

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, May 24, 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	
<u>VOTING</u> It was duly passed to approve the agenda as presented. Motion by: Metz, Gene Seconded by: Demuth, Robert S.	
4.0 Recognition	
4.1 Visitors and Guests Welcome	
4.2 Years of Service Recognition Thelma Yager, Recorder, was presented a years of service award for 20 years of service. Ryan Kruger, Sheriff, was presented a years of service award for 20 years of service.	
5.0 Consent Agenda	
5.1	May 03, 2022 Regular Board Meeting Minutes Draft <u>Attachments:</u> May 03, 2022 Draft Minutes
5.2	May 16, 2022 Emergency Board Meeting Minutes Draft <u>Attachments:</u> May 16, 2022 Draft Minutes
5.3	Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid May 06, 2022 Expenses paid May 20, 2022
5.4	Auditor’s & Commissioner’s Warrants <u>Attachments:</u> Accounts Payable Summary Auditor’s Warrants
5.5	Change of Date for a 1 Day to 4 Day Temporary On-Sale Liquor License
5.6	MN DNR Snowmobile Maintenance Grant Agreement <u>Attachments:</u> Resolution 202237
<u>VOTING</u> It was duly passed to approve the consent agenda as presented. Moved by: Paplow, Bob Seconded by: Ahlers, Justin	
7.0	Special Presentations
7.1 (A)	Drainage Ditch Project Financing <u>Attachments:</u> DDA Letter
Nobles County and Jackson County are respectively preparing to finance ditch projects (Ditches 9, 13, & 24). May 3, 2022 Board of Commissioner action directed a competitive bidding process take place but for a bank-placement option to be reviewed. Ongoing investigation has led David Drown & Associates’ (DDA) Shannon Sweeney to believe that a bank placement option would offer a lower-cost financing outcome for the county and constituents. Local banks were contacted to see if they were interested in participating in the sale. After further conversation the local banks declined the offer to participate. Webster Bank was recommended as the best option for the negotiated sale with an offer of	

3.67%. The board will not award the sale at this meeting but gave direction to move forward and to award the sale on June 7th.

VOTING

It was duly passed to move forward with Webster Bank for bank placement financing.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

8.0 Department Presentations

8.1 (A) Buffalo Ridge Drug and Violent Crime Task Force

After careful consideration the Nobles County Sheriff's Office withdrew from the BRDVCTF as of April 24, 2022. Nobles County provided per capita funds to the task force for the first quarter that Nobles County was still involved with the task force as per the joint powers agreement. The Nobles County Sheriff's Office believes, at this time, that a concentrated focus locally & within our county is a better use of our resources. We are also successfully working with the Worthington Police Department on our local law enforcement efforts. Discussion was had on where the funds should stay / go from the BRDVCTF. Commissioner Ahlers suggested the funds be put into the general account. Other Commissioners disagreed and suggested the funds stay with the Sheriff's budget.

VOTING

A motion was made and failed to put leftover funds from the BRDVCTF into the general fund.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

In Favor: Ahlers, Justin

Opposed: Linsen, Donald; Demuth, Robert S.; Metz, Gene; Paplow, Bob

8.1 (B) HEAT Bus Purchase

The HEAT tactical team, which the Nobles County Sheriff's Office is a member, purchased a new bus for transporting members to the scene of an incident along with all of their equipment. The bus also serves as a mobile communication center. The team purchased a new bus, with all members contributing to the cost of the bus. Nobles County is one of the last counties to contribute. \$7,500 is requested from each entity for the bus. Sheriff Kruger was not aware of the bus purchase at the time of budgeting.

VOTING

It was duly passed to use \$7,500 from the Sheriff's per capita funding to pay for Nobles County's portion of the new HEAT bus.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob

**8.2 (A) DHS Managed Care Procurement MSHO and MSC+ Attachments
Resolution 202234**

Community Services participated in scoring the responses to the 2023 DHS Request for Proposals for the following health plans who responded to manage MSHO and MSC+ programs in Nobles County: Blue Plus, Medica, PrimeWest, UCare, and United Health Care. This review and scoring exercise was completed as a group with representatives from Regions 6 & 8, as well as staff from the Department of Human Services. When completed, the scoring revealed that the PrimeWest proposal far exceeded the other plans proposals. Based on this review, Community Services recommends that it would be in the best interests of the MSHO/MSC+ eligible members in Nobles County to recommend single plan coverage through PrimeWest as allowed by MN Statute 256B.694.

