

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Thursday, December 08, 2022, at the Government Center, in the Commissioner’s Board Room, Worthington, Minnesota. The following Commissioners attended: Robert S. Demuth, Donald Linssen, Gene Metz, Justin Ahlers and Bob Paplow.

Chairperson Linssen called the meeting to order at 3:00 P.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: Paplow, Bob Seconded by: Demuth, Robert S.	
4.0 Recognition	
4.1 Visitors and Guests Welcome	
4.2 Years of Service Recognition	
Valerie Ruesch – Nobles County Assessor – 35 years of service Sharon Heidebrink – Assessment Technician– 10 years of service	
5.0 Consent Agenda	
5.1 (A)	November 22, 2022 Regular Board Meeting Minutes Draft <u>Attachments:</u> November 22, 2022 Draft Minutes
5.2	Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid December 02, 2022
5.3 (A)	Auditor’s & Commissioner’s Warrants <u>Attachments:</u> Accounts Payable Summary Auditor’s Warrants
5.3 (B)	Auditor’s & Commissioner’s Warrants – Vendors paid over \$2,000 <u>Attachments:</u> Auditor’s Warrants
5.3 (C)	Auditor’s & Commissioner’s Warrants – Breakdown of Wells Fargo Payments <u>Attachments:</u> Wells Fargo Payments
5.4	City of Adrian Legal Services Agreement <u>Attachments:</u> Agreement
5.5	MN Department of Human Services – Adult Protection Response Enhancement Grant <u>Attachments:</u> Grant Contract
5.6	Subsidy Funding to Nobles Local Units – City of Adrian – Storm Water Improvement Projects <u>Attachments:</u> Invoices
5.7	Community and Economic Development Associates (CEDA) 2023 Professional Service Agreement – Child Care Expansion Project <u>Attachments:</u> Agreement
5.8	Change Fund Approval
5.9	2023-2024 Day Care Consultation Agreements <u>Attachments:</u> Kids R It Agreement

	We Care Day Care Agreement
5.10	FY 2023 SSTS Program Grant Agreement <u>Attachments:</u> Grant Agreement
5.11	HAVA Phase 2 Voting Equipment Grant Award Acceptance <u>Attachments:</u> Grant Agreement
5.12	Professional Service Agreement - Miriam Johnson/Godspeed Transcription by Miriam <u>Attachments:</u> Agreement
5.13	Nobles and Jackson County Judicial Ditch No. 9 – Bid Package #4 – Pay Application #1 <u>Attachments:</u> Application for Payment
5.14	Legal Service Agreement – Rinke Noonan <u>Attachments:</u> Agreement
5.15	Prosecution Contract with the City of Rushmore <u>Attachments:</u> Agreement
5.16	Legal Services Agreement with Smith and Johnson – Appellate Work <u>Attachments:</u> Agreement
5.17	2023 United Community Action Partnership – Transportation Agreement <u>Attachments:</u> Agreement
<u>VOTING</u> 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 Jeremy and Kasey Nelson Parcel 13-0084-500 A. Open Hearing (<i>Action</i>) B. Proposed Abatement – Discussion C. Public Comment D. Close Hearing (<i>Action</i>) E. Decisions : Jeremy and Kasey Nelson Parcel 13-0084-500–Resolution 202249 (<i>Action</i>) <u>Attachments:</u> Application information Resolution 202261
<u>VOTING</u> 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 Jeremy and Kasey Nelson Parcel 13-0084-500. 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 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 202261 approving tax abatement to Jeremy and Kasey Nelson Parcel 13-0084-500 pursuant to Minnesota Statute 469.1813.	
7.0 Department Presentations	
7.1 (A)	Land Use Ordinance Revisions <u>Attachments:</u> Land Use Ordinance Proposed Revisions

	Planning and Zoning Meeting Minutes
<p>Kathy Henderschiedt presented the board with revisions to sections 502 and 503 of the Nobles County Land Use Ordinance. Proposed revisions included:</p> <ul style="list-style-type: none"> • Section 502.2: allowing all members of the Board of Adjustment to also serve on the Planning Commission; a minimum of three members shall have a vested interest in the unincorporated portion of the County. • Section 503.1: decreasing the number of members from 11 to 7 with one member being from each commissioner district, one County Commissioner and one at-large. A minimum of three members shall have a vested interest in the unincorporated portion of the County. • Section 503.2: Terms of committee members shall be staggered so that no more than two terms expire in one year. Both the Board of Adjustment and the Planning Commissioner agree and the revisions are accepted. 	
<p><u>VOTING</u> It was duly passed to approve the revisions as presented to the Land Use Ordinance Revisions to begin January 1, 2023. Moved by: Metz, Gene Seconded by: Paplow, Bob</p>	
7.2 (A)	<p>Jail Intercom System <u>Attachments:</u> ABBA Quote Midwest Alarm Quote</p>
<p>The intercom system in the jail needs to be replaced. Over the years, several repairs have been done but now there are not replacement parts as the system is 20 + years old. It is unsafe for the staff and inmates when the system is not working properly. The item is not budgeted for, two quotes were provided to replace the system. Discussion was had on where the funding would come from. The general fund and building fund were suggested.</p>	
<p><u>VOTING</u> It was duly passed to approve the funding for the replacement of the jail intercom system out of the building fund. Moved by: Demuth, Robert S. Seconded by: Paplow, Bob</p> <p>It was duly passed to approve the Midwest Alarm quote for the replacement of the jail intercom system. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
7.3 (A)	<p>Law Library Custodian Contract <u>Attachments:</u> Letter of Interest</p>
<p>The Nobles County Law Library is in need of a new custodian. Heather Flynn has submitted a letter of interest to fill the position.</p>	
<p><u>VOTING</u> It was duly passed to approve the contract with Heather Flynn for the Law Library Custodian. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p>	
7.3 (B)	<p>Extension of Eckberg Lammers Contract <u>Attachments:</u> Agreement</p>
<p>Eckberg Lammers has agreed to a 2-year extension of its prosecution and training contract, effective 1/1/2023 through 12/31/2024. The monthly rate increases to \$26,000 2023, and \$27,040 per month in 2024, along with 16 POST credit hours per year to Nobles County Law Enforcement Agencies. The contract with Eckberg Lammers as there have been no applicants for the open assistant county attorney.</p>	
<p><u>VOTING</u> It was duly passed to approve the 2-year extension to the Eckberg Lammers contract. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
7.4 (A)	<p>GASB 87 / GASB 96 Compliance <u>Attachments:</u> Renewal Order Form</p>

	DebtBook Quote
<p>Last year Nobles County elected to work with the company DebtBook to meet the new Governmental Accounting Standards Board (GASB) standard 87 on leases. GASB 96 on Subscription-Based IT Arrangements (SBITAs) will go into effect in fiscal year 2023. DebtBook is coming out with a new module to include SBITAs. The initial cost with DebtBook was \$6,500. A renewal price quote for \$9,750/year for 2 years was presented. This price includes their modules for debt, leases, and SBITAs. The quote moves us from a Tier 1 (less than 15 leases) to a Tier 2 (15-75 leases). This price also waives the \$2,000 implementation charge for the new GASB 96 module.</p>	
<p>VOTING It was duly passed to approve the DebtBook renewal contract as presented. Moved by: Demuth, Robert S. Seconded by: Paplow, Bob</p>	
7.5 (A)	<p>All Hazard Mitigation Plan – Update Commitment and Funding <u>Attachments:</u> Resolution 202262 Letter of Commitment of Funds HSEM Letter Hazard Mitigation Plan Update Application</p>
<p>The Nobles County All Hazard Mitigation Plan is set to expire on April 3rd 2023. The All Hazard Mitigation Plans must be updated to be eligible to apply for future federal Mitigation Funding. Hazard mitigation is any sustained action taken to reduce or eliminate long-term risk to people and their property from natural hazards. The approximate cost of the plan update is \$52,000 with FEMA paying 75% (\$39,000) of all eligible costs and Nobles County responsible for the remaining 25% (\$13,000) of the cost through local match. This is a match in-kind cost share grant. The county portion is derived from hours of county, city and community volunteers committed towards planning, collaboration, review, and implementation of an updated plan, and has no direct budgetary impact.</p>	
<p>VOTING It was duly passed to adopt resolution 202262 authorizing participation in the planning process including execution of sub-grant agreement, and sign the Letter of Commitment of Funds to move the process forward. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
7.6 (A)	<p>Environmental Assistant Temporary Duties</p>
<p>The Cost Accountant located in the Public Works department resigned effective November 29, 2022. The duties of this position need to be continued during a vacancy. Licia Keninger currently holds the position of Environmental Assistant and has assumed part of the duties of the Cost Accountant during the vacancy. We are in the process of recruitment to fill this position. It has been a past practice to increase the pay of an employee that is taking on the temporary duties of a job class that is paid higher than their current pay. It is being recommended that Ms. Keninger’s receive an additional \$130/pay period retroactively to November 30, 2022 until a new Cost Accountant is hired.</p>	
<p>VOTING It was duly passed to approve additional pay of \$130/pay period for Licia Keninger retroactively Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
<p>8.0 Administration Presentation</p>	
8.1 (A)	<p>A.C.E. of Southwest Minnesota Joint Powers Agreement – Amendment #3 <u>Attachments:</u> JPA</p>
<p>Advocate, Connect, and Educate of S.W. Minnesota (A.C.E.) has informed members that Pipestone County would like to join A.C.E. as A.C.E. Joint Powers Member in 2023. The A.C.E. Joint Powers Board are requesting existing member counties to consent to the inclusion of Pipestone County as an A.C.E. Joint Powers Member. The A.C.E. Joint Powers Agreement-Amendment #3 is available for review and approval. The inclusion of Pipestone County will not affect Nobles County’s services or 2023 Appropriation amount.</p>	
<p>VOTING It was duly passed to approve amendment #3 to the A.C.E. of SW MN Joint Powers Agreement. Moved by: Ahlers, Justin</p>	

Seconded by: Paplow, Bob	
9.0 Inter-Agency Reports / Announcements	
9.1	Committee and Board Reports
<p>Attorney – Joe Sanow – No Report.</p> <p>District I – Commissioner Ahlers – Reported on items from the AMC Annual Meeting – such as open meeting laws.</p> <p>District III – Commissioner Paplow – Reported on items from the AMC Annual Meeting.</p> <p>District II – Commissioner Metz – Reported on cyber security still being a big issue. Also reported on more Opioid settlements coming.</p> <p>District V – Commissioner Linssen – Reported on the solid waste meeting.</p> <p>District IV – Commissioner Demuth – Reported on the Short Term Crisis Center project receiving another grant.</p> <p>Administration – Reported on more Opioid money coming.</p>	
9.2	Correspondence Attachments: Recruitment Memo Nobles SWCD Meeting Agenda 12/1/22
9.3	Calendar Attachments: December 2022
10.0	Other / Future Business
Proposed County Budget and Levy Meeting – Thursday December 08, 2022 6:00 p.m. Government Center, Worthington, MN Administration/Commissioner Holiday Party – Tuesday December 13, 2022 6:00 p.m. Hickory Lodge, Worthington, MN Board Meeting – Tuesday December 20, 2022 9:00 a.m. Government Center Board Room, Worthington, MN Work Session – Wednesday December 28, 2022 8:30 a.m. Government Center Board Room, Worthington, MN	
10.0 Adjournment It was duly passed to adjourn the meeting at 3:58 p.m. Moved by: Ahlers, Justin Seconded by: Paplow, Bob	



Nobles County Board Chair



Nobles County Administrator