

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 5, 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 Steve Donnelly, Steve Flohrs, Dan Schmidtke, Elliot Belgard, and Steve Pierce. Also present were Scott Higgins, Martin County Coordinator, Terry Viesselman, Martin County Attorney, Kevin Peyman, Martin County Highway Engineer, Jennifer Brookens, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC Radio, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the November 5, 2013 regular Board of Commissioners meeting with the following addition: 8.13 Consider Step Increases for Various Employees – Martin County Sheriff's Office. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the October 15, 2013 regular Board of Commissioners meeting. Carried unanimously.

Julie Walters, Administrative Assistant, introduced Carrie Schaub, who is interning in the Coordinator's Office through December, 2013. Carrie will graduate in December 2013 from Presentation College-Fairmont campus with a Business Degree.

Kevin Peyman, Martin County Highway Engineer, introduced Shaun Bulfer who interned with the Martin County Highway Department during the summer of 2013. Shaun recently received a Civil Engineering Degree from Minnesota State Mankato.

Lana Howe, interim 4-H Program Coordinator, introduced herself and presented a brief history including education and employment.

Terry Viesselman, Martin County Attorney, was present and had nothing to report.

Scott Higgins, Martin County Coordinator, reviewed a bid in the amount of \$53.35 received on September 6, 2013 for property located at 320 North Dewey Street in Fairmont. Higgins noted that no other bids have been received for this property. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, pursuant to MN Statute 373.01, after having advertised publicly for bids, and upon receiving one bid after the advertised date from Donald A. VonBank in the amount of \$53.35 for purchase of county property located at 320 North Dewey Street in Fairmont, MN, hereby deny bid received in the amount of \$53.35; and authorize the Coordinator's Office to notify bidder by U.S. Mail. Carried unanimously.

Peyman reported on the final contract for C.P. 13:08 Maintenance Gravel Production with Reding's Gravel & Excavating Co. Inc. of Algona, IA. Peyman stated final examination has been made, contract has been completed, and the entire amount of work has been performed. Peyman recommends approval in the amount of \$184,241.40.

Motion by Commissioner Flohrs, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Engineer, hereby approve the final contract payment for C.P. 13:08 Maintenance Gravel Production with Reding's Gravel & Excavating Co. Inc., in the amount of \$184,241.40. Carried unanimously.

Peyman next presented a resolution authorizing the Commissioner of Transportation to transfer all Martin County Municipal Construction funds in excess of two years apportionment into the county's regular construction account. Peyman noted once a set maximum is reached and funds are not depleted, your needs start to be reduced because you can only accumulate so much. Peyman recommends the transfer of excess funds so Martin County does not receive a deduction.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

Martin County Highway Department
Resolution No. 5 - 2013

**COUNTY TRANSFER OF EXCESS MUNICIPAL FUNDS TO
REGULAR FUNDS RESOLUTION**

WHEREAS, Minnesota Statute 162.08, Subd. 4 (3d), provides that accumulated balances in excess of two years of municipal account apportionments may be spent on projects located outside of municipalities under 5,000 population when approved solely by resolution of the county board.

NOW THEREFORE BE IT RESOLVED, that the Commissioner of Transportation transfer all funds in excess of two years apportionment into the Regular Construction Account.

Upon motion by Commissioner Pierce, seconded by Commissioner Schmidtke, and carried said resolution was duly passed and adopted this 5th day of November, 2013

BOARD OF COMMISSIONERS
MARTINCOUNTY, 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 5th day of November, 2013.

Scott Higgins
County Coordinator

Roll Call AYES: Commissioners Donnelly, Flohrs, Schmidtke, Pierce, and Belgard. NAYS: None. Resolution duly passed and adopted this 5th day of November, 2013.

Peyman stated the Highway Department has received the retirement resignation of Greg Rabbe, Maintenance Superintendent, effective January 3, 2014.

Motion by Commissioner Donnelly, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby accept with regrets the retirement resignation of Greg Rabbe, Maintenance Superintendent, from employment with Martin County after thirty-six plus years of service to the County and its citizens, effective January 3, 2014. Carried unanimously.

Peyman requests approval to begin the recruiting process for a Maintenance Superintendent position so the new hire can be training while the employee is still working.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize recruitment to fill the Maintenance Superintendent position. Carried unanimously.

Peyman stated he has been asked by the Minnesota County Engineers Association of his interest in being nominated as an officer for the association. It is just an honor to be nominated by your peers. Peyman went on to state that he currently represents our MNDOT District on the Associations Board of Directors and attends approximately five meetings a year. Becoming an officer with the Association and working up through the officer ranks will take some extra meeting time out of the office and county especially at the vice president and president ranks. Peyman noted there may be approximately 8-10 days over the course of a year that he would be out of the office, and maybe 1-2 times for out of state travel that he would be expected to go in order to represent the county engineers. Peyman noted he did not want to agree to the nomination until he informed the Board and received approval. Peyman concluded stating County Engineer's Association is a pretty active association and I get a lot out of the Association. However, my first commitment has always been to the county first, so I didn't want to agree until I ran it by you as a Board first. I believe people need to give back when it's your time, so I

guess I would be willing to do that as long as your support is there knowing that I'd have to be gone extra time for those periods of time.

Belgard inquired of the extra time Peyman thought it would take.

Peyman responded that he now serves on the Board of Directors for our District, so I go to the regular meetings of the board of directors now, which are five meetings a year (day meetings). Typically the President or Vice President of the Association attends the retirement parties as a representative of County Engineers Association to present their plaques, which could happen a couple of times per year. In addition there would be times that I would need to go to the capital to testify on pending legislation, every four years there's typically a couple of out of state conferences. Typically, the Association contributes to the travel expenses.

Schmidtke stated that Kevin's done a great job for us and I'd be all for it. The remainder of the county board members concurred.

Peyman informed the Board that the overlay portion was finished yesterday. The contractor is probably only about two good days from getting the remaining inch and one-half left on the overlay. It looks like there are some good days next week so they should be able to finish in two days. Overall the overlay has turned out pretty well, they've gotten good density or actually the ride is one of the better riding roads we've done.

Steve McDonald, MIS Director, presented and reviewed quotes received for the purchase and installation of new server hardware, data storage and software to start migrating/updating aging county servers through virtualization.

McDonald stated the need to replace some aging servers. These servers are six to eight years old and older. What I'm proposing to do is a virtualization project so instead of having ten individual servers, I am proposing to purchase one main server and then through virtualization software you create virtual servers on a physical server so we can run two or three servers on one piece of hardware. We then purchase what's called a SAN network storage device that we store all the data out on that so we can run more servers on one box, we can consolidate them down instead of having a number of individual servers, it saves space, resources, the server hardware or software for each server, use of electricity, etc. However, not everything can be virtualized so there will be some apps with our new tax and CAMA system that we will be moving towards on down the road, but has not been determined whether or not we can run this software on a virtual server.

The other part of this proposal is that at the first of the year the counties will not have to pay state income tax on this type of equipment, so I'm proposing that if the Board approves this project that the purchase is made next year, which would save almost \$3,000 in sales taxes.

Belgard inquired if this purchase is budgeted.

McDonald responded that approximately \$45,000 was budgeted.

Pierce is inquired of the use of the AS400.

McDonald stated that the AS400 is a different type of hardware equipment and is a separate issue from the proposed request. The AS400 actually runs our main tax and CAMA software and that's a whole different animal. It runs a whole different operating system and the servers I'm talking about are for things like county file server, our document management system, etc.

Pierce inquired of how businesses are moving to the "cloud" and getting away from all this type of stuff (hardware) and whether this is something the county should move to.

McDonald responded that the only thing you'd put on the "cloud" would be your data. I'm not too keen about putting all our data somewhere because you don't have a lot of control over it. The most important thing we've got is our data and if we can't get to that data we're out of business.

McDonald further stated that having the virtual servers, keeps everything in house. There could be some instances where it might make sense, like the state of Minnesota went to Microsoft and they do all their email messaging all that stuff out on Microsoft, but the state also purchased the main pipe between the state of Minnesota and Washington, which included all the hardware. This hardware is actually sitting in a room out there, and is managed by them. The state has got thousands of people that have email accounts, so it made sense for them to go out there and have them manage the whole thing for them. So there's kind of a fine line to determine if it makes sense or not when we have a hundred employees versus the state having a thousand people using the system. What we've seen is that we're not quite big enough to start moving in that direction. I am also a little nervous about putting the entire county's data somewhere else if the internet goes down and then we do not have access to our data to be able to operate. Another concern is private data that could be compromised out (on the cloud). That's my thoughts on that. There's a lot of people talk about the "cloud" but you've got to have a real need for it.

Pierce stated that we obviously have a need because we spend a lot internally on hardware and software, but it just seems like government doesn't want to do what private industry does and we're always at least a couple of decades behind and can't grasp what the business world does.

McDonald responded stating that we do the same thing the private sector does and I can't say we're behind, it's just your choice on whether the board wants to place our data somewhere else where somebody else has control over it. If the internet goes down we're out of business and it does happen. At least I have some control here and able to protect our data so that it is not compromised and nobody has yet. But if you just open it up (to have data hosted elsewhere) that is a whole different worry we have in our operations. Additionally, we still have to run your local software, which includes our main software for Tax and CAMA and there is no cloud solution for that. At some point with the new system, they may offer a web hosting solution which our data could be housed, but right now it's not. It's got to be run locally.

Belgard inquired if the hardware is purchased, is this something that is ongoing as these are replaced.

McDonald responded that it is like replacing a car. At some point you've got to replace the equipment. For example, Microsoft is expected to drop support for XP in April, 2014. Without support (i.e. patches) our hands are tied and we've got to upgrade because they're not sending out patches or fixes for the software. So we've got to try and keep this stuff updated. At one time we were pushing 5-6 years on server replacements, and now we're pushing 7-8 years.

Pierce inquired if this was just the "box" that holds the information.

McDonald responded that the information placed on these servers would include our document imaging system software; the county file server stores everybody's Word and Excel documents. This is just the infrastructure for people to be able to run what they need to run in their offices.

Belgard stated that he was curious if the ongoing upgrades will continue to be \$40,000 every year

McDonald stated this particular purchase is what we have now; there will always be the need for upgrades of computers and hardware. No, I'm not asking for \$40,000 every year, but I may need to upgrade other computer equipment. I work to keep my budget pretty consistent over time so you don't see any highs and lows, and the purpose is so that we keep up with the necessary upgrades from year to year and not all at once. If we start delaying too long for certain upgrades, then we are going to be kind of caught between a rock and a hard place when the support is dropped and we can no longer fix it.

Pierce inquired with our ability to partition with the new servers does that mean we can migrate away from having six or eight computers per dispatch station.

McDonald stated no and the reason is that each station must be run individually. In dispatch, these are critical use applications.

Pierce stated we won't go to the cloud and any other business does not have a separate computer for every application. Why in government do we have to do that?

McDonald stated that we don't have a separate computer for every application. In regards to Dispatch, there are four computers in each station because they are running 911 systems, running record system, running a mapping system to watch where all their squad cars and emergency vehicles are at, and then they got the county system to run. So if you place all the applications on one computer and it goes down, you don't have all the applications and information available to the dispatcher. These systems run independent of each other. The other part of this is that there are at least two different networks that this system runs on and are separate. The records system is running on the CJIS network, the mapping is running its software over on the county's side, the 911 is also on the county side but it is running and tied to their rescue star down in the basement. It does not make sense to combine them. You can't. So you can lose your records system but your 911 would still be running. So if you try to run 911 and everything all on one computer that computer goes down you just took down the whole dispatch station.

Pierce stated that's life too. I mean everything else we do in government we talked about the accounting we talked about everything else, it seems we make everything so complex and so expensive and then we wonder why our budget is out of control. This is not just us, this is the way we do business and it's disgusting.

McDonald stated that if we could combine these systems and it makes sense and is workable we would do it.

Belgard stated we obviously have limited knowledge and that's why we have Steve in the IT position.

Flohers inquired if the purchase price was locked in if we waited to purchase the server next year.

McDonald stated that the prices don't fluctuate much. I can follow up and ask the vendor.

Flohers inquired if by then, will newer and better technology be available.

McDonald stated that it could change tomorrow. After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Steve McDonald, MIS Director, to purchase server virtualization hardware and software from Computer Technology Solutions in the amount of \$41,106.38 after the first of the new year; and approve and authorize to upgrade the county's Microsoft Exchange 2003 mail server software to the 2010 version of Microsoft Office. Carried unanimously.

McDonald continued with an update of software programs used in each county office including annual software expense for the county of \$378,579.17. There was much discussion on the costs for software maintenance. The Board thanked McDonald for the report.

Higgins stated Martin County's current jail food service contract with Hy-Vee (Fairmont) will end December 31, 2013; and recommends soliciting proposals for jail food service for a two year term commencing January 1, 2014 to December 31, 2015. Higgins noted the jail food specifications reflect advertising for two (2) hot meals per day.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize advertisement for bids for the Martin County Jail Food Service Contract for a two year term commencing January 1, 2014 through December 31, 2015. Carried unanimously.

Higgins stated Minnesota Statutes require that bids be taken for Official County Newspaper for the publication of notices, board minutes, etc. The Truman Tribune was awarded the bid for the 2013 Official County Newspaper and it is time to once again advertise for bids to all known newspapers in Martin County in order to designate the official newspaper for Martin County for the year 2014.

Motion by Commissioner Flohrs, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Coordinator's Office to advertise for bids for designation of the official newspaper for Martin County for the year 2014. Carried unanimously.

Higgins presented a resolution for approval of a newly hired Sheriff's Deputy to be included on the Public Employees Police and Fire Plan.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce,

R-#41/'13

RESOLUTION

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of Commissioners, of County of Martin hereby declares that the position of Deputy Sheriff, currently held by _____, meets all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire Plan salary deduction by the governmental subdivision.

State of Minnesota
County of Martin

I, Scott Higgins, clerk of County of Martin, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 5th day of November, 2013; the original of which is on file in this office. I further certify that five (5) members voted in favor of this resolution and that five (5) members were present and voting.

Signed: _____
Scott Higgins, County Coordinator

Date: _____

Roll Call AYES: Commissioners Donnelly, Flohrs, Pierce, Schmidtke, and Belgard. NAYS: None. Resolution duly passed and adopted this 5th day of November, 2013.

Captain Corey Klanderud stated the Martin County Sheriff's Office is recommending step increases based on satisfactory performance evaluation and according to Union Contract(s) for the following individuals: Teri Boltjes, Communications Officer, and Ben Johnson, Corrections Officer.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Captain Corey Klanderud, hereby approve and authorize step increases based on satisfactory performance evaluations and according to Union Contract(s) for the following Martin County Sheriff's Office personnel: Teri Boltjes, Communications Officer (LELS #115) from 4 Year Step at \$22.24/hour to 5 Year Step at \$22.63/hour effective October 5, 2013; and for Ben Johnson, Corrections Officer (LELS #115) from 5 Year Step at \$22.63/hour to 6 Year Step at \$23.01/hour effective November 1, 2013. Carried unanimously.

Klanderud noted the current Martin County Jail Population is twenty-one (21) in house and ten (10) out of county.