VOTING

It was duly passed to adopt resolution 202234.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob

**8.2 (B) DHS Managed Care Procurement – 2023 Special Needs Basic Care (SNBC)
Attachments:
Resolution 202235**

Community Services participated in scoring the responses to the 2023 DHS Request for Proposals for the following health plans who responded to manage SNBC programs in Nobles County: Medica, PrimeWest, UCare, and United Health Care. This review and scoring exercise was completed as a group with representatives from Regions 6 & 8, as well as staff from the Department of Human Services. When completed, the scoring revealed that the PrimeWest proposal far exceeded the other plans proposals. Based on this review, Community Services recommends that it would be in the best interests of the SNBC eligible members in Nobles County to recommend single plan coverage through PrimeWest as allowed by MN Statute 256B.694.

VOTING

It was duly passed to adopt resolution 202235.
Moved by: Metz, Gene
Seconded by: Paplow, Bob

8.3 | **City of Dundee Parade Permit**
(A) | **Attachments:**
Dundee Parade Permit

The City of Dundee is applying for a parade permit to celebrate Dundee Nothing Days to be held on Saturday, July 30, 2022 from 2:00 p.m. to 4:00 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.

VOTING

It was duly passed to approve the parade permit for the city of Dundee for Saturday July 30, 2022 from 2:00-4:00 p.m..
Moved by: Paplow, Bob
Seconded by: Ahlers, Justin

8.3 | **City of Ellsworth Parade Permit**
(B) | **Attachments:**
Ellsworth Parade Permit

The City of Ellsworth is applying for a parade permit to celebrate Family Fun Days to be held on Saturday, June 11, 2022 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.

VOTING

It was duly passed to approve the parade permit for the city of Ellsworth for Saturday June 11, 2022 from 6:30-8:00 p.m..
Moved by: Metz, Gene
Seconded by: Ahlers, Justin

8.3 | **CSAH 37 Microsurfacing Maintenance in Bigelow**
(C) | **Attachments:**
Astech Quote
Fahner Quote

The County solicited quotes to perform microsurfacing maintenance on CSAH 37 (old Hwy 60) in downtown Bigelow. The area being addressed runs from CSAH 2 on the south end and terminates on the north end of the city. Due to the type of work and the small scale of work being contemplated, we were able to obtain 2 quotes to complete the work. The lowest quote received was from Astech Corp. for \$52,287.80. The other quote was from Fahrner Asphalt Sealers LLC for \$80,490.14. The estimated cost prepared by staff was \$43,963.95 and was based on the recent bid result from Jackson County's 2022 microsurfacing bid letting.

VOTING

It was duly passed to accept the quote from Astech in the amount of \$52,287.80.
Moved by: Paplow, Bob
Seconded by: Ahlers, Justin

8.3 | **MnDOT Master Partnership Agreement**
(D) | **Attachments:**
MnDOT Partnership Agreement
Resolution 202236

Nobles County currently has a Master Partnership Agreement with MnDOT that expires at the end of June 2022. This new agreement will allow Nobles County and the State of Minnesota to continue partnering on projects by allowing each other to work together as needed for public safety, to improve efficiency, and to develop innovation for the benefit of the

public. This agreement provides a framework for efficiently handling requests to work together through a “Work Order” contract. This Master Partnership Agreement will last 5 years and expire on June 30, 2027.

VOTING

It was duly passed to adopt resolution 202236 which approves MnDOT contract number 1050069.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

8.3 | **Public Works Update**
(E)

Aaron Holmbeck, County Engineer, provided the board with a Public Works update. This was an information only item.

8.4 | **LELS – Licensed Essential Deputies Union Contract**
(A) | **Attachments:**
Deputies Contract

The Deputies union contract expired on December 31, 2021. Negotiation meetings began in 2021 and the process was just completed. After much discussion and consideration of requests on the part of both the union and the county negotiating teams, changes were identified, salary increases were agreed to for a 3 year term and a final contract proposal was presented.

VOTING

It was passed to approve the LELS – Licensed Essential Deputies Union Contract with changes effective January 1, 2022.

Moved by: Demuth, Robert S.

Seconded by: Metz, Gene

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

Opposed: Ahlers, Justin

8.4 | **Personnel Policy P-208 Holidays Policy**
(B) | **Attachments:**
P-208 Holidays

Policy P-208 Holidays Policy has been updated with language to grant Juneteenth as a County Holiday provided that State legislature declares it a State holiday. This language is the same as was bargained into all of the union contracts this year. Other changes were for clarification with no change in content.

