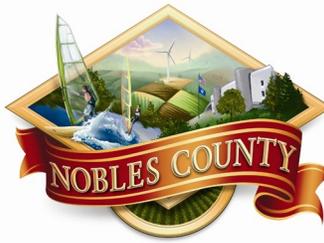


## Board of Commissioners

315 Tenth Street  
P.O. Box 757  
Worthington, MN 56187-0757



Phone: 507-295-5201  
Fax: 507-372-8363  
administration@co.nobles.mn.us

*"In cooperation with our citizens, we improve the quality of life for individuals,  
Families and communities by fostering a healthy economy and environment."  
"Looking Forward with Purpose"*

## SPECIAL MEETING – PROPOSED AGENDA WEDNESDAY, OCTOBER 26, 2022, 8:30 A.M. COMMISSIONER BOARD ROOM

Zoom Information:

<https://us02web.zoom.us/j/85209748233?pwd=UxRNblZ1cU5ZRDIzdzhWOHRPa3d1dz09>

Call in Number: 1-312-626-6799

Meeting ID: 852 0974 8233

Password: 262191

### 1.0 Call to Order

### 2.0 Pledge of Allegiance

### 3.0 Approval of Agenda *(Action)*

### 4.0 Recognition

4.1 Visitors & Guests Welcome

*Pg. 3*

4.2 Retirement Recognition – Nancy Veen

### 5.0 Department Presentations

5.1 Drainage System – Zach Reker (9:05 a.m.)

*Pg. --*

A. Ditch Update *(Information)*

5.2 Nobles Home Initiative (9:10 a.m.)

*Pg. 4*

A. Tax Abatement Program 2023-2027 *(Action)*

5.3 Community Services – Stacie Golombiecki (9:20 a.m.)

*Pg. 11*

A. Community Economic Development Associates – Child Care Priority  
Plan Update *(Information)*

5.4 Human Resources – Sue Luing (9:30 a.m.)

*Pg. 15*

A. Deputy County Attorney Classification *(Action)*

*Pg. 19*

B. Phased Retirement *(Information)*

### 6.0 Administration Presentation (9:40 a.m.)

*Pg. 21*

6.1 Association of Minnesota Counties (AMC) Voting Delegates *(Information/Action)*

## **7.0 Other / Future Business**

**AMC District 8 Fall Meeting** – Thursday October 27, 2022

8:00 a.m. – 12:00 p.m. Wabasso Community Center, 1429 Front Street Wabasso, MN

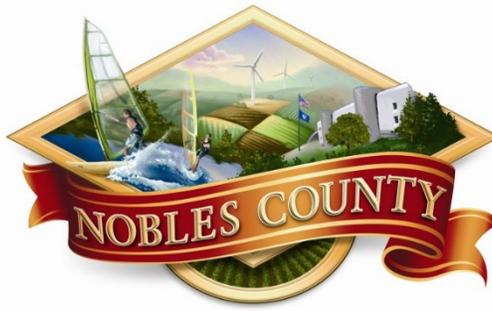
**Southwestern Minnesota Opportunity Council – New Director Meet and Greet** – Friday October 28

3:00 – 6:00 p.m. SMOC 1106 3<sup>rd</sup> Avenue, Worthington, MN

**Board Meeting** – Tuesday November 08, 2022

9:00 a.m. Government Center, Worthington, MN

## **8.0 Adjournment** *(Action)*



*“In cooperation with our citizens, we improve the quality of life for individuals, families and communities by fostering a healthy economy and environment.”*

*“Looking Forward with Purpose”*

## **OCTOBER 26, 2022 SPECIAL MEETING NOBLES COUNTY DISPATCH – NANCY VEEN RETIREMENT BOARD RECOGNITION FOR TWENTY SIX YEARS OF COUNTY SERVICE**

### **Topic:**

A leader within the Nobles County Dispatch Center, Nancy Veen, is retiring after twenty six (26) years of service.

### **Recognition:**

The Nobles County Dispatch Center is a unique organization. The Dispatch Center is officially part of the Nobles County Sheriff Department. The staff within the Dispatch Center, including Dispatch Supervisor Nancy Veen, are employed by the Worthington Police Department (City of Worthington).

Nancy Veen is very dedicated to: the Nobles County Dispatch Center, her fellow staff, the numerous public safety staff & EMS volunteers throughout the County, and the EMS-related committees in which she serves and/or attends. Nancy is a member of Nobles County’s “Emergency Management Planning Advisory Committee” (EMPAC) as a Public Safety representative. She is a member of the “Nobles County Mutual Aid Association” in which various facets of public safety agencies meet for safety and mutually-beneficial exercises and planning. That short list of committees isn’t exclusive to Nancy’s service.

Nancy is willing to participate when and where she is asked. Her voice is heard at all hours of the day and night on the ARMER radio system. She is active in issuing IPAWS (warning system) alerts and addressing state-mandated public-alert requirements on behalf of the County; among other items. Nancy and her Dispatch staff offer vital services to the public although many of those services are unseen and behind closed doors.

Nancy served Nobles County and the City of Worthington well for 26 years. Nancy is deserving of County recognition for her wonderful career. Nobles County thanks you, Nancy. Enjoy your retirement!



*“In cooperation with our citizens, we improve the quality of life for individuals, families and communities by fostering a healthy economy and environment.”*

*“Looking forward with purpose.”*

## **COMMISSIONER BRIEFING**

***OCTOBER 26, 2022 SPECIAL MEETING  
NOBLES HOME INITIATIVE TAX ABATEMENT PROGRAM  
NOBLES HOME INITIATIVE GUIDELINES – RELEASE TO SCHOOLS & CITIES  
BRUCE HEITKAMP, ADMINISTRATOR  
(5 MINUTES)***

### **Topic:**

The Nobles County Commissioner’s acted on May 3, 2022 with intent to continue the Nobles Home Initiative Tax-Abatement Program (NHI). Substantive changes were introduced again during the June 29, 2022 Board of Commissioner Work Session. Final details are now being offered prior to releasing the information to schools and cities who choose to participate.

### **Discussion:**

Staff started program-renewal efforts as directed by the Board in preparation for the continuance of the Nobles Home Initiative Tax Abatement Program (2023-2027). A City & School Participant Input Meeting was held on August 30, 2022. Input was also obtained during a City, County, School Meeting on September 30, 2022. That most-recent meeting started the course of reviewing program language.

Worthington City Administrator Steve Robinson was instrumental in offering recommendations which clarifies the program’s intent, abatement calculation, and timelines. The changes don’t affect any of the procedures. Terminology such as “Original Tax Capacity” and “Captured Tax Capacity” within the Guideline’s “Calculation of the Abatement” section represents the changes. The changes are substantive enough to warrant Board review prior to being released to cities and schools.

### **Options:**

- Act to accept the newly revised Nobles Home Initiative Guidelines, thus directing staff to introduce those Guidelines and resolution templates to cities and school districts who may want to participate
- Offer additional items as changes and then act to approve those amendments
- Do no act

### **Recommendation:**

Staff recommend acting to approve the amended Nobles Home Initiative Guidelines and template resolutions, as presented. Staff are eager to share these documents with cities and school districts who wish to participate. The need for additional housing within Nobles County continues.



# **Nobles Home Initiative**

## *Nobles County Guidelines*

### *2023-2027 Final Draft*

#### **Intent**

The purpose of Nobles Home Initiative (NHI) is to provide incentives to encourage the construction of new owner occupied and rental residential housing units, and to encourage replacement of dilapidated housing structures within Nobles County until and through December 31, 2027.

#### **Tax Abatement Availability**

Minnesota Statute 469.1813 Subdivision 8 places limitations on tax abatement. In any given year, the total amount of taxes abated by a municipality shall not exceed 10% of the net tax capacity (NTC) of the political subdivision for the taxes payable year to which the abatement applies, or \$200,000, whichever is greater.

#### **Eligible Participants**

Any person who constructs a new single family home, duplex, or multi-family complex and who files application materials and seeks formal approval from appropriate local jurisdiction between January 1, 2023 and December 31, 2027 may be eligible to receive a property tax abatement from the County, appropriate City and School District share of the related increase in real estate taxes as a result of building newly constructed housing or a home, for a period of 5 consecutive years provided all of the following are met:

1. Property is located within Nobles County and zoned properly for the proposed development project.
2. The applicant shall not have received other local financial assistance (tax increment financing/TIF, Workforce Housing, SCDP, etc.).
3. Project is built to building codes adopted at the time building permit is obtained.
4. Property taxes are current and paid on time and in full via Escrow or ACH.
5. Program approvals must be obtained prior to the start of construction of the new housing/home.
6. Construction must commence within 6 months of application approval.

The amount of taxes to be abated shall be based on the value added related to the new residential construction. Value added is defined as: The new construction value, which equates to the “Captured Tax Capacity”, as determined by the Nobles County Assessor. Real estate taxes collected for the value of the land or any additional structures or outbuildings value are not eligible for the tax abatement, and will not be abated as part of this program.

This abatement will transfer with the sale of the property for the balance of the five-year abatement period.

This abatement will not include voter approved school referendums.

This abatement does not apply to, or include, existing and/or new assessments to the property.

