

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 18, 2014
@ 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 Dan Schmidtke.

Commissioners present were Steve Flohrs, Elliot Belgard, Steve Donnelly, and Dan Schmidtke. Commissioner Steve Pierce was absent. Also present were Terry Viesselman, Martin County Attorney, Kevin Peyman, Martin County Highway Engineer, Jennifer Brookens, Sentinel Newspaper, Rod Halvorsen, KSUM/KMFC Radio, Julie Walters, Administrative Assistant, and members of staff.

Motion by Commissioner Donnelly, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the March 18, 2014 regular Board of Commissioners meeting with the following: Add 8.12 Consider Resolution for Snowmobile Trail Application – Blizzard Snowmobile Club; and Delete 3.1 Review Minutes of March 4, 2014 regular Board of Commissioners meeting. Carried unanimously.

Terry Viesselman, Martin County Attorney, presented an office update stating he has received a report from the attorney representing Minnesota counties in the “Driver’s License Look Up” suit and she is expecting the case to be dismissed as it applies to Martin County.

Chairman Schmidtke 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).

Motion by Commissioner Belgard, 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 and Display Permit (Set-Up License) for Fox Lake Golf Club, Inc. effective April 5, 2014 through April 6, 2015; and is contingent upon receiving proper documentation. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, stated as you know Martin County was not awarded Legacy grant funds for proposed improvements at Cedar Hanson Park near Trimont, MN. Peyman went on to state at the last Park Board meeting we separated out some plans and spent time talking about constructing the general comfort station (including showers, toilets, sewer and septic) and adding a few more water and electrical hookups and nine additional campsites. Peyman also stated estimated costs for the building is \$250,000; Septic \$25,000; Sewer \$10,000; and gravel pad campsites \$15,000 (totaling \$300,000).

Peyman noted the park fund has about \$60,000 that is levied by the Board that goes towards day to day expenses and caretaker wages; and usually the money collected from the McClain Property rental (\$40,000 to \$45,000 per year) has been used for the development of Martin County parks. After having said that there are always some small things that come up for park

maintenance so realistically we're probably looking at \$30,000 to \$35,000 per year that we can use to pay back the county. Peyman went on to note the Park Board has been working toward improving Cedar Hanson Park for 15 to 20 years and recommends moving forward with the comfort station and campsites and pay for the improvements out of the county's general fund; and hold off on any other park projects until we recoup that money in the park fund. Peyman also noted we have not increased the levy for the parks in probably 15 years and the Park Board also requests a \$10,000 per year increase in the park fund to help offset that too. So using those numbers we could pay the loan off in about 5 to 5 ½ years. Once we get those electrical sites too we're going to see some increased revenue from the parks moving forward.

Peyman stated the Park Board will nail down building construction options and campsite locations at their next meeting on April 16, 2014; and bring in recommended plans for consideration at a future commissioners meeting. Peyman went on to state at this time the Park Board wants to know if commissioners are okay with the option of paying for the proposed improvements from the general fund with repayment from the park fund.

Chairman Schmidtke stated I think it is a good plan...way before I was here we've been working on that project trying to bring in restrooms and facilities. And anytime you add electrical and water you're going to increase your income into that park. I'm in favor of it.

Commissioner Donnelly said it sounds reasonable.

Commissioner Flohrs inquired if borrowing funds to the park board is a general practice.

Commissioner Belgard inquired if someone local will do the work involved.

Chairman Schmidtke stated I think without a motion we're pretty much all in agreement.

Peyman next presented an update and reviewed the Martin County 2014 Weight Restriction Map stating restrictions did go on March 14, 2014 and during the period when spring weight restrictions are in effect, any gravel road not otherwise posted has a 5 Ton/axle limit and any paved surface road not otherwise posted, remains as a 10 Ton/axle limit. In any case a road is posted with a weight limit sign, the sign will govern. Peyman stated restrictions are typically on for 8 weeks which would be May 9, 2014, and noted the county's gravel roads are in good shape.

Commissioner Flohrs inquired what the Highway Department was going to do with County Road 39.

Peyman stated bids will be opened on April 11, 2014 for 2014 summer construction projects (milling, bituminous overlay, aggregate shouldering and rumble stripes) including County Road 27 just north of the Interstate up to the Watonwan County line; and County Road 39 where the concrete ended going north three miles to where we did an overlay a few years ago.

Chairman Schmidtke opened a short discussion on the reappointment of Kevin Peyman as County Engineer for a four year term effective for the period May 1, 2014 through April 30, 2018. The County Engineer is an appointed position per Minnesota Statutes §163.07.

Motion by Commissioner Belgard, seconded by Commissioner Donnelly,

R-#20/14

RESOLUTION

REAPPOINTING KEVIN PEYMAN AS MARTIN COUNTY ENGINEER
FOR A FOUR-YEAR TERM EFFECTIVE MAY 1, 2014 THROUGH APRIL 30, 2018

WHEREAS, Kevin Peyman was first appointed as the Martin County Engineer effective April 1, 2001 for one year; and then appointed March 19, 2002 to a four-year term ending April 30, 2006; then reappointed May 2, 2006 to a four-year term ending April 30, 2010; then reappointed April 20, 2010 to a four-year term ending April 30, 2014; and by reappointment of the Board of County Commissioners, will serve through the term expiring April 30, 2018; and

WHEREAS, the County Board of Commissioners has determined that performance objectives have been met and, therefore, recommends reappointment.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Martin, Minnesota, that, in accordance with Minn. Stat. 163.07, that Kevin Peyman be and hereby is reappointed to a four-year term beginning May 1, 2014 and continuing through April 30, 2018.

BE IT FURTHER RESOLVED, that a copy of this resolution be included with the personnel file held by the County Coordinator's Office.

Motion by Commissioner _____, seconded by Commissioner _____, was duly passed and adopted this 18th day of March, 2014.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Flohrs, Belgard, Schmidtke. NAYS: None. Commissioner Pierce was absent. Resolution duly passed and adopted this 18th day of March, 2014.

Jeff Markquart, Martin County Sheriff, stated at the March 4, 2014 regular commissioners meeting we had some discussion and the Board approved the hiring of LuAnn Akers for the Martin County Emergency Management Director position. Markquart went on to state since then Akers turned in a letter saying that she was going to decline taking the job offer. Markquart

also stated the position was offered to the next candidate, Erin Busta, and she has accepted the position contingent upon board approval and background check.

Motion by Commissioner Belgard, seconded by Commissioner Donnelly, Be it Resolved that the Martin County Board of Commissioners, hereby approve and authorize the hire of Erin Busta, as the Martin County Emergency Management Director for Martin County, at Grade 13 Step 1 at \$20.29/hour, a non-union position, eligible for non-union benefits, effective April 6, 2014; contingent upon background check that is acceptable to Martin County. Carried unanimously.

Markquart presented a brief Sheriff's Office update including the Martin County Jail has twenty-two (22) in-house, six (6) in Faribault County, one (1) in Nobles County, and five (5) to nine (9) on Electronic Home Monitoring.

Ashley Brenke, District Technician-Martin Soil and Water Conservation District, presented a year-end review of the 2013 Natural Resources Block Grant and stated with our new reporting system we now have to fill out final financial reports to the state Board of Water and Soil Resources for the Natural Resources Block Grant. This includes feedlot funding, septic funding, shoreland funding, the wetland conservation act funding, and the local water plan funding and essentially these financial reports state that in 2013 we spent the money on those programs.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the FY2013 Natural Resources Block Grant year-end financial reports. Carried unanimously.

Rich Perrine, Water Plan Coordinator, presented an update noting the great partnership Martin SWCD has with the Fox Lake Conservation League and listed \$1.456 million dollars in active grants including Minnesota DNR Conservation Partners Legacy Grants (Caron/Four Corners WMA Acquisition Northwest of Sherburn, Center Creek WMA Acquisition Northeast of Granada, Perch Lake WMA #1 Acquisition Southwest of Truman, and Perch Lake WMA #2 Acquisition Southwest of Truman), Minnesota LCCMR Grants (Vanderweert Scientific Nature Area Acquisition near Cedar Park Northwest Trimont), and Martin SWCD Grants (Cedar Dam Improvement West of Trimont, Perch Lake WMA Invasive Removal Southwest of Truman, Native Buffer Improvements countywide, and Small Wetland Restorations countywide).

Kathy Smith, Director-Martin SWCD, presented an Amendment to the AgBMP Program for an additional \$195,016 to the Multi-Lender System with no County match required. The additional funding will be used for a number of different programs including Septic Systems and Conservation Tillage and other programs that help improve water quality and soil health.