VOTING

It was duly passed to approve P-208 Holidays policy with changes.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

9.0 Administration Presentation

9.1 | **Engineer Reappointment**

The County Highway Engineer is to be appointed to a four-year term in May of the year their current term expires (MN State Statute 163.07). Aaron Holmbeck’s first-year term is set to expire in 2022 and a four year appointment is pending Board of Commissioner approval, according to Statute. Mr. Holmbeck would consider it an honor and privilege to continue to serve as the County Highway Engineer and has requested a normal salary progression over the pending 4-year term with one additional consideration. Aaron Holmbeck is qualified according to MN Statute 163.07 and can be considered for reappointment. The county highway engineer’s salary shall be fixed by the county board and shall be payable the same as other county staff are paid. Mr. Holmbeck is currently on the Nobles County Pay Table as Grade 22, Step H. Normal progression would forward Mr. Holmbeck to Step I on October 1, 2022, which is the last step on the Nobles County Pay Table. Mr. Holmbeck respectfully requests a compensation package for the pending term which would include:

- Maintaining his normal progression on the Nobles County Pay Table as Grade 22, Step H (to become “I” on 10/1/22; which is the final step on the Pay Table including COLA’s)
- Re-establish a vehicle allowance for the County Engineer position to be set at \$600 per month for the term of 4-year appointment. Mr. Holmbeck would also consider an escalating scale where \$525 per month would be received for year one, \$575 per month for year two, \$625 per month for year three, and \$675 per month for year four; as another option. All options are offered with reference to trends in gas prices and Mr. Holmbeck providing his own vehicle for work purposes. An approved vehicle allowance would replace any mileage reimbursement and would be issued as 24 payments throughout the year.

VOTING

It was duly passed to appoint Aaron Holmbeck to a 4 year term as Nobles County’s Highway Engineer. With a pay level of 22 Step I effective October 1, 2022 and a \$300/ 24 pay period vehicle allowance to be effective 05/24/2022.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

9.2 Workforce Innovation and Opportunity Act (WIOA) Joint Powers Agreement

Attachments:

Joint Powers Agreement

In order for the local Workforce Service Area to continue to receive Workforce Innovation and Opportunity Act (WIOA) financial resources to deliver programs designated in the WIOA law (Adult, Dislocated Worker, Youth and universal services), the 14 counties will need to take action to approve the enclosed Joint Powers Agreement. The Southwest Minnesota Chief Elected Officials Board reviewed and discussed the document at their meeting. WIOA Joint Powers Agreement has been in place since the implementation of the Workforce Investment Act. The Southwest Minnesota Private Industry Council has requested the agreement to be in compliance with the requirements of the Workforce Investment Act.

VOTING

It was duly passed to approve the Workforce Innovation and Opportunity Act Joint Powers Agreement.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob

6.0 Public Hearing

6.1 Public Hearing – Proposed Property Tax Abatement Marty and Ginger Lonneman Parcel 21-0628-075

A. Open Hearing (*Action*)

B. Proposed Abatement – Discussion

C. Public Comment

D. Close Hearing (*Action*)

E. Decisions

1. Marty and Ginger Lonneman Parcel 21-0628-075–Resolution 202227 (*Action*)

Attachments:

Application information

Resolution 202227

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 Marty and Ginger Lonneman Parcel 21-0628-075.

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 Gene Metz and seconded by Justin Ahlers, it was duly passed to adopt Resolution 202227 approving tax abatement to Marty and Ginger Lonneman Parcel 21-0628-075 pursuant to Minnesota Statute 469.1813..

6.2 Public Hearing – Proposed Property Tax Abatement JBS Parcel 31-1557-500

A. Open Hearing (*Action*)

B. Proposed Abatement – Discussion

C. Public Comment

D. Close Hearing (*Action*)

E. Decisions

1. JBS Parcel 31-1557-500 –Resolution 202228 (*Action*)

Attachments:

Application information

Resolution 202228

VOTING

- 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 JBS Parcel 31-1557-500.
- 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 Robert S. Demuth and seconded by Justin Ahlers, 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 202228 approving tax abatement to JBS Parcel 31-1557-500 pursuant to Minnesota Statute 469.1813..

6.3	<p>Public Hearing – Proposed Property Tax Abatement JBS Parcel 31-1557-505</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. JBS Parcel 31-1557-505–Resolution 202229 (<i>Action</i>)</p> <p><u>Attachments:</u> Application information Resolution 202229</p>
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- VOTING**
- 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 JBS Parcel 31-1557-505.
 - 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 Robert S. Demuth, it was duly passed to adopt Resolution 202229 approving tax abatement to JBS Parcel 31-1557-505 pursuant to Minnesota Statute 469.1813..

6.4	<p>Public Hearing – Proposed Property Tax Abatement JBS Parcel 31-1557-510</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. JBS Parcel 31-1557-510–Resolution 202230 (<i>Action</i>)</p> <p><u>Attachments:</u> Application information Resolution 202230</p>
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- 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 JBS Parcel 31-1557-510.
 - 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 Justin Ahlers and seconded by Robert S. Demuth, 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 202230 approving tax abatement to JBS Parcel 31-1557-510 pursuant to Minnesota Statute 469.1813..

6.5	<p>Public Hearing – Proposed Property Tax Abatement JBS Parcel 31-1557-515</p> <ul style="list-style-type: none"> A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion
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	<p>C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions 1. JBS Parcel 31-1557-515—Resolution 202231 (<i>Action</i>) <u>Attachments:</u> Application information Resolution 202231</p>
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VOTING
A. A motion by Gene Metz and seconded by Justin Ahlers, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for JBS Parcel 31-1557-515.
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 Justin Ahlers 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 Gene Metz, it was duly passed to adopt Resolution 202231 approving tax abatement to JBS Parcel 31-1557-515 pursuant to Minnesota Statute 469.1813..

6.6	<p>Public Hearing – Proposed Property Tax Abatement JBS Parcel 31-1557-520 A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions 1. JBS Parcel 31-1557-520—Resolution 202232 (<i>Action</i>) <u>Attachments:</u> Application information Resolution 202232</p>
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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 JBS Parcel 31-1557-520.
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 Justin Ahlers and seconded by Bob Paplow, it was duly passed to adopt Resolution 202232 approving tax abatement to JBS Parcel 31-1557-520 pursuant to Minnesota Statute 469.1813..

6.7	<p>Public Hearing – Proposed Property Tax Abatement JBS Parcel 31-1557-525 A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions 1. JBS Parcel 31-1557-525—Resolution 202233 (<i>Action</i>) <u>Attachments:</u> Application information Resolution 202233</p>
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VOTING
A. A motion by Gene Metz and seconded by Robert S. Demuth, it was duly passed to open the Proposed Property Tax Abatement Public Hearing for JBS Parcel 31-1557-525.
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 Gene Metz, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.
 E. On a motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to adopt Resolution 202233 approving tax abatement to JBS Parcel 31-1557-525 pursuant to Minnesota Statute 469.1813..

10.0 Special Presentation

10.1 | **A.C.E. of SW MN Annual Report**

Michelle Baumhoefner, A.C.E. Executive Director and Joanne Bartosh, Nobles County Aging & Volunteer Services Coordinator presented the board with the A.C.E. of SW Minnesota Annual Report. This item was an information only item.

11.0 Inter-Agency Reports / Announcements

11.1 | **Committee and Board Reports**

Attorney – Joe Sanow – Absent

District I – Commissioner Ahlers – HLWD is reporting contractor issues related to ditch improvements.

District III – Commissioner Paplow – Reported that Creative Healing started at the Library.

District II – Commissioner Metz – Reported on the Repower project and SMOC turnover.

District V – Commissioner Linsen – Attended the Solid Waste committee where discussion was had on recycled materials. Also discussed was demolition landfills.

District IV – Commissioner Demuth – Nobles County Soils and Water has hired a new director. Okabena-Ocheda Watershed is going to try carp netting.

Administration – Attending area City Council meetings with Commissioners and Tawn Hall. ARPA funding letters have been sent to local townships / cities with funding requests asked to be returned to the County by the end of June.

11.2 | **Correspondence**

- Attachments:**
 Recruitment Update
 Mk5K Flier
 Nobles County Art Board Center Meeting Minutes 5/3/22
 City, County, College, School Meeting Agenda 5/20/22
 HLWD Meeting Agenda 5/18/22
 HLWD Meeting Minutes 4/20/22
 HLWD Meeting Minutes 5/3/22
 Nobles SWCD Meeting Minutes 4/20/22
 Nobles SWCD Meeting Agenda 5/18/22

11.3 | **Calendar**

- Attachments:**
 May 2022
 June 2022

12.0 Other / Future Business

Work Session – Tuesday May 31, 2022
 8:30 a.m. Nobles County Board Room
Board Meeting – Tuesday June 07, 2022
 9:00 a.m. Nobles County Board Room
AMC Spring District Meeting – Thursday June 9, 2022
 8:00 a.m. – 1:00 p.m. Pipestone Country Club
Coffee with Commissioners – June 14, 2022
 9:00 a.m. Ecumen Meadows, Worthington, MN

County Board of Review – June 14, 2022
6:00 p.m. Government Center, Worthington, MN

13.0 Adjournment

It was duly passed to adjourn the meeting at 10:54 a.m.

Moved by: Metz, Gene

Seconded by: Paplow, Bob



Nobles County Board Chair



Nobles County Administrator