

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, May 03, 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: Paplow, Bob	
4.0 Recognition	
4.1 Visitors and Guests Welcome	
4.2 Years of Service Recognition Kathy Henderschiedt, Planning and Zoning Administrator, was presented a years of service award for 30 years of service.	
4.3	Child Care Provider Appreciation Day <u>Attachments:</u> Resolution 202222
Child Care Aware of America and other organizations nationwide are recognizing child care provider’s wonderful efforts on May 6, 2022. Child care providers are essential to Nobles County in numerous ways. These providers obviously care for children but also are essential components of allowing families to obtain income, assist with supplying a work force for employers, allowing parents to further their education, and other numerous benefits.	
VOTING It was duly passed to adopt resolution 202222 proclaiming May 06, 2022 as Child Care Provider Appreciation Day. Moved by: Ahlers, Justin Seconded by: Paplow, Bob	
5.0 Consent Agenda	
5.1	April 19, 2022 Regular Board Meeting Minutes Draft <u>Attachments:</u> April 19, 2022 Draft Minutes
5.2	Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid April 22, 2022
5.3	Auditor’s & Commissioner’s Warrants <u>Attachments:</u> Accounts Payable Summary Auditor’s Warrants
5.4	Applications and Permits for a 1 Day to 4 Day Temporary On-Sale Liquor License – Lao Buddhist Temple <u>Attachments:</u> Applications
VOTING It was duly passed to approve the consent agenda as presented. Moved by: Metz, Gene Seconded by: Demuth, Robert S.	
6.0 Special Presentations	
6.1	Assisting Nobles’ Cities & Townships with Funding – City of Ellsworth
The American Rescue Plan Act (ARPA) offered funding to municipalities through the Treasury Department. Nobles County received \$4,201,180.00 as its ARPA award. The County Commissioners used the Standard Allowance method of proclaiming it’s ARPA award as “lost revenue” during an April 19, 2022 Board Meeting. Some municipalities within Nobles County have utility and general government projects in which they are requesting funding assistance. Ellsworth, MN is	

one of those municipalities and they requested time to support a municipality-funding distribution. Discussion was had between the Ellsworth city representatives and Commissioners but no decision was made on funding.

6.2 (A) General Obligation Drainage Bonds, Series 2022A

Attachments:

- DDA Letter
- Sale Documents
- Resolution 202225

The Judicial Ditch Authorities for Ditches 9, 13, & 24 have requested their respective counties (Jackson & Nobles) to bond for ditch projects. Shannon Sweeney from David Drown & Associates has been advising both counties through the bond-planning process. Mr. Sweeney presented a letter of advisement and offered language for Resolution 202225, as part of a competitive bidding process. A competitive bidding process has traditionally been used by Nobles County to identify the lowest bonding costs. Mr. Sweeney also explained a private placement option, which could offer better control of fixed-pricing options in a volatile market. Jackson County's & Nobles County's respective staff & Commissioners met with Sweeney virtually on April 26, 2022 to discuss bonding logistics. Discussion included variables such as recipient prepayments and bonding volatility. A tentative schedule of bonding events for a competitive-bonding process was presented. Discussion was had on the difference and benefits of a competitive bidding process and a private placement option. Mr. Sweeney stated in their history, when a County has a good credit rating (which Nobles County does) a competitive sale returns better results.

VOTING

It was duly passed to adopt resolution 202225 with the caveat that the negotiated bid process would also be explored by David Drown & Associates.

Moved by: Metz, Gene

Seconded by: Ahlers, Justin

**6.2 (B) General Obligation Drainage Bonds, Series 2022A
Nobles County Road Costs – Cost Details and Payment Plans**

Various entities are acknowledging costs with the Judicial Improvement Projects on JD9, JD13, & JD24, respectively. Nobles County also acknowledges their ditch-improvement costs along relevant roadways. Public Works Director, Aaron Holmbeck presented materials to the board regarding roadway costs that are associated with each ditch. It was discussed if the County would prepay these costs or bond for them. The total costs would be \$448,259.13.

VOTING

It was duly passed to pay the drainage assessment costs upfront in the Fall of 2022 for JD24 and in the Fall of 2023 for JD 9 and JD13.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

7.0 Public Hearing

7.1 Public Hearing – Proposed Property Tax Abatement Daniel and Tanya Wagner Parcel 31-3659-025

- A. Open Hearing (*Action*)
- B. Proposed Abatement – Discussion
- C. Public Comment
- D. Close Hearing (*Action*)
- E. Decisions
- 1. Daniel and Tanya Wagner Parcel 31-3659-025 – Resolution 202215 (*Action*)

Attachments:

- Application information
- Resolution 202215

VOTING

A. A motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for Daniel and Tanya Wagner Parcel 31-3659-025.

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 Robert S. Demuth, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.

E. On a motion by Robert S. Demuth and seconded by Justin Ahlers, it was duly passed to adopt Resolution 202215 approving tax abatement to Daniel and Tanya Wagner Parcel 31-3659-025 pursuant to Minnesota Statute 469.1813..

8.0	Department Presentations
8.1 (A)	Sirimingalar Dhamma Center– CUP #05-2022 <u>Attachments:</u> Public Comments Planning and Zoning Draft Minutes

Sirimingalar Dhamma Center, Worthington, MN, applicant and James & Tracy Potter, Worthington, MN, landowners, requesting a conditional use permit to utilize an existing home as a temple for worship and religious gatherings. Public hearing is required under Section 603.4 (6) Conditional Use Permits – Churches of the Nobles County Land Use Ordinance. This parcel of land is located on a 5.39-Acre Tract in the NE ¼ of the NE ¼, Section 23, Township 101, Range 40, Bigelow Township. After Kathy Henderschiedt presented the conditional use permit, the applicant signed a letter formally withdrawing the request.

VOTING

It was duly passed to approve the withdrawal of the Conditional Use Permit from Sirimingalar Dhamma Center, Worthington, MN.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

8.2 (A)	Nobles County Community Services – Request for Out of State Travel
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Approval was requested for out of state airline travel for a social work staff to accompany a minor on a flight. The travel will occur in May of 2022.

VOTING

It was duly passed to approve the out of state airline travel.

Moved by: Demuth, Robert S.

Seconded by: Metz, Gene

8.3 (A)	2022 CSAH 10 and CSAH 35 Roadway Improvements <u>Attachments</u> Advertisement for Bids
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Construction Documents have been prepared for roadway improvements relating to the new intermediate school (CSAH 10) and existing middle school (CSAH 35). The board needs to consider and authorize an advertisement for bids for these projects. The work is intended to be funded from our CSAH Municipal Construction account. The contract will specify completion of this work prior to the opening of school in late August of 2022. Bid opening will be held on Wednesday June 1, 2022 at 11:30 a.m. at the Government Center.

VOTING

It was duly passed to approve the advertisement for bids for CSAH 10 and CSAH 35.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

8.4 (A)	County Canvassing Board
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According to MN Statutes 204C.31 Subd.1, **CANVASSING BOARDS; MEMBERSHIP.** “The county canvassing board shall consist of the county auditor, the court administrator of the district court, the mayor or chair of the town board of the county's most populous municipality, and **two members of the county board selected by the board from its members who are not candidates at the election.**” The Board needs to appoint two board members to the County Canvassing Board.

VOTING

It was duly passed to appoint Justin Ahlers to the County Canvassing Board.

Moved by: Metz, Gene

Seconded by: Paplow, Bob

It was duly passed to appoint Robert S. Demuth to the County Canvassing Board.

Moved by: Metz, Gene Seconded by: Paplow, Bob	
8.4 (B)	Establish Ballot Board <u>Attachments:</u> Resolution 202223
According to MN Statutes 203B.121, Nobles County is required to establish an Absentee Ballot Board and according to Minnesota Statute 203B.23 they also need to establish a Uninformed and Overseas Citizens Absentee Voting Act (UOCAVA) Ballot Board. Nobles County typically establishes one board for both that is commonly referred to as the "Nobles County Ballot Board". In the past this board has also processed the Mail Ballots from all the Mail Ballot Precincts. A resolution is required to establish the Ballot Board.	
VOTING It was duly passed to adopt resolution 202223 to establish a Ballot Board. Moved by: Ahlers, Justin Seconded by: Paplow, Bob	
8.4 (C)	VEGA-3 Voting Equipment Grant Award Acceptance <u>Attachments:</u> 2022 Voting Equipment Grant Agreement
The Office of Minnesota Secretary of State has awarded Nobles County a Voting Equipment Grant Agreement (VEGA-3) in the amount of \$33,547.37 as of April 25th, 2022. This grant provides state funding to purchase the assistive voting devices known as the Omni Ballot Systems which will replace our outdated AutoMarks. \$77,850.00 Cost for 17 Omni Ballot Systems (Approved purchase at 3/8/22 Board Meeting.) 705.60 Cost to recycle 42 AutoMarks (\$16.40 vs. \$50 when done locally) (24,608.07) HAVA Grant (Accepted by the Board 4/5/22) <u>(33,547.37) VEGA Grant</u> \$20,400.16 Remaining cost to the county End results: 74.03% covered by grants and 25.97% paid by the county. The Commissioners need to accept the grant to receive the funds.	
VOTING It was duly passed to accept the VEGA-3 Voting Equipment Grant Award in the amount of \$33,547.37. Moved by: Demuth, Robert S. Seconded by: Metz, Gene	
8.4 (D)	Ballot Drop Box Program Grant Application Resolution <u>Attachments:</u> Resolution 202224
The Office of the Minnesota Secretary of State (OSS) is currently soliciting applications from jurisdictions for grants to cover the cost of Ballot Drop boxes including installation of video monitoring and associated out-of-pocket costs with video monitoring such as license contracts, contracts for data storage, or other costs associated with data storage for ballot drop boxes. At this time, we have already installed a drop box so the grant funds would be used for a wide-angle camera and 16TB hard drive (video storage) along with installation costs. IT has provided an estimate on the equipment necessary at a cost of \$4,490, so the application will be submitted with some allowance for price increases due to current availability concerns.	
VOTING It was duly passed to adopt resolution 202224 and allow the application for the Ballot Drop Box Grant to be submitted in the amount of \$5,000. Moved by: Metz, Gene Seconded by: Ahlers, Justin	
8.5 (A)	County Attorney Case Activity Update
Joe Sanow, County Attorney, presented the board an update on case activity for the first 4 months of 2022. This item was information only.	
9.0 Administration Presentation	
9.1	Nobles Home Initiative Tax Abatement Program – Intent to Continue the Program

The Nobles Home Initiative is an existing tax-abatement program within Nobles County which promotes the establishment of new dwellings. This program has been adopted and utilized by several cities, school districts, and Nobles County to grant five (5) year tax abatements to applicable stick-built and newly constructed dwellings. This has been a successful program and over 100 new dwellings have been constructed through the program. The current program is set to end on December 31, 2022.

The County Commissioners discussed the Nobles Home Initiative Program during the April 27, 2022 Board work session. The Program’s future was discussed with the following course of action being proposed to share ideas and recommended logistics, respectively:

- Spring, 2022: program review with Nobles County Commissioners and affected Nobles’ departments
- Summer, 2022: hold meeting(s) at the Nobles Government Center to reintroduce the proposed NHI language with local taxing-entities (cities & school districts) seek and offer input and information, along with Nobles’ departments/personnel participation
- Fall, 2022: ensuring local taxing entities participating resolutions reviewed/acted upon by city council’s or school boards
- Fall/Winter, 2022: adoption of the renewed NHI tax abatement program for 2023 and beyond

As a final portion of that work session, the Commissioners were requested to consider offering the program after December 31, 2022.

VOTING

It was duly passed to share the county’s intent to continue the Nobles Home Initiative Program after December 31, 2022.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

10.0 Inter-Agency Reports / Announcements

10.1 | Committee and Board Reports

Attorney – Joe Sanow – Work continues to be steady. Still in need of an Assistant County Attorney.

District I – Commissioner Ahlers – Attended a 1W1P meeting where a JPA is being worked on.

District III – Commissioner Paplow – No Report.

District II – Commissioner Metz – Attended the MN Energy Board where the discussed the decommissioning of 10 wind turbines.

District V – Commissioner Linssen – Work continues on the telecommuting policy.

District IV – Commissioner Demuth – Nobles County Soils and Water is in need of a new director with John Shea’s leaving.

Administration – Engineer reappointment will be at next meeting, conversations with the Library Strategy committee continue, Coffee with Commissioners is planned for June 14th, County Board of Review is also the 14th.

10.2 | **Correspondence**

Attachments:

- Recruitment Update
- KLR Agenda 4/21/22
- KLR Meeting Minutes 3/17/22
- Nobles SWCD Agenda 4/20/22
- Nobles SWCD Meeting Minutes 3/16/22

10.3 | **Calendar**

Attachments:

- May 2022

11.0 Other / Future Business

Board Meeting – Tuesday May 24, 2022

9:00 a.m. Nobles County Board Room

Work Session – Tuesday May 31, 2022

8:30 a.m. Nobles County Board Room

12.0 Adjournment

It was duly passed to adjourn the meeting at 10:43 a.m.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob



Nobles County Board Chair



Nobles County Administrator