

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 1, 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 Pierce, and Dan Schmidtke. Commissioner Steve Donnelly was absent. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, Martin County Attorney, Kevin Peyman, Martin County Highway Engineer, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Belgard, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the April 1, 2014 regular Board of Commissioners meeting with the following additions: 6.1 Consider Renewal of Consumption and Display Permit (Set-up License) for Holly Niss-Osborn, d/b/a Ghost Town Tavern in Granada, MN; and 8.7 Consider Corrections Officer Status and Salary Change – Sheriff’s Office. Carried unanimously.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the March 4, 2014 regular Board of Commissioners meeting. Carried unanimously.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the March 18, 2014 regular Board of Commissioners meeting. Carried unanimously.

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

James Forshee, Martin County Auditor/Treasurer, reviewed the application from Holly Niss-Osborn, d/b/a Ghost Town Tavern for renewal of Consumption & Display Permit (Set-up License). Forshee noted all required paperwork has been received.

Motion by Commissioner Pierce, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize renewal of Consumption & Display Permit (Set-up License) for Holly Niss-Osborn, d/b/a Ghost Town Tavern located at 1203 260th Avenue in Granada, MN. Carried unanimously.

Scott Higgins, Martin County Coordinator, stated consideration of the Joint Powers Agreement with the South Central Regional Communications Board has been placed back on the agenda as the Board had indicated a board representative would attend and be asked to vote at a meeting held on March 20, 2014. Higgins went on to state Minnesota legislature has amended Minnesota Statute 403.39 by adding a new section entitled “Regional Emergency Communications Boards”

that provides authority for Regional Radio Boards to assume responsibility for coordinating regional 911 services and compliance with this amendment to Minnesota Statute requires modification of the existing Joint Powers Agreement. Higgins noted the Board is requested to sign a resolution approving modifications to the Joint Powers Agreement governing the Board to provide for regional coordination of 911 services and public safety broadband data services and changes the name of the Board to “South Central Minnesota Regional Emergency Communications Board”.

Commissioner Belgard stated it does have to come back to every group. I was up there last Thursday in Mankato, MN and they did a group vote to change it from the Regional Radio Board to South Central Minnesota Regional Emergency Communications Board. And they did vote to do that and I listened in on the discussion and I didn’t see any concerns with it. So I think it does have to go back to every board individually to make sure they want to be a part of it and I would guess that we can just as well be part of it.

Commissioner Pierce stated I think it is appropriate to include in the board minutes that we’ve asked the question...we are under the presumption this does not increase our responsibility.

Commissioner Belgard stated that was part of the discussion and that was certainly what they indicated.

Motion by Commissioner Belgard, seconded by Commissioner Pierce,

R-#12/’14

RESOLUTION
APPROVING MODIFICATIONS TO THE
JOINT POWERS AGREEMENT FORMING THE
SOUTH CENTRAL MINNESOTA REGIONAL RADIO BOARD

WHEREAS, Martin County, MN is a participating member of the South Central Minnesota Regional Radio Board (hereinafter the “Board”), a Joint Powers Entity formed pursuant to Minnesota Statutes 403.39 and 471.59; and

WHEREAS, a Joint Powers Agreement creating the Board was approved by the thirteen counties and two cities comprising the Board, including Martin County, MN; and

WHEREAS, the Minnesota legislature has amended Minnesota Statute 403.39 by adding a new section entitled “Regional Emergency Communications Boards” that provides authority for Regional Radio Boards to assume responsibility for coordinating regional 911 services; and

WHEREAS, compliance with this amendment to Minnesota Statute requires modification of the existing Joint Powers Agreement; and

WHEREAS, the Board recommends modification of the Joint Powers Agreement governing the Board to provide for regional coordination of 911 services and public safety broadband data

services and changes the name of the Board to “South Central Minnesota Regional Emergency Communications Board”.

NOW THEREFORE, BE IT RESOLVED, the Martin County Board of Commissioners approves the modifications to the Joint Powers Agreement recommended by the Board and attached hereto; and

BE IT FURTHER RESOLVED, that the Martin County Board Chair is hereby authorized to execute the required addendum to the existing Joint Powers Agreement to implement the authorized modifications.

Motion by Commissioner Belgard, seconded by Commissioner Pierce, said resolution was duly passed and adopted this 1st day of April, 2014.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

I, Scott Higgins, Clerk of the Board of Commissioners do hereby certify that at a regular meeting of the Martin County Board of Commissioners duly and regularly called, and held at the office of Martin County on the 1st day of April, 2014, there being a quorum of said Board present, resolution R-#12/'14 was unanimously passed as appears from the records of Martin County and is now in full force and effect.

WITNESS my hand officially and the official seal of the County on April 1, 2014.

Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Flohrs, Pierce, Belgard, and Schmidtke. Commissioner Donnelly was absent. NAYS: None. Resolution duly passed and adopted this 1st day of April, 2014.

Higgins reviewed Minnesota Valley Action Council’s (MVAC) request for additional funds for a one time project only basis for a household in rural Dunnell, MN. Higgins stated the funds are being utilized through the Minnesota Housing’s Rehabilitation Loan Program to assist the household; and with the funding source capped at \$27,000, in order to do the minimum required improvements for that program, we would need an additional \$4,977 to complete the project otherwise the loan will not be approved. Higgins noted the fund itself has over \$200,000 in reserves specific for the Small Cities Development Program.

Motion by Commissioner Pierce, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, at the request of MVAC for the additional funding for the Small Cities Development Program for Martin County in the amount of \$4,977.00, for a one time rehabilitation project for a household located in rural Dunnell, MN, hereby approves the additional funding request for the aforementioned project on a one time basis, to be expended from the Martin County Area Redevelopment Fund. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented the state contract pricing bid for the purchase of a new (not replacing any unit) budgeted 1 Ton Crew Cab Skid Loader Truck to pull the new skid loader trailer, and 8'6" x 80" Aluminum flatbed with rails and hoist. Peyman noted local dealerships were contacted and declined to bid. Peyman recommends moving forward with the state contract price on the 2015 F350 4 x 4 Crew Cab for \$28,315; and the purchase of an 8'6" x 80" Aluminum flatbed with rails and hoist for \$7,020 from Crysteel.

MARTIN COUNTY HIGHWAY DEPARTMENT

APRIL 1, 2014

COMMISSIONERS MEETING

New 1-Ton, Crew Cab Skid Loader Truck

Budgeted amount: \$30,000

Replacing: Nothing (see ** below)

Midway Ford, Roseville, MN (State Contract dealer)

2015 Ford F350 4x4 Crew Cab (without a box) - yellow \$28,315.00

*GM doesn't make a 1 ton with the equivalent towing capability.

**This is a new unit to pull the new skid loader trailer; it is not replacing any unit.

Truck Body for 1 Ton Truck

Crysteel Truck Equipment, Lake Crystal, MN

8'6" x 80" Aluminum flatbed with rails and hoist \$7,020.00

M H Truck Equipment, Blue Earth, MN

8'6" x 80" Aluminum flatbed with rails and hoist \$7,195.00

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Highway Engineer, hereby approve the purchase of a 2015 Ford F350 4x4 Crew Cab Skid Loader Truck in the amount of \$28,315.00 from Midway Ford in Roseville, MN (state contract dealer); and the purchase of an 8'6" x 80" Aluminum Flatbed with Rails and Hoist Truck Body in the amount of \$7,020.00 from Crysteel Truck Equipment in Lake Crystal, MN. Carried unanimously.

Peyman presented the state contract pricing bid for the purchase of a budgeted standard pickup truck to replace Unit 10 (a 1996 4 x 4 with \$198,000 miles) and recommends moving forward with the state contract price on the 2014 Ford F150 4 x 4 Regular Cab 8' box-yellow pickup for

\$20,082.92. Peyman noted Unit 10 will be disposed of on the State of Minnesota Surplus Services MinnBid website when new pickup is set up.

Replacement standard Pick-up Truck

Budgeted Amount: \$20,000

Replacing: Unit 10, 1996 Ford F150 4 x 4 with 198,000 miles. (see below)

Midway Ford, Roseville, MN (State Contract dealer)	
2014 Ford F150 4x4 Regular Cab 8' box - yellow	\$20,082.92
Ranger GM, Hibbing, MN (State Contract dealer)	
2014 GMC Sierra 4x4 Regular Cab 8' box – yellow	\$22,445.61

Unit 10 (unit being replaced) was most recently the park truck.
Unit 2, 2001 Ford F150 4 x 4 with 156,000 miles moved to park truck.
Unit 4, 2010 Ford F150 4 x 4 with 75,000 miles moved to courthouse truck.
Unit 11, 1998 Chevrolet 4 x 4 with 176,000 miles moved from courthouse to Highway Dpt. fleet.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Highway Engineer, hereby approve the purchase of a 2014 Ford F150 4 x 4 Regular Cab 8' Box Pickup Truck in the amount of \$20,082.92 from Midway Ford in Roseville, MN (state contract dealer). Carried unanimously.

Peyman presented a department update stating all snow removal equipment is still ready just in case; crews have been busy filling cracks and potholes; and noted overall gravels are in pretty good shape compared to some springs we've had.

Commissioner Flohrs inquired if the Highway Department purchases gravel outside of the county.

Peyman stated we do occasionally but as much as we can we find gravel deposits throughout the county. We typically have a lease agreement with the landowner and pay them so much per ton; we hire a contractor to come in to crush and stockpile the gravel and then we haul it ourselves throughout the county. Peyman went on to state that in past discussion, we've talked about how gravel is harder and harder to find in the County. So we have purchased gravel when needed elsewhere, we hire a trucking firm to haul it to the various stockpiles and/or on the roads that require the rock; sometimes we'll truck it in ourselves in the off season. We try and purchase as little as we can out of the county; but sometimes when we're running low in one area of the county then we'll truck some in. Peyman noted we prefer not to. You can get the gravel for about the same price that we can produce it; but you have to add the trucking costs on which is a lot of times more costly than the gravel itself depending on where it's coming from.

Kay Wrucke, Martin County Recorder, stated the Board authorized the recruitment to replace the position left vacant by the retirement of Kathy Simmering and that there were 67 applicants and of those 8 received interviews. Wrucke noted we had a good portion that was very qualified and those chosen for interviews had experience to some degree in the office or had some types of

things that we needed in the position. Wrucke went on to note background and reference checks are being completed and requests approval to hire the individual once background checks are completed and satisfactory to the County. Wrucke also stated she is recommending starting wage for this applicant at Grade 10 Step 3 at \$17.09 per hour due to the work experience and knowledge in researching legal descriptions, preparing and drafting legal documents for recording with the Recorder's Office and the courts, knowledge of Vital Records pertaining to legal work needed for attorneys, experience in researching Minnesota Statutes pertaining to legal practices, demonstrated proficiency in computer programs necessary for the position, and experience in multiple computer programs specific to law, accounting, and data entry.

Higgins noted the entry level wage for the Account Technician 1 – Recorder's Office position is \$16.28/hour.

Much discussion ensued pertaining to Grade 10 Step 1 at \$16.28/hour versus Grade 10 Step 3 at \$17.09/hour.

After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Flohrs, Be it Resolved that the Martin County Board of Commissioners, hereby approve and authorize the starting wage of the Account Technician 1 – Recorder's Office position at Grade 10 Step 1 at \$16.28 per hour. Carried unanimously.

Kathy Smith, SWCD District Manager, and Rich Perrine, Water Plan/WCA Coordinator, were present to review the Greater Blue Earth River Basin Alliance (GBERBA) request for interest whether or not Martin County is interested in participating in the One Watershed, One Plan program for the Blue Earth River Watershed. The Board of Water and Soil Resources (BWSR) has a vision and is of the opinion that the next logical step in the evolution of water planning in Minnesota is to align local water plans on major watershed boundaries with state strategies towards prioritized, targeted and measurable implementation plans through a program they have entitled One Watershed, One Plan. The program is seeking nominations for the purpose of selecting 6 to 8 pilot watershed areas in 2014. Watershed areas selected will be expected to establish a formal agreement and undertake and complete the development of a watershed plan the end of 2015.

Discussion ensued pertaining to needed funding to actually work on the watershed rather than realigning how we're doing the planning...if we can't get funds to do the work we're not going to see water quality improvement.

After further discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Belgard,

R-#23/'14

**RESOLUTION OF SUPPORT OF A
ONE WATERSHED, ONE PLAN APPLICATION
FOR THE BLUE EARTH RIVER WATERSHED**

WHEREAS, the Minnesota Board of Water and Soil Resources (BWSR) has a vision and is of the opinion that the next logical step in the evolution of water planning in Minnesota is to align local water plans on major watershed boundaries (8-digit hydrologic unit codes or HUC8) with state strategies towards prioritized, targeted and measurable implementation plans through a program that they have entitled “One Watershed, One Plan”; and

WHEREAS, the One Watershed, One Plan Program will set standards for plan content that will be consistent with or exceed the plan approval standards currently in place for local water plans with the intent that these future water plans use existing plans, local knowledge and other studies and planning documents including Watershed Restoration and Protection Strategies developed through the Minnesota Pollution Control Agency (MPCA); and

WHEREAS, the One Watershed, One Plan is designed to promote local efforts to manage their watersheds through goal setting, monitoring, restoring and protecting water resources and local habitats ensuring a “bottom-up” approach to water management; and

WHEREAS, the One Watershed, One Plan implementation must be accomplished through formal agreements among participating local governments on how to manage and operate the watershed; and

WHEREAS, the Greater Blue Earth River Basin Alliance (GBERBA) is requesting that Martin County consider joining in an application for funding from the Board of Soil and Water Resources to assist with planning on a major watershed basis for the Blue Earth River Watershed.

NOW, THEREFORE, be it resolved by the Martin County Board of Commissioners that Martin County supports, in principal, the idea of water planning on a major watershed basis based upon 8-digit hydrologic unit code (HUC8) and supports the submission of a One Watershed, One Plan request for information (the “Application”) to the Board of Water and Soil Resources (BWSR) by the Greater Blue Earth River Basin Alliance or their successors or assigns (the “Applicant”) subject to:

- 1) Approval of a Resolution of Support by a majority of the county boards within the Blue Earth River Watershed to agree to participate in the Application; and
- 2) The review, approval and execution by the Martin County Board of an appropriate agreement (the “Agreement”) outlining the costs, duties and responsibilities of all of the participating counties in the Blue Earth River Watershed Application.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Resolution duly passed and adopted this 1st day of April, 2014.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, Martin County Coordinator

Roll Call AYES: Commissioners Pierce, Belgard, Flohrs, and Schmidtke. Commissioner Donnelly was absent. NAYS: None. Resolution duly passed and adopted this 1st day of April, 2014.

Higgins presented the Summer Youth Work Experience Program Agreement between Martin County and Minnesota Valley Action Council (Grantee) to provide a Summer Youth Experience Program for youth residing in Martin County. The effective date of this Agreement is April 1, 2014 through September 30, 2014, with compensation to workers under this program at \$8.00 per hour. Higgins noted that Martin County has budgeted funds for the continuation of this employment program in 2014.

Commissioners discussed the fact that this is a good program and support the program; but our goal was to seek funding from grant dollars and/or outside businesses in the future and not continue to use taxpayer dollars to support the program.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be it Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the 2014 Summer Youth Work Experience Program Agreement effective April 1, 2014 through September 30, 2014. Carried unanimously.

Higgins presented and reviewed three new Martin County Policies and one revised Personnel Policy:

- **Data Practices Policy for Data Subjects (New Policy)** – this document discusses your rights when government entities collect and keep information about you. Minnesota Statutes, Section 13.05, Subdivision 8, requires us to have this document.
- **Data Practices Policy for Members of the Public (New Policy)** – this document is required by Minnesota Statutes, Section 13.03, Subdivision 2(b).
- **Employee Wellness and Recognition Policy (New Policy)** – establishes procedures and regulations for the County’s Wellness and Recognition Program.
- **County Vehicle Driving P#31 (Revised Policy)** – revisions to current policy to clarify and define rules and procedures in using county vehicles.

Much discussion ensued regarding revisions to the County Vehicle Driving P#31 including: Annual Verification of Driver’s Status and Authorization for Release of Driving Record; specifically adding the word “seatbelt” to Policy Guidelines #9 *Employees using any county vehicle or personal vehicles while on county business is required to comply with all motor vehicle laws. Penalty and fines associated with violation of the law is the sole responsibility of*

the employee and subjects the employee to discipline up to and including termination; and clarification of language included in Roman Numeral VI. Cellular Phone Usage #2 While employees are in the work status, cellular phones shall not be used while driving, unless utilizing hands free unit.

After further discussion,

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and adopt the following new policies: Data Practices Policy for Data Subjects, as required by Minnesota Statutes, Section 13.05, Subdivision 8; Data Practices Policy for Members of the Public, as required by Minnesota Statutes, Section 13.03, Subdivision 2(b); Employee Wellness and Recognition Policy establishing the procedures and regulations for the County's Wellness and Recognition Program; with new policies effective April 1, 2014; and to table consideration of revisions to the County Vehicle Driving Policy #P31 for further review by department directors. Carried unanimously.

Higgins stated that due to a medical leave of absence of a full time corrections officer, Mike Schultz was moved to temporary full time status for up to six months at a rate of \$18.75 during that time period, not eligible for full time benefits, with the exception of PTO accrual starting at 0-4 year accrual rate. Higgins went on to state that as of March 9, 2014 the Martin County Jail is back at full staff; therefore Schultz will be reverted back to part time status.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve corrections officer status and pay rate change for Michael Schultz from temporary full time corrections officer at \$18.75/hour to part time corrections officer at \$15.96/hour effective March 9, 2014. Carried unanimously.

The Board was given an update on possible relocation of the Assessor's Office including recommendation of the Building Committee to proceed with installation of a service window in the Assessor's Office and electronic locks on both entry doors; forming a committee to strategize long term plans and goals for office locations; and consider hire of part-time employee to help with entering contents of files into the laserfiche system.

Forshee informed the Board the following positions are up for election this year: Auditor/Treasurer, Recorder, Sheriff, County Attorney, Surveyor, and Commissioner Pierce and Commissioner Schmidtke. Forshee noted filings open up May 20, 2014 and close June 3, 2014; and our primary is Tuesday, August 12, 2014.

Commissioners presented their individual board member reports.

Commissioner Flohrs stated he attended the Agri-Business Community meeting at the Ranch Restaurant the evening of March 18, 2014; One Watershed, One Plan meeting in Blue Earth, MN, and Human Services full meeting on March 19, 2014; Rural Minnesota Energy Board meeting and Beyond the Yellow Ribbon meeting on March 31, 2014.

Commissioner Belgard stated he attended a meeting on JD #51 at Erickson Law Firm in Fairmont, MN, along with Martin County's Drainage Administration staff and Chuck Brandel, Engineer with I&S Group of Mankato, MN, on March 21, 2014; Audit meeting at Human Services and South Central Minnesota Multi County Housing Redevelopment Authority meeting on March 26, 2014; and Regional EMS Board meeting on March 27, 2014.

Commissioner Pierce stated he had nothing new to add.

Commissioner Schmidtke stated he attended a JD #30 meeting at the courthouse on March 21, 2014; several Building Committee meetings, and numerous tile issue telephone calls.

Commissioners reviewed their calendars of upcoming meetings and activities: April 1, 2014 – Boy and Girl County and luncheon at the Fairmont American Legion; April 2, 2014 – Human Services Exec. Board at 9:00 a.m.; April 3, 2014 – Joint Ditch Authority meeting in Blue Earth, MN; April 4, 2014 – Martin County Corn Growers breakfast meeting; April 7, 2014 – regular EDA meeting at 5:15 p.m., April 8, 2014 – Library Board meeting at 1:30 p.m.; April 9, 2014 – ACE Event at the Fairmont Junior/Senior High School 8:30 a.m. to noon, and Region 9 meeting at 6:30 p.m. in Mankato, MN; April 10, 2014 – Soil and Water Conservation District meeting at 9:00 a.m.; April 11, 2014 – Prairieland meeting (Commissioner Pierce will not be in attendance); April 15, 2014 – regular Board of Commissioners meeting at 9:00 a.m. in the Board Room, Annual Meeting Martin County Association of Townships 6:30 p.m. Supper & 7:00 p.m. meeting at the Welcome American Legion, and CD #30 ditch hearing at 11:00 a.m.; and April 16, 2014 - MCIT Trainings-Minnesota Government Data Practices Act (MGDPA) and Employee Leaves: The Basics.

The Board recessed at 10:25 a.m.

The Board reconvened at 10:30 a.m.

At this time, the Board welcomed and presented county government information to the 2014 Boy and Girl County participants. The Board thanked the students and chaperones for their interest and attendance.

With no further business to wit, Board Chair adjourned the meeting at 10:50 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator