

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, November 21, 2023, at the Government Center, in the Commissioner’s Board Room, Worthington, Minnesota. The following Commissioners attended: Robert S.

Demuth, Justin Ahlers, Bob Paplow Gene Metz 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: Paplow, Bob Seconded by: Ahlers, Justin	
4.0 Recognition	
4.1 Visitors and Guests Welcome	
5.0 Consent Agenda	
5.1 (A)	November 07, 2023 Regular Board Meeting Minutes Draft <u>Attachments:</u> November 07, 2023 Draft Minutes
5.2 (A)	Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid November 17, 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
5.4	Nobles County DAC Purchase of Service Renewal Agreement 2024-2025 <u>Attachments:</u> Agreement
5.5	Southwest Health and Human Services Successful Transition to Adulthood (STAY) Program Agreement 2024-2025 <u>Attachments:</u> Agreement
5.6	Hope Haven / The Achievement Center Supported Employment Agreement <u>Attachments:</u> Agreement
5.7	Legal Service Agreement – Rinke Noonan <u>Attachments:</u> Agreement
<u>VOTING</u>	
It was duly passed to approve the consent agenda as presented. Moved by: Ahlers, Justin Seconded by: Metz, Gene	
6.0 Special Presentation	
6.1	Economic Development – Workforce Shortage Assistance 2024 Nobles County Internship Program <u>Attachments:</u> Budget Worksheet
Nobles County chose to take steps to combat workforce shortages in 2023. One approach was the Nobles County Internship Program which was administered by the Southwest Minnesota Private Industry Council. If directed, Nobles	

County can start another sponsored 2024 Nobles County Internship Program. Twelve Interns participated at employers throughout Nobles County. At the conclusion of the program, several employers stated there would be job offers extended to their Interns. The program was ran very well with constructive feedback offered if the program were to continue. Many lessons were learned during the Program’s inaugural year. The program should possibly start a little earlier. The end-of-year reception should be held earlier so more Interns could attend. It is believed the first-year experience will allow us to prepare for more employer inclusion and full participation for Interns. Southwest Minnesota Private Industry Council offered to administer to a 2024 Internship Program. They offered an annual budget of \$114,969.51 if the variables stayed the same (15 students, \$17/hr., 29 hours per week, and 12 weeks). The pro-forma budget worksheet was attached for review. Maria Peters from the SW MN Private Industry Council reviewed the program with the board. There was \$25,000 in leftover funds from the 2023 program. Those funds will be returned to the ARPA fund – which they came from. The Commissioners voted to approve \$114,969.51 in 2024 to the program.

VOTING

It was duly passed to approve \$114,969.51 for the 2024 Nobles County Internship Program with half (\$57,484.75) coming from ARPA funds and half (\$57,484.75) coming from levy funds.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

7.0 Department Presentation

7.1 (A) PrimeWest Health Community Reinvestment Program Grant Agreement

Attachment:

Grant Agreement

PrimeWest Health developed the Community Reinvestment Grant Initiative to help providers in PrimeWest counties address local resource needs and challenges that affect PrimeWest members. Earlier this year, PrimeWest announced the availability of grant funds on a competitive basis and encouraged proposals. Access to dental services is a long-standing need identified in our community, especially for those who rely on public programs including PrimeWest to fund their dental needs. In partnership with Des Moines Valley Health and Human Services, Access Health and Avera Medical Group, and Open Door Health Center a proposal was drafted requesting \$325,000 which was selected to be funded by the PrimeWest Joint Powers Board. The primary goal of the proposal is to establish a fully operational dental residency program here in Worthington. Nobles County will serve as the fiscal host for this regional grant. Through getting this program set up in Worthington, Southwest Minnesota will have a stable resource of future dental residents available to serve Medicaid clients in the region. Establishing a dental home and having access to routine, preventative oral health care for underserved individuals, children, and families will result in a healthier, more prosperous households in Southwest Minnesota. Oral health is critically important to the overall health and wellness of infants, children and adults.

VOTING

It was duly passed to approve and accept the PrimeWest Health Community Reinvestment Program Grant Agreement.

Moved by: Metz, Gene

Seconded by: Dybevick, Chris

7.2 (A) CliftonLarsonAllen LLP Statement of Work – Audit Services

Attachment:

Statement of Work

CLA has completed the required audit of the Nobles County financials for a number of years. They wish to continue providing Nobles County with auditing services for the year ending December 31, 2023. The attached Audit Engagement Letter summarizes the terms of the agreement. The estimated fees for the 2023 audit will be \$90,000.

VOTING

It was duly passed to approve the letter of engagement with CliftonLarsonAllen for audit services in 2024.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

7.2 (B) Purchase Card Program Vendor Change

Attachments:

American Bank and Trust Information

The Finance Dept. is requesting transitioning our current purchase card program from Wells Fargo to American Bank & Trust. American Bank & Trust recently gave a presentation regarding their purchase card program. They have a purchase

card program with no annual fees plus a 1% annual cash back rebate. Our current purchase card program is through Wells Fargo and costs around \$60 per month (which is waived as long as our balance stays above a certain threshold) and offers no cash back rebate program.

VOTING

It was duly passed to approve the vendor change for the purchase card program to American Bank and Trust.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

7.3 (A) | Review of On-Sale Intoxicating Liquor License Fee

Nobles County has its first application for an On-Sale Intoxicating Liquor License for an “On Farm Winery” including an “On Farm Distillery” – both covered in §340A.315. Since this is the first application the Board has been asked to approve for this type of establishment, it was requested that the Board review the fee schedule to determine if the current fee is appropriate or if a new fee should be added to the fee schedule. Our current fee schedule does have a fee established for On Sale, but it was likely set with a more traditional bar/restaurant in mind. The reason Ms. Nystrom is applying for this license is to allow the On Farm Winery to also sell liquor produced off site for those who may want an alternate choice. Discussion was had to try and determine a fair fee.

VOTING

It was duly passed to approve the annual fee for an On-Sale Intoxicating Liquor License at \$800.

Moved by: Ahlers, Justin

Seconded by: Dybevick, Chris

7.3 (B) | On-Sale Intoxicating Liquor License

Attachments:

Bigelow Township Letter

Nystrom Orchard has been designated as an On Farm Winery and is now applying for an On-Sale Intoxicating Liquor License. They currently have an On-Sale Retail Liquor License for the Nystrom Orchard Tasting Club so this would be a different license type (not a renewal) for the On Farm Winery designation. The new license would be for a period of one year for their location at 30679 Quine Ave in Bigelow Township. This application has been in process since 11/19/22 and has been returned to my office by the state requesting township approval and the County Attorney’s signature. The completed MN Department of Public Safety Alcohol and Gambling Enforcement Division application has been signed by Sheriff Ryan Kruger.

VOTING

It was duly passed to approve the application for Nystrom Orchard for On-Sale Intoxicating Liquor License.

Moved by: Metz, Gene

Seconded by: Paplow, Bob

7.4 (A) | Facilities Maintenance Technician

Travis Woodbury our current Facilities Maintenance Technician has taken another job and would be resigning from Nobles County. One of the primary duties of this position is to do all the snow removal at the Prairie Justice Center. Winter is just around the corner and we could get snow at any time. Mr. Woodbury has graciously agreed to stay on with Nobles County outside the hours of his new job, on a part time/intermittent basis to assist the County with snow removal until we replace him and get the new employee trained in. In order for the County to utilize time from Mr. Woodbury for some snow removal, we need board approval to change his status to part time/intermittent and additionally we will then advertise for his replacement.

VOTING

It was duly passed to approve Travis Woodbury change of status to part time/intermittent effective December 1, 2023 until his replacement is hired and trained.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

7.5 (A) | Orion Disaster Assessment Software

Attachments:

Statement of Work

Flyer

Agreement

Orion web based software provides assistance with documentation in preplanning before a disaster as well as disaster assessment management and mitigation during and after a disaster occurs. Orion is online software that the ability to streamline GPS coded photos and cost documentation from disasters. The System is linked to ArcGIS for mapping and WebEOC, which is the state disaster reporting Website. Orion will use our tax base data to calculate damage estimates for residential, public and private building, infrastructure as well as agricultural damages. It can provide, calculate, and track costs for repairs, labor, materials, and contractors and auto populate into the correct FEMA documents for proper and accurate documentation. Orion would be used for disaster planning exercises, real time damage tracking and situational awareness during a disaster or event, provide timely cost estimates needed for determining the need for a Local Declaration. Following a disaster, it would be used to assist in the Initial Damage Assessment.

VOTING

It was duly passed to approve purchase of Orion software for an annual fee of \$3,000.

Moved by: Ahlers, Justin

Seconded by: Dybeveck, Chris

8.0 Administration Presentation

8.1 (A-E)	Elected Officials 2024 Salaries Attachments: Attorney Resolution 202340 A/T Supporting Documents A/T Resolution 202341 Recorder Supporting Documents Recorder Resolution 202342 Sheriff Supporting Documents Sheriff Resolution 202343 County Board Resolution 202344
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Each year the board is to set the salary for each elected position within the Nobles County organization. This year we are continuing with the same salary process. This will allow time for budget adjustments related to those salary decisions. It'll also allow each of the elected officials to focus upon presenting their salary request to the full board.

MN Statute has outlined what criteria needs to be considered when setting the salary of each elected official in the county. The primary considerations are:

- 1) The extent of the responsibilities and duties of the position
- 2) Experience
- 3) Qualifications for the position
- 4) Performance in the position

Each Elected Official presented the board with their salary request and the board acted on each salary individually.

VOTING

(A) It was passed to approve resolution 202340 and set the County Attorney's 2024 salary at \$123,600.

Moved by: Paplow, Bob

Seconded by: Metz, Gene

In Favor: Paplow, Bob; Metz, Gene; Dybeveck, Chris; Demuth, Robert S.

Opposed: Ahlers, Justin

(B) It was duly passed to approve resolution 202341 and set the County Auditor-Treasurer's 2024 salary at \$99,500.

Moved by: Metz, Gene

Seconded by: Paplow, Bob

(C) It was duly passed to approve resolution 202342 and set the County Recorder's 2024 salary at \$90,000.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

(D) A motion was made by Justin Ahlers to set the Sheriff's 2024 salary at \$110,000. The motion died for lack of a second.

(D) It was passed to approve resolution 202343 and set the County Sheriff's 2024 salary at \$116,630.

Moved by: Demuth, Robert S.
 Seconded by: Paplow, Bob
 In Favor: Paplow, Bob; Metz, Gene; Dybeveck, Chris; Demuth, Robert S.
 Opposed: Ahlers, Justin

(E) It was duly passed to approve resolution 202344 and set the County Board’s 2024 salary at \$22,030 and the per diem at \$150/day.

Moved by: Ahlers, Justin
 Seconded by: Dybeveck, Chris

8.2 **Tax Forfeited Properties Rehabilitation & Demolition Incentive Program**
Attachments:
 Application
 Resolution 201522

Nobles County adopted Resolution 201522 on May 5, 2015 which established a rehabilitation & demolition incentive program. Tax forfeited properties which are acquired are eligible for a \$2,500.00 grant as part of this incentive program. Does the county wish to continue this program going into a new round of tax-forfeiture property sales. The continuation of program question is posed in reference to a new set of tax-forfeited properties being sold soon. Nothing would be needed to continue the incentive program. Resolution 201522 would need to be rescinded to discontinue the incentive program. Auditor-Treasurer Joyce Jacobs stated that no one has used the program since its inception.

VOTING

It was duly passed to rescind resolution 201522 and discontinue the Property & Demolition Incentive Program.
 Moved by: Ahlers, Justin
 Seconded by: Metz, Gene

8.3 **Snow Removal Contracts – Government Center & Library**
Attachments:
 Ideal Landscape and Design Quote
 Worthington Snodozers Quote

Snow removal services are required for two Government Center lots and the Worthington Library’s alley parking stalls. A Request for Quotes was offered and two contractors submitted combined offers to perform services at both locations. The following were quotes to perform snow removal, per-event, at the aforementioned locations for the next three snow-removal seasons:

<u>Contractor</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>
Ideal Landscape	\$525	\$545	\$565
Snodozers, LLC	\$550	\$600	\$650

VOTING

It was duly passed to approve the Ideal Landscape & Design quote for snow removal at the Government Center and Worthington Library as presented.
 Moved by: Ahlers, Justin
 Seconded by: Dybeveck, Chris

8.4 **Law Enforcement Center – City of Worthington Agreement Amendment #3 – Lease Formula For Future Payments**
Attachments:
 Third Amendment of Lease

A recent Prairie Justice Center project highlighted a County concern regarding the interest rate connected to coordinated City of Worthington reimbursed projects. Numerous agencies work and reside within the Prairie Justice Center (PJC). The PJC’s Law Enforcement Center houses the Nobles County Sheriff’s Department and the Worthington Police Department. The County and City cooperatively acted upon a cost-share Agreement for that Law Enforcement Center. This Agreement has been previously amended twice and a third amendment is now proposed. The Third Amendment to the Lease Agreement is proposed to address an effective interest rate on the City’s annual lease payment. One challenge was to identify an annual benchmark to determine & establish this interest rate. The first county index choice was the “Minnesota Association of Government’s investing for Counties’ (MAGIC)” “Current Rate”, as the suggested interest rate benchmark for the City’s next January 1st payment. However, that wasn’t acceptable to the City as they were not familiar with that index. The City’s response was to utilize a more familiar index, such as an index amount connected to the Prime Interest Rate. The proposed Amendment #3 is attached for review and consideration for approval. If approved,

Amendment #3 will be offered to the City of Worthington for their approval. The Commissioners discussed the interest index used within the LEC's Amendment #3. They'd propose one of the following and would like the City to choose:

- Minnesota Association of Governments Investing for Counties - Current Seven-Day Yield
- Applicable Federal Rates (AFR) Annual - Long Term
- Prime Interest Rate (Straight up, no +/-)

VOTING

It was duly passed to send amendment #3 of the PJC lease back to the City of Worthington with three options:

1. Minnesota Association of Governments Investing for Counties - Current Seven-Day Yield
2. Applicable Federal Rates (AFR) Annual - Long Term
3. Prime Interest Rate (Straight up, no +/-)

Moved by: Paplow, Bob

Seconded by: Ahlers, Justin

9.0 Inter-Agency Reports / Announcements

9.1 | Committee and Board Reports

Commissioner, District 2; Gene Metz: No Report.

Commissioner, District 5; Chris Dybeveck: Reported on the EMPAC meeting.

Administration; Bruce Heitkamp: Reported on the mental health meeting coordinated by Sen. Weber.

Commissioner, District 4; Robert S. Demuth: No Report.

Commissioner, District 3; Bob Paplow: No Report.

Commissioner, District 1; Justin Ahlers: Reported on the RNCC annual meeting.

Attorney, Braden Hoefert: No Report.

9.2 | **Correspondence**

Attachments:

- Recruitment Memo
- Nobles SWCD Meeting Minutes 11/18/2023
- HLWD Agenda 11/15/2023
- HLWD Minutes 10/18/2023
- Nobles SWCD Bills Payable
- Nobles SWCD Agenda 11/15/2023

9.3 | **Calendar**

Attachments:

- November 2023
- December 2023

10.0 | **Other / Future Business**

Work Session – Tuesday November 29, 2023 8:30 a.m. Government Center Board Room, Worthington, MN

Forfeited Property Auction – Thursday November 30, 2023 10:00 a.m. Government Center Farmers Room, Worthington, MN

Association of Minnesota Counties Annual Conference Monday December 4 – Wednesday 6, 2023 Hyatt Regency Hotel Minneapolis, MN

Board Meeting – THURSDAY December 07, 2023 3:00 p.m. Government Center Board Room, Worthington, MN

Truth in Taxation Meeting – Thursday December 07, 2023 6:00 p.m. Government Center Board Room, Worthington, MN

Holiday Wellness Social – Thursday December 07, 2023 9:00 a.m. - 4:00 p.m. Government Center Farmers Room, Worthington, MN

11.0 Adjournment

It was duly passed to adjourn the meeting at 11:05 a.m.

Moved by: Dybeveck, Chris

Seconded by: Paplow, Bob



Nobles County Board Chair



Nobles County Administrator