Paplow, Bob

Direction was then given to Administration to create a resolution for the next board meeting where the money would be allocated.

10.0 Inter-Agency Reports / Announcements

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| 10.1 | Committee and Board Reports |
| <p>Attorney – Joe Sanow – Reported that Legislation has proposed a new documenting process when a plea deal is offered.</p> <p>District I – Commissioner Ahlers – Reported on the AMC meetings regarding environmental issues along with a new bill regarding deer hunting.</p> <p>District III – Commissioner Paplow – No Report.</p> <p>District II – Commissioner Metz – Reported on several legislative issues; transportation, ARMOR radios, land fills, energy, another round of business relief, increasing wages and daycare shortages.</p> <p>District V – Commissioner Linssen – Reported on a community care meeting, park board meeting, Prime West meeting and a solid waste meeting.</p> <p>District IV – Commissioner Demuth – Reported on the Grow Your Own program.</p> <p>Administration – Reported on taking more Emergency Management courses. Progress with CEDA hiring someone for the daycare project.</p> | |
| 9.0 | Public Hearing |
| 9.1 | <p>Public Hearing – County Redistricting</p> <p>A. Open Hearing (Action)</p> <p>B. Discussion</p> <p>C. Public Comment</p> <p>D. Close Hearing (Action)</p> <p>E. Decisions – Resolution 202206 (Action)</p> <p>F. Decisions – Resolution 202207 (Action)</p> <p><u>Attachments:</u></p> <p>Exhibit A – District Map</p> <p>Resolution 202206</p> <p>Resolution 202207</p> |
| <p><u>VOTING</u></p> <p>A. A motion by Justin Ahlers and seconded by Bob Paplow, it was duly passed to open the Public hearing for Nobles County Redistricting.</p> <p>B. With the release of the census numbers and the State Redistricting Plan, Nobles County will need to approve a redistricting plan for Nobles County by April 26, 2022. Final confirmation from all voting districts have been received. The public hearing will give citizens the option of submitting a plan for the board to consider if they want changes made to the current county commissioner district boundaries.</p> <p>C. No public comment was received.</p> <p>D. On a motion by Robert S. Demuth and seconded by Gene Metz, it was duly passed to close the Nobles County Redistricting Public Hearing.</p> <p>E. On a motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to approve resolution 202206.</p> <p>F. On a motion by Robert S. Demuth and seconded by Donald Linssen, it was duly passed to approve resolution 202207.</p> | |
| 10.2 | <p>Correspondence</p> <p><u>Attachments:</u></p> <p>Recruitment Update</p> |
| 10.3 | <p>Calendar</p> <p><u>Attachments:</u></p> <p>April 2022</p> |
| 11.0 Other / Future Business | |

Board Meeting – Tuesday April 19, 2022

9:00 a.m. Nobles County Board Room

Work Session – Wednesday April 27, 2022

8:30 a.m. Nobles County Board Room

12.0 Adjournment

It was duly passed to adjourn the meeting at 11:02 a.m.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob



(Chairperson)



(County Administrator)