

OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA

The Board of Commissioners of Nobles County met in regular session on Tuesday, January 23, 2024, at the Government Center, in the Commissioner’s Board Room, Worthington, Minnesota.

The following Commissioners attended: Robert S. Demuth, Justin Ahlers, Bob Paplow and Gene Metz.

Commissioner Chris Dybeck had an excused absent.

Chairperson Ahlers called the meeting to order at 9:00 A.M. followed by the Pledge of Allegiance.

<b>1.0 Call To Order</b>	
<b>2.0 Pledge of Allegiance</b>	
<b>3.0 Approval of Agenda</b>	
<b>VOTING</b> It was duly passed to approve the agenda as presented. Motion by: Demuth, Robert S. Seconded by: Paplow, Bob	
<b>4.0 Recognition</b>	
<b>4.1 Visitors and Guests Welcome</b>	
<b>5.0 Consent Agenda</b>	
5.1 (A)	<b>January 02, 2024 Regular Board Meeting Minutes Draft</b> <u>Attachments:</u> January 02, 2024 Draft Minutes

5.2 (A)	<b>Meetings and Conferences – Travel Expenses</b> <u>Attachments:</u> Expenses paid January 12, 2024
5.3 (A)	<b>Auditor’s &amp; Commissioner’s Warrants</b> <u>Attachments:</u> Accounts Payable Summary Auditor’s Warrants
5.3 (B)	<b>Vendors Paid over \$2,000</b> <u>Attachments:</u> Paid Invoice Report by Vendor
5.4	<b>Annual Authorization for EFT Payments</b> <u>Attachments:</u> Resolution 202402

**VOTING**  
It was duly passed to approve the consent agenda as presented.  
Moved by: Metz, Gene  
Seconded by: Demuth, Robert S.

<b>6.0 Department Presentations</b>	
6.1 (A)	<b>Public Health Emergency Preparedness – Response Sustainability Grant</b> <u>Attachments:</u> Grant Agreement

The Minnesota Department of Health (MDH), Office of Emergency Preparedness (OEP) has received increased funding through the 2023 Legislative session that is to be allocated to local public health agencies for the purpose of supporting a robust response to emergencies through planning, training, exercises, and response at the local level. This is additional funding to the overall public health preparedness grant and the overall grant agreement is for the time-period of December 1, 2023 – June 30, 2027. The initial amount of funding through this grant is \$96,295.25, which will be in addition to the current \$32,492.00 that is currently received annually. The primary usages for this funding were outlined and a detailed work plan will need to be completed once the agreement is finalized. The additional dollars cannot be used to fund items currently being funded or to supplement other established funding streams. It is recommended that an additional .50 position be added to fulfill the grant requirements. Another option would be to expand or edit the roll of current staff members.

**VOTING**

It was duly passed to approve application 24 in the amount of \$4,000.

Moved by: Paplow, Bob

Seconded by: Metz, Gene

6.2 (A)	<b>GASB 75 2023 Actuarial Service Contract</b> <b><u>Attachment:</u></b> Nyhart Agreement
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The Howard E. Nyhart Company, Inc. (Nyhart) requires an authorized signature for the GASB 75 Actuarial Services for the 2023 fiscal year audit. GASB 75 requires government employers to measure and report the liabilities associated with other postemployment benefits (OPEB) other than pensions on the balance sheet. GASB 75 requires a full valuation every 2 years with an interim year valuation required every other year. Attached was a copy of the 2-year agreement for the 2023 full service actuarial update for \$5,100 and the 2024 interim actuarial update for \$2,500. The 2023 amount of \$5,100 has been accounted for in the budget.

**VOTING**

It was duly passed to approve the two-year contract with Nyhart as presented.

Moved by: Metz, Gene

Seconded by: Paplow, Bob

6.3 (A)	<b>Personnel Policy P-214B Emergency Closing of County Departments Policy</b> <b><u>Attachment:</u></b> P-214B Proposed Changes
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Personnel policy P-214A Emergency Closing of County Departments Policy was updated and presented to the board. P-214B is being updated to provide some clarification and updating the notification system (Nixel to CodeRed). The draft was sent to the management team and EET committee for input.

**VOTING**

It was duly passed to approve Policy P-214B as presented.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

6.4 (A)	<b>Employee Wellness and Recognition Bylaws Proposal</b> <b><u>Attachment:</u></b> Updated Bylaws Bylaws with Proposed Changes
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The Employee Wellness and Recognition Committee would like to update the current By-Laws to reflect update language surrounding wellness and recognition events. The committee has included verbiage for the Employee Wellness and Recognition Committee role in the Holiday Wellness Gathering hosted by Employee Empowerment Team as well as Streamlined The Excellence in Performance nomination process.

**VOTING**

It was duly passed to approve the amended bylaws as presented.

Moved by: Ahlers, Justin

Seconded by: Metz, Gene

6.5 (A)	<b>Contract 22001 Final Acceptance 2022 Bridge Replacements</b> <b><u>Attachment:</u></b> Contract 22001 Resolution 202403
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All work has been completed on Contract 22001 for the 2022 Bridge Replacements (8 bridges). The next step requires the County Board to accept the completed work and authorize final payment. Midwest Contracting, LLC has completed the project and the work has been inspected by the County Highway Department. The final payment of \$166,811.27, which represents the remaining 5% retainage on the contract, requires board approval. The final pay voucher along with the prime contractor's certification of final acceptance, certificate of final acceptance to be completed, and contractor affidavit (IC-134) submitted by the prime contractor and all subcontractors were attached.

**VOTING**

It was duly passed to adopt resolution 202403 authorizing final payment for Contract 22001 in the amount of \$166,811.27.

<p>Moved by: Demuth, Robert          Seconded by: Metz, Gene</p>	
6.5 (B)	<p><b>Approved Advertisement for Bids for 2024 Highway Projects</b>  <b>Contract 24001, 24002, 24003</b>  <u>Attachment:</u>          Project Map</p>
<p>There are three primary projects/contracts that are scheduled to bid soon. The Board authorizes the advertisement for bids as a formality. Due to the limited availability of Board meetings during the Highway Department’s busy bidding season, staff is requesting approval in advance so projects can be advertised as soon as plans and bid documents are ready. This would help accelerate the bidding process. There are three (3) projects that are currently in final design:          (1) Contract 24001 – 2024 Seal Coat Project (State Aid Funds)          (2) Contract 24002 – 2024 Crack Sealing and Mastic Project (Local Funds)          (3) Contract 24003 – CSAH 3 Bridge Replacement (Federal Aid and State Aid Funds)</p>	
<p><b>VOTING</b>          It was duly passed to approve advertising for bids as presented for Contracts 24001, 24002, 24003.          Moved by: Paplow, Bob          Seconded by: Metz, Gene</p>	
6.6 (A)	<p><b>County Ditch 12 Tree Removal Project</b>  <u>Attachment:</u>          Project Information</p>
<p>County Ditch 12 has become over grown with trees. This is concern because if a tree were to fall and plug a culvert it may result in some flood in the city of Worthington. Nobles County requested quotes from five different contractor to have the trees removed. Three bids were received back. The project area is between Oxford Street and Fredrick Ave in Worthington MN. All trees within the ditch bottom, ditch slopes, and also including proportions along the immediate top of bank as marked (Construction Limits) in the field will be removed. Trees are to be cut off at a minimum of 12 inches or less from ground level. Cut trees will then need to be pulled through the ditch bottom to the designated load out area. Trees will then need to be loaded on to trucks and hauled to a designated burn site. Project area and designated load out areas are defined for the contractor. Removed trees will be hauled to 26918 Quine Ave, Worthington MN 56187. The contractor will be responsible for all cleanup and reseeding of designated load out areas for this project. Quotes were reviewed and it was recommended to award the bid to Ideal Landscape &amp; Design.</p>	
<p><b>VOTING</b>          It was duly passed to award the bid for tree removal on County Ditch 12 to Ideal Landscape and Design, Inc in the amount of \$96,500.          Moved by: Paplow, Bob          Seconded by: Metz, Gene</p>	
<p><b>7.0 Administration Presentation</b></p>	
7.1	<p><b>2024 Boards, Committees &amp; Commissions – Citizen Appointments</b>  <u>Attachments:</u>          Prins Application</p>
<p>Citizen appointments to the various Boards, Committees, or Commissions are integral to Nobles County’s Mission. There are current citizen public body openings. One application was received for consideration.</p>	
<p><b>VOTING</b>          It was duly passed to appoint Megan Prins to the Extension Committee for a three-year term.          Moved by: Paplow, Bob          Seconded by: Demuth, Robert S.</p>	
7.2	<p><b>Public Works Building Infrastructure – Compressed Air Services in Adrian and Worthington</b>  <u>Attachments:</u>          Proposals</p>
<p>The Adrian Public Works Shop recently had a building system air compressor failure. Maintenance and Public Works Shop Personnel have an idea which will increase services at both the Adrian and Worthington Public Works locations. The addition of a new system within the Worthington Public Works Shop is part of this plan. Staff are currently proposing to swap air compression systems by installing Worthington’s current system in Adrian. The existing Adrian air tank can then</p>	

be used in Worthington to add capacity to a proposed new 120 gallon air tank system. Two quotes were received for the project. It was recommended to award the low bidder of Zahl Equipment Service Inc. (Mankato, MN) the project.

**VOTING**

It was duly passed to award Zahl Equipment Service Inc. the air compressor project in the amount of \$16,220 + piping needs.

Moved by: Metz, Gene

Seconded by: Paplow, Bob

7.3 **NAC Mechanical and Automation Customer Support Agreement**

**Attachments:**  
Agreement

Nobles County Building comprise of millions of dollars of mechanical systems. NAC's preventative maintenance and monitoring services allows for county building systems to be monitored to ensure effective and efficient operations. The NAC system assists with identifying mechanical issues and limiting break-down expenses. The 2023 Agreement for NAC services was \$28,992.00. NAC is proposing a 5% increase for \$30,440.00 to perform preventative maintenance and monitoring services for 2024.

**VOTING**

It was duly passed to approve the NAC Customer Service Agreement as presented.

Moved by: Paplow, Bob

Seconded by: Demuth, Robert S.

7.4 **Proclaiming Excess Property**

Administrator Heitkamp presented the board and asked to proclaim four (4) vehicles as excess property from the Administrative Car Pool Fleet.

The following four vehicles are scheduled to be replaced with leased vehicles in 2024:

-Vehicle C1 2006 Ford F150

-Vehicle C2 2006 Ford F250

-Vehicle C3 2009 Ford F250 4x4

-Vehicle C6 2011 Chevy Impala

**VOTING**

It was duly passed to proclaim C1, C2, C3 and C4 as excess property.

Moved by: Demuth, Robert S.

Seconded by: Metz, Gene

7.5 **Minnesota Flag and Seal Discussion**

**Attachments:**  
2023 Listing

The Minnesota State Flag and State Seal are proposed to be changed. Resolution 202404 was introduced as board action in opposition to these changes. The 2023 Legislative Session produced the State Emblems Redesign Commission. That Commission was directed to produce a new state flag and state seal due to perceived cultural insensitivity. However, others pose arguments the existing state flag and state seal offers depictions relating to agriculture, the Native American heritage, and a co-existence as a part of Minnesota's rich history. The state flag and state seal are illustrated on uniforms and upon nearly every governmental building in Minnesota. Changes would create additional and unplanned expenses to governmental agencies. Commissioners discussed adopting the resolution which would then be sent to local legislators, the State Emblems Redesign Commission and Governor's office. While most were in favor of the resolution there was some hesitancy on if it would make a difference or not.

**VOTING**

It was passed to adopt resolution 202404 in opposition of the new proposed Minnesota State flag and seal.

Moved by: Paplow, Bob

Seconded by: Ahlers, Justin

In Favor: Paplow, Bob; Ahlers, Justin; Metz, Gene

Opposed: Demuth, Robert S.

7.6 **Law Enforcement Center – Impound Facility Updates**

**Attachments:**  
Morton Information

The Law Enforcement Center Joint Powers Committee (LEC) and staff have been attempting to construct an impound facility to the south of the Prairie Justice Center. Administrator Bruce Heitkamp was recently notified by vendor Morton Buildings that a quoted building could not be constructed due to the building classification. Morton Building's representative quoted a privately-used building and not a commercial/government used building. Therefore, a 60'x120' commercial/government building will now cost \$208,098.00. The County Board of Commissioners previously offered a project cost ceiling of \$345,000.00. The cost of the new building will not fit in the current construction budget. This amount was revisited with no alterations being amended. Therefore, no plans will go forward that will exceed that cost ceiling unless directed otherwise by the Board. One option is reducing the building size to: meet law enforcement's needs, meet construction standards, and meet the cost constraints. Seeking other bids under the "Best Value" approach is an option since no bidders answered the initial request for proposal (RFP).

**VOTING**

It was duly passed to table the discussion on the impound facility until legal advice can be obtained at a later date.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

**8.0 Inter-Agency Reports / Announcements**

**8.1** | Committee and Board Reports

Commissioner, District 2; Gene Metz: Reported on the CPT meeting and wind farm updates.

Commissioner, District 5; Chris Dybeveck: Absent.

Administration; Bruce Heitkamp: Reported on the Reading sewer project, daycare meetings and the Nobles County internship program.

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

Commissioner, District 3; Bob Paplow: Reported on the Library board meeting.

Commissioner, District 1; Justin Ahlers: Reported on the Public Works Advisory Committee

Attorney, Braden Hoefert: Reported that his office is actively hiring for another attorney.

**8.2** | **Correspondence**

**Attachments:**  
Recruitment Memo

**8.3** | **Calendar**

**Attachments:**  
January 2024  
February 2024

**9.0 Other / Future Business**

**Work Session** – Wednesday January 31, 2024 8:30 a.m.

Government Center Board Room, Worthington, MN

**Board Meeting** – Tuesday February 06, 2024 9:00 a.m.

Government Center Board Room, Worthington, MN

**10.0 Adjournment**

It was duly passed to adjourn the meeting at 10:11 a.m.

Moved by: Demuth, Robert S.

Seconded by: Paplow, Bob



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Nobles County Board Chair



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Nobles County Administrator