

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, August 08, 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.

Vice Chairman Ahlers called the meeting to order at 9:01 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: Paplow, Bob Seconded by: Dybevic, Chris	
4.0 Recognition	
4.1 Visitors and Guests Welcome	
4.2 Excellence in Performance CJ Kremer, Case Aide; Lourdes Garibay, Office Support Specialist; Alison Jeppesen, Office Support Specialist & LeeAnne DeRuyter, R.N. were recognized as the July Excellence in Performance recipients.	
5.0 Consent Agenda	
5.1 (A)	July 18, 2023 Regular Board Meeting Minutes Draft <u>Attachments:</u> July 18, 2023 Draft Minutes
5.2 (A)	Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid July 28, 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> Auditor’s Warrants
5.4	Application for Cancellation of Forfeiture <u>Attachments:</u> Application
5.5	Minnesota Department of Health Grant Project Agreement – Family Home Visiting Grant <u>Attachments:</u> Grant Project Agreement
5.6	Public Health Emergency Preparedness Grant Amendment <u>Attachments:</u> Grant Project Agreement
<u>VOTING</u> It was duly passed to approve the consent agenda as presented. Moved by: Metz, Gene Seconded by: Ahlers, Justin	
6.0 Special Presentations	
6.1 (A)	Request Increase in MOA Position <u>Attachments:</u>

	<p>4-H Program Information Sheet Current Agreement Addendum III</p>
<p>Nobles County currently has a 0.25 FTE 4-H Program Coordinator position in the MOA that has not been able to be fill since August 2022. It was asked of the Nobles County Board to increase the 0.25 FTE 4-H Program Coordinator position to a 0.5 FTE 4-H/Youth Development Extension Educator position beginning January 1, 2024. The increase to a 0.5 FTE position would be an MOA addendum with an increased cost of \$20,162 for the position in 2024. The Murray County Board, at their July 18, 2023, board meeting, approved an additional 0.5 FTE 4-H/Youth Development Extension Educator in Murray County beginning January 1, 2024 to keep up with the continued growth of its 4-H program. If Nobles County approves this increase, Extension would combine the two positions and hire one 1.0 FTE 4-H/Youth Development Extension Educator and the person would work 50% in Nobles and 50% in Murray. This position could be advertised in the last hiring round of 2023 with a potential start date of January 8, 2024.</p>	
<p><u>VOTING</u> It was passed to approve increasing the .25 FTE 4-H Program Coordinator position to a .5 FTE 4-H Youth Development Extension Educator beginning January 1, 2024. Moved by: Paplow, Bob Seconded by: Demuth, Robert S.</p>	
6.2 (A)	<p>Minnesota Department of Transportation (MNDot) Capital Highway Investment Plan (CHIP) <u>Attachments:</u> CHIP Presentation</p>
<p>Minnesota Department of Transportation (MNDOT) Staff offered an update to the State’s Capital Highway Investment Plan for District 7. The Capital Highway Investment Plan illustrates a 10-year window of District 7’s projected highway-improvement projects. MNDOT Staff were present to answer questions.</p>	
<p>7.0 Department Presentations</p>	
7.1 (A)	<p>Ocheda Dairy – Worthington, MN – CUP #08-2023 <u>Attachments:</u> Informational Presentation Planning and Zoning Minutes</p>
<p>Ocheda Dairy of Worthington MN a request to construct a renewable natural gas production facility utilizing an anaerobic digester, gas upgrading equipment with building, electrical equipment building and emissions control devices. Public hearing is required under Section 603.4 Conditional Uses, #14 processing plants. This parcel of land is located in the S1/2 NE ¼ and a tract of land in the N ½ SE ¼, Section 15, Twp. 101, Range 40, Bigelow Township. The following conditions were recommended by Planning and Zoning:</p> <ol style="list-style-type: none"> 1) Project can not begin construction until all necessary permits are received from the MPCA. 2) Project must be constructed according to the plans provided. 3) Allow a two year start – construction must be started by fall of 2025. 	
<p><u>VOTING</u> It was duly passed to approve CUP #08-2023 for Ocheda Dairy with the conditions as presented. Moved by: Metz, Gene Seconded by: Paplow, Bob</p>	
7.1 (B)	<p>Lorna Kruger – Sibley, IA – CUP #09-2023 <u>Attachments:</u> Planning and Zoning Minutes</p>
<p>Lorna Kruger, Sibley IA, a request to amend Conditional Use Permit 96-009 to permanently remove Condition #2 – Windbreak, should be a minimum of four rows of trees planted within one year after construction and maintained over the life of the building site. Public Hearing is required under Section 505.3 Procedures #8, of the Nobles County Planning and Zoning Ordinance. An amended conditional use permit application shall be administered in a manner similar to that required for a new conditional use permit. Amended conditional use permits shall include requests for changes in conditions, and as otherwise described in this Ordinance. This parcel of land is located in the S1/2, SE 1/4, Section 25, Twp. 103, Range 41, Summit Lake Township. Discussion was had and it was determined this would be adversely affect the original CUP.</p>	
<p><u>VOTING</u> It was duly passed to approve CUP #09-2023 as presented.</p>	

Moved by: Ahlers, Justin Seconded by: Dybeveck, Chris	
7.2 (A)	2022 Annual Report
Per MN Statute 163.07, Subdivision 7, the County Highway Engineer shall prepare and submit to the County Board annually a full and complete report covering all county highway work.	
7.2 (B) 1 & 2	Local Bridge Replacement Program Grant Agreements <u>Attachments:</u> MnDOT Agreement No. 1049188 Resolution 202326 MnDOT Agreement No. 1049470 Resolution 202327
Nobles County was approved for state Local Bridge Replacement Program (LBRP) funding for the two (2) bridges planned for construction this season (SAP 053-606-020 and SAP 053-619-027). The County is required to enter into agreements (attached) with the State to receive these funds. The Board needs to pass a resolution (also attached) authorizing the execution of said agreements. The funding being provided through this program will offset our total county obligation of County State Aid Highway (CSAH) construction funds for these two projects. They are eligible to receive LBRP funding for 50% of the eligible construction items.	
<u>VOTING</u> It was duly passed to approve MnDOT Agreement No. 1049188 and resolution 202326 as presented. Moved by: Metz, Gene Seconded by: Ahlers, Justin It was duly passed to approve MnDOT Agreement No. 1049470 and resolution 202327 as presented. Moved by: Paplow, Bob Seconded by: Demuth, Robert S.	
7.2 (C)	Public Works Update
Aaron Holmbeck, Public Works Director, gave the board an update on Public Works and Highway projects.	
7.3 (A)	Public Land Survey Needs Within Nobles County <u>Attachments:</u> Minnesota Society of Professional Surveyors (MSPS) Update
Nobles County properties were created and identified using survey markers. The original surveys to place markers were processes that are now approximately 150 years old. At some point, it is recommended the accuracy of these points be checked and appropriately documented within the Recorder's Office. Staff have requested time to discuss the importance of survey-point accuracy and possible grant funding to assist with checking survey markers. The last Legislative Session appropriated \$9.7 million dollars for a remonumentation effort throughout the state. It's possible to request a portion of this funding to start a remonumentation effort here in Nobles County. Discussion was had and more information is needed to make an informed decision. It was requested to have a surveyor attend a future work session.	
<u>VOTING</u> It was duly passed to invite a surveyor to a future work session to gather more information. Moved by: Ahlers, Justin Seconded by: Paplow, Bob	
8.0 Closed Session	
8.1	Negotiated Labor Item
A negotiated labor topic needs to be discussed by the Board. Administration and the Board of Commissioners are discussing and planning items related to budgets and future labor negotiations. A Labor Attorney will be consulted during this scheduled Closed Session to discuss the negotiated labor topic. This Closed Session notification is taking place as indicated within Minnesota Statutes. Procedures offered within MN Statute 13D.03 will be adhered to. The Closed Session should take approximately 30 minutes.	
<u>VOTING</u> It was duly passed to close the meeting at 10:24 a.m. per Minnesota Statutes 13D.03 Subd. 1(b) to discuss Union Negotiation Strategy. Moved by: Paplow, Bob	

Seconded by: Dybevic, Chris

It was duly passed to open the meeting at 11:13 a.m.

Moved by: Paplow, Bob

Seconded by: Ahlers, Justin

7.0 Department Presentations Continued

7.4 (A) **Mactek Voice Logger**

Attachments:

Mactek Invoice

The current Microsoft operating system will soon be out of order. An upgrade is needed to continue voice logging 911 and radio calls. The funds for this upgrade will be taken from the 911 account and is not levied dollars.

VOTING

It was duly passed to approve the Mactek invoice for an upgraded voice logger in the amount of \$26, 874.00 to be used out of 911 funds.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

7.5 (A) **Nobles County Child Care Grants Approval Request**

1, 2, 3

& 4

Attachments:

Applicant Five

Applicant Thirteen

Applicant Fourteen – Child Care Provider Fund

Applicant Fourteen – Child Care Expansion and Capacity Grant

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 funds are intended to accompany funding from the Minnesota Department of Employment and Economic Development (DEED) Grant. In April 2023 a framework was developed for two of the grant programs and a review committee was formed to review applications and make recommendations. The review committee met on Tuesday, July 25, 2023 to evaluate four applications for funding that had been received. All four were recommended for funding approval. We are here before you today to request approval in moving forward with the five funding requests that were approved by the committee. One applicant submitted two applications, one for the Child Care provider fund, and one to for the Child Care Expansion and Capacity Grant, to facilitate the addition of several slots to the program. Both applications were approved in committee. Expenses applied for through the Expansion and Capacity Grant relate to the increase of new slots.

- Applicant Five- \$3,600
- Applicant Thirteen - \$3,846
- Applicant Fourteen-Child Care Provider Fund - \$3,710.11
- Applicant Fourteen-Child Care Expansion and Capacity Grant -\$3,000

VOTING

It was duly passed to approve applicant five in the amount of \$3,600

Moved by: Paplow, Bob

Seconded by: Metz, Gene

It was duly passed to approve applicant thirteen in the amount of \$3,846

Moved by: Dybevic, Chris

Seconded by: Ahlers, Justin

It was duly passed to approve applicant fourteen in the amount of \$3,710.11

Moved by: Metz, Gene

Seconded by: Paplow, Bob

It was duly passed to approve applicant fourteen for the Child Care Expansion and Capacity Grant in the amount of \$3,600

Moved by: Dybevic, Chris

Seconded by: Demuth, Robert S.

9.0 Administration Presentation	
9.1	Counties Providing Technology Professional Services Agreement 2024-2026 <u>Attachments:</u> Nobles County Original Agreement Termination of Agreement New Master Services Agreement
<p>Nobles County is an owner-member of an organization called “Counties Providing Technology” (or CPT). A Professional Services Agreement is offered for 2024 - 2026 CPT services. The CPT Agreement offers numerous technology-related services. Numerous Nobles County Departments and staff utilize these varied services. Department Heads and staff reviewed the available options and replied with relevant needs for January 1, 2024 – December 31, 2026. CPT Executive Director Joel Flaten also offered assistance relating to service options, in which some are changing on January 1, 2024. The attached Professional Services Agreement reflects all Nobles County items requested for 2024-2026. Agreement modifications are possible as needs arise.</p>	
<u>VOTING</u> It was duly passed to approve the Professional Service Agreement with Counties Providing Technology Services for 2024-2026. Moved by: Metz, Gene Seconded by: Dybevick, Chris	
9.2	Lincoln Pipestone Rural Water (LPRW) Board Appointment Recommendation <u>Attachments:</u> Applicant Information Resolution 202325
<p>LPRW has requested Nobles County support the appointment of two (2) current board members for terms expiring December 31, 2013. Mitch Kling and Bill Ufkin have terms expiring at the end of the year and are seeking reappointment. A request was sent to all member counties requesting a resolution be passed supporting the reappointment of Mitch Kling and Bill Ufkin. Biographies were attached.</p>	
<u>VOTING</u> It was duly passed to approve resolution 202325 reappointing Mitch Kling and Bill Ufkin to the Lincoln Pipestone Rural Water Board. Moved by: Paplow, Bob Seconded by: Metz, Gene	
9.3	Southwest Mental Health Center Repayment of Funds Agreement <u>Attachments:</u> Southwest Mental Health Letter Agreement
<p>Southwestern Mental Health received advanced funding from member counties to construct the mental health center in Worthington in 2012. Under the Agreement, Nobles County has the right to raise the repayment plan’s interest rate in 2023. The construction of the Southwest Mental Health Center in Worthington was planned at a cost of \$2,500,000.00. Member counties participated in varied ways as observed within the attached “Agreement for Advancement and Repayment of Funds”. Nobles County provided \$500,000.00 and acknowledged a promissory note repayment plan at 1% interest. Under the Agreement, Nobles County has the right to adjust the effective interest rate on October 1, 2023 and then again on October 1, 2033. The Southwestern Mental Health Center Board of Directors is requesting counties agree to increase their interest rate by 1%. Nobles County’s effective interest rate would then be 2%. Discussion was had regarding other member counties and their intentions. Not having a clear answer, it was decided to table the item to gather more information.</p>	
<u>VOTING</u> It was duly passed to table the Southwest Mental Health Center Repayment of Funds Agreement discussion for a future meeting. Moved by: Ahlers, Justin Seconded by: Dybevick, Chris	
10.0 Inter-Agency Reports / Announcements	
10.1	Committee and Board Reports
Attorney Hoefert – Reported that the office is busy and is actively trying to hire for the vacant attorney position.	

District I – Commissioner Ahlers – Reported on the SMOC Transit Authority and the discussion to change the City bus route.

District III – Commissioner Paplow – No Report.

District II – Commissioner Metz – No Report.

District V – Commissioner Dybevic – No Report.

District IV – Commissioner Demuth – No Report.

Administration –Reported on the PJC impound storage facility is on hold due to details that need to be addressed.

10.2	Correspondence Attachments: Recruitment Memo Nobles SWCD Agenda and attachments 7/19/23 HLWD Agenda and attachments 7/19/23 Nobles County Art Center Board Meeting Minutes 7/17/23 Nobles SWCD Profit/Loss as of June 2023
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10.3	Calendar Attachments: August 2023
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11.0	Other / Future Business
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Board Meeting – Tuesday August 22, 2023
9:00 a.m. Government Center Board Room, Worthington, MN
Nobles County Summer Internship Appreciation Event – Tuesday August 22, 2023
11:30 a.m. Government Center Farmers Room, Worthington, MN
Work Session – Wednesday August 30, 2023
8:30 a.m. Government Center Board Room, Worthington, MN

12.0 Adjournment
It was duly passed to adjourn the meeting at 11:56 a.m.
Moved by: Ahlers, Justin
Seconded by: Paplow, Bob



Nobles County Board Chair



Nobles County Administrator