## **Calculation of the Abatement**

Prior to new development, the Nobles County Auditor-Treasurer shall determine the current tax capacity of the property. This shall be known as the "Original Tax Capacity". After the property has been developed in accordance with the above guidelines and increases in value, the increase above the original tax capacity is captured. The tax abatement shall be based on the "Captured Tax Capacity".

The first year of abatement shall commence once the Nobles County Assessor has determined that the project is complete and the property is assessed at the full estimated market value thereby enabling calculation of the captured tax capacity.

The abatement dollar amount will remain the same as the initial full year throughout the term of the program as long as the property owner adheres to all provisions of the agreement each of the five years.

The guideline shall be retroactive to included previously approved and existing abatements under this program guideline.

Nobles County shall issue the abatement payment upon receipt of annual real estate taxes. One single payment shall be made to the owner of record at the time of payment. Payment shall be issued no later than December 31 for that calendar year.

## **Application**

Statute requires the County to consider each abatement application. Thus, all applications will be considered on a "first come - first served" basis. The acceptance of new applications will be contingent upon board approval and abatement capacity as defined above. Applications must be approved prior to the start of construction of the residence.

A complete application for Abatement shall consist of:

- A letter requesting abatement for eligible projects addressed to the Nobles County Administrator.
- Legal description of the subject property, including address and parcel identification number.
- A site plan and construction plans for the proposed project.
- Submit a copy of the building permit once received.
- Provide proof that property taxes are current.
- ACH completed or information on escrow account.
- \$100 non-refundable application fee is paid.

Applications are to be submitted to Nobles County Government Administration, 315 Tenth Street, Worthington, Minnesota, 56187. Upon receipt of a completed application, it will be submitted to the county board and to the appropriate city and school district for each agency to schedule a date on which to consider the application at a public hearing. Applicant is encouraged to attend the respective hearing, but not mandatory. Each of the entities will publish their respective hearing date on their respective website and other required means of notification. Upon consideration by the appropriate taxing authority, each taxing authority will approve a resolution outlining the details of the abatement program and authorization of staff to enter into a tax abatement agreement with the developer/builder/owner.

The abatement period will commence with receipt of the Certificate of Occupancy, when the property has been assessed at full value, or not more than one year following approval of the taxing authority's resolution, whichever is first, and shall continue for 5 consecutive years

Adopted May 20, 2014

Revised April 21, 2020 October 3, 2017; March 22, 2016; July 7, 2015; August 5, 2014

**(TEMPLATE)**  
**(CITY/SCHOOL DISTRICT)**

**A RESOLUTION APPROVING TAX ABATEMENT  
FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. 469.1813**

**RESOLUTION # \_\_\_\_\_**

**WHEREAS**, Minnesota Statute 469.1813 gives authority to **(CITY/SCHOOL)** to grant an abatement of property taxes imposed by the (city/school) if certain criteria are met; and

**WHEREAS**, in addition to the statutory requirements, the **(CITY/SCHOOL DISTRICT)** has adopted the Nobles Home Initiative Guidelines in which the stated standards must be met before an abatement of taxes will be granted for residential development; and

**WHEREAS**, **(OWNER'S NAME[s])** is the owner of certain property within **(CITY/SCHOOL)**, legally described as follows:

**LEGAL DESCRIPTION (AS COMPLETE AS POSSIBLE)**

**WHEREAS**, **(OWNER'S NAME[s])** has made application to **(CITY/SCHOOL)** for the abatement of taxes as to the above-described parcel; and

**WHEREAS**, **(OWNER'S Name[s])** has met the statutory requirements outlined under Minnesota Statute 469.1813 Subdivision 1(1) and Subdivision 2(i) as well as the County's Nobles Home Initiative Guidelines for tax abatement;

**NOW, THEREFORE BE IT RESOLVED BY THE (COUNCIL/BOARD) OF (CITY/SCHOOL)**, \_\_\_\_\_, MINNESOTA:

1. The **(CITY/SCHOOL DISTRICT)** does, hereby grant an abatement of the **(CITY/SCHOOL DISTRICT's)** share of real estate taxes upon the above-described parcel for the construction of the **(HOME/DUPLEX/MULTI-FAMILY)**.
2. The tax abatement will be for no more than five years commencing on the first year of taxes payable for the assessed value(s) related to the capital improvements outlined in adopted Nobles Home Initiative Guidelines.
3. The **(CITY/SCHOOL DISTRICT)** shall provide the awarded abatement payment following payment of due real estate taxes annually. Payments shall be made to the owner of record as defined by the Nobles Home Initiative Guidelines.
4. The tax abatement shall be for the residential capital improvements only. Land values and the current base value are not eligible and will not be abated.

5. Multi-family projects of a minimum of four (4) rental units may seek approval for longer tax abatement period(s) not exceeding the maximum defined by State Statute. Each of these multi-unit requests will be considered on an individual basis.
6. This abatement will not include voter-approved school referendums (operating or bond).
7. This abatement does not apply to, or include, existing and/or new assessments to the property.
8. The abatement shall be null and void if construction is not commenced within 6 months of the approval of this resolution or if real estate taxes are not paid on or before the respective payment deadlines annually.

Adopted by the (**COUNCIL/BOARD**) OF (**CITY/SCHOOL**) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Proposed Signature & Certification Section – You May Use Your Own**

Attest:

**(Chair/Mayor Signature)**

Printed Name, Title

**CERTIFICATION**

STATE OF MINNESOTA )

(ss

**CITY OF /SCHOOL DISTRICT** )

I, (**CLERK NAME**), (**TITLE**) of said (**CITY/SCHOOL**), do hereby certify that I have compared the foregoing copy with the original resolution by the (**CITY/SCHOOL**) (**COUNCIL/BOARD**) on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_ and now remaining on file and of record in my office and that the same is a correct transcript and of the whole of such original.

Witness my hand and official seal this

\_\_\_\_\_ day of \_\_\_\_\_, 202\_

(SEAL)

(CLERK SIGNATURE)  
**(CLERK PRINTED NAME, TITLE)**

Taxing Authority (City or ISD)

Resolution Acknowledging Participation in the  
Nobles Home Initiative Tax Abatement Program  
Participating Years: 2023-2027

Resolution # \_\_\_\_\_

**WHEREAS**, Minnesota Statute 469.1813 authorizes a political subdivision to grant an abatement of the taxes imposed by the political subdivision on a parcel of property; and

**WHEREAS**, political subdivisions within Nobles County have historically participated in a newly constructed dwelling tax abatement program, titled the “Nobles Home Initiative Tax Abatement Program”, hereinafter (NHI Program); and

**WHEREAS**, the participating political subdivisions expects the NHI Program benefits to at least equal the NHI Program costs acknowledged by participating political subdivisions; and

**WHEREAS**, the mission of the NHI Program creates additional dwellings within Nobles County in fulfilling additional public interests of: providing housing, increasing or preserving tax base, providing employment opportunities, and/or developing areas experiencing blight; and

**WHEREAS**, the county of Nobles, participating school districts, and participating cities have historically offered the NHI Program’s five (5) year tax abatements from 2014 through 2022 in which new-home construction nearly doubled historically during that time; and

**WHEREAS**, the county of Nobles is proposing to continue the NHI Program beyond 2022 and to create a new five (5) year NHI Program extension from 2023 through 2027; and

**WHEREAS**, proposed mid-program changes will be introduced, considered, and acknowledged by participating political subdivisions with participating-subdivision input being offered to the county prior to any program revisions being made.

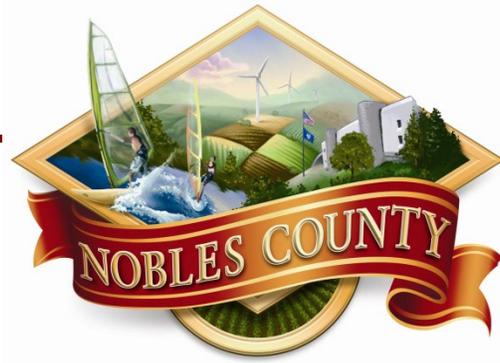
**NOW, THEREFORE BE IT RESOLVED**, the (**Board/Council**) of (**School District/City**) is acting to participate in the NHI Program for the years of 2023 through 2027.

**BE IT FURTHER RESOLVED**, the (**Board/Council**) of (**School District/City**) is adopting the Nobles Home Initiative Guidelines, in which guideline parameters must be achieved by applicants prior to abatement of taxes being granted for a proposed residential development.

Adopted by the (**Board/Council**) of (**School District/City**) this \_\_\_\_\_ day of

\_\_\_\_\_, 2022.





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## **COMMISSIONER BRIEFING**

*Community Economic Development Associates  
Nobles County Child Care Project –  
Update and Presentation of Priority Plan  
Community Services  
Joshua Schuetz and Angie Kopplow*

### **Discussion:**

*Joshua and Angie will provide an update on the great work that they’ve been doing here in Nobles County towards building up the available child care provider pool and supporting current child care providers. They will also be presenting the 2022-2023 Nobles County Child Care Project Priority Plan for your review and comment.*



**Nobles County Child Care Project 2022/2023 Priority Plan**

**Prepared by Joshua Schuetz and Angie Kopplow**



**Background:**

In 2022, Nobles County, in partnership with the City of Worthington and Worthington School District #518, began work on a child care project aimed at improving access to child care within the county. Contracted administrators from Community and Economic Development Associates (CEDA) have been engaged on this project since June 2022. The project's scope is countywide, with an emphasis on new slot creation, provider retention and improving accessibility for all Nobles County residents.

**Child Care Slot Creation-Goal: 200 new child care slots**

- Identify opportunities for the POD system deployment
  - Study the suitability of potential sites in communities throughout the county
  - Explore working with Adrian School District #511 on potential POD model
  - Explore working with the City of Rushmore on potential POD system deployment.
  - Identify current and prospective providers potentially interested in POD model.
- Facilitate conversations with centers about potential expansions.
- Facilitate licensure of unlicensed family child care providers.

**Provider Support and Retention**

- Work toward the establishment of a child care fund to support current and new providers with expenses.
  - Set up a structure to administer the fund, along with eligibility guidelines and timelines for the process.
- Solicit ideas and feedback from family child care providers and centers on what would help them maintain their businesses and retain their employees.
  - Incorporate feedback and ideas from providers in overall project scope.
- Identify grant opportunities for providers and assist with the application process for said grants.

**Slot Retention and Family Support**

- Work toward the establishment of a subsidy to bridge the gap between what CCAP covers and what child care costs.
- Identify opportunities for employers to retain or expand FSA programs for child care.
- Identify and promote programs available to providers and families.

**Funding Acquisition-Goal \$85,000 to fund contracted work**

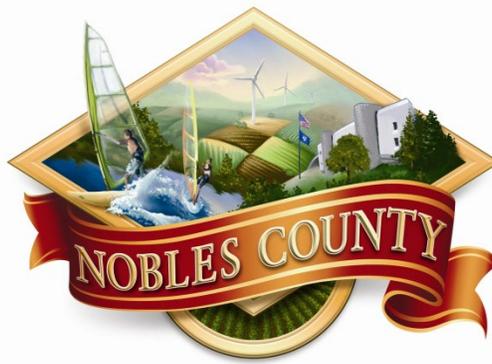
- Identify potential grant opportunities.
- Work with employers and municipal partners on potential funding models.
- Identify opportunities for municipal investment in properties and programs related to child care

### **Community Engagement and Education**

- Develop multilingual marketing materials for state, county and local programs and services.
- Promote local child care programs and services at local employers, churches and other community institutions and events.
- Host events for providers to learn about resources, network, apply for grants and engage with one another and the broader community.

### **Provider Development**

- Research Parent Aware programs and promote the program to providers.
- Identify training opportunities for providers.
  - Focus on finding locally sourced trainers-ie, from in and around the community.
- Work with the local school districts, Empower to Educate, Wayfinder and Minnesota West on ways to scale up the mentorship and training programs here.



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*“Looking forward with purpose.”*

## **COMMISSIONER BRIEFING**

### **Deputy County Attorney Classification Human Resources Sue Luing Time needed: 5 Minutes**

**Issue:**

Joseph Sanow, County Attorney is in support of creating a new position in his office of a Deputy County Attorney.

**Discussion:**

The County Attorney’s office has 4 attorneys when fully staffed. Braden Hoefert has 10 years of experience as an attorney and is a great resource to the office. The job description of Deputy County Attorney was used several years ago but hasn’t been a current position in the office for several years. It was determined that Mr. Hoefert could assist the County Attorney with more office responsibilities especially during this time when they have 2 attorney vacancies.

The job description was sent to George Gmach for pointing. The job points were set at 526 which puts this position at level 20 on our pay scale.

**Second possible board action:**

If this job description and points are approved, I would request the Board to approve promoting Braden Hoefert to this position effective November 1, 2022.

**Options:**

Approve the Deputy County Attorney job descriptions and associated point values.

**Second option:**

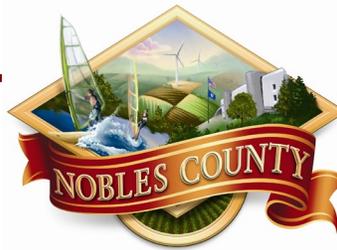
Approve the promotion of Braden Hoefert to Deputy County Attorney effective November 1, 2022.  
Take no action.

**Recommendation:**

Approve the Deputy County Attorney job descriptions and associated point values.

**Second option:**

Approve the promotion of Braden Hoefert to Deputy County Attorney effective November 1, 2022.



## POSITION DESCRIPTION

1207

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<b>Position Title:</b>	<b>Deputy County Attorney</b>	<b>Department:</b>	<b>County Attorney's Office</b>
<b>Pay Grade:</b>	<b>20</b>	<b>FLSA:</b>	<b>Exempt</b>
<b>Date:</b>	<b>October 2022</b>	<b>Reports To:</b>	<b>County Attorney</b>

---

### PURPOSE OF POSITION:

The purpose of this position is to assist the County Attorney by providing legal services for Noble County. Duties include, but are not limited to: reviewing reports; providing legal opinions; drafting letters and other legal documents, appearing at a variety of court hearings and trials; educating law enforcement and private citizens; represents the County Attorney in his/her absence. Performing additional tasks as assigned by the County Attorney.

### ESSENTIAL DUTIES AND RESPONSIBILITIES:

The following duties are normal for this job. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

Represents the State of Minnesota in District Court at a variety of hearings that may include adult felonies, gross misdemeanors, misdemeanors and petty misdemeanors, juvenile cases (delinquency, child in need of protection or services, and termination of parental rights cases), commitments, tax appeals, child support hearings and other civil matters as assigned by the County Attorney. Such representation necessitates the preparation of witnesses and evidence that may be presented in evidentiary hearings or other preliminary hearings, administrative hearings, adjudication hearings, dispositional hearings, court trials, jury trials and post-trial proceedings such as sentencing and revocation hearings.

Interacts with other legal entities from other states for the purpose of coordinating prosecutions, extraditing criminals, transferring juveniles, and establishing consistent treatment of individuals traveling between states.

Discusses and advises law enforcement personnel on pending investigations; reviews police reports, witness statements, and assess sufficiency of evidence.

Drafts letters requesting information, offering or responding to settlement offers, etc; drafts complaints and petitions involving felonies, gross misdemeanors, misdemeanors, children in need of protective services, and mental and chemical dependency commitments.

Discusses existing or potential cases with police, witnesses, welfare workers, and experts; negotiates existing cases with opposing counsel, probation officers, and treatment facilities in an effort to resolve all legal matters prior to resorting to jury or court trials; discusses cases with other legal experts in my office; discusses existing cases with probation agents and other professionals to gather information to present at sentencing or disposition hearings.

Assigns, instructs and reviews work for both legal and support staff. Consults and advises the County Attorney in personnel hiring and employee performance as requested.

Researches legal issues and draft letters or memos to the court; attends preliminary court hearings and pretrials; attends contested court hearings, and follow-up hearings; attends continuing education classes to maintain legal sufficiency in all areas of practice, as required.

Discusses with office staff office procedures involved in the County Attorney's office, including, but not limited to: scheduling matters, disclosure of evidence to opposing counsel, disclosure of witness statements, tapes and other pertinent information in criminal cases, family cases, commitment cases, child support, and paternity cases.

Interacts with Court Administrator's office scheduling matters, case filings, emergency hearings on commitments and juvenile detention hearings, and judicial conflict cases.

Responds to peace officer's and social worker questions involving search warrants, custody issues, emergency hospitalization, or child removal questions; represents Nobles County in any appeals to the Minnesota Appellate, Minnesota Supreme or U.S. Supreme Courts involving Nobles County cases.

Assist and consult with the County Attorney on a wide variety of issues affecting daily operations of the County; acts on behalf of the County Attorney as directed and authorized, in the event of absence or vacancy ensures continued execution of Attorney's responsibilities.

Utilizes various office machines and equipment in the delivery of service, such as computer, telephone, facsimile machine, collator, scanner, TV, and VCR.

Reviews and receives various reports, documents, and forms, including, police reports, witness/victim statements, welfare workers' reports, evidence, professional reports, court date notices, probation letters, stipulations, subpoenas, policy documents, and proposed court orders.

**ADDITIONAL DUTIES AND RESPONSIBILITIES:**

Delivers presentations to the Nobles County Board of Commissioners on legal issues, budget matters, caseload synopsis, etc.

Issues legal opinions for the Nobles County Board of Commissioners and other county offices on any matter that is requested (civil or criminal).

Educates Commissioners and other department heads in a variety of legal areas, including the gratuities, personnel management, and contractual rights of parties.

Drafts contracts between Nobles County and other separate entities, including hospitals, municipalities, private corporations, and companies.

Replaces other county attorneys, as needed; educates and trains law enforcement personnel in legal areas of practice.

Attends various meetings; responds to legal questions from the general public; speaks to students, welfare workers, doctors, civic groups, and other groups on different aspects of the legal system.

In adult criminal cases, serve as primary contact for law enforcement and contract prosecutors.

Performs other related duties as required.

**ESSENTIAL TRAINING AND EXPERIENCE REQUIRED TO PERFORM ESSENTIAL FUNCTIONS:**

Juris Doctorate required, with a minimum of six years of experience as an Attorney; one year of supervisory experience or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this position. Must pass the Minnesota State Bar Exam and remain certified throughout employment.

Requires a minimum yearly training acquisition of 15 Continuing Legal Education credits per year, with recording of these credits every three years.

Requires research of new legislation each and every year in all aspects of the County Attorney responsibilities and changes statutes in many areas, including criminal, juvenile, family law, extraditions, and all others areas of practice.

**MINIMUM ABILITIES REQUIRED TO PERFORM ESSENTIAL FUNCTIONS:**

**Physical Requirements:**

Must be physically able to operate a variety of automated office machines and equipment, including, but not limited to: computer, typewriter, facsimile machine, copier, and telephone.

Must be able to move or carry job related objects or materials.

Must be physically capable of reaching to obtain various books, printouts, file boxes, computer paper, etc.

Physical demand requirements are at levels of those for sedentary or office environment work.

**Numerical Aptitude:**

Requires the ability to utilize mathematical formulas; add and subtract; multiply and divide totals; determine percentages; compute discount, interest, profit and loss, ratio and proportion; and interpret same as may be appropriate.

**Language Ability:**

Requires the ability to read a variety of professional, technical and administrative documentation, directions, regulations, instructions, methods and procedures.

May require the ability to produce reports with proper format, punctuation, spelling and grammar, using all parts of speech.

**Interpersonal Communication:**

Requires the ability to communicate with people to convey or exchange professional information.

**Environmental Adaptability:**

Requires the ability to interact with people (i.e. staff, general public and elected officials) beyond giving and/or receiving instructions.

Work is normally performed in an office environment. There is significant screen time, pressure of deadlines and use of a computer keyboard. There is occasional driving to attend meetings outside of county facilities.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Nobles County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the employer.

The Phased Retirement program creates a flexible environment where members can transition into retirement, and employers can provide the necessary knowledge transfer. If you are age 62 or older, you may be eligible to participate in the Phased Retirement Option (PRO) and start your PERA retirement benefit without terminating your public service position.

## IT IS UP TO YOUR EMPLOYER

Participating in the PRO is at the discretion of your employer and may not be available to all Coordinated and Basic members. Contact your employer for more information. In addition, you should investigate if a reduction of hours may impact other employee benefits.

### PRO REQUIREMENTS

- Active Coordinated or Basic member, not an elected official
- Age 62 or older
- Must hold same position with same employer last active with
- Immediately eligible for a retirement annuity from the General Plan (Coordinated or Basic members)
- Worked at least 1,044 hours in each of the five preceding years in a position covered by PERA that you intend to go PRO
- You must agree to reduce your regular schedule by 25 percent in each pay period under the PRO and may not work over 1,044 hours in a one year period
- Not a current PERA benefit recipient
- Not eligible for the state employee Post-Retirement Option program under minn. Stat. §43A.346

### BENEFITS OF THE PRO

- **PERA's termination requirements are waived for your PRO.** You will receive a PERA retirement monthly benefit without terminating your public service position. If you are active in other public service, however, you must follow PERA's termination requirements for these positions to receive your PERA retirement benefit.
- **No member and employer contributions to PERA.** You will no longer contribute to PERA for the employment under the PRO. Since you are receiving your retirement benefit, there is no accrual of service credit or adjustment of the high-five salary for your service under the PRO.
- **No annual earnings limits while working under the PRO agreement.** Your position covered under the PRO will not be subject to PERA's post-retirement earnings limits.

## THE PRO PROCESS

- 1 Contact your employer.** The PRO agreement must be with your same employer, and it is the discretion of your employer to offer the PRO to you.
- 2 Apply for the PRO and retirement benefit.** PERA must receive the PRO agreement before the PRO begins. The PRO agreement replaces the *Verification of Termination* form. All other PERA benefit and application requirements must be met. Your retirement benefit will begin approximately the same time as the PRO employment period.
- 3 During the PRO.** The maximum length of the PRO is five years. You must reduce your regular schedule by 25 percent in each pay period and may not work over 1,044 hours in a one year period during the PRO. Your employer will report your earnings and hours to PERA while working under the PRO.
- 4 End of the PRO agreement.** After completing the PRO, you must terminate your position covered under the PRO. You must have no written/verbal agreement prior to termination of employment to provide services to any public employer as an employee, independent contractor or an employee of an independent contractor for 30 days. Public employment includes service to any governmental employer in Minnesota—e.g. school districts, cities, counties, townships, and state.

## COMBINED SERVICE ANNUITY

Please contact a PERA representative if you have service with another Minnesota public pension fund and are considering a PERA Phased Retirement program or the other fund's Phased Retirement Program.



Your PERA monthly benefit will be suspended if the allowed hours in a pay period or the maximum hours per year are exceeded. The benefit will not be reinstated until all public employment has been terminated, and you have a continuous separation from public employment for 30 days. Please see the PRO agreement for more information.

## FREQUENTLY ASKED QUESTIONS (FAQs)

### **If I enter a PRO agreement, when does my retirement benefit begin?**

Both the PRO agreement and the retirement application materials must be sent to PERA together. Your PERA retirement benefit cannot be deferred while you are employed under the PRO. Your employer will enter the starting date of the PRO employment period on the PRO agreement. Therefore:

- If the PRO employment period starts on the 1st of the month, then your benefit effective date will also be the 1st of the month (same date).
- If the PRO employment period starts on any other day of the month, then your benefit effective date will be the 1st of the following month.

### **When I enter into and begin my PRO agreement, can I take a position with my current employer that is different than my current position?**

No. You must remain in your current position.

### **Can a PERA-covered employer other than my current employer offer me a PRO agreement?**

No. The PRO agreement must be entered with your same, current PERA covered employer prior to any termination of employment.

### **Can I work full-time for a certain period and then not work at all for the remainder of a year covered by a PRO agreement?**

No. You must reduce your regularly scheduled hours of work by at least 25% per pay period and not exceed 1,044 hours for the PRO agreement one year period.

- Example 1: if you were scheduled to work 80 hours per pay period prior to the PRO, you may work 40 hours per pay period for the PRO one year agreement.
- Example 2: if you were scheduled to work 80 hours per pay period prior to the PRO, you may not work more than 60 hours in any pay period covered by the PRO for the first 6 months and not work more than 20 hours in any pay period for the remaining 6 months (as you may not work more than 1,044 total hours for the year).

### **If my employer allows me to accrue vacation, sick and holiday leave while working under the PRO, will the hours associated with the leave pay, when taken, count towards the maximum number of hours I may work under the PRO?**

Yes. The hours you take off from work, for which you receive pay, will count towards the maximum number of hours you may work under the PRO agreement.

### **If I currently have employment in more than one position covered by PERA membership and want to continue working for these employers, do I have to enter a PRO with each PERA-covered employer?**

Yes, if you wish to continue employment for each position. To participate under the PRO agreement and also start your PERA pension, you must either:

- Enter a PRO agreement for each position you intend to maintain during the PRO agreement. However, you must reduce each position by at least 25% and total work hours combined under all PRO agreements must not exceed 1,044 hours.
- Terminate the employment not covered by a PRO agreement and remain out of that employment for at least 30 days with no agreement to return.

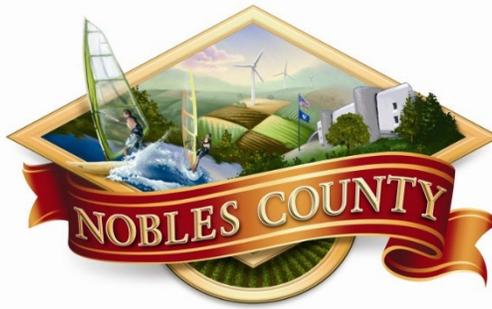
### **Will I be eligible for disability benefits from PERA if I become disabled while working under a PRO agreement?**

No. By accepting/receiving a retirement benefit, you are no longer eligible for PERA disability benefits.



Public Employees Retirement Association  
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*"In cooperation with our citizens, we improve the quality of life for individuals, families and communities by fostering a healthy economy and environment."*

*"Looking Forward with Purpose"*

**COMMISSIONER BRIEFING**  
**NOBLES HOME INITIATIVE PUBLIC HEARINGS**

**OCTOBER 26, 2022 SPECIAL MEETING**  
**ASSOCIATION OF MINNESOTA COUNTIES (AMC)**  
**NOBLES COUNTY VOTING DELEGATES**  
**BRUCE HEITKAMP, ADMINISTRATOR**  
**(5 MINUTES)**

**Topic:**

The Association of Minnesota Counties (AMC) holds their Annual Conference on December 5-7, 2022. Various items are voted upon during that Annual Conference, such as AMC committee leadership for the following year and legislative-agenda items for the upcoming 2023 Legislative Session. Nobles County is asked to list their seven (7) voting delegates.

**Opportunity:**

Nobles County is allowed to have three (3) more voting delegates than those serving on the Board of Commissioners. The following were Nobles County's Voting Delegates last year:

- Don Linssen, Commissioner
- Bob Paplow, Commissioner
- Gene Metz, Commissioner
- Bruce Heitkamp, Administrator
- Robert Demuth Jr., Commissioner
- Justin Ahlers, Commissioner
- Joseph Sanow, County Attorney
- Tawn Hall, EM & Deputy Administrator

Who would the Commissioners like to represent them as voting delegates this year? The Association is requesting input by Wednesday, November 2, 2022.

**Options:**

- Act to maintain the same AMC Voting Delegates
- Act to change AMC Voting Delegates
- Do not act

**Recommendations:**

Administration recommends that discussion take place regarding the delegation and then act to appoint representative AMC Voting Delegates.