Motion by Commissioner Flohrs, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign Amendment to Attachment A of the 2014 AgBMP Loan Agreement for a \$195,016.00 increase to the Multi-Lender System; with no County match required. Carried unanimously.

Chairman Schmidtke stated the Auditor/Treasurer's Office is requesting abating taxes off of three (3) parcels from a former railroad lease.

Mike Sheplee, Deputy Assessor/Appraiser, was present and stated as I understand it, it is just a tax receivable that should never have been. Sheplee went on to state railroads are valued by the State unless there's an additional lease put on that we then add to land value and these leases were done decades ago and this one evidently expired...had an original term that expired and no longer was applicable. Sheplee noted the railroad didn't communicate to us that it had expired and was over until now. So the abatement is just a tool to take the receivable off. We never expected to collect that tax on these leases: No. 35.998.0020 in the amount of \$9,217.72; No. 35.998.0030 in the amount of \$4,555.93; and No. 35.998.0050 in the amount of \$224.05.

Motion by Commissioner Donnelly, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the expired railroad lease tax abatement for parcel No. 35.998.0020, No. 35.998.0030, and No. 35.998.0050; and to abate the taxes in the total amount of \$13,997.70. Carried unanimously.

Chairman Schmidtke stated Judd Schultz, Housing Services Director with Minnesota Valley Action Council, has requested additional funds for a one time project only basis in rural Dunnell with funds that are being utilized through Minnesota Housing's Rehabilitation Loan Program to assist the household. The funding source is capped at \$27,000. In order to do the minimum required improvements for that program an additional \$4,977 is needed to complete the project otherwise MVAC is not able to approve the loan. The County fund has a good fund balance and would cover the additional funding request.

Discussion ensued regarding setting precedence and absence of individuals that could answer questions regarding this item. After discussion,

It was decided by consensus of the Board to table the Small Cities Development Program/MVAC Request for Funds.

Chairman Schmidtke stated the County has been approved by Mn/DOT for the purchase of one (1) replacement bus for 2014 and that the purchase amount is shared 80% (Mn/DOT) and 20% (local share) with the approved Mn/DOT contract amount of up to \$70,000. After review of vehicles and options offered by approved State of Minnesota contracting vendors, staff recommends purchasing a 12 passenger Ford E350 Flex fuel (Elkhart Body) gas engine transit bus in the amount of \$59,941.00 from North Central Bus Sales of Minneapolis, MN (\$11,988.20 – 20% local share, \$47,958.20 – 80% State/Federal share); contingent upon Mn/DOT Office of Transit approval.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs,

R-#21/'14

RESOLUTION

Authorizing the Procurement of One Replacement Transit Bus for CY2014 and
Selecting North Central Bus Sales as Specified Vendor

WHEREAS, the County of Martin, MN operates a transit system; and

WHEREAS, the County of Martin, MN desires to purchase, through the State of Minnesota Cooperative Procurement Process, a vehicle to be used in the transit system; and

WHEREAS, the vehicle cost is allocated 20% local share and 80% State/Federal share of the “contract amount”; and

WHEREAS, the County of Martin, MN staff has reviewed the vehicle options offered by approved multiple contracting vendors; and

WHEREAS, the staff recommends purchasing one vehicle from North Central Bus Sales, for the reason of the low cost, fleet consistency, and past vendor performance; and

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners of the County of Martin, MN, hereby authorize the purchase of one new transit bus from North Central Bus Sales of Minneapolis, MN in the approximate amount of \$59,941.00 or not to exceed \$70,000.00.

Motion by Commissioner _____, seconded by Commissioner _____, Resolution was duly passed and adopted this 18th day of March, 2014.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Flohrs, Belgard, and Schmidtke. Commissioner Pierce was absent. NAYS: None. Resolution duly passed and adopted this 18th day of March, 2014.

Chairman Schmidtke stated the Martin County Extension Committee is recommending the County advertise to hire a temporary seasonal employee for the 4-H Program up to 40 hours per week, not eligible for full-time benefits, at a recommended hourly wage of \$10.00 per hour.

Motion by Commissioner Flohrs, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize advertisement for the hire of a temporary seasonal employee for the 4-H Program up to 40 hours per week, not eligible for full-time benefits, at a recommended hourly wage of \$10.00 per hour; and that any salary amount over \$4,500.00 will be covered by the 4-H Federation. Carried unanimously.

Doug Landsteiner, CVSO, and Kay Wrucke, County Recorder, presented an update on the Boy and Girl County Program that will be held on April 1, 2014. Landsteiner stated that Wrucke has had many great ideas for this year's program including presentation of certificates to participating students and hand-shakes with elected officials of the County as students leave at the end of the day.

Deb Mosloski, Martin County Drainage Administrator, and Mike Forstner, Ditch Inspector, reviewed and opened discussion on the One Watershed, One Plan Pilot Program, stating in 2013 the Minnesota Legislature passed Chapter 137 HF 1183 (Clean Water Fund Appropriations) which provided authorization and funding to the Board of Water and Soil Resources (BWSR) for assistance and grants to local governments to transition local water management plans to a watershed approach. Based on this legislation BWSR created the One Watershed, One Plan program and is seeking nominations for the purpose of selecting six to eight pilot watershed areas in 2014.

After discussion,

It was determined by consensus of the Board that Faribault County can take the lead and apply for the joint grant; but we want to make sure that Martin County is represented and be able to give input to make sure we get what we need.

Mosloski reviewed the agenda for the Southern Minnesota Drainage Group meeting on Wednesday, March 19, 2014 at 9:30 a.m. at the Faribault County Ag Center in Blue Earth, MN.

Chairman Schmidtke stated the Blizzard Snowmobile Club Trail Administrator is requesting approval to submit an application on behalf of Martin County to the Minnesota Department of Natural Resources (DNR) – Minnesota Snowmobile Trails Assistance Program for snowmobile maintenance. This is a preliminary application and once the DNR has reviewed and awards a grant dollar amount, it will be brought before the Board for acceptance and approval.

Motion by Commissioner Flohrs, seconded by Commissioner Donnelly,

R-#22/'14

RESOLUTION

Application from the Blizzard Snowmobile Club for Maintenance Funding for the Existing GIA Trail System:

WHEREAS, Martin County, Minnesota desires to apply for maintenance funding for an existing GIA Trail System; and

WHEREAS, by Law of 1975, Chapter 204, Sections 51 and 95, there was appropriated to the Commissioner of Natural Resources, as a grants-in-aid to Local units of government, funds for said purposes; and

WHEREAS, said Martin County will contract with the Blizzard Snowmobile Club, Inc. to apply for this funding to maintain said GIA Trail System.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approve of the application for maintenance funding for the existing GIA Trail, and that the Chairperson and/or the County Auditor/Treasurer be authorized to sign all documents relating to the program year.

Motion was made by Commissioner _____, seconded by Commissioner _____, and carried this 18th day of March, 2014.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Belgard, Donnelly, Flohrs, and Schmidtke. Commissioner Pierce was absent. NAYS: None. Resolution duly passed and adopted this 18th day of March, 2014.

Motion by Commissioner Donnelly, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve payment of claims for the month of March, 2014 as presented; and includes the Martin County Highway Department bills as presented and Drainage Administration bills as presented. Carried unanimously.

Warrants received and paid March 18, 2014 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved March 18, 2014	\$ 230,225.41
Recreation and Safety Fund	\$ 130.23
Martin Co. Economic Development Authority	\$ 1,648.00
Solid Waste Management Fund	\$ 28,804.33
Law Library Fund	\$ 1,895.15
Martin County Transit Fund	\$ 49,681.84
County Attorney's Forfeiture	\$ 728.75
Recorder's Technology	\$ 320.00
Ind. Sewage Treatment System Loans	\$ 26,874.75
Bank Building Fund	\$ 3,474.69
Refunding Fund	\$ 111.67
Total	\$ 343,894.82
Road and Bridge Funds Totaled	\$ 32,864.44

Martin County Ditch Funds Totaled

\$ 156,341.14

The Board reviewed information received from the Minnesota Public Safety Interoperable Communications Conference to be held April 14-16, 2014 in St. Cloud, MN; Notice of Annual Association of Townships Meeting to be held April 15, 2014 beginning at 6:30 p.m. at the Welcome American Legion in Welcome, MN; Monthly Financial Statements for January, 2014 and February, 2014; Proposed/Revised County Policies including Data Practices, Citizen Advisory, Employee Recognition, and County Vehicle Use; and Area Career Exploration (ACE) Event Agenda to be held on April 9, 2014 beginning at 8:30 a.m. at the Fairmont Area High School Gymnasium.

Commissioners presented their individual board member reports.

Commissioner Flohrs stated he attended Human Services Exec. Board meeting on March 5, 2014; Warm Your Heart Fundraiser in Mankato for MVAC on March 8, 2014; Elm Creek Research meeting in the morning, Drug Court Graduation, Library Board meeting, and a few of the Township meetings in the evening on March 11, 2014; Soil and Water meeting on March 13, 2014; Prairieland meeting and Drug Court Steering Committee meeting on March 14, 2014; and Minnesota Valley Action Council meeting on March 17, 2014.

Commissioner Belgard stated he attended Human Services Exec. Board meeting on March 5, 2014; six Township meetings on March 11, 2014; Faribault/Martin County Transit Advisory Committee meeting for potential merge of Faribault and Martin County transit systems on March 13, 2014; Prairieland meeting on March 14, 2014; Truman City Council meeting with Billee Rabbe to get Conditional Use Permit renewed for Prairieland on March 17, 2014.

Commissioner Donnelly stated he attended a Building/Purchasing Committee meeting on March 4, 2014; Drug Court Graduation on March 11, 2014; GBERBA meeting in Mankato on March 13, 2014; and Prairieland meeting on March 14, 2014.

Commissioner Schmidtke stated in addition to those already mentioned he attended the Department Director meeting on March 12, 2014.

Commissioners reviewed their calendars of upcoming meetings and activities: March 18, 2014 – Building/Purchasing Committee meeting at 1:00 p.m., Agri-Business meeting at 6:00 p.m. at the Ranch Restaurant; March 19, 2014 – Human Services meeting at 2:00 p.m. in Fairmont; March 20, 2014 – Radio Board meeting at 11:00 a.m. in Mankato, MN; March 21, 2014 – JD #30 Ditch meeting at 3:00 p.m.; March 25, 2014 – Planning & Zoning Commission meeting at 5:30 p.m.; March 26, 2014 – South Central Minnesota Multi County HRA Board Meeting in North Mankato; March 27, 2014 – Water Plan meeting in the evening; March 31, 2014 – Rural Minnesota Energy Board meeting in Slayton, MN; April 1, 2014 – regular Board of Commissioners meeting at 9:00 a.m. in the Board Room.

The Board recessed at 10:15 a.m.

The Board reconvened at 10:25 a.m.

Minnesota Department of Transportation (Mn/DOT) district engineer Greg Ous and assistant district engineer Gordon Regenscheid were present to provide an update on the District 7 Construction Year Projects including 2014 project of Highway 15 resurfacing with bituminous (Highway 15 North from I-90 to Truman) and will include four-foot paved shoulders; installation of more dynamic messaging signs for work in managing the roads and closures in the winter season; in 2015 two bridge replacements on Hwy 4 over the East Fork of the Des Moines River, and Mill and Overlay of I-90 from Jackson, MN to Sherburn, MN; and then in the I-90 area here in 2017 we're going to be rehabbing four bridges in this area and then I-90 eastbound 86 to Sherburn, MN will be a mill/overlay for just under \$10 million dollars. Just in the Martin County area alone in the next 5 years there are over \$25 million in improvements slated; and briefly touched on Mn/DOT's Toward Zero Deaths safety program.

Commissioners inquired about the scheduled 2016 Hwy 4 Urban Reconstruct Roadway in St. James, MN; and proposed overlay of Hwy 263 south of I-90 to Ceylon, MN versus amount of money available for turn-backs on 200 series of roads south of I-90.

Commissioner Belgard stated I wanted to thank you...I live in Truman and I want to thank you for rethinking on that resurfacing and making that shoulder bigger because you know I can remember when they ran the first concrete ribbon through there in the early 80's and it was a nice wide stretch of road and then I was very disappointed when the hard surface shoulders came off it and I want to thank you for rethinking that decision and putting those shoulders back on there – at least four feet of it.

Commissioners and Peyman thanked both Ous and Regenscheid and the Minnesota Department of Transportation for their cooperation and support in and for Martin County.

With no further business to wit, Board Chair adjourned the meeting at 11:09 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator