

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 17, 2014
@ 5:00 P.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 5:00 p.m. by Chairman Dan Schmidtke.

Commissioners present were Steve Pierce, Steve Donnelly, Steve Flohrs, Elliot Belgard, and Dan Schmidtke. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Judy Bryan, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Donnelly, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the June 17, 2014 regular Board of Commissioners meeting with the following additions: 8.9 Consider Purchase of Motor Grader to replace Dunnell Shop Loss; 8.10 Discussion on Perch Lake Playground Equipment Grant; 8.11 Consider 3.2% Liquor License and Consumption & Display Permit for Boom Town Tavern LLC, d/b/a Ghost Town Tavern; 8.12 Consider Grant Application Request – Probation Office; 8.13 Consider Approval of FY2015 Emergency Funds Grant Agreement – Victim Witness Program; 8.14 Consider Courthouse Landscaping Proposal; and 8.15 Discuss County Surveyor Appointment. Carried unanimously.

Motion by Commissioner Belgard, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the June 3, 2014 regular Board of Commissioners meeting. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, stated that new owners Boom Town Tavern LLC, d/b/a Ghost Town Tavern in Granada, MN, have applied for a 3.2% Liquor License and Consumption & Display Permit. Forshee went on to state all required paperwork has been received and recommends approval.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve 3.2% Liquor License and Consumption & Display Permit for Boom Town Tavern LLC, d/b/a Ghost Town Tavern, 1203 260th Avenue in Granada, MN. Carried unanimously.

Billeye Rabbe, Director Prairieland Solid Waste Management Facility, presented a Prairieland update including plant operations; the Martin and Faribault County Solid Waste Plan; possible dates for scheduling a work session with the Board to look at the future of the Prairieland Facility; and presented Prairieland's Bill Summary as of May 31, 2014.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the bills for Prairieland Solid Waste Management Facility as presented by Billeye Rabbe, Director Prairieland Solid Waste Management Facility. Carried unanimously.

Prairieland Solid Waste Mgmt.
 Bill Summary
 As of May 31, 2014

American Pest Control	55.00
AmeriPride Services, Inc.	268.26
Berhow, Paul	188.67
BoeKett Building Supply, Inc.	6.98
Cardmember Service	507.55
Donnelly, Steven	31.36
Flohers, Steve	31.36
Frontier	300.46
Hinrichsen, Dan	3,731.05
Larry E. Baarts Trucking	67.36
LJP Enterprises Trucking, LLC	13,957.12
LJP Enterprises, Inc.	1,835.00
Loveall, Tom	52.64
Mankato Bearing Company	84.68
Matheson Tri-Gas, Inc.	31.81
Midwest IT Systems, Inc.	304.53
MVTL Laboratories, Inc.	25.00
Northern States Power Company	19,133.00
Owatonna Shoe Co.	603.50
Pierce, Steven	13.44
River Bend Business Products	731.31
Roadside Vegetation Management, LLC	485.00
Rode Manufacturing Corporation	1,337.52
Roper, John	58.24
Schmidtke, Dan	26.32
Sentinel, The-V	176.80
STAR Group LLC	135.07
Stoel Rives LLP	3,990.00
T Town Tinker & Towing	99.71
Truman Public Utilities	8,187.97
ULINE	1,750.28
Warmka, Tom	44.24
Watsonwan Farm Service-V	2,683.13
Watson's Plumbing, Heating & A/C	215.50
Yards 'n' More	575.00
Young, Gregory	80.64
TOTAL	<u>61,805.50</u>
5/30 Aramark	340.01
5/30 Discover	264.30
6/13 American Pest Control	55.00
6/13 MN Energy Resources Corporation	4,830.00

Rabbe noted Prairieland's fund balance is \$236,839.75.

