

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, OCTOBER 1, 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, Elliot Belgard, Steve Pierce, Steve Donnelly, and Steve Flohrs. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Jennifer Brookens, Sentinel Newspaper, Kevin Peyman, Martin County Highway Engineer, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the October 1, 2013 regular Board of Commissioners meeting with the following addition: 8.6 Consider Termination of JARC Commuter Transit Service to Jackson, MN. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the September 17, 2013 regular Board of Commissioners meeting. Carried unanimously.

Kendra Helvig, 4-H Program Coordinator, presented her resignation notice effective October 4, 2013. Helvig thanked Commissioners for their continued support of the Martin County 4-H Program.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby accept with regrets the resignation of Kendra Helvig, 4-H Program Coordinator, effective October 4, 2013; and authorize recruitment to fill the vacancy. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, reviewed the Applicant Resolution for the Parks Legacy Grant Program; and a resolution from the Martin County Park and Trails Commission supporting the Cedar Hanson Park FY2014 Parks Legacy Grant Application including a 25% county match.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly,

Martin County Highway Department  
Resolution No. 4 – 2013

APPLICANT RESOLUTION  
PARKS LEGACY GRANT PROGRAM

BE IT RESOLVED that Martin County act as legal sponsor for the project contained in the Park Legacy application to be submitted in October, 2013 at that Kevin Peyman, the Martin County Engineer is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of Martin County.

BE IT FURTHER RESOLVED that Martin County has the legal authority to apply for financial assistance, and financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that Martin County has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section of the application.

BE IT FURTHER RESOLVED that Martin County has fee title over the land described in the site plan included in the application.

BE IT FURTHER RESOLVED that, upon approval of its application by the state, Martin County may enter into an agreement with the State of Minnesota for the above referenced project, and that Martin County certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BE IT RESOLVED that the Martin County Engineer is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

Upon motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, and carried said resolution was duly passed and adopted this 1<sup>st</sup> day of October, 2013.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MINNESOTA

By: \_\_\_\_\_  
Chair, Martin County  
Board of Commissioners

Attest: \_\_\_\_\_  
Scott Higgins  
County Coordinator

CERTIFICATION

I hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Martin at a duly authorized meeting thereof held on the 1<sup>st</sup> day of October, 2013.

\_\_\_\_\_  
Scott Higgins

County Coordinator

Roll Call AYES: Commissioners Pierce, Flohrs, Donnelly, Schmidtke, and Belgard. NAYS: None. Resolution duly passed and adopted this 1<sup>st</sup> day of October, 2013.

Peyman presented a Highway Department update including progress on the CSAH 38 overlay project; contractor’s revised completion date for the CSAH 38 overlay project of October 26, 2013; and the process of completion date contracts versus working day contracts.

Jeff Markquart, Martin County Sheriff, stated the Martin County Sheriff’s Office has completed the Martin County Emergency Operations Plan for submission to the Homeland Security and Emergency Management (HSEM) regional program coordinator. Markquart presented a resolution adopting the updated Plan the purpose of which is to ensure the effective, efficient, and coordinated use of resources in the event of a major disaster.

Motion by Commissioner Flohrs, seconded by Commissioner Donnelly,

R-#39/’13

RESOLUTION

MARTIN COUNTY EMERGENCY OPERATIONS PLAN

Motion by Commissioner Flohrs, seconded by Commissioner Donnelly,

BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approve and adopt the revised Martin County Emergency Operations Plan.

Resolution duly passed and adopted this 1<sup>st</sup> day of October, 2013.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Elliot Belgard, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, Coordinator

Roll Call AYES: Commissioners Pierce, Schmidtke, Donnelly, Flohrs, and Belgard. NAYS: None. Resolution duly passed and adopted this 1<sup>st</sup> day of October, 2013.

Higgins stated the Martin County Sheriff’s Office is requesting to create and establish an Emergency Management Director position. It has been determined that with the growing need for Emergency Management and the need for a dedicated staff member to perform the functions of Martin County’s Emergency Management program and to meet compliance with requirements

of HSEM and FEMA. A draft job description has been developed for board review and consideration. The position will be classified at Grade 13 (\$19.89 to \$27.87) and would be an exempt position under FLSA due to the job responsibilities and duties of the position.

Chairman Belgard stated the obvious question is your department says we need this position and our budget says we don't have in the proposed CY2014 budget. Explain what the position is, if we have to create this position, and if it is a full-time position.

Corey Klanderud, Captain – Martin County Sheriff's Office, stated we've been falling short in emergency management. We pulled a person from dispatch to work on it but now we have a shortage of dispatchers. The part-timers and overtime are adding up. Klanderud went on to state a grant is available to cover up to \$21,000 of the emergency management director's pay. The remaining amount would have to be matched. State and federal standards are looking for a dedicated person, not to combine the position with something else. Klanderud noted if the county chose to ignore the requirement for a full time director, it would lose eligibility for other grants. We tried it with a part-timer and it didn't work. We'll do whatever we have to do to make it work.

Commissioner Schmidtke stated the next question and probably the hardest one...we've already set a preliminary budget. If we put this into effect and you had a full-time emergency manager how would you fit that into your budget without increasing it?

Sheriff Jeff Markquart stated cut patrol, dispatchers, and dispatch hours. We're about as thin now as we can get. If we're going to cut somewhere...it's going to cut services to the public. My goal as Sheriff is to deliver service to the public that's 24 hours a day. I've got two patrol sergeants that are certified in emergency management too but if I'm going to have them do it then I'm pulling them off the road.

Commissioner Pierce noted we're in a tough spot and I appreciate that. My opinion if we lose a grant, we lose a grant. In the big picture this whole emergency preparedness thing has gotten so out of hand. Where do you draw the line? We cannot fund all contingencies out there.

Commissioner Schmidtke stated I don't really like creating new positions and adding more government; but I think we do this and continue to get a grant to help with the cost and add to the budget, or we don't and have to do it anyway and it will cost us more in overtime.

After further discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be it Resolved that the Martin County Board of Commissioners, upon the recommendation of Sheriff Jeff Markquart and the Compensation Advisory Committee, hereby approves and establishes the Emergency Management Director position; and approves the job description for the position as presented; and establishes the position as an Administrative exempt position under the Fair Labor Standards Act (FLSA); and establishes the position on county compensation plan structure at Grade 13. Commissioners voting in favor: Flohrs, Schmidtke, and Belgard. Commissioners voting against: Donnelly and Pierce. Motion carries.

Markquart presented a Martin County Jail update including twenty-three in our jail today, fifteen in Faribault County, one in Nobles County, and 7 on EHM.

Higgins noted that during the last September 17, 2013 board meeting, the board took action to switch the health insurance plans from HealthPartners to Blue Cross Blue Shield through the South Central Service Cooperative. The county received a 12% renewal increase from Blue Cross Blue Shield for the \$5,000 deductible health plan as the underlying health plan to the plans offered to employees following current 105 plan designs – Plan A \$20 Copay, Plan B \$250 Deductible, and Plan C \$1,000 Deductible.

After review of the 2014 proposed plan contributions, and the recommendation of the County Coordinator of a zero percent increase in employee premiums,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, having approved Blue Cross and Blue Shield through the South Central Coop, as the health insurance provider for county employee health insurance benefits, which includes the \$5,000 deductible health plan as the underlying plans effective January 1, 2014; and on an annual basis reviews and determines the county contributions to health insurance premiums for non-union staff; and hereby approves the county monthly contribution (single and family) for the following health plan through the Select 105: Plan A (\$20 Copay) Single \$695.51, Family \$1,519.87; Plan B (\$250 Deductible) Single \$581.82, Family \$1,036.50; Plan C (\$1,000 Deductible) Single \$682.07, Family \$1,427.64; with the remainder of the total premiums to be paid by employee contributions, effective CY2014. Carried unanimously.

Higgins stated the transit commuter route to Jackson, MN and Blue Earth, MN has been running for approximately 18 months. The intent of the commuter service was to provide alternative transportation service for those who live in Fairmont/Martin County and work in Jackson or Blue Earth. The purpose of the commuter service to Jackson, MN at the time was due to the concern of the negative impact of higher gas prices on the area workforce in daily traveling to the workplace, and for thoseresidents who are limited in their job search due to economic hardships (i.e. no car), the service would open opportunities for workers and businesses. Higgins went on to state the Fairmont to Jackson route is not performing to the projected ridership. The route is averaging only 1-2 passengers per day, and recommended terminating the Jackson commuter route service. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby terminate the Job Access and Reverse Commute (JARC) commuter bus service between the City of Fairmont and City of Jackson, MN, effective October 4, 2013. Carried unanimously.

Forshee stated the JCD #314 meeting scheduled for 11:30 a.m. on October 16, 2013 in Blue Earth, MN, will need to be cancelled as the Engineer is not available at this date and time.

Motion by Commissioner Flohrs, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County,

hereby cancels the JCD #314 meeting scheduled for 11:30 a.m. on October 16, 2013 in Blue Earth, MN, and will reschedule at a later date. Carried unanimously.

Forshee presented an update on the progress of the South Central Minnesota Drainage Workgroup and draft Drainage System Guidance Document which is a guide to be used by the Drainage Authority when making decisions regarding public drainage issues.

The Board recessed at 10:23 a.m.

The Board reconvened at 10:30 a.m.

Chairman Belgard opened the continuation public hearing for the consideration of the preliminary Engineer's report for the improvement on CD #29 and JD #367. All county board members acting as the Martin County Drainage Authority were present, along with Deb Mosloski, Drainage Specialist, Mike Forstner, Drainage Inspector, James Forshee, Auditor/Treasurer, Scott Higgins, Martin County Coordinator, Kurt Deter, Attorney for the Board, Chuck Brandel Engineer for the project (I&S Group), landowners and other members of the public were present.

Deter stated as you will recall we had a preliminary hearing on August 20, 2013 which is required under the statute to address four issues. At that hearing there were a couple issues that we continue the hearing until today at 10:30 a.m. and the continuation was to explore further possible retention areas and to do some additional engineering or computer models for different scenarios to see the impact on the outlet in the determination of four main factors: 1) that the proposed drainage project is feasible; 2) that there is a necessity for the proposed drainage project; 3) that the Drainage Authority determines the proposed drainage project will be of public benefit and promote the public health after considering the environmental and land use criteria under Minnesota Statutes 103E.015, Subd. 1.; and 4) the outlet for the proposed drainage project is adequate with the understanding that some retention will be designed into the project.

Chuck Brandel with I&S Group presented and reviewed the Engineer's preliminary report for both CD #29 and JD #367, addressing if the outlet of JD #367 is adequate and can we make a storage area work on the downstream end of this system which would be in Branch M (a shallower basin on the Sheek property and a deeper storage basin on the Rosenberg property). Brandel recommends moving ahead with this option. We will still need to have the Viewer's look at it and determine assessments and work on finding easement costs. Brandel noted the estimated cost of the project is \$4,153,000.

Chairman Belgard opened the meeting for public comments on the projects.

There were a number of public comments and questions regarding the proposed ditch projects.

After much discussion,

Deter stated the need to place on the record the following stating that even though we have already covered the following questions during the previous hearing; inquired of the Engineer that the plan you have now in your opinion, Mr. Brandel, is the project feasible?

Brandel answered yes.

Deter asked is there a necessity based on what you've heard for the Ag area for the project?

Brandel answered yes.

Deter asked have you considered the required environmental issues as it pertains to Section 103E.015, subd. 1 for this project?

Brandel answered yes.

Deter asked, in your opinion is the outlet adequate considering that you'll be doing some impoundments?

Brandel answered if we do an impoundment the outlet would be adequate.

Deter asked so it still may need to be firmed up, but to make the outlet adequate takes some type of retention in your opinion?

Brandel answered yes.

After further discussion and based on the comments and questions received by the landowners regarding the proposed improvements on both systems,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, to close the public portion of the CD #29 and JD #367 Continuation Hearing. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Flohrs, Be it Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, after having been presented the preliminary Engineer's report for the proposed improvement of CD #29 and JD #367; and after receiving public input and questions regarding the proposed project and the need for additional information and upon hearing additional information, hereby approve the preliminary engineer's report based on the following findings: 1) the project is feasible; 2) that there's a necessity; 3) that the environmental considerations of MN Statutes Section 103E.015, subd.1 have been considered; and 4) that the outlet is adequate. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be it Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby order engineer to prepare a Final Engineer's Report for the proposed improvement of CD #29 and JD #367; and to appoint Ron Ringquist, Charles Bowers (alternate Milo Holland), and Chris Christensen as Viewers for the proposed project. Carried unanimously.

Deter informed the Board that land values in 2002 for JD #367 no longer reflect current day values and recommends ordering a redetermination of JD #367.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, having determined that the land values for JD #367 as determined in 2002 no longer reflect current day values, hereby order the redetermination of JD #367 and appoint Ron Ringquist, Charles Bowers (alternate Milo Holland), and Chris Christensen as Viewers. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby adjourn the Continuation Public Hearing for the Preliminary Engineering Report for CD #29 and JD #367 Ditch Improvements. Carried unanimously.

Forstner reviewed information regarding the reroute of JD #10 at an estimated cost of \$50,000.

Commissioners reviewed the date and time for the 2013 Fairmont Glows Parade.

Commissioners presented their individual board member reports.

Commissioner Donnelly stated he attended the Road and Forfeited Land Tour on September 3<sup>rd</sup>, Employee Recognition Day event on September 17<sup>th</sup>, Human Services meeting on September 18<sup>th</sup>, and Flu Shot Clinic at Courthouse on September 19.

Commissioner Pierce stated in addition to those mentioned he attended an Insurance Committee meeting, Transit Advisory Committee (TAC) meeting, and Regional Radio Board meeting.

Commissioner Belgard stated in addition to those mentioned he attended the County Compensation Advisory Committee meeting after Recognition Day on September 17<sup>th</sup>. Commissioner Schmidtke stated in addition to those mentioned he attended the Planning and Zoning meeting on September 24<sup>th</sup>.

Commissioners Flohrs stated in addition to those mentioned he attended the Minnesota River Board meeting and had various ditch calls.

Commissioners reviewed their calendars of upcoming meetings and activities: October 1, 2013 – Labor Management Committee meeting at 1:00 p.m.; October 7, 2013 – regular EDA meeting at 5:15 p.m., and Beyond the Yellow Ribbon meeting; October 9, 2013 – Human Services Exec Board meeting, and Park Board meeting at 4:30 p.m. at Timberlane Park; October 10, 2013 – Martin/Faribault Transit Restructuring Meeting at 9:00 a.m. in Blue Earth, MN and AMC's Public Disclosure Webinar at 1:00 p.m.; October 14, 2013 – County Employee In Service Day (County Offices closed to Public); October 15, 2013 – regular Board of Commissioners meeting at 9:00 a.m.

With no further business to wit Board Chair adjourned the meeting at 11:35 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Elliot Belgard, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, Coordinator