

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Thursday, December 07, 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 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 with addendum. 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 21, 2023 Regular Board Meeting Minutes Draft <u>Attachments:</u> November 21, 2023 Draft Minutes
5.2 (A)	Meetings and Conferences – Travel Expenses <u>Attachments:</u> Expenses paid December 01, 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> Breakdown of Payments
5.4	Land Classification – Acknowledgement of Property Sale <u>Attachments:</u> Bid Tabulation
5.5	Community and Economic Development Association (CEDA) 2024 Professional Service Agreement – Child Care Expansion Project <u>Attachments:</u> Agreement
5.6	Child Support Program Agreement Renewal <u>Attachments:</u> Agreement
5.7	JD 9 Pay Application <u>Attachments:</u> Pay Application
5.8	SafeAssure 2024 Contract <u>Attachments:</u> Proposal Invoice
<u>VOTING</u>	
It was passed to approve the consent agenda as presented.	

<p>Moved by: Paplow, Bob Seconded by: Metz, Gene In Favor: Paplow, Bob; Metz, Gene; Demuth, Robert S., Dybevic, Chris Opposed: Ahlers, Justin</p>	
<p>6.0 Department Presentation</p>	
6.1	<p>Ditch Update</p>
<p>Zach Reker provided the Commissioners with a ditch update. This item was informational only.</p>	
6.2 (A)	<p>Partnership Agreement with Cottonwood County for Carbon Reduction Program Project to Purchase Electric Vehicles <u>Attachment:</u> Purchase Agreement Agreement</p>
<p>Nobles County, along with the other District 7 County Highway Departments, were successful in receiving a federal grant as part of a Carbon Reduction Program (CRP) Project for a new full size ½ ton all-wheel drive electric pickup (EV pickup). Cottonwood County is acting as the lead agency in administering the contract and the procurement of the EV pickups on behalf of the participating counties. The federal grant will cover 80% of the purchase price of the EV pickup. Nobles County would be responsible for the remaining 20% which is estimated at \$15,319.98.</p>	
<p>VOTING It was duly passed to approve the partnership agreement with Cottonwood County for the procurement of a new EV pickup. Moved by: Ahlers, Justin Seconded by: Metz, Gene</p>	
6.2 (B)	<p>Contract 22002 Final Acceptance – 2022 County Wide Crack Treatment Project <u>Attachment:</u> Lot Pros E-mail Final Pay Request</p>
<p>All work has been completed on Contract number 22002 for the county-wide bituminous crack treatment work done in 2022 as well as corrective work completed in 2023. The next step requires the County Board to accept the completed work and authorize final payment. Lot Pros Inc. has completed the project and the work has been inspected by the County Highway Department. The final payment of \$18,239.55 which includes 5% retainage requires board approval. The final pay voucher along with the prime contractor’s certification of final acceptance, certificate of</p>	
<p>VOTING It was duly passed to approve resolution 202345 to accept the work completed for Contract 22002 and authorize final payment of \$18,239.55 to Lot Pros. Moved by: Dybevic, Chris Seconded by: Paplow, Bob</p>	
6.2 (C) Addendum	<p>Local Road Improvement Project Grant Application <u>Attachments:</u> Resolution 202346</p>
<p>The Minnesota Department of Transportation is accepting applications for funding Local Road Improvement Program (LRIP) projects. The deadline for the applications is December 8, 2023. The rural segment of CSAH 47 between TH 60 and CSAH 14, and the rural segment of CSAH 14 between CSAH 47 and 6th Street in Brewster, MN would be good candidates for this funding. A key component of the grant evaluation is routes of regional significance. The bean plant facility in Brewster receives a significant amount of regional and even out of state truck traffic along the TH 60 corridor. A resolution for Board support is needed from the County to move forward with this application.</p>	
<p>VOTING It was duly passed to approve resolution 202346 to submit an application for the Local Road Improvement Program as presented. Moved by: Metz, Gene Seconded by: Ahlers, Justin</p>	
6.3 (A)	<p>Legal Services Agreement – Travis Smith and Kayla Johnson</p>

	<p><u>Attachments:</u> Agreement</p>
<p>Nobles County Attorney Braden Hoefert presented an updated contract between the Nobles County Attorney’s Office and Travis Smith and Kayla Johnson. Under the contract, Smith and Johnson would provide prosecution services for appellate cases as needed on an independent contractor basis on behalf of Nobles County. This is a new contract. The yearly rate increases to \$61,000. The cost of this agreement is included in the 2024 budget proposal. In exchange for the increase in rate, Smith and Johnson have agreed not to take appeals opposing the interests of Nobles County.</p>	
<p><u>VOTING</u> It was duly passed to approve the contract with Smith & Johnson for appellate work as presented. Moved by: Dybevick, Chris Seconded by: Paplow, Bob</p>	
<p>6.4 (A)</p>	<p>Nobles County Child Care Grants Approval Request (3) <u>Attachments:</u> Applicant 21 Applicant 22 Applicant 23</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 funds are intended to accompany funding from the Minnesota Department of Employment and Economic Development (DEED) Grant. 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. The review committee met on Tuesday, November 28, 2023 to evaluate three applications for funding that had been received. Applicant Twenty-One- \$3,166.48 Applicant Twenty-Two- \$6,000 Applicant Twenty-Three- \$2,677.14</p>	
<p><u>VOTING</u> It was duly passed to approve applicant 21 in the amount of \$3,166.48. Moved by: Ahlers, Justin Seconded by: Demuth, Robert S.</p> <p>It was duly passed to approve applicant 22 in the amount of \$6,000.00. Moved by: Paplow, Bob Seconded by: Dybevick, Chris</p> <p>It was duly passed to approve applicant 23 in the amount of \$2,677.14. Moved by: Dybevick, Chris Seconded by: Metz, Gene</p>	
<p>6.4 (B)</p>	<p>Southwest Minnesota Adult Mental Health Consortium <u>Attachments:</u> SW 18 Consortium Information</p>
<p>Nobles County is one of 18 counties that makes up the Southwest MN Adult Mental Health Consortium. The Consortium is a joint-powers entity that was developed in 1995 to create a community-based mental health system that would provide flexible, region-specific services to adults with serious and persistent mental illness. The Consortium is primarily grant funded through Adult Mental Health Initiative funds administered by the Department of Human Services (DHS). The grant funds are used to support and maintain the mental health service delivery system in all of the 18 counties of the Consortium. The Consortium receives its funding from the State of MN on a reimbursement basis so historically in the second year of the grant there is a period of a few months in which the Consortium has to cover the cost of the mental health services provided while it waits for the State reimbursement. In the past, the Consortium was able to cover these costs through use of reserves but over time the reserves have been tapped and are no longer able to cover the costs. The Consortium is requesting that each County contribute \$20,000 to a reserve fund to be held by the Consortium to solve this cash flow dilemma. The contribution amount would be owned by each contributing County and should the consortium dissolve, would be paid back to each respective County.</p>	
<p><u>VOTING</u></p>	

It was duly passed to approve allocating \$20,000 to the Consortium's reserves as presented.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob

6.5 (A) **Family Home Educator and Community Health Worker Classifications**

Attachments:

Community Health Worker Position Description

Family Home Educator Position Description

The County has been struggling to fill Public Health and Registered Nursing positions for several years now. Despite attempts at advertising widely and posting as open until filled we continue to be unsuccessful in getting applicants for these positions. At this time, it is suggested to try changing two of the three positions in an attempt to recruit staff. Stacie Golombiecki and Michelle Ebbers, have created two additional job classifications that will fit within the parameters of the Family Home Visiting Program. One Family Home Educator and one Community Health Worker. Both of these classifications meet the requirements to provide in home family education to parents and young children through the Strong Foundations Grant, which is the primary funding stream for our family home visiting program. The job descriptions were sent to George Gmach for pointing. He determined the following job points; Family Home Educator points are 296, which is a pay level 12. Community Health Worker points are 214, which is a pay level 8.

VOTING

It was duly passed to approve replacing one Registered Nurse positions with a Family Home Educator and associated points as presented.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

It was duly passed to approve replacing one Registered Nurse positions with a Community Health Worker and associated points as presented.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

6.5 (B) **Personnel Policy P-243C Earned Sick and Safe Time Policy**

Attachments:

ESST Employee Notice

P-234C ESST Policy

Mn Legislature passed a new law requiring all employers to provide earned sick and safe time to their employees. The new Earned Sick and Safe time (ESST) law requires that that all employers provide 1 hour of ESST for every 30 hours worked. Nobles County's annual leave accruals are more generous than this so the law allows us to declare the ESST hours as part of our annual leave. We are required to create a policy and provide a notice to all employees to explain the law.

Discussion was had regarding some language in the policy that could conflict with other County policies (P-213B) regarding paid leave when the County closes. The Commissioners agreed the current policy will remain in effect and employees will still be paid if the County shall close (according to Union contracts). A line will be added to Policy P-243C referencing this policy.

VOTING

It was duly passed to approve Plicy P-243C Earned Safe and Sick Time with the addition of language regarding P-213B.

Moved by: Paplow, Bob

Seconded by: Metz, Gene

7.0 Administration Presentation

7.1 **2024 Annual Meeting Items**

Attachments:

2023 Board Operating Rules

2023 Citizen Boards/Committees

2023 Board Committee Appointments

2023 Fee Schedule

2024 Proposed Calendar

Several procedural and policy items are normally acted-upon during the County Annual Meeting. The Annual Meeting is the first meeting in January. Commissioners and staff reviewed and discussed the items listed below in preparation for the 2024 Annual Meeting.

2024 IRS Mileage Rate (not offered until later in December)

County Board Operating Rules

Boards, Committees, & Commissions-Citizen Appointments

Boards of Commission – Commissioner Appointments

Fee Schedule

County Legal Newspaper & Publication Site

2024 Nobles County Calendar

This item was informational only.

7.2 **Government Center Generator Project – Change Order #1**

Attachments:

Coom & Cuypers Letter

A Standby Generator Project will take place at the Nobles County Government Center. The contractor is requesting a change order due to the final location of the electrical transformer. The exact location of Worthington Public Utilities' transformer was not known at the time the project was bid. Worthington Public Utilities has now offered input regarding the new transformer's location. The electrical infrastructure changes is what requires cost adjustments. Administrator Bruce Heitkamp and Maintenance' Rich Linsmeier held a meeting with Worthington Public Utilities and EDI-Dolejs' Jay Hruby. Hruby and Design Engineer Lenox Brown are reviewing Change Order #1. If an adjustment is warranted, Heitkamp will notify the Board of Commissioners prior to them acting upon Change Order #1.

VOTING

It was duly passed to approve change order #1 for the Government Center Generator Project in the amount of \$31,406.00

Moved by: Ahlers, Justin

Seconded by: Dybeveck, Chris

7.3 **Government Center Heating Ventilation/AC (HVAC) System Finance Department (VAV) Infrastructure Installation**

Attachments:

NAC Letter

Several Nobles County's departments moved into different locations within the past few years. The Finance Department moved and their current location does not supply adequate heating/cooling infrastructure to allow for a comfortable working environment. Employees are now attempting to stay comfortable with supplementary electric heaters and fans. The Finance Department requested assistance during a recent Budget Meeting. Maintenance sought solutions to this issue. NAC offered a quote to install Variable Air Volume (VAV) box infrastructure that will connect to the Government Center's automated monitoring system. This will allow Maintenance to monitor and adjust the Finance Department's area to maintain a comfortable working environment. NAC's submitted a quote of \$14,758.00 for the required infrastructure. This infrastructure installation will supply a long-term solution to this heating and cooling issue.

VOTING

It was duly passed to approve the NAC quote of \$14,758.00 to install HVAC infrastructure.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

7.4 **Ice Arena Discussion – Possible County Involvement and Cost Scenarios**

Attachments:

Bond Information

Nobles County was invited to a joint meeting on November 29, 2023 with the City of Worthington and Worthington's I.S.D. 518. The lone topic on that Joint Meeting Agenda was the repair of the existing Worthington Ice Arena or the planned construction of a new ice arena. Testimony was offered by the ice arena stakeholders in regards to their concern for future ice. Each entity was tasked at the end of that meeting with identifying how they could contribute to a potential remedy for an existing and failing ice arena. The Commissioners were asked to discuss and potentially act upon their ability to contribute toward that effort. The December 7, 2023 Board Meeting is a first opportunity for the Board of Commissioners to formally consider involvement in an ice arena project. In an effort to identify potential costs, a general bond schedule was offered during the meeting. Financing scheduling and legal structuring are factors that could alter

eventual costs. Discussion was had and each Commissioner voiced their opinions on the subject. The County's bond rating and borrowing potential was discussed.

VOTING

It was duly passed for Nobles County to approve not to participate financially to the ice arena repairs or construction.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

8.0 Inter-Agency Reports / Announcements

8.1 Committee and Board Reports

Commissioner, District 2; Gene Metz: No Report.

Commissioner, District 5; Chris Dybevic: No Report.

Administration; Bruce Heitkamp: No Report.

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

Commissioner, District 3; Bob Paplow: No Report.

Commissioner, District 1; Justin Ahlers: No Report.

Attorney, Braden Hoefert: Reported on an award he received.

8.2 Correspondence

Attachments:

Recruitment Memo

Nobles County Art Center Minutes 11/20/23

8.3 Calendar

Attachments:

December 2023

9.0 Other / Future Business

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

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

Board Meeting – Tuesday December 19, 2023 9:00 a.m. Government Center Farmers Room, Worthington, MN

10.0 Adjournment

It was duly passed to adjourn the meeting at 4:42 p.m.

Moved by: Paplow, Bob

Seconded by: Ahlers, Justin



Nobles County Board Chair



Nobles County Administrator