

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 19, 2013
@ 9:00 A.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 9:00 a.m. by Chairman Elliot Belgard.

Commissioners present were Dan Schmidtke, Steve Pierce, Steve Donnelly, Steve Flohrs, and Elliot Belgard. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Rod Halvorsen, KSUM/KFMC Radio, Kevin Peyman, Martin County Highway Engineer, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff.

Motion by Commissioner Donnelly, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with one addition: 8.12 Consider Membership Renewal with Three Rivers Resource Conservation & Development Council. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the March 5, 2013 regular Board of Commissioners meeting. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, stated we have received the application and other required paperwork from Fox Lake Golf Club, Inc. for renewal of its Liquor, Wine, Club or 3.2% License (On-Sale and Off-Sale) and Consumption and Display Permit (Set-up License). Forshee noted all paperwork is in order.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the renewal of Liquor, Wine, Club or 3.2% License (On-Sale and Off-Sale) and Consumption & Display Permit (Set-up License) for Fox Lake Golf Club, Inc. effective April 6, 2013 through April 5, 2014. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, stated that the bid letting for C.P. 13:01 Elm Creek Channel Realignment was held on Friday, March 15, 2013 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN, and that eight bids were received. Peyman noted the project will be funded through Martin Soil and Water Conservation District and the wide range of bids received is due to the unique nature of the bid which includes added manual labor. Peyman recommends low bid award to Beemer Companies in the amount of \$152,809.65.

MCHD
Project Bid Summary

Project Name: Elm Creek Channel Realignment
Client: Martin County Highway Dept.

Contract No.: 01301
Project No.: C.P. 13:01

Bid Opening: 03/15/2013 10:00 a.m.

Owner: Martin County

Vendor No.	Business Name	Total Bid Amount	% Over/Under Estimate
	Engineers Estimate	\$207,291.895	
105	Beemer Companies	\$152,809.65	26.28% Under Estimate
235	Civil Ag Group, Inc.	\$155,929.40	24.78% Under Estimate
910	Jensen Excavating & Trucking LLC	\$156,877.30	24.32% Under Estimate
1741	Reker Construction & Aggregate, LLC	\$158,004.15	23.78% Under Estimate
1818	Sherbrooke Turf	\$216,339.00	4.36% Over Estimate
1894	Svoboda Excavating, Inc.	\$229,421.00	10.68% Over Estimate
1700	Rachel Contracting	\$289,234.00	39.53% Over Estimate
1877	Sunram Construction, Inc.	\$296,067.00	42.83% Over Estimate

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids, and upon receiving bids for C.P. 13:01, and upon the recommendation of the County Engineer, hereby approve and award the low bid for the Elm Creek Channel Realignment to Beemer Companies in the amount of \$152,809.65; and to authorize the Chair and other appropriate staff (County Engineer, County Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman stated that bid letting for C.P. 13:08 Maintenance Gravel Production (Dulas Pit) was also held on Friday, May 15, 2013 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN, and that eight bids were received. Peyman noted of the 73,000 tons of material we’re hoping to crush 56,000 ton is in-ground with the remaining material brought in from different sites. Peyman went on to note although Martin County has not worked with Reding’s Gravel before they do a lot of crushing in Iowa and have looked at the site. Peyman recommends low bid award to Reding’s Gravel & Excavating Co., Inc. in the amount of \$153,300.00.

MCHD
Project Bid Summary

Project Name: Maintenance Gravel Production
Client: Martin County Highway Dept.
Bid Opening: 03/15/2013 10:00 a.m.

Contract No.: 01308
Project No.: C.P. 13:08
Owner: Martin County

Vendor No.	Business Name	Total Bid Amount	% Over/Under Estimate
	Engineers Estimate	\$208,050.00	
1742	Reding’s Gravel & Excavating Co. Inc.	\$153,300.00	26.32% Under Estimate
1023	Keith Hagedorn Construction	\$167,170.00	19.65% Under Estimate
1315	McNamara, Inc.	\$173,740.00	16.49% Under Estimate
1946	Sweetman Sand and Gravel	\$178,850.00	14.04% Under Estimate
709	Hard Rock Screening, LLC	\$189,070.00	9.12% Under Estimate

1035	Knopik Crushing, Inc.	\$193,450.00	7.02% Under Estimate
918	Johnson Crushing, Inc.	\$194,910.00	6.32% Under Estimate
295	Central Specialties, Inc.	\$225,570.00	8.42% Over Estimate

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be it Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids, and upon receiving bids for C.P. 13:08, and upon the recommendation of the County Engineer, hereby approve and award the low bid for Maintenance Gravel Production to Reding’s Gravel & Excavating Co., Inc. in the amount of \$153,300.00; and to authorize the Chair and other appropriate staff (County Engineer, County Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman stated that bid letting for C.P. 13:10 Supplying Bituminous Material for Sealcoating was held on Friday, March 15, 2013 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN, and that three bids were received. Peyman commented with the high price of oil, prices for bituminous type projects have skyrocketed over the last ten years and due to this fact the Highway Department has tried to scale back on how much sealcoating is done in Martin County. However, sealcoating really extends the life of our roads and is something we need to do to protect our investment. Peyman noted after a new seal, we’re between three and five years when the first sealcoat goes on and between seven and nine years before a second sealcoat. Peyman recommends low bid award to Flint Hills Resources in the amount of \$324,391.20.

**MCHD
Project Bid Summary**

Project Name: Supplying Bituminous Material for Sealcoating	Contract No.: 01310
Client: Martin County Highway Dept.	Project No.: C.P. 13:10
Bid Opening: 03/15/2013 10:00 a.m.	Owner: Martin County

Vendor No.	Business Name	Total Bid Amount	% Over/Under Estimate
	Engineers Estimate	\$322,000.00	
561	Flint Hills Resources	\$324,391.20	0.74% Over Estimate
1340	H.G. Meigs LLC	\$332,987.20	3.41% Over Estimate
925	Jebro Inc.	\$357,582.40	11.05% Over Estimate

Motion by Commissioner Pierce, seconded by Commissioner Flohrs, Be it Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids, and upon receiving bids for C.P. 13:10, and upon the recommendation of the County Engineer, hereby approve and award the low bid for Supplying Bituminous Material for Sealcoat to Flint Hills Resources in the amount of \$324,391.20; and to authorize the Chair and other appropriate staff (County Engineer, County Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman presented the state contract pricing bid for the purchase of the budgeted Pull-Behind Packer. Peyman stated a new packer runs between \$25,000 without a hitch and about \$30,000 with a hitch and the staff has found a 2007 hydraulically controlled unit exactly the same year and model that we already have. Peyman noted this equipment is not used year-round; however when conditions are favorable the two packers we currently have are not enough to handle the demand and a third one was budgeted for 2013. Peyman recommends the purchase of the used pull-behind packer at a purchase price of \$13,043.00.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, after careful consideration for the purchase of a used pull-behind packer, and upon the recommendation of County Highway Engineer, hereby approve the purchase of a budgeted 2007 CR Contour 12 Tire Packer from MINIC Industries Limited in the amount of \$13,043.00. Carried unanimously.

Peyman continued presenting the state contract pricing bid for the purchase of a budgeted tar kettle. Peyman stated their current tar kettle has been inoperable for the past two years after having found it to be too expensive to fix the heating element parts and the county has been renting a tar kettle to experiment with different types of kettles. However, the hard part on the rental is we need to schedule it ahead of time, which depending on the weather we may not be able to use. It will be better for the county in the long term to purchase the tar kettle rather than renting it. Peyman recommends the purchase of a tar kettle in the amount of \$47,461.00.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, after careful consideration for the purchase of a tar kettle, and upon the recommendation of County Highway Engineer, hereby approve the purchase of a budgeted Stepp Oil Jacketed tar kettle at the state contract price of \$47,461.00 (includes \$2,500 trade-in of Stepp Crack Sealer & Tax of \$3,125) from Stepp Mfg. Carried unanimously.

Peyman presented a brief Highway Department update including extended hours of blade work on the county's gravel roads.

Rebecca Bentele, Victim Witness Coordinator, stated that the Coordinator's Office has received a resignation notice from Kim Smith, Supervised Visitation Program Coordinator, and effective March 14, 2013 and is asking the Board to accept Smith's resignation. Bentele noted this is the second position that's been turned over and will be meeting with the Personnel Committee to discuss possible options for the future of this position.

Motion by Commissioner Flohrs, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Kim Smith, Supervised Visitation Program Coordinator, effective March 14, 2013. Carried unanimously.

Captain Corey Klanderud, Martin County Sheriff's Office, stated the Sheriff's Office has submitted the Annual County Boat and Water Safety Grant application and was awarded \$3,480 for FY2013 (an increase of \$370 over FY2012). Klanderud went on to state the effective date of the grant is January 1, 2013 through June 30, 2014; and the grant will cover expenses incurred for boat and water safety activities.

Motion by Commissioner Pierce, seconded by Commissioner Flohrs,

R-#14/'13

R E S O L U T I O N

AUTHORIZING EXECUTION OF
ANNUAL COUNTY BOAT AND WATER SAFETY AGREEMENT

BE IT RESOLVED THAT, Martin County enters into a grant agreement with the Minnesota Department of Natural Resources for the program entitled County Boat and Water Safety in the grant amount of \$3,480.00 to cover expenses incurred for patrol, enforcement, search and rescue, watercraft inspection, waterway marking and accident investigation effective January 1, 2013 and expires June 30, 2014.

BE IT FURTHER RESOLVED, that the Martin County Sheriff, Chairman of the Martin County Board of Commissioners, and Martin County Auditor/Treasurer, are hereby authorized to execute and sign such grant agreement on behalf of Martin County.

Motion made by Commissioner Pierce, seconded by Commissioner Flohrs, and duly adopted this 19th day of March, 2013.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Donnelly, Flohrs, Pierce, and Belgard. NAYS: None. Resolution duly passed and adopted this 19th day of March, 2013.

Klanderud continued the Sheriff's Office has received a grant agreement in the amount of up to \$10,000.00 for the purchase and installation of necessary equipment and/or other network requirements for conversion from the Legacy 911 Network to the NG911 Network to meet PSAP readiness specifications for routing and delivering emergency calls. Klanderud recommends approval of the grant contract.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the Grant Agreement between the State of Minnesota – Commissioners of Public Safety, Emergency Communications Network and Martin County, MN in the amount of up to \$10,000.00 for the purchase and installation of necessary equipment and/or other network requirements for conversion from the Legacy 911 Network to the NG911 Network to meet PSAP readiness specifications identified with the

Enterprise Visions PSP Site Survey Document, and authorize the Board Chair and/or Jeff Markquart, Martin County Sheriff, to sign the agreement. Carried unanimously.

Klanderud stated the Sheriff's Office has not yet received AFG grant award notification for costs associated with the mandated conversion to FCC narrow band radio requirements for the ARMER system.

After discussion,

Consensus of the Board is to authorize the Board Chair to sign Assistance to Firefighters (AFG) Grant Funding request letter(s) to state legislators for federally mandated conversion to FCC narrowband radio requirements for the digital trunked 800 MHz ARMER system.

Scott Higgins, Martin County Coordinator, stated the Personnel Committee has reviewed and is recommending that a correction be made to the County Recorder's salary for 2013. Higgins went on to state the County Recorder should move from Step 13 to Step 14 on the county pay matrix; and that the information provided to the Board in December 2012 has approved only a 2% step (between Step 13 and 14) and should have included a step to Grade 15 Step 14.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the salary correction for the County Recorder from annual salary of \$65,553.50 to Grade 15 Step 14 at \$66,747.20 (\$32.09/hour) effective January 1, 2013. Carried unanimously.

Higgins stated the County will be receiving computer equipment and software for use in the Southwest Minnesota Ride Link Project through a grant received through the Veteran Transportation and Community Living Initiative through Coordination by the Minnesota River Area Agency on Aging. The Board is being asked to approve the Disclaimer and Acknowledgement form. Higgins reviewed the disclaimer and acknowledgement received from Southwest Minnesota Ride Link Project noting that it is the County's proposal to delete a portion of disclaimer related to the hold harmless language and requiring the county to allow excess of liability limits as set by state statute. Higgins noted that the County Attorney has reviewed the proposed disclaimer.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the Minnesota River Area Agency on Aging Disclaimer and Acknowledgement for the Southwest Minnesota Ride Link Project – funded through the Veterans Transportation and Community Living Initiative for computer equipment and software for use for the Southwest Minnesota Ride Link Project. Carried unanimously.

The board discussed the need to continue as a member of the Three Rivers RC and D Council. Commissioner Flohrs stated the Martin Soil and Water Conservation (SWCD) Board met earlier this month and decided to withdraw their membership with Three Rivers Research Conservation & Development Council. After further discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Pierce, Whereas, Martin County is a member of the Three Rivers Resource Conservation and Development Council, Inc. Whereas, Sponsors of the organization include County Boards and the Soil and Water Conservations Districts in Blue Earth, Brown, Faribault, LeSueur, Martin, Nicollet, Sibley, Waseca, and Watonwan Counties, Whereas, Martin County has determined that membership with the Three Rivers RC and D Council no longer fits the needs of the county, Now Therefore, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign letter to Three Rivers Resource Conservation & Development (Three Rivers RC&D) Council regarding Martin County’s desire to withdraw participation from the Three Rivers RC&D Council, as allowed by law, effective March 19, 2013. Carried unanimously.

Commissioners reviewed warrants and Highway and Drainage bills to be paid on March 19, 2013.

Commissioners reviewed and discussed payment to Zixcorp Corporation in the amount of \$7,205.73. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve bills to be paid on March 19, 2013 as presented by the Martin County Auditor/Treasurer, with the exception of payment to Zixcorp Corporation in the amount of \$7,205.73; and includes approval for the Martin County Highway Department and Drainage Administration bills as presented. Carried unanimously.

Warrants received and paid March 19, 2013 are registered on file in the Auditor/Treasurer’s Office as follows:

Revenue Fund – Warrants Approved March 19, 2013	\$308,756.60
Enhanced 9-1-1 Fund	\$ 3,647.45
Recreation and Safety Fund	\$ 259.94
Martin Co. Economic Development Authority	\$ 2,396.50
Solid Waste Management Fund	\$ 22,674.64
Law Library Fund	\$ 5,072.59
Martin County Transit Fund	\$ 51,432.11
Recorder’s Technology	\$ 6,372.00
Ind. Sewage Treatment Sys. Loan Fund (ISTS)	\$ 8,079.34
Building – CIP – Fund	\$ 49,245.74
Bank Building Fund	\$ 982.17
Forfeited Tax Fund	<u>\$ 17.08</u>
Total	\$458,936.16
Road and Bridge Funds Totaled	\$ 35,187.28
Martin County Ditch Funds Totaled	\$114,856.05

The Board reviewed Sentencing to Service (STS) Quarterly Report for Third and Fourth Quarter 2012; and the 2013 Allocation Request Letter from Red Rock Center for the Arts.

Commissioners presented their individual board member reports.

Commissioner Donnelly stated he attended a Building Committee meeting on March 6th; GBERBA meeting on March 8th; Ditch #85 meeting and Human Services meeting on March 13th; and Prairieland meeting on March 15th.

Commissioner Pierce stated he had nothing new to report other than attending the MVAC Warm Your Heart fundraiser event held on March 16th.

Commissioner Belgard stated he attended a Building Committee meeting and Human Services Executive Board meeting on March 6th; Personnel Committee meeting on March 11th; and Human Services meeting on March 13th.

Commissioner Schmidtke stated he attended Personnel Committee meetings on March 5th and March 11th, Park Board meeting on March 13th; Prairieland meeting on March 15th; and attended the Habitat for Humanity fundraiser event on March 16th.

Commissioner Flohrs stated he attended the Library Board meeting and three township meetings on March 12th; met with Jordan Burmeister with Geronimo Wind Farms, the wind farm that is going to start out in northwestern Martin County with about 10 towers in Martin County and will extend from there to Bingham Lake and could be like 100 towers out in there; Prairieland meeting on March 15th; Center Creek Pork open house and CERT conference call.

Commissioners reviewed their calendars of upcoming meetings and activities: March 19, 2013 – travel to AMC 2013 Legislative Conference to be held March 20 & 21 in St. Paul, MN; March 25, 2013 – Rural Minnesota Energy Board at 1:00 p.m. in Slayton; March 26, 2013 – Planning & Zoning Commission at 5:30 p.m.; March 27, 2013 – Ditch #85 Joint Meeting at 1:00 p.m. with Martin and Blue Earth Counties at the Truman Community Building in Truman, MN; March 28, 2013 – CD #67 Informational Meeting in Ormsby, MN, and Water Plan meeting at 7:00 p.m.; April 1, 2013 – regular Martin County EDA meeting at 5:15 p.m., and Beyond the Yellow Ribbon meeting; and April 2, 2013 – regular Board of Commissioners meeting at 9:00 a.m. in the Commissioners Board Room.

The Board recessed at 9:44 a.m.

Motion by Commissioner Flohrs, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby move into a closed session per Minnesota Statute Sec. 13D.05 Subd 2 (b). at 9:44 a.m. Carried unanimously.

Those present were Commissioners Belgard, Schmidtke, Flohrs, Donnelly, Pierce and Scott Higgins, County Coordinator. Blaine Hartwig was also present.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, to go back into open session. Carried unanimously.

Meeting returned to open session at 10:19 a.m.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby terminate Blaine Hartwig from employment with Martin County, effective March 20, 2013.

With no further business to wit, Board Chair adjourned the meeting at 10:23 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator