

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, January 02, 2024, 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.

Administrator Heitkamp 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 Election of Officers	
3.1	Election of Board Chair
VOTING	
It was duly passed to elect Justin Ahlers as the board Chairman for 2024. Motion by: Metz, Gene Seconded by: Demuth, Robert S.	
3.2	Election of Board Vice-Chair
VOTING	
It was duly passed to elect Gene Metz as the board Vice-Chairman for 2024. Motion by: Paplow, Bob Seconded by: Dybevic, Chris	
4.0 Approval of Agenda	
VOTING	
It was duly passed to approve the agenda as presented. Motion by: Demuth, Robert S. Seconded by: Paplow, Bob	
5.0 Recognition	
5.1 Visitors and Guests Welcome	
5.2 Excellence in Performance Recognition	
Traci Gyberg and Jennifer Jeffrey, Deputy Recorders, were recognized as the December 2023 excellence in performance recipients.	
6.0 Consent Agenda	
6.1 (A)	December 19, 2023 Regular Board Meeting Minutes Draft Attachments: December 19, 2023 Draft Minutes
6.2 (A)	Meetings and Conferences – Travel Expenses Attachments: Expenses paid December 29, 2023
6.3 (A)	Auditor’s & Commissioner’s Warrants Attachments: Accounts Payable Summary Auditor’s Warrants
6.3 (B)	Vendors Paid over \$2,000 Attachments: Paid Invoice Report by Vendor
6.3 (C)	Breakdown of Wells Fargo Payments Attachments: On Behalf of Payment Report
6.4	Children’s Mental Health Respite Care Grant Contract – Amendment No. 5 Attachments: Agreement Amendment
6.5	2024 Ditch Maintenance Assessments Attachments:

	Nobles County Ditch Funds
6.6	Greater Minnesota Family Services – 2024 Family Based Service Contract Renewal <u>Attachments:</u> Agreement
<u>VOTING</u> It was duly passed to approve the consent agenda as presented. Moved by: Metz, Gene Seconded by: Dybevick, Chris	
7.0 Department Presentation	
7.1 (A)	Child Care Grant Approval <u>Attachments:</u> Application 24
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 the past quarter, contracted and county staff developed a framework for two of the grants and opened the programs for applications in April 2023. 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 Thursday, December 28, 2023 to evaluate one application for funding that had been received. This application was recommended for funding.	
<u>VOTING</u> It was duly passed to approve application 24 in the amount of \$4,000. Moved by: Paplow, Bob Seconded by: Metz, Gene	
7.2 (A)	Contract 23002 Final Acceptance 2023 County Wide Crack Treatment and Seal Coat Project <u>Attachment:</u> Contractor Affidavit Submitted Contract 23002 Resolution 202401
All work has been completed on Contract 23002 (SAP 053-030-004) for the 2023 County Wide Bituminous Crack Treatment and Seal Coat Project. The next step requires the County Board to accept the completed work and authorize final payment. Morris Sealcoat & Trucking Inc. has completed the project and the work has been inspected by the County Highway Department. The final payment of \$123,272.99, which represents the remaining 5% retainage on the contract, requires board approval.	
<u>VOTING</u> It was duly passed to adopt resolution 202401 acknowledging final acceptance of contract 23002. Moved by: Demuth, Robert S. Seconded by: Ahlers, Justin	
7.3 (A)	Amended Contract with Eckberg Lammers, P.C. <u>Attachment:</u> Agreement
The Nobles County Attorney’s Office and Eckberg Lammers law firm have an Agreement where Eckberg Lammers law firm provides prosecution services for Nobles County and law enforcement training. The new contracted period is in effect for calendar year 2024. The amended agreement’s retainer will be amended from \$312,000 to \$250,000 for a cost savings to the county of \$72,000 for calendar year 2024. The reduction in cost is due in part to reallocating of caseloads between the Nobles County Attorney’s Office and Eckberg Lammers law firm. The reallocation reduces the number of cases assigned to Eckberg Lammers law firm.	
<u>VOTING</u> It was duly passed to approve the amended agreement with Eckberg Lammers as presented. Moved by: Dybevick, Chris Seconded by: Paplow, Bob	
8.0 Administration Presentation	
8.1 (A)	IRS Mileage Rate

	<p><u>Attachments:</u> IRS Memo</p>
<p>Nobles County policy states the mileage rate for work related employee travel will follow IRS rates. The IRS has historically released the next year’s mileage rate for work related activities in December of each year. This 2024 mileage rate information was offered December 14, 2023. The 2024 mileage rate is set at \$0.67 per mile, which is up \$0.015 from the 2023 rate.</p>	
<p><u>VOTING</u> It was duly passed to approve the 2024 mileage rate at \$0.67/mile. Moved by: Paplow, Bob Seconded by: Dybevick, Chris</p>	
8.1 (B)	<p>2024 County Legal Newspaper & Publication Website <u>Attachments:</u> Lease Agreement</p>
<p>Each year at the Annual Meeting the board shall approve the official County Legal Newspaper and official publication for the upcoming year. Minnesota Statutes §331A.01 through 331A.12 shares official newspaper requirements for publication of the notices and postings. A collaborative joint bid between The Globe & Gerald Johnson’s publications (Nobles County Review, Tri County News, Fulda Free Press, & Murray County Advantage), respectively, were the 2023 designated publication(s). Both of the publication entities meet the requirements by MN Statute. A proposed \$16.08 per column inch is offered in the joint quote for 2024, which is the same as the 2023 amount. The board should also designate the Nobles County website at www.co.nobles.mn.us as the official publication site for those projects and communications allowed by MN Statute, currently including MN Statute 331A.12 specific to transportation projects. Summary minutes are shared in the publications with detail offered on the Nobles County Website. This practice is intended to continue.</p>	
<p><u>VOTING</u> It was duly passed to approve the joint bid from The Globe and Gerald Johnson’s publications as presented and proclaim them Nobles County’s official publication for 2024. Moved by: Paplow, Bob Seconded by: Metz, Gene</p> <p>It was duly passed to approve the Nobles County website (www.co.nobles.mn.us) as the 2024 official publication site for summary minutes and statutorily-allowed projects and communications, including the MN Statute 331A.12 specific to transportation projects. Moved by: Paplow, Bob Seconded by: Metz, Gene</p>	
8.1 (C)	<p>Association of Minnesota Counties Policy Committee Appointments <u>Attachments:</u> 2023 Listing 2024 Listing</p>
<p>Nobles County is a member of the Association of Minnesota Counties (AMC). Each year AMC requests for member information from each member county. Specific to this topic, AMC is requesting Nobles County’s Committee Member Appointments for each of the five Policy Committees. A 2023 Policy Committee listing of Nobles County Commissioners was listed for review. -Environmental & Natural Resources (Commissioner Justin Ahlers in 2023) -General Government (Commissioner Gene Metz in 2023) -Health & Human Services (Commissioner Robert Demuth, Jr. in 2023) -Public Safety (Commissioner Chris Dybevick in 2023) -Transportation & Infrastructure (Commissioner Bob Paplow in 2023)</p>	
<p><u>VOTING</u> It was duly passed to approve the AMC Committee listing as presented. Moved by: Dybevick, Chris Seconded by: Demuth, Robert S.</p>	
8.1 (D)	<p>2024 Boards, Committees and Commissions – Citizen Appointments</p>

Attachments:

Current Board Appointments

Citizen Applications

It is customary to review the Citizen Appointment list annually in an effort to fill and approve the various Nobles County Boards, Committees, or Commissions; respectively. Citizen appointments to the various Boards, Committees, or Commissions are integral to Nobles County's Mission. There are current citizen public body openings. Several applications were received for consideration. Each citizen application was acted and voted upon separately.

VOTING

It was duly passed to approve Dolores Ella to the Developmental Achievement Center Board for a 3 year term.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob

It was duly passed to approve Amy Woitalewicz to the Developmental Achievement Center Board for a 3 year term.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

It was duly passed to approve Stephanie Evers to the Emergency Management Planning Advisory Committee for a 3 year term.

Moved by: Dybeveck, Chris

Seconded by: Ahlers, Justin

It was duly passed to approve John Garmer to the Emergency Management Planning Advisory Committee for a 3 year term.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

It was duly passed to approve Pat Shorter to the Emergency Management Planning Advisory Committee for a 3 year term.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

It was duly passed to approve David McNab to the Emergency Management Planning Advisory Committee for a 3 year term.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

It was duly passed to approve Bruce Heitkamp to the Emergency Management Planning Advisory Committee for a 3 year term.

Moved by: Metz, Gene

Seconded by: Paplow, Bob

It was duly passed to approve Kile Behrends to the Extension Committee for a 3 year term.

Moved by: Demuth, Robert S.

Seconded by: Ahlers, Justin

It was duly passed to approve Duane Schmitz to the Heron Lake Watershed Board of Managers to fulfill a 1 year term.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

It was duly passed to approve Jerry Brake to the Kanaranzi-Little Rock Watershed Board of Managers Board for a 3 year term.

Moved by: Metz, Gene

Seconded by: Dybeveck, Chris

It was duly passed to approve Jason Kellen to the Kanaranzi-Little Rock Watershed Board of Managers for a 3 year term.
Moved by: Paplow, Bob
Seconded by: Metz, Gene

It was duly passed to approve Katie Meyer to the Personnel Board of Appeals for a 3 year term.
Moved by: Metz, Gene
Seconded by: Demuth, Robert S.

It was duly passed to approve David VanderKooi to the Planning Advisory Commission for a 3 year term.
Moved by: Demuth, Robert S.
Seconded by: Paplow, Bob

It was duly passed to approve Richard Schlichte to the Planning Advisory Commission for a 3 year term.
Moved by: Metz, Gene
Seconded by: Demuth, Robert S.

It was duly passed to approve Brent Feikema to the Planning Advisory Commission for a 3 year term.
Moved by: Metz, Gene
Seconded by: Dybevick, Chris

It was duly passed to approve Ron McCarvel to the Planning Advisory Commission for a 3 year term.
Moved by: Paplow, Bob
Seconded by: Ahlers, Justin

It was duly passed to approve Ron McCarvel to the Zoning Board of Appeals for a 3 year term.
Moved by: Demuth, Robert S.
Seconded by: Dybevick, Chris

It was duly passed to approve David Thier to the Zoning Board of Appeals for a 3 year term.
Moved by: Demuth, Robert S.
Seconded by: Metz, Gene

8.1 (E)	2024 Commissioner Board Appointments <u>Attachments:</u> 2023 Listing
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The Annual Meeting is customarily the time to review Commissioner Appointments on the various Boards who either support Nobles County's business interests and/or Mission. The County Commissioners are members of various boards, committees, joint powers organizations, and/or commissions; either as voting members or as ex-officio members. Many of these respective appointments require an Alternate or Delegate be appointed. A respective list of Board Appointments was offered for review and approval.

VOTING

It was duly passed to approve the 2024 Board Committee listing with the following corrections/additions:
Addition of the Public Works Advisory Committee – Justin Ahlers & Gene Metz delegates
Board of Canvas change from Justin Ahlers to Chris Dybevick
Union Negotiations change from Robert Demuth to Chris Dybevick
Moved by: Dybevick, Chris
Seconded by: Paplow, Bob

8.1 (F)	2024 County Fee Schedule <u>Attachments:</u> Proposed 2024 Fee Schedule
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The 2024 fee schedule was presented with proposed changes. Discussion was had regarding the tax forfeited properties fees but it was agreed to keep the proposed changes.

VOTING

It was duly passed to approve the 2024 County Fee Schedule as presented.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

8.1 (G)	2024 County Board Operating Rules <u>Attachments:</u> Proposed 2024 Board Operating Rules
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The 2024 County Board Operating Rules were presented with minimal proposed changes.

VOTING

It was duly passed to approve the 2024 County Board Operating Rules as presented.

Moved by: Metz, Gene

Seconded by: Dybeveck, Chris

8.1 (H)	2024 County Calendar <u>Attachments:</u> Proposed 2024 Calendar
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The 2024 County calendar was presented.

VOTING

It was duly passed to approve the 2024 County Calendar as presented.

Moved by: Demuth, Robert S.

Seconded by: Dybeveck, Chris

8.2	Prairie Justice Center – Capital Improvement – Fire Protection Panel Replacement <u>Attachments:</u> Johnson Controls
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The Prairie Justice Center (PJC) is now more than 20-years old. The original fire-protection panel is failing. The replacement of this fire panel would eventually require replacement but was not currently planned for 2024. The PJC's smoke-control infrastructure is all interconnected and it relays information to the current 4100+ Fire Panel. The plan is to use existing smoke-control infrastructure with a new 4100ES Fire Alarm Control Panel. The new 4100ES Fire Alarm Control Panel will not require the additional cost of replacing the existing smoke-control infrastructure. The 4100ES Fire Alarm Control Panel quote of \$97,124.81 and is less than seeking quotes for a different panel which would require new smoke-controls. Therefore, seeking additional quotes wouldn't pose an advantage to replacing this specialized equipment.

VOTING

It was duly passed to approve Johnson Control's Fire Protection LP quote of \$97,124.81 for fire protection capital improvements using all funds from the Public Safety account.

Moved by: Ahlers, Justin

Seconded by: Dybeveck, Chris

9.0 Inter-Agency Reports / Announcements

9.1	Committee and Board Reports
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Commissioner, District 2; Gene Metz: No Report.

Commissioner, District 5; Chris Dybeveck: Reported on the PIC meeting and their use of grants for several potential projects.

Administration; Bruce Heitkamp: Reported on the Library Focus group meeting and several building projects.

Commissioner, District 4; Robert S. Demuth: Reported on the Prime West meeting.

Commissioner, District 3; Bob Paplow: No Report.

Commissioner, District 1; Justin Ahlers: No Report.

Attorney, Braden Hoefert: No Report.

9.2	Correspondence Attachments: Recruitment Memo
9.3	Calendar Attachments: January 2024
10.0	Other / Future Business
Administration/Commissioner Holiday Party – Thursday January 11, 2024 6:00 p.m. 1015 Steak House, Sibley IA Board Meeting – Tuesday January 23, 2024 9:00 a.m. Government Center Board Room, Worthington, MN Work Session – Wednesday January 31, 2024 8:30 a.m. Government Center Board Room, Worthington, MN	
11.0 Adjournment It was duly passed to adjourn the meeting at 9:54 a.m. Moved by: Paplow, Bob Seconded by: Demuth, Robert S.	



Nobles County Board Chair



Nobles County Administrator