Pam Flitter, Martin County Zoning Official, informed commissioners that January 23, 2014 there will be a speaker coming to Martin County to train on livestock emergency management. I have attended the training and it is basically livestock 101, which includes what you do if there was a truck rollover with livestock. I'll be requesting money from the Minnesota Feedlot Officers Association and the Planning and Zoning Administrators Association to help fund this training. These organizations have an educational fund and they all contributed \$1,000 for it. Flitter further stated that she has lined up the pork producers, to provide lunch. Finally, the County Emergency Management will provide funds for the training as well. It will be held at the Fairmont Knights of Columbus Hall in Fairmont. There will be more information to come.

Wendy Chirpich, Planning and Zoning Technician, stated that the Department had applied for a grant in the amount of almost a half million dollars and was awarded \$223,000 for septic system upgrades in Lake Belt Township in 2011. However, in 2012 the grant was extended to include Lake Fremont Township as well. The requirements of the grant included funds available to low income households and that there was not an existing septic permit on file. The grant would pay for a septic system in full from start to finish. At the end of 2012, we had spent \$195,000. The grant was again extended one more year. At this time, we just finished a system that got put in last week and I got paperwork for another system. So, we should be coming really close to spending all the money by the end of December. Whatever is left we do have to give back to the state.

Flitter interjected that we did have problems with households meeting the low income standards for most townships, and other criteria so that's why we started with that one township. We were very fortunate that BWSR allowed us to extend a second year and add a second township.

Chirpich reviewed the information provided to the board on the number of permits, by township, on file. In 2010, we had approximately 68% of the overall residents in the county have septic systems on file and as of today we are at approximately 71% overall. This does not include brand new houses and it doesn't count sites where there was an existing system and needed to be replaced. So we're doing a lot more systems than the twenty-four a year.

Chirpich further stated that we also had lined up a septic class tomorrow for homeowners. We had six people signed up and I talked to the speaker from the University of Minnesota yesterday and didn't feel like it was worth her time to travel all the way down here for only six people. We haven't completely called it off yet.

Flitter stated that we continue to try to host these septic trainings each year. We hosted one last spring basically for different realtors and bankers and that too we barely had the minimum for a trainer to come down. We try to conduct as much outreach and training as we can, but it is just not always that easy.

Kathy Smith, Director Martin Soil and Water Conservation District, presented the FY2014 Natural Resources Block Grant (NRBG) agreement effective October 1, 2013 through December 31, 2016. Smith noted a slight increase in funding from last year in the total amount of \$89,039.

Motion by Commissioner Pierce, seconded by Commissioner Flohrs,

R-#42/'13

RESOLUTION

BOARD OF WATER AND SOIL RESOURCES NATURAL RESOURCES BLOCK GRANT FOR FY2014

WHEREAS, Martin County has a State approved comprehensive local water plan, which has been locally adopted pursuant to Minnesota Statutes Chapter 103B; and

WHEREAS, Martin County may assess a levy under its general levy authority to match such grants by BWSR pursuant to Minnesota Statutes 103B.335;

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approves of Martin County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its comprehensive local water plans in the amount of \$13,697; the administration of the wetland conservation act in the amount of \$8,778; administration of the DNR shoreland program in the amount of \$3,024; MPCA County Feedlot Base Grant in the amount of \$44,940; and MPCA SSTS Base Grant in the amount of \$18,600;

with total grant amount of \$89,039 under the terms of the Grant Agreement and all statutory requirements; and

THAT THE Martin County Board of Commissioners authorizes the expenditure of cash and in-kind contributions to match the Natural Resources Block Grant as specified in Laws of Minnesota and the Grant Agreement.

BE IT FURTHER RESOLVED THAT, the Chairperson of the Martin County Board of Commissioners and the County Auditor or County Coordinator is authorized to execute the Grant Agreement together with all related documents.

Motion was made by Commissioner Pierce, seconded by Commissioner Flohrs, and was duly passed and adopted this 5th day of November, 2013.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Schmidtke, Flohrs, Pierce, and Belgard. NAYS: None. Resolution duly passed and adopted this 5th day of November, 2013.

Chair Belgard noted the Blizzard Snowmobile Club has been awarded \$37,356.00 (\$40,551.60 for FY2013) from the Department of Natural Resources for the maintenance of the Prairieland snowmobile trail.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#43/13

RESOLUTION AUTHORIZING
FY2014 SNOWMOBILE MAINTENANCE GRANT AGREEMENT
FOR PRAIRIELAND TRAIL

WHEREAS, this agreement is made between the State of Minnesota and Martin County as it relates to the establishment of the Prairieland Trail, and

WHEREAS, Martin County desires to establish, construct, and maintain public trails; and
WHEREAS, the Minnesota Trails Assistance Program provides grants to local units of government for the construction and maintenance of recreational trails pursuant to the Minnesota Statutes, Chapter 84.83; and

WHEREAS, the Blizzard Snowmobile Club on behalf of MartinCounty, has submitted the application and resolution by the local government authorizing the proposed trails; and

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approve and authorize the Board Chair and/or Auditor/Treasurer to sign the Minnesota Trail Assistance Program FY2014 Grant Agreement in the amount of \$37,356.00 with an effective date of October 15, 2013 and expiration date of June 30, 2014.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, and was duly passed and adopted this 5th day of November, 2013.

BOARD OF COMMISSIONERS
MARTINCOUNTY, MN

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, CountyCoordinator

Roll Call AYES: Commissioners Donnelly, Flohrs, Schmidtke, Pierce, and Belgard. NAYS: None. Resolution duly passed and adopted this 5th day of November, 2013.

Chair Belgard presented a resolution authorizing the public sale of tax forfeited land in the county. The resolution sets the terms and conditions, date, and time of sale. The sale is set for Tuesday, November 26, 2013 at 10:00 a.m. in the Commissioners Board Room.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke,

RESOLUTION # 40 / 13

AUTHORIZING & FIXING TERMS OF TAX SALE:

BE IT RESOLVED, that all parcels of tax-forfeited land listed on the List of Tax-Forfeited Land #14 be classified as non-conservation land; that the basic sale price of each parcel on the List of Tax-Forfeited Land #14, that is on file with the Martin County Auditor/Treasurer, be approved and authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at **10:00 a.m. Tuesday, November 26, 2013**, by the Martin County Auditor/Treasurer, in the Commissioners Room, 1st Floor in the Martin County Courthouse, 201 Lake Avenue, Fairmont, Minnesota, beginning and not less than the basic sale price; and that all sales shall be full payment and on the terms set forth on the List of Tax-Forfeited Land #14 dated November 5, 2013.

BE IT FURTHER RESOLVED, that the conditions and terms of the public sale shall be as described in the list contained herein and approved by the Martin County Board of Commissioners.

Motion was made by Commissioner Donnelly, seconded by Commissioner Schmidtke and carried.

Dated this 5th Day of November, 2013.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

Elliot Belgard, Chairperson

ATTEST: _____
Scott Higgins
Martin County Coordinator

Roll Call AYES: Commissioners Pierce, Flohrs, Schmidtke, Donnelly, and Belgard. NAYS: None. Resolution duly passed and adopted this 5th day of November, 2013.

Higgins noted there are two boards with vacancies the EDA Board to replace Dale Schumann and the County Park Board to replace Charlie Abel. Both appointments will represent Commissioner District No. 4.

Discussion ensued regarding publishing a notice in the newspapers for viable candidates. After discussion,

By consensus, the commissioners tabled citizen appointments for the EDA Commission and County Park/Trails Commission.

Higgins stated the Association of Minnesota Counties (AMC) requests that each county provide voting delegates to the annual conference which will be held December 9-11, 2013 in Minneapolis, MN; with by-laws allowing up to eight participants per county. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Flohrs, Be it Resolved that the Martin County Board of Commissioners, hereby approve up to eight delegates to attend the Association of Minnesota Counties (AMC) Annual Conference to be held December 9-11, 2013 in Minneapolis, MN, which includes Elliot Belgard, Steve Pierce, Steve Donnelly, Steve Flohrs, Dan Schmidtke, Scott Higgins, James Forshee and Julie Walters. Carried unanimously.

Deb Mosloski, Drainage Specialist for Martin County, informed the Board that in January the South Central Drainage Group wants to meet and give an update to members of the committee on the work they are doing.

Mosloski stated that there is a concern for weed growth on the newly established one rod grass strips along open drainage ditches or after the cleaning of an open drainage ditch. These areas need to be mowed in order to stop the weed growth until the grass has been established. This would typically be done during the month of June each year. We have looked at the possibility

of the contracting the mowing out or have the Drainage staff do the mowing. We looked into possibility to purchase a mower for the 4-wheeler. The approximate cost is \$4,000. It potentially could take 3-5 years to establish the one rod grass strip. We are asking the Board for input on whether to hire a contractor or should the county begin mowing these areas.

Belgard stated it is our responsibility to maintain these grass strips until the grass strip is established and inquired at what point does it get turned back over to the farmer.

Mosloski stated that it is actually the drainage systems responsibility. In the past the landowners have always taken care of it, but now they want to be paid to do it. The county has always hired the Soil and Water because they've always done a great job.

Schmidtke inquired of the current contractor the Lawn Manicurist and how they fit in with this issue. If they are spraying these things every few years then we shouldn't have weeds that big.

Mosloski stated that to have it hired done will be very expensive to the system.

Belgard inquired if these one rod strips would be mowed only once a year.

Mosloski responded in the affirmative. What happens is when they mow it will let the grass seed receive more sunlight and as with any perennial, it takes about three years to get established.

Flohrs stated that if the county were to do this, it would be a lot more wear and tear on the 4-wheeler and you'd have to replace that sooner. Could STS do this work?

Mosloski stated that this could be a possibility.

The Board took no action.

Mosloski informed the Board that in the Re-determination on JD #28 Tom Maday had rolled 223 acres of farm into a WCA program. Then in the meantime while he was dealing with them the Federal government, which at this time had shutdown, even though they only shut down for 3 weeks it actually backs them up for 3 months. When the Board listened to the redetermination of JD #28 Ron Ringquist said to you to allow him until January 1st to record the papers for this WCA. We are requesting the Drainage Authority to allow for the interest and principal to be deferred for Mr. Maday, which will give him up until the levy of the next year to have everything in place and recorded. After further discussion,

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 approve and authorize Assessment Deferral Request from Tom and Jean Maday for rolling over 223 acres of farmland into WCA program (JD #28 Center Creek Township). Carried unanimously.

Mosloski stated that she received a request from Hodgman Drainage Company, Inc. the contractor that is working on the JD #40 project. Because they're in a very, very deep area

right now on the JD #40 project and with the frost coming up, he said that if the frost hits they can dig as deep as they want to if they're down there 10 or 15 feet with no problem. But they do have some jobs out there where the shallower 4-5 feet deep that need to be done now where they can roll the tile in and they asked for an extension to complete the work from the contracted date of December 15, 2013 to January 15, 2014. Mosloski stated that this is up to you as the Drainage Authority, but as you all know, this is a controversial ditch. You have a copy of the request letter in your board packet.

Belgard stated it may not be a big deal, but I'd hate to pass this and find out somebody isn't very happy about it.

Schmidtke stated that he did not think it's a big deal as long as we don't have farmers out there that are going to be upset if it doesn't get done according to the contract. I'm good with it as long as the farmers are.

Pierce inquired if there is a penalty for not getting it done.

Mosloski responded yes. According to the contract it is \$300 a day if not done by December 15, 2013.

Pierce stated concern for setting a precedent in allowing this extension.

Schmidtke stated it might be better to have the contractor finish the job per the contract.

Belgard concurred.

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 denies Time Extension Request from Hodgman Drainage Company, Inc. of Claremont, MN, for completion of JD #40 Improvements from December 25, 2013 to January 15, 2014 and that the Contractor is expected to honor the original December 15, 2013 contracted completion date. Carried unanimously.

Commissioners reviewed the Third Quarter 2013 Transit Report and Third Quarter 2013 Revenues/Expenditures Report; and draft county policies including Email Management, Volunteer Fire/Ambulance Service Leave, Personal Appliances, PTO (revisions), and Health & Safety (revisions).

Commissioners presented their individual board member reports.

Commissioner Flohrs stated he attended Family Dependency Court graduation the afternoon of October 15th; Human Services regular meeting on October 16th; SHIP meeting in Truman, and helped out with Veterans Benefits seminar on October 17th; Prairieland meeting on October 18th; Teachers Recognition Banquet on October 29th; and Beyond the Yellow Ribbon meeting on November 4th.

Commissioner Schmidtke stated in addition to what has already been mentioned he attended Library Union negotiations on October 22nd; Extension Committee conference call on November 1st; and EDA meeting on November 4th.

Commissioner Belgard stated he attended Domestic Violence work shop at Five Lakes Centre on October 24th; Region 9 Community & Economic Development meeting in Mankato on October 25th.

Commissioner Pierce stated he had nothing new to add.

Commissioner Donnelly stated in addition to what has already been mentioned he attended Domestic Awareness work shop on October 24th; and the county's open enrollment meeting on October 22nd.

Commissioners reviewed their calendars of upcoming meetings and activities: November 5, 2013 – Drug Court Graduation ceremony at 12:30 p.m., New Water Tower meeting in Granada, MN, and Region 9 meeting; November 6, 2013 – Human Services Exec. Board meeting; GBERBA meeting in Mankato, MN, and Extension meeting to discuss interview process at 3:00 p.m.; November 11th – Veterans Day – Courthouse Closed; November 12th – Quarterly Extension Committee meeting at 8:00 a.m.; November 13th – AMC's District 7 meeting in Waseca, MN (Commissioners Pierce, Belgard and Flohrs plan to attend); November 14th – SWCD meeting; November 15th – Prairieland meeting (Commissioner Pierce will be gone for a week and unable to attend this meeting), and Extension interviews in the afternoon; November 17th – 4-H Banquet; November 18th – Minnesota River Board meeting and MVAC meeting (Commissioner Pierce will be unable to attend – will be gone that entire week); November 19th - regular Board of Commissioners meeting at 9:00 a.m.

Flohrs stated the Board should really take a look at the viability of the Minnesota River Board. The Board is proposing in legislation to gain taxing authority. The proposals are confusing. I should have brought back or presented more information on it. How do you want me to vote on that?

Pierce inquired how viable is the board.

Flohrs stated that funding has gotten cut by the state the only funding they get or would get is through a levy which would be the whole Minnesota River Basin which includes 37 counties and so it is a huge deal. Some counties have dropped out already. The large counties up towards the cities have already dropped out of it and it is a huge mess. They're trying to decide what to do about it. They've got a couple proposals going forward basically with levying money to support it. They want to gain about \$7 million per year and then they can take this money and go and get federal and state funding, so they could leverage the two funding sources together, and feel they can get something done. There were about five different proposals made and two of them were brought forward. So we're keeping the Soil and Water Districts and Watershed Districts working. That in a nutshell is what is going on and will be voted on if we're going to continue on with that. One of the things is if we don't come up with a plan this will all get thrown back to the state so then the state will tell us what to do. The advantage of that is we've got these two

good plans they'll probably use one and then the state will just mandate them down. We will have to wait and see what happens.

Flohers stated that his thoughts are not to support the tax levy authority.

With no further business to wit, Board Chair adjourned the meeting at 11:00 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator