

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, April 19, 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.

1.0 Call To Order	
2.0 Pledge of Allegiance	
3.0 Approval of Agenda	
VOTING It was duly passed to approve the agenda as presented. Motion by: Demuth, Robert S. Seconded by: Ahlers, Justin	
4.0 Recognition	
4.1 Visitors and Guests Welcome	
4.2 Years of Service Recognition Jim Timmerman, Public Works, was presented a years of service award for 20 years of service.	
4.3 Excellence in Performance Recognition Tammy Fishel, Income Maintenance Supervisor and the MAXIS Team of Eligibility Workers: CJ Kremer, Diane Schettler, Jackie Kramer, Maria Peters, Nan Henning, Sarah Morey, Shelly Beckmann, and Katie Johnson were recognized as the March 2022 Excellence in Performance recipients.	
5.0 Consent Agenda	
5.1	April 05, 2022 Regular Board Meeting Minutes Draft Attachments: April 05, 2022 Draft Minutes
5.2	Meetings and Conferences – Travel Expenses Attachments: Expenses paid April 08, 2022
5.3	Auditor’s & Commissioner’s Warrants Attachments: Accounts Payable Summary Auditor’s Warrants
VOTING It was duly passed to approve the consent agenda as presented. Moved by: Metz, Gene Seconded by: Paplow, Bob	
6.0	Public Hearing
6.1	Public Hearing – Proposed Property Tax Abatement Lance Rogers & Tami Brink Parcel 02-0178-000 A. Open Hearing (Action) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (Action) E. Decisions 1. Lance Rogers & Tami Brink Parcel 02-0178-000–Resolution 202208 (Action) Attachments: Application information Resolution 202208
VOTING A. A motion by Gene Metz and seconded by Bob Paplow, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for Lance Rogers & Tami Brink Parcel 02-0178-000.	

- B. Bruce Heitkamp, Nobles County Administrator, reviewed the Nobles Home Initiative Application.
- C. No Discussion or public comment was received.
- D. On a motion by Robert S. Demuth and seconded by Bob Paplow, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.
- E. On a motion by Gene Metz and seconded by Donald Linssen, it was duly passed to adopt Resolution 202208 approving tax abatement to Lance Rogers & Tami Brink Parcel 02-0178-000 pursuant to Minnesota Statute 469.1813..

6.2	<p>Public Hearing – Proposed Property Tax Abatement Derek and Jodi Erlandson Parcel 12-0045-500</p> <ul style="list-style-type: none"> A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions <p>1. Derek and Jodi Erlandson Parcel 12-0045-500–Resolution 202214 (<i>Action</i>)</p> <p><u>Attachments:</u> Application information Resolution 202214</p>
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VOTING

- A. A motion by Justin Ahlers and seconded by Robert S. Demuth, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for Derek and Jodi Erlandson Parcel 12-0045-500.
- B. Bruce Heitkamp, Nobles County Administrator, reviewed the Nobles Home Initiative Application.
- C. No Discussion or public comment was received.
- D. On a motion by Gene Metz and seconded by Bob Paplow, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.
- E. On a motion by Justin Ahlers and seconded by Robert S. Demuth, it was duly passed to adopt Resolution 202214 approving tax abatement to Derek and Jodi Erlandson Parcel 12-0045-500 pursuant to Minnesota Statute 469.1813..

7.0	Department Presentations
7.1 (A)	<p>Ocheda Dairy, Inc. – CUP #03-2022</p> <p><u>Attachments:</u> Planning and Zoning Draft Minutes</p>

Ocheda Dairy, Inc., Worthington, MN requesting a conditional use permit for a 60’ x 588’ expansion of an existing dairy barn, 400’ x 130’ new parlor, 400’ x 320’ new free stall barn, 40’ x 210’ free stall barn addition, and 50’ x 90’ parlor addition. Public hearing is required under Section 505.2 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. This parcel of land is located in the S ½ NE ¼, Section 15, Township 101, Range 40, Bigelow Township. Kathy Henderschiedt presented the board with three conditions recommended for the permit. Joe Vander Kooi was present for Ocheda Dairy to answer any questions.

VOTING

It was duly passed to approve the request of Ocheda Dairy, Inc., Worthington, MN to obtain a conditional use permit for a 60’ x 588’ expansion of an existing dairy barn, 400’ x 130’ new parlor, 400’ x 320’ new free stall barn, 40’ x 210’ free stall barn addition, and 50’ x 90’ parlor addition with the following conditions:

1. The proposed expansion to the existing milk parlor was revised from the requested 50’ x 90’ addition to a 110’ x 110’ addition to accommodate possible rotary milking.
2. The Planning & Zoning Administrator is authorized to administratively approve the construction of up to four milking silos on the property without having to amend the entire Conditional Use Permit.
3. The sunset date on the construction timeline shall be 12-31-2027 for the proposed facilities due to the large scope of the project with the ability to administratively extend for one additional year if needed upon written request from the applicant.

Moved by: Demuth, Robert S.
Seconded by: Metz, Gene

7.2 (A)	Employee Wellness and Recognition By-Law Amendments <u>Attachments:</u> Proposed EWR by-law amendments
The Employee Wellness and Recognition Committee would like to update the current By-Laws to reflect the updated 2022 budget approvals. In addition, update language surrounding wellness and recognition events. The committee is hoping to return to multiple employee recognition events such as an annual banquet, Excellence in Performance recipient meal and award, a County picnic, along with health and wellness activities. The EWRC took a look at the service award gifts, and concluded that the gifts have a relatively small monetary value for the years of County service. The committee would like to provide more significant gifts as a sign of thanks. The Commissioners thanked the Committee for moving forward to once again provide wellness and recognition activities for employees.	
VOTING It was duly passed to approve the Employee Wellness and Recognition by-laws as proposed. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
7.3 (A)	Part-Time Intermittent Correctional Officers
The jail is currently short correctional officers and more part time (PT) staff would help to fill gaps in the schedule until the Nobles County Jail can fill the full time (FT) positions. Currently, the jail is down 5 FT correctional officers. Allowing the Sheriff's Office to add additional Part time intermediate staff would help fill gaps in the schedule necessary to operate the facility making a safer environment for correctional officers and inmates, reducing burnout of current CO's who have been working well over their scheduled times. The jail is currently having difficulties getting applicant's for full time positions, additional PT intermittent employees may be easier to hire and retain employees. CO's would be paid at an hourly rate of \$21.53. There will be times when the employees would have more hours and times where there will be less hours depending on the need.	
VOTING It was duly passed to approve the Sheriff's office to hire up to 5 part-time intermittent correctional officers. Moved by: Ahlers, Justin Seconded by: Paplow, Bob	
7.4 (A)	Bid Award for Contract 22003 <u>Attachments:</u> Bid Abstract
Bids for the 2022 Bituminous Seal Coat project were open on Tuesday, April 12, 2022. The County Board needs to approve the award of the contract to the lowest responsible bidder. The contract consists of ~107 miles of bituminous seal coating. 5 bids were received. The bids ranged from \$3,888,541.05 and \$6,479,438.90 with the low bid received from Fahrner Asphalt Sealers of Plover, WI. The low bid was \$308,060.60 (8.6%) over the engineer's estimated cost of \$3,580,480.45. Discussion was had because the bidder had a \$189 error in their bid. It was discussed at length on if project would need to be rebid. Attorney Sanow suggested it be rebid to avoid any legal issues. The Commissioners decided to accept the bid as presented.	
VOTING It was passed to award contract number 22003 to Fahrner Asphalt Sealers the lowest responsible bidder for \$3,888,541.05. Moved by: Paplow, Bob Seconded by: Demuth, Robert S. In Favor: Paplow, Bob; Demuth, Robert S.; Metz, Gene; Linssen, Donald Opposed: Ahlers, Justin	
7.4 (B)	Bid Award for Contract 22002 <u>Attachments:</u> Bid Abstract
Bids for the 2022 Bituminous Pavement Crack Treatment project were open on Tuesday, April 12, 2022. The County Board needs to approve the award of the contract to the lowest responsible bidder. The contract consists of ~76 miles of routing and sealing bituminous cracks. 4 bids were received. The bids ranged from \$364,791 and \$1,137,025 with the low bid received from Lot Pros Inc. of Fergus Falls, MN. The low bid was \$269,859 (42.5%) below the engineer's estimated cost of \$634,650.	

VOTING

It was duly passed to award contract number 22002 to Lot Pros Inc. the lowest responsible bidder for \$364,791.00.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

7.4 Local Bridge Replacement Program Grant Agreements

(C) **Attachments:**

MnDOT Agreement 1046075

Resolution 202218

MnDOT Agreement 1046009

Resolution 202219

MnDOT Agreement 1046087

Resolution 202220

MnDOT Agreement 1049186

Resolution 202221

Nobles County was approved for state Local Bridge Replacement Program (LRBP) funding for the eight bridges planned for construction this season. The County is required to enter into four agreements, which were attached, with the State for these funds. The Board needs to pass a resolution authorizing the execution of said agreements. The funding being provided through this program will offset our total county obligation of County State Aid Highway (CSAH) funds and local county funds. Seven of the eight bridges are on CSAH routes and receive LRBP funds for 50% of the eligible construction items. There is one bridge on a local county road and it would receive LRBP funds for 100% of the eligible construction items.

VOTING

It was duly passed to approve MnDOT agreement 1046099 and adopt resolution 202218.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

It was duly passed to approve MnDOT agreement 1046099 and adopt resolution 202219.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

It was duly passed to approve MnDOT agreement 1049186 and adopt resolution 202220.

Moved by: Demuth, Robert S.

Seconded by: Ahlers, Justin

It was duly passed to approve MnDOT agreement 1049186 and adopt resolution 202221.

Moved by: Paplow, Bob

Seconded by: Linssen, Donald

7.5 American Recovery Act Funding – Standard Allowance Election for Revenue Loss

(A) **Attachments:**

Resolution 202217

Nobles County certified to receive \$4,201,180.00 of American Recovery Plan Act (ARPA) funding on May 20, 2021. The County received half of that funding in 2021 and will receive the 2nd half in June of 2022. The United States Department of Treasury's (Treasury) January 6, 2022 final ruling offered guidance pertaining to loss-revenue options the County Commissioners may want to consider. Local units of government who certified and receive ARPA funds were allowed to claim "lost revenue" for general government purposes; if that local unit received less than \$10 million.

VOTING

It was duly passed to adopt resolution 202217 to acknowledge Nobles County's \$4,201,180.00 of ARPA award as lost revenue.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

7.6 Joint Powers Agreement – Nobles County Attorney / Sheriff's Office

(A) **Attachments:**

	Agreement State of MN Joint Powers Agreement Fee Schedule Resolution 202216
The State of Minnesota requires criminal justice agencies to sign a joint powers agreements to allow the County Attorney and Sheriff’s office access to state and federal data networks and court system data. The JPA authorizes representatives of the County Attorney and Sheriff’s office to sign the Master JPA and Court Amendment documents to access state and federal data networks. Access to these networks are necessary.	
VOTING It was duly passed to adopt resolution 202216 authorizing the County Attorney and Sheriff’s office to sign the Master JPA and Court Amendment Agreements. Moved by: Paplow, Bob Seconded by: Demuth, Robert S.	
8.0 Administration Presentation	
8.1	Public Works Capital Improvement – Adrian Shop Building Air Line Enhancement
Air-line improvements are required within the Public Works shop in Adrian. The current air lines don’t provide the necessary air pressure needed. The County Maintenance personnel requested quotes to provide the required air service. Two quotes were received: Adrian Plumbing & Electrical, Inc. \$10,237.91 Pass Plumbing \$13,500.00 Nobles Maintenance will also perform some work to assist this project.	
VOTING It was duly passed to award the air-line improvement project to Adrian Plumbing & Electrical, Inc. for the amount of \$10,237.91. Moved by: Metz, Gene Seconded by: Paplow, Bob	
9.0 Inter-Agency Reports / Announcements	
9.1	Committee and Board Reports
Attorney – Joe Sanow – Reported that no applications for the Assistant County Attorney have been received. District I – Commissioner Ahlers – Reported on the Des Moines River 1W1P agreement. District III – Commissioner Paplow – Reported on the Art Center possibly using the old Historical Society space in the Library as space to hold projects. District II – Commissioner Metz – Reported on Union negotiations, AMC board meeting and local Township meetings. District V – Commissioner Linssen – Reported on the E.O. Olson trust meeting and using some funds on invasive species prevention. District IV – Commissioner Demuth – Reported on WREDC amending heir by-laws. Administration – Reported on the Library strategies, daycare, the short term crisis center and Nobles Home Initiative.	
9.2	Correspondence Attachments: Recruitment Update Nobles County Art Board Meeting Minutes HLWD Meeting Agenda 4/20/22
9.3	Calendar Attachments: April 2022

May 2022

10.0 Other / Future Business

Work Session – Wednesday April 27, 2022

8:30 a.m. Nobles County Board Room

Board Meeting – Tuesday May 03, 2022

9:00 a.m. Nobles County Board Room

11.0 Adjournment

It was duly passed to adjourn the meeting at 10:09 a.m.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob



Nobles County Board Chair



Nobles County Administrator