

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, May 23, 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	
5.0 Consent Agenda	
5.1 (A)	May 02, 2023 Regular Board Meeting Minutes Draft <u>Attachments:</u> May 02, 2023 Draft Minutes
5.2 (A&B)	Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid May 05, 2023 Expenses paid May 19, 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> On Behalf of Payment Report
5.4	Regional Health Equity Networks Grant Amendment <u>Attachments:</u> Grant Amendment
<u>VOTING</u>	
It was duly passed to approve the consent agenda as presented. Moved by: Metz, Gene Seconded by: Paplow, Bob	
6.0 Department Presentations	
6.1	Request Increase to MOA Position <u>Attachments:</u> Recruitment Flier Agreement Addendum III
Bonnie Christiansen and Anna Rose presented the board with a request to change a .25 FTE 4-H program coordinator position to a .5 FTE position. Staff has experienced trouble trying to fill the .25 position, they feel by changing it to a .5 FTE position they will get more applicants. In addition, Murray County has asked for an additional position to keep up with the continued growth of its 4-H program. Our Murray proposal would add an additional 0.5 FTE 4-H/Youth	

Development Extension Educator in Murray County beginning January 1, 2024. If both Nobles and Murray approve this increase, we would combine them and hire one 1.0 FTE 4-H/YD Extension Educator and the person would work 50% in Nobles and 50% in Murray. But, if only one county approves this, we'd still move forward in hiring a 0.5 FTE educator for that county. The presentation was informational only. No decision was made.

7.0 Administration Presentations

7.1 (A) **Professional Service Agreement – Change Order No. 3 Grant Preparations and Project Engineering Stantec Consulting**
Attachments:
Change Order

Reading, MN sanitary sewer issues continue to elevate in urgency with the Minnesota Pollution Control Agency (MPCA). The sewer project is now eligible for the Point Source Implementation Grant (PSIG) funding program that could provide up to 80% grant money for eligible costs. The PSIG 2024 grant application is deadline is July 2023. Stantec Consulting requires a change order to proceed addressing the comments and needs recommended from the Rural Development Preliminary Engineering Report (PER). The Change order addresses the next steps of requirements for engineering and applying for the PSIG Grant. The original agreement was \$48,300. Two Change orders have been completed thus far in the amounts of \$16,850 and \$1,000. The additional fees associated with this Change Order address the additional requirements to amend the original PER and provide grant funding technical assistance. The total of Change Order No. 3 is \$53,900.

VOTING

It was passed to approve the change order with Stantec Services for \$53,900.
Moved by: Ahlers, Justin
Seconded by: Paplow, Bob

6.0 Department Presentations (Continued)

6.2 (A) **New Tobacco License Application – Kwik Trip 1212**
Attachments:
Tobacco License Application

Nobles County Community Services has received a request for a new tobacco license from Kwik Trip 1212. Which intends to utilize property located at 1755 N. Humiston Avenue, Worthington, MN. Based upon the application, Community Services does not have information or evidence to indicate that it would not meet the requirements of the current Nobles County Tobacco Ordinance. Therefore, Community Services had no objection to the approval of this application.

VOTING

It was duly passed to approve the tobacco license application for Kwik Trip 1212.
Moved by: Dybeveck, Chris
Seconded by: Ahlers, Justin

6.2 (B) **Fee Schedule Update**
Attachments:
Fee Schedule Proposed Changes

Nobles County Community Services is seeking two adjustments to the 2023 County Fee Schedule.
Change 1: Nobles County Community Services currently provides the Hepatitis B Vaccination Services at a cost of \$219.00 per dosage (\$657.00) for three doses in the series. The current price for the vaccine has risen to over \$700.00 for the vaccine alone. Additionally, Community Services gets very few requests to provide the series as there are other community resources available for individuals who need it. Also there are times that individuals choose not to complete the series leaving us with un-usable vaccine that must then be discarded at the agencies cost. At this time, it was recommended removing this service from our fee schedule due to the low amount of requests for the service and the financial burden this places on the agency.
Change 2: Requested to increase the fee for PHNC Skilled Nurse Visit in the Home. The primary reason for this request is that the current \$180.00 fee does not fully cover the cost to provide the service and there have been increases in the reimbursement rates available through third party payers that this change will allow Community Services to capture. It was requested to change the fee from \$180 to \$200.

