

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
OF NOBLES COUNTY, MINNESOTA**

County Board Room and Administration Office  
April 17, 2007

The County Board of Nobles County met in regular session this date with the following members present: Marvin Zylstra, Diane Thier, David Benson, Norm Gallagher and Vern Leistico.

On a motion by Marvin Zylstra and seconded by David Benson, it was duly passed to approve the agenda as amended.

On a motion by Vern Leistico and seconded by Diane Thier, it was duly passed to approve the Official Proceedings of the April 3, 2007 County Board meeting.

Wayne Smith, Environmental Services Director, presented the Board with information and recommendations in the area of conditional use permits.

On a motion by David Benson and seconded by Marvin Zylstra, it was duly passed to approve Conditional Use Permit #07-2007 to Scot Spittle, Worthington, MN, for operation of a new feedlot with the condition that there not be more than 50 animal units on site. This parcel of land is located within the SE corner of the SE ¼ of Section 12, Township 101, Range 40 (Bigelow Township) as recommended by the Nobles County Planning Advisory Commission.

On a motion by Diane Thier and seconded by Norm Gallagher, it was duly passed to approve Conditional Use Permit #08-2007 to Son-D-Farms, Rushmore, MN, to amend conditional use permit 94-009 recording #256075. All original conditions to remain in place with the exception of Exhibit A #2 now amended to read; therefore manure may now be incorporated after the 15<sup>th</sup> of October every other year north of the property except for a 520' x 210' (2.5 acre tract) immediately adjacent to the Mauch property located at 25679 St. Hwy. 91. This parcel of land is located in the SE ¼ of Section 24, Township 102, Range 43 (Westside Township) as recommended by the Nobles County Planning Advisory Commission.

On a motion by Marvin Zylstra and seconded by Vern Leistico, it was duly passed to approve Conditional Use Permit #09-2007 to Mark Bullerman, Adrian, MN, for operation of a new feedlot to consist of three (3) calf barns 40' x 300' each. This parcel of land is located in the NW ¼ of Section 8, Township 102, Range 42 (Olney Township) as recommended by the Nobles County Planning Advisory Commission.

Jan Voit, Heron Lake Watershed, presented the Board with a review of the 2006 annual report and projects and activities within the Heron Lake Watershed.

Lee McAllister, Family Services Director, presented the Board with a program and budget review.

Kent Wilkening, Sheriff, presented the Board with a program and budget review and information and recommendations in the area of public safety.

On a motion by Diane Thier and seconded by Marvin Zylstra, it was duly passed to authorize the Chairperson and County Administrator to sign, on behalf of Nobles County, a Boat and Water Safety grant in the amount of \$1,502.00.

On a motion by David Benson and seconded by Marvin Zylstra, it was duly passed to authorize the Chairperson and County Administrator to sign, on behalf of Nobles County, a contract for law enforcement services with the City of Bigelow. A copy of the contract was before the Board and is made a part of this resolution by reference.

Dan Anderson, Emergency Management Director, presented the board with information in the area of the Emergency Operations Plan.

On a motion by Vern Leistico and seconded by Marvin Zylstra, it was duly passed to authorize the Chairperson to sign, on behalf of Nobles County, the 2007 upgrade to the Nobles County Emergency Operations Plan.

Steve Schnieder, Public Works Director, presented the Board with information and recommendations in the area of transportation.

On a motion by David Benson and seconded by Vern Leistico, it was duly passed to adopt the following resolution:

**WHEREAS**, Contract No. 06002 has in all things been completed, and the County Board being fully advised in the premises.

**NOW THEN BE IT RESOLVED**, that we do hereby accept said completed project for and in behalf of the County of Nobles and authorize final payment as specified herein.

On a motion by Marvin Zylstra and seconded by Diane Thier, it was duly passed to adopt the following resolution:

**WHEREAS**, Contract No. 05001 has in all things been completed, and the County Board being fully advised in the premises.

**NOW THEN BE IT RESOLVED**, that we do hereby accept said completed project for and in behalf of the County of Nobles and authorize final payment as specified herein.

On a motion by Diane Thier and seconded by Vern Leistico, it was duly passed to adopt the following resolution:

**WHEREAS**, Nobles County has established a policy for the closing of county highways for parades and special events; and,

**WHEREAS**, Stephen Heimgartner, as representative of the City of Round Lake, has submitted, on their behalf, an application for a fire department open house

**NOW THEREFORE, BE IT RESOLVED**, that the special event application dated April 5, 2007 for the City of Round Lake fire department is hereby granted.

On a motion by David Benson and seconded by Marvin Zylstra, it was duly passed to adopt the following resolution:

**IT IS RESOLVED**, that the County of Nobles enter into Mn/DOT Agreement No. 91023 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for snow and ice removal maintenance by the County upon, along and adjacent to Trunk Highway No. 264, the limits of which are defined in said Agreement.

**IT IS FURTHER RESOLVED**, that the County Board Chair and the County Administrator are authorized to execute the Agreement.

On a motion by Marvin Zylstra and seconded by Vern Leistico, it was duly passed to adopt the following resolution:

**WHEREAS**, Minnesota Statute 469.310 established an economic development program known as Job Opportunity Building Zones (JOBZ);

**WHEREAS**, JOBZ provides "qualified businesses" several tax incentives to expand or relocate within designated areas throughout greater Minnesota;

**WHEREAS**, 233 acres within the City of Worthington was designated by the State as JOBZ sub-zones;

**WHEREAS**, Jaycox Implement, Inc., a “qualified business” has requested the JOBZ designation for the 14,400 square foot addition to their facility located at 1909 Oxford Street (Parcel ID# 31-3837-000), which is not currently located within a JOBZ sub-zone;

**WHEREAS**, the City may request relocation of part/whole of a zone with the State only when the relocation will facilitate development in areas that promote economic growth compliant with the JOBZ rules and regulations;

**WHEREAS**, Relocation of JOBZ zones must be supported by the City Council, County Commissioners and ISD #518 School Board;

**WHEREAS**, the City is proposing to relocate the necessary square feet of area from the commercial area of Sub-zone E to Jaycox Implement, Inc.’s location to facilitate the proposed expansion;

**NOW, THEREFORE, BE IT RESOLVED**, the Nobles County Board of Commissioners support the relocation of 14,400 square feet from Sub-zone E to Parcel ID # 31-3837-000 to facilitate the expansion proposed by Jaycox Implement.

On a motion by Diane Thier and seconded by David Benson, it was duly passed to approve county department and board travel expenses for April 13, 2007. A summarized copy of the expenses was before the Board and is made a part of this resolution by reference.

Committee and Board reports were received from the following:

- District IV-Commissioner Gallagher reported on the Nobles-Rock Public Health, Okabena-Ocheda Watershed and the Rock-Nobles Community-Corrections meetings.
- District I-Commissioner Zylstra reported on the Emergency Management Planning Advisory Committee (EMPAC), Extension and Joint Powers Transit Board meetings.
- District V-Commissioner Leistico reported on the Southwest Crisis Center open house and Retired & Senior Volunteer Program, Park Board and Joint Powers Transit Board meetings.
- District III-Commissioner Benson reported on the Southwest Crisis Center open house, Extension, Rock-Nobles Community Corrections and SW Mental Health Consortium meetings.
- District II-Commissioner Thier reported on the township Board of Equalization meetings and the Library open house.
- County Administrator-Mr. Ruppert updated the Board on the status of the Technology Coordinator and Finance Director positions and an economic development update.

On a motion by Diane Thier and seconded by David Benson, it was duly passed to approve the following claims for payment:

**Auditor’s Warrants:**

March 28, 2007 .....	\$500.00
March 29, 2007 .....	\$2,175.79
March 30, 2007 .....	\$7,155.16
April 6, 2007 .....	\$37,476.33
April 10, 2007 .....	\$1,616.66

**Commissioners’ Warrants:**

General Fund .....	\$133,348.76
Public Works Fund .....	\$62,441.14
Family Services Administration .....	\$47,449.90

Family Services Social Services

March 29, 2007 ..... \$53,159.32

A summarized copy of the claims was before the Board and is made a part of this resolution by reference.

There being no further business, the Board adjourned sine dies.

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Chairperson

Attest:

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County Administrator