

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, April 04, 2023, at the Government Center, in the Commissioner’s Board Room, Worthington, Minnesota. The following Commissioners attended: Robert S. Demuth, Justin Ahlers, Gene Metz, Bob Paplow and Chris Dybevic.

Chairman Demuth 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: Ahlers, Justin Seconded by: Dybevic, Chris	
4.0 Recognition	
4.1 Visitors and Guests Welcome	
4.2 Excellence in Performance	
Shari Dean, Public Health Nurse, was recognized as the March Excellence in Performance recipient.	
4.3 Years of Service Recognition	
Diane Vogt, Deputy Auditor/Treasurer Tax/Records/Elections, was recognized for 15 years of service.	
5.0 Consent Agenda	
5.1 (A)	March 21, 2023 Regular Board Meeting Minutes Draft <u>Attachments:</u> March 21, 2023 Draft Minutes
5.2	Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid March 24, 2023
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)	Breakdown of Wells Fargo Payments <u>Attachments:</u> Wells Fargo Payments
<u>VOTING</u>	
It was duly passed to approve the consent agenda as presented. Moved by: Metz, Gene Seconded by: Paplow, Bob	
6.0 Special Presentations	
6.1	Joint Powers Transportation Authority – Federal Propane Vehicle Grant <u>Attachments:</u> Resolution 202309
Nobles County and the City of Worthington are members of the local Joint Powers Transportation Authority. SMOC’s Karen DeBoer administers to the day-to-day activities of the Transportation Authority. There is an opportunity to acquire two (2) propane operated vehicles for the Authority through a Federal Grant. The Federal grant is being coordinated through the Minnesota Department of Transportation. No monetary commitment is required for the acquisition of these vehicles. The vehicles would offer more transportation opportunities for the Transportation Authority. DeBoer has researched the ability to use propane-fueled vehicles within Nobles County. There is one service station within	

Worthington where propane is convenient for vehicle filling. Resolution 202309 was offered for adoption if the Commissioners would like to support this project.

VOTING

It was duly passed to approve resolution 202309 in support of the grant application for SMOC to acquire two propane operated vehicles.

Moved by: Ahlers, Justin

Seconded by: Demuth, Robert S.

6.2 Tobacco License Reconsideration – Corky’s Corner

Nobles County Community Services has received a request for a new tobacco license. Based upon the current ordinance, and after consultation with the Nobles County Attorney, Community Services is recommending denial of the license because the proposed new licensee is within 1,000 feet of the Trojan Field facility, which Community Services believes is a “youth oriented facility” under the Ordinance. On February 23, 2023, a tobacco licensure application was presented by a representative of Ankitkumar Patel of “Corky’s Corner”. The license application is for a new business to be located at 1007 Oxford Street in Worthington. That site is currently occupied by a Casey’s gas station. The Tobacco Licensure application was signed indicating understanding of the Ordinance. The Ordinance provides “no license shall be granted to any applicant for the retail sale of a licensed product (tobacco and related items) within 1,000 feet of a youth-oriented facility, as measured by the shortest line between the property line of the space to be occupied by the proposed licensed retailer to the nearest property-line of the youth-oriented facility. The Ordinance defines a youth-oriented facility as “a facility where any of its residents, customers, visitors, or inhabitants, of which at least twenty-five percent are regularly under age 21, or primarily sells, rents, or offers a service or product . . . primarily by a person under age 21. A youth-oriented facility includes a school, playground, recreation center, and a park.” GIS mapping was completed and, “as measured by the shortest line between the property lines of the space to be occupied by the proposed licensed retailer to the nearest property line of the youth-oriented facility,” found that Trojan Field was 824 feet away from the proposed location. Trojan Field is the property of School District 518 and home field for many Worthington High School sports teams, including Trojan football, soccer, track, marching band, as well as other area youth sports and outdoor activities, as well as Minnesota West Football. Community Services believes Trojan Field is a “youth-oriented facility” under the Ordinance.

Mr. Patel along with his lawyer Peter Coyle were in attendance and expressed their concerns with the possible denial of the license. Mr. Patel stated he owns 30 gas stations and 6 liquor stores, all of which have complied with their respective tobacco/liquor licenses. Mr. Patel also stated he had paid a deposit on the business plus spent money on upgrades to the facility once purchased. The current Casey’s business has \$300,000 in payroll that could potentially be lost if the sale does not happen.

Commissioners expressed their concerns with the location being close to Trojan Field. Commissioner Paplow asked if tobacco sales could be paused while events were taking place at Trojan Field. County Attorney Sanow replied that while that is a possibility, Public Health would still need to amend the tobacco ordinance.

Commissioner Ahlers asked Attorney Sanow if he could reach out to the County’s land attorney for his opinion on the matter.

Commissioners felt it was best to table the item, while still being respectful of Mr. Patel’s time, and gather some further information and re-address the issue on the April 18th board meeting.

VOTING

It was passed to table item 6.2 to the April 18, 2023 board meeting.

Moved by: Dybeveck, Chris

Seconded by: Paplow, Bob

In Favor: Dybeveck, Chris; Paplow, Bob; Demuth, Robert S.; Ahlers, Justin

Opposed: Metz, Gene

7.0 Department Presentations

7.1 (A) CDC Federal Infrastructure Grant

Attachments:

Grant Project Agreement

Minnesota was awarded 42.9 million for the Strengthening the U.S. Public Health Infrastructure, Workforce, and Data Systems Grant through the Center for Disease Control (CDC). Forty percent (\$16.4 million) of these fiscal resources were subsequently awarded to local public health departments to focus on workforce areas including recruiting, retaining, and

training a skilled and diverse public health workforce and addressing longstanding public health infrastructure needs over a five-year period based upon a formula set by the CDC. The Federal Infrastructure Grant formula includes providing a base amount of \$50,000 to each County with an additional \$5,000 to any multi-county as an incentive. An additional fiscal amount was added on by taking the 2020 population census times fifty percent and times the total funding amount divided by the total eligible population. Finally, an additional amount was added based upon community resilience estimates (CRE) times the population times fifty percent times the total funding amount divided by the total jurisdictions that qualify as CRE. The Community Resilience estimates were found by filtering state, county and census tracts and looking at the estimated population with 3+ risk factors. Nobles County currently has 25.67% or 5,538 individuals that are deemed to have 3+ risk factors. Nobles County's portion of this funding over a five-year period is a total amount of \$119,708. Examples for how the Minnesota Department of Health proposes that this funding be spent include by strengthening workplace well-being programs and expanding engagement with the workforce to address their mental, emotional and physical well-being; improving the quality and scope of training and professional development opportunities for all staff; and expanding recruitment efforts or creating new positions.

VOTING

It was duly passed to accept the CDC Infrastructure Grant in the amount of \$119,708.

Moved by: Paplow, Bob

Seconded by: Ahlers, Justin

7.1 (B) | **MN Department of Human Services Children's Mental Health Respite Care Grant Contract – Amendment No. 4**

Attachments:

Amendment No. 4 for Grant Contract No. 173156

Community Services received a grant to provide Children's Mental Health Respite Care services for the time-period of April 1, 2020 to June 30, 2022 through an original Agreement and three previous Amendments. The Agreement is now being amended for a fourth time to extend the end date to December 31, 2023 and to provide an additional \$6,972.00 in funding.

VOTING

It was duly passed to approve Amendment No. 4 for Grant Contract No. 173156.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

7.1 (C) | **Madsen Land Surveying Cost Estimate**

Community Services received an estimate for the cost to survey the former Kid's Peace portion of the Prairie Justice Center from Madsen Land Surveying. The Department of Human Services Bonding Agreement requires the portion of the building to be surveyed and have its own legal description separate from the rest of the PJC building. An estimate was provided of \$7,500 - \$10,600. The funds would be used from Blue Cross Blue Shield or funds allocated to the project by Southern Prairie Community Care.

VOTING

It was duly passed to approve Madsen Land Surveying to survey the former Kid's Peace portion of the PJC building.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

7.2 (A) | **Sponsoring the Des Moines River Watershed Partnership for MCIT Membership**

Attachments:

Resolution 202308

MCIT rules state that in order for the Des Moines River Watershed Partnership to gain membership, an existing member must sponsor them. Nobles County is a member of the Joint Powers Board for the Des Moines River Watershed and a member of MCIT. Nobles County is willing to sponsor the Des Moines River Partnership for membership into MCIT.

VOTING

It was duly passed to approve resolution 202308 sponsoring the Des Moines River Watershed Partnership for MCIT membership.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

7.2 (B) | **Subsurface Sewage Treatment System Loan Program**

The Ag BMP Loan Program is for septic systems that are failing or non-conforming. As far back as 2014, the maximum amount available for an Ag BMP septic system loan was \$15,000. At that time, those systems cost around \$10,000 - \$15,000 to install. Since 2018, the cost of installing a septic system has drastically increased to over \$15,000. Typically,

most systems now cost from \$20,000+ depending on the number of bedrooms, type of system, and distance to the drainfield. It was recommended increasing the maximum loan amount to \$20,000. The loan goes on the homeowners property taxes for a 10-year term at 3% interest. They can pay off the loan early without a penalty. We share the Ag BMP loan dollars with the Nobles County SWCD. Increasing the maximum loan amount will help many landowners within Nobles County upgrade to a compliant septic system.

VOTING

****Commissioner Ahlers and Metz recused themselves from the vote due to personal financial interest in the subject****

It was duly passed to approve the Ag BMP Loan amount to \$20,000.

Moved by: Dybevic, Chris

Seconded by: Paplow, Bob

7.3 (A) **Bid Award for Contract 23001 – 2023 Bridge Replacement Projects**

Attachments:

Project Map

Bid Abstract

Bids were opened for our 2023 Bridge Replacement Projects on Tuesday, March 28, 2023. Two larger continuous concrete slab (CCS) bridges on CSAH 6 and CSAH 19 were tied under one contract. 6 bids were received. The bids ranged from \$2,303,488.06 to \$3,190,873.00 with the low bidder being Structural Specialties Inc. The lowest bid of \$2,303,488.06 came in 7.96% above the engineer’s estimate provided by our consultant Widseth. The main reasons for the cost difference was due to notable increases in material costs relating to this work (reinforcing steel, piling steel, bituminous, etc).

VOTING

It was duly passed to award contract No. 23001 to Structural Specialties, Inc. for the amount of \$2,303,488.06.

Moved by: Paplow, Bob

Seconded by: Ahlers, Justin

7.3 (B) **Bid Award for Contract 23002 – 2023 Crack Seal and Seal Coat Project**

Attachments:

Project Map

Bid Abstract

Bids for the 2023 Bituminous Crack Treatment and Seal Coat project were opened on Tuesday, March 28, 2023. The Board needs to approve the award of the contract to the lowest responsible bidder. The contract consists of ~51.5 miles of bituminous crack sealing and seal coating. 5 bids were received. The bids ranged from \$2,431,873.61 to \$2,943,808.54 with the low bidder being Morris Sealcoat and Trucking, Inc. The difference in bid from the two lowest bidders was \$43,480.37 or a 1.79% difference. The low bid of \$2,431,873.61 was 4.77% below our engineer’s estimate of \$2,553,817.70.

VOTING

It was duly passed to award contract No. 23002 to Morris Sealcoat and Trucking, Inc. for the amount of \$2,431,873.61.

Moved by: Ahlers, Justin

Seconded by: Dybevic, Chris

7.3 (C) **Public Works Update**

Aaron Holmbeck gave the Commissioners a Public Works update. This was only informational.

8.0 Administration Presentation

8.1 **Enterprise Fleet Management Services**

Attachments:

Agreement

Enterprise Fleet Management’s (“Enterprise”) Wong Nystrom visited with the Commissioners and staff several times over the last month. Mr. Nystrom is presenting vehicle-acquisition and vehicle-selling options to Nobles County. He has offered Enterprise Agreements and Applications for Nobles County to execute for participation in their programs. The Board and staff have been introduced or investigated various vehicle-service options offered through Enterprise. The participating Department Heads have considered options and opportunities to acquire, and to not acquire, leased vehicles through Enterprise. The introduced services offer options to the county; not mandates. Enterprise will allow us to take that same budgeted dollar value and apply it leases of more vehicles.

VOTING

It was duly passed to approve the Enterprise Master Equity Lease Agreement.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

8.2 | Child Care Grant Review Committee

Angie Kopplow and Joshua Schuetz from Community Economic Development Associates (CEDA) along with Children’s Unit Supervisor Paige Baker presented to the Commissioners during the March 29, 2023 Work Session. They were seeking Board of Commissioner representation on the Child Care Grant Review Committee. Nobles County received childcare assistance grants for \$150,000.00 from the Department of Employment and Economic Development. The Commissioners committed another \$400,000.00 toward a Child Care Provider Fund Grant and Child Care Expansion and Capacity Grant, respectively. Child care providers are expected to apply for these grants, starting in April. A Commissioner is requested to be a part of the grant review committee. Once voted on the Child Care Grant Review Committee will be added to the Commissioner Committee list and eligible for a per diem.

VOTING

It was duly passed to approve Commissioner Dybeveck as the delegate to the Child Care Grant Review Committee and Commissioner Demuth as the alternate.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

9.0 Inter-Agency Reports / Announcements

9.1 | Committee and Board Reports

Attorney – Joe Sanow – New Attorney has started.

District I – Commissioner Ahlers – No Report

District III – Commissioner Paplow – No Report.

District II – Commissioner Metz – Reported on the CPT meeting where it was discussed possibly providing services to North Dakota.

District V – Commissioner Dybeveck – Reported on the Library Focus group meeting.

District IV – Commissioner Demuth – No Report.

Administration – Reported on the Reading Sewer project and looking into treatment ponds. Also reported on the PJC boiler project where it was decided to wait on replacing them. Lastly Bruce reported on the generator project with bids being due April 19th.

9.2 | Correspondence

Attachments:
Recruitment Memo

9.3 | Calendar

Attachments:
April 2023

10.0 | Other / Future Business

Board Meeting – Tuesday April 18, 2023

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

Work Session – Wednesday April 26, 2023

8:30 a.m. Government Center Board Room, Worthington, MN

11.0 Adjournment

It was duly passed to adjourn the meeting at 10:50 a.m.

Moved by: Paplow, Bob

Seconded by: Metz, Gene



Nobles County Board Chair



Nobles County Administrator