VOTING

It was duly passed to approve the changes to the fee schedule as presented.
Moved by: Ahlers, Justin
Seconded by: Metz, Gene

6.2 (C)	<p>Nobles County Child Care Grant Approval Request</p> <p><u>Attachments:</u> Request Letter (1) Request Letter (2)</p>
<p>In December 2022, The Nobles County Board of Commissioners approved up to \$400,000 in funding to be utilized for three child care grant programs in the county. These fund are intended to accompany funding from the Minnesota Department of Employment and Economic Development (DEED) Grant. In the past quarter, contracted and county staff developed a framework for two of the grants and opened the programs for applications in April 2023. Also in April 2023, a review committee was formed to review the applications from child care providers and make recommendations to the Board for the approval of those applications.</p> <p>The review committee met on Wednesday, May 3, 2023 to evaluate six applications for funding that had been received. Of the six applications received, two were recommended for funding approval, and four were returned to the applicants for further information.</p> <ul style="list-style-type: none"> • Applicant One - \$4,000.00 • Applicant Three - \$3,946.11 	
<p><u>VOTING</u></p> <p>It was duly passed to approve Child Care Grant #1 for \$4,000. Moved by: Metz, Gene Seconded by: Dybeveck, Chris</p> <p>It was duly passed to approve Child Care Grant #1 for \$3,946.11. Moved by: Metz, Gene Seconded by: Dybeveck, Chris</p>	
6.3 (A)	<p>Order for Reopening Proceedings As To Damages On Nobles CD 12</p> <p><u>Attachments:</u> Reopening Order</p>
<p>On January 24th 2023, the Nobles County Board completed proceedings for redetermination benefits for County Ditch (CD) 12. In those proceedings, the appointed viewers recommended the payment of damages to certain owners of property within the City of Worthington thought to be crossed by the open channel of CD 12. County staff sent letters to property owners informing them of damages considered and awarded in the proceedings. County staff has since discovered an error in the viewers’ recommendation based upon the actual versus the mapped alignment of CD 12 in the city limits of Worthington. The error also means that the payment for grass buffer damages are not correct. In order to make those corrections, the Drainage Authority needs to reopen the damages portion of the hearing in order to consider correcting the error. In order to reopen the hearing, the board needs to adopt the attached findings and order the reopening of the proceedings of CD 12 to vacate the portion of damages awarded in error and consider correcting the grass buffer damages as reflected in the viewer’s addendum.</p>	
<p><u>VOTING</u></p> <p>It was duly passed to adopt the Findings and Order Reopening Proceedings as to the Grass Buffer Damages within the city of Worthington for CD 12 on June 20, 2023, at 11:00 a.m. in the Nobles County Government Center Farmers Room, 315 – 10th Street, Worthington, Minnesota. Moved by: Paplow, Bob Seconded by: Ahlers, Justin</p>	
6.4 (A)	<p>Emergency Paid Sick Leave</p> <p><u>Attachments:</u> Resolution 202152</p>
<p>The Families First Coronavirus Response Act (FFCRA) provided 80 hours of emergency paid sick leave (EPSL) under certain circumstances related to the 2020 public health emergency. The County Board had passed a resolution (202152) to continue the emergency paid sick leave. Based on current COVID-19 trends, the Department of Health and Human Services (HHS) is planning for the federal Public Health Emergency (PHE) for COVID-19, declared under Section 319 of the Public Health Service (PHS) Act, to expire at the end of the day on May 11, 2023. FFCRA paid leave initially went into effect April 1, 2020 and the County Board continued to approve the EPSL to date. After discussion with the Administrative committee it was recommended to bring resolution #202152 Emergency Paid Sick Leave to the board for discussion and to determine if the Board would like to continue offering the EPSL after the end of the federal PHE.</p>	

VOTING

It was duly passed to rescind resolution 202152 Emergency Paid Sick Leave and all Emergency Paid Sick Leave union MOU's effective June 1, 2023.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

6.4 (B) Personnel Policy P-214 Work Hours and Attendance Policy

Attachments:

P-214 Policy

During this past winter the county offices closed more than usual. HR Staff discovered a difference in how compensation was calculated between similar staff duties. The nonunion highway and garage superintendents and the facilities maintenance crew who work during these closures at times alongside the highway union members were not being compensated similarly. HR started looking into this further and realized it had to do with when the nonunion earn overtime. In order to make this more comparable it was recommended to change some language to Personnel Policy P-214 Work Hours and Attendance for only this employee group. The proposed changes have been shared with the affected staff and they are in agreement with the proposed language. It was discussed and decided to make these changes retroactive to January 1, 2023.

VOTING

It was duly passed to approve P-214 Work Hours and Attendance Policy as presented and make the changes retroactive to January 1, 2023.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

6.5 (A) 2022 EMPG One Time Grant

Tawn Hall, Emergency Manager applied and was approved for an EMPG-ARPA Grant. This is one time, short-term grant for special projects to fill gaps in the County Emergency Management Program. The funding is limited and was awarded on a first come first serve basis; and must be spent by September 30, 2023. This grant follows regular EMPG program guidelines for allowed expenditures and must support Emergency Management Core Capabilities. The grant covers new expenses as well as qualifying expenses from 2021 & 2022. Director Hall applied for funding to fill gaps in equipment needs to support emergency, including the purchase of a Thermal Drone and a Specialized ID Badge Credentialing Printer (to support State provided Salamander software), as well as cover Radio equipment purchased in 2022 for the Emergency Management Department. Grant funding to include:

Thermal & Imaging Drone: \$7004

Salamander Credential Printer \$2875

2- EM 800HTZ Radios \$5680 --- (Budgeted for and purchased in 2022)

Grant Total= \$15,559

This is a 50/50 match grant with eligible overmatch from 2021 & 2022 regular EMPG Grant being used (essentially turn-back funding) towards the County Match. The overmatch from eligible Emergency Management expenses in 2021 & 2022 exceed the County match portion making the County's additional portion of the match \$0.00. This Grant would essentially become reimbursement of equipment purchases. The Grant is approved in the State system; however, a grant agreement is not yet available

VOTING

It was duly passed to accept the EMPG-ARPA grant and allow the purchase of equipment.

Moved by: Dybeveck, Chris

Seconded by: Ahlers, Justin

7.0 Administration Presentations (Continued)

7.3 Maintenance Equipment – Prairie Justice Center Mower

Attachments:

Quotes (3)

Maintenance staff has indicated the Prairie Justice Center (PJC) mower needs to be replaced.

The following quotes were received from local vendors:

- Titan Machinery-Bobcat 2023 ZT3500 Zero Turn Riding Mower (Bobcat) \$ 8,331.96
- C&B John Deere 2023 John Deere Z930M ZTrak 10,920.00
- Tri State Rental Center 2023 Lazer Z X-Series 10,959.00

VOTING

It was duly passed to approve purchase of a Bobcat riding lawn mower from Titan Machinery in the amount of \$8,331.96 and declare the current lawn mower as surplus property.

Moved by: Paplow, Bob

Seconded by: Metz, Gene

9.0 Inter-Agency Reports / Announcements

9.1 Committee and Board Reports

Attorney – Joe Sanow – No Report.

District I – Commissioner Ahlers – Reported on the RNCC meeting where the legalization of cannabis was discussed at length.

District III – Commissioner Paplow – No Report.

District II – Commissioner Metz – Reported on the CPT meeting and discontinuing serviced with North Dakota. Lismore Telephone Company is still waiting to hear on the internet grant.

District V – Commissioner Dybevick – Reported on the LEC joint powers meeting, Daycare grant review committee and the solid waste meeting.

District IV – Commissioner Demuth – Reported on the steering committee for daycare events.

Administration – Reported on attending local boards and appreciated all of the Commissioner’s attendance. Talked about child care progress and a PJC impound storage building.

7.2 Nobles Home Initiative Tax Abatement Program – Agreement Updates

Attachments:

Current NHI Agreement

Marked Changes on NHI Agreement

Final Draft of NHI Agreement

The Nobles County Commissioner’s acted on October 26, 2022 to approve changes within the Nobles Home Initiative Tax Abatement Program (NHI) Guidelines 2023-2027, with guideline changes implemented on January 1, 2023. Upon preparation for new NHI applications, an internal review revealed the language in the Tax Agreement given to participants following application approval was not adjusted to match the incorporated adjustments in the guidelines. Collective staff reviewed the NHI Guidelines implemented January 2023 as well the currently in place NHI Agreement. Upon review, the main discrepancies in the current agreement were in the definition of Tax Abatement, Article I.3, Representations and Duties, Article II.4 and Article II.5, (specifically the breakdown of assessed taxes and payment process) as well as Duration of the Agreement, Article III.2 specifically a time line for completion). The discrepancies and changes are noted on the attachments as follows. The changes approved today would be retroactive to January 1, 2023. It was discussed to send a new agreement and letter explaining the changes to NHI’s approved between January 1, 2023 and May 2023.

VOTING

It was duly passed to approve the Nobles Home Initiative Agreement as presented retroactive to January 1, 2023.

Moved by: Paplow, Bob

Seconded by: Metz, Gene

It was duly passed to send the newly approved agreement and letter to all approved NHI participants between January 1, 2023 and May of 2023.

Moved by: Ahlers, Justin

Seconded by: Dybevick, Chris

8.0 Public Hearing

8.1 Public Hearing – Proposed Property Tax Abatement Logan and Kennedy Koplow Parcel 12-0080-000

A. Open Hearing (*Action*)

B. Proposed Abatement – Discussion

C. Public Comment

D. Close Hearing (*Action*)

	<p>E. Decisions : Logan and Kennedy Kopplow Parcel 12-0080-000– Resolution 202318 (Action)</p> <p>Attachments: Application information Resolution 202318</p>
<p><u>VOTING</u></p> <p>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 Logan and Kennedy Kopplow Parcel 12-0080-000.</p> <p>B. Bruce Heitkamp, Nobles County Administrator, reviewed the Nobles Home Initiative Application.</p> <p>C. No Discussion or public comment was received.</p> <p>D. On a motion by Bob Paplow and seconded by Gene Metz, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.</p> <p>E. On a motion by Bob Paplow and seconded by Justin Ahlers, it was duly passed to adopt Resolution 202318 approving tax abatement to Logan and Kennedy Kopplow Parcel 12-0080-000 pursuant to Minnesota Statute 469.1813.</p>	
8.2	<p>Public Hearing – Proposed Property Tax Abatement Timothy and Monica Lenz Parcel 11-0070-000</p> <p>A. Open Hearing (Action)</p> <p>B. Proposed Abatement – Discussion</p> <p>C. Public Comment</p> <p>D. Close Hearing (Action)</p> <p>E. Decisions : Timothy and Monica Lenz Parcel 11-0070-000 – Resolution 202319 (Action)</p> <p>Attachments: Application information Resolution 202319</p>
<p><u>VOTING</u></p> <p>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 Timothy and Monica Lenz Parcel 11-0070-000.</p> <p>B. Bruce Heitkamp, Nobles County Administrator, reviewed the Nobles Home Initiative Application.</p> <p>C. No Discussion or public comment was received.</p> <p>D. On a motion by Justin Ahlers and seconded by Chris Dybevic, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.</p> <p>E. On a motion by Gene Metz and seconded by Robert S. Demuth, it was duly passed to adopt Resolution 202319 approving tax abatement to Timothy and Monica Lenz Parcel 11-0070-000. pursuant to Minnesota Statute 469.1813.</p>	
8.3	<p>Public Hearing – Proposed Property Tax Abatement Ronald and Leah Lonneman Parcels 21-0628-080 and 21-0628-090</p> <p>A. Open Hearing (Action)</p> <p>B. Proposed Abatement – Discussion</p> <p>C. Public Comment</p> <p>D. Close Hearing (Action)</p> <p>E. Decisions : Ronald and Leah Lonneman Parcels 21-0628-080 and 21-0628-090 – Resolution 202320 (Action)</p> <p>Attachments: Application information Resolution 202320</p>
<p><u>VOTING</u></p> <p>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 Ronald and Leah Lonneman Parcels 21-0628-080 and 21-0628-090.</p> <p>B. Bruce Heitkamp, Nobles County Administrator, reviewed the Nobles Home Initiative Application.</p> <p>C. No Discussion or public comment was received.</p> <p>D. On a motion by Justin Ahlers and seconded by Gene Metz, it was duly passed to close the Proposed Property Tax Abatement Public Hearing.</p> <p>E. On a motion by Gene Metz and seconded by Robert S. Demuth, it was duly passed to adopt Resolution 202320 approving tax abatement to Ronald and Leah Lonneman Parcels 21-0628-080 and 21-0628-090 pursuant to Minnesota Statute 469.1813.</p>	
9.2	<p>Correspondence</p> <p>Attachments:</p>

	Recruitment Memo City, County College, School Meeting Agenda 5/19/23 HLWD Meeting Minutes 4/19/23 HLWD Meeting Agenda 5/17/23 Nobles County Art Center Board Meeting Minutes 5/15/23 Nobles SWCD Bills Payable as of 4/30/23 Nobles SWCD Meeting Minutes 4/19/23 Nobles SWCD Profit/Loss through April 2023 Nobles SWCD Meeting Agenda 5/17/23
9.3	Calendar <u>Attachments:</u> May 2023 June 2023
10.0	Other / Future Business
	Work Session – Wednesday May 31, 2023 8:30 a.m. Government Center Board Room, Worthington, MN Board Meeting – Tuesday June 06, 2023 9:00 a.m. Government Center Board Room, Worthington, MN AMC District Meeting – Thursday June 8, 2023 Time and location TBD
	11.0 Adjournment It was duly passed to adjourn the meeting at 10:11 a.m. Moved by: Ahlers, Justin Seconded by: Paplow, Bob



Nobles County Board Chair



Nobles County Administrator