Rabbe stated the Board is being asked to set a public hearing to take public testimony regarding proposed amendment(s) to the Martin County Solid Waste Service Fee Ordinance. Rabbe went on to state the proposed amendment would clarify language in the already existing solid waste service fee ordinance by eliminating reference to equating the hauler collected fee to \$40 per ton, and requiring that the fee be a percentage of the hauler's invoice amount by removing the option for a fee based on weight. Rabbe noted the Ordinance amendment would not affect the current property-based solid waste service fee established by the County. Rabbe recommends a public hearing date of July 1, 2014 at 9:15 a.m.

Motion by Commissioner Pierce, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby sets a public hearing date and time of July 1, 2014 at 9:15 a.m. in the Martin County Courthouse, Commissioners Meeting Room, 201 Lake Avenue, Fairmont, MN, to take public testimony and consideration for proposed amendments to the Martin County Solid Waste Service Ordinance; and to publish the required notices in the Official County Newspaper. Carried unanimously.

Steve McDonald, MIS Director, presented and reviewed two quotes received from Loffler and Northland Business Systems for upgrading the video/voice interview recording system in the Sheriff's Office. McDonald stated Microsoft has dropped support for the current Windows XP system making the system out of compliance with the Bureau of Criminal Apprehension (BCA) security rules. McDonald went on to state the quotes received are per specifications needed to run on the BCA's network; and that there is an approximate \$17 difference between the two quotes. McDonald recommends the quote received from Northland Business Systems.

Klanderud noted the Northland system offers more audio/video options.

Commissioners inquired if the system replacement is in the 2014 budget; if only the software can be changed out (without needing new hardware); and if the 12 months of maintenance for \$2,000 is needed.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, having received quotes from Loffler and Northland Business Systems, hereby approves the quote from Northland Business Systems in the amount of \$14,835 for required upgrades to the existing video/voice recording system in the Martin County Sheriff's Office. Carried unanimously.

McDonald noted that upgrades are required to the E-911 system and presented and reviewed a quote received from Independent Emergency Services (IES) in the amount of \$187,959.54 and includes 5 years of support services.

Captain Corey Klanderud stated Martin County's system has limped along the last few years and most of the other counties have already upgraded.

Sheriff Jeff Markquart noted an initial payment of 20% down is required to get on the installation schedule, and that completion is projected early next year. Markquart went on to note this is a budgeted item and will be expended from the E-911 Fund.

After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, having received a quote for the E-911 project upgrade from Independent Emergency Services (IES) in Hutchinson, MN, and upon the recommendation of Sheriff Markquart, hereby approves the E-911 upgrade project; accepts and approves the quote from Independent Emergency Services (IES) in Hutchinson, MN in the amount of \$187,959.54; and authorize the initial payment of 20% down on the equipment cost in the amount of approximately \$28,680; and the remainder to be paid upon completion of the project, which is estimated to be completed in the first quarter of 2015; and expenses for this project to be expended from the E-911 Fund. Carried unanimously.

Forshee stated per state statute the County will be responsible for processing and counting absentee ballots and presented a resolution authorizing to set up a County Absentee Ballot Board for the upcoming election year.

Motion by Commissioner Belgard, seconded by Commissioner Donnelly,

R#32/'14

RESOLUTION
AUTHORIZING A COUNTY ABSENTEE BALLOT BOARD

WHEREAS, Martin County is permitted by Minnesota Statute 203B.13, Subd. 1 to authorize a County Absentee Ballot Board effective June 17, 2014; and

WHEREAS, this authorization will bring uniformity in the processing of accepting or rejecting returned absentee ballots to Martin County Elections that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22; and

WHEREAS, this will eliminate the need for election judges to perform this technical and time consuming task on election day wherein the county absentee ballot board can begin this process prior to an election; and

WHEREAS, this will speed the processing of accepted absentee ballots delivered to the precincts to be incorporated into the vote counts on election day; giving election judges more available time for the voters at the polls; and

NOW THEREFORE BE IT RESOLVED THAT, the Martin County Board of Commissioners hereby authorizes Martin County Elections to implement a County Absentee Ballot Board that would consist of a sufficient number of election judges as provided in the sections 204B.19 to 204B.22 to perform the task.

Motion by Commissioner Belgard, seconded by Commissioner Donnelly, and duly adopted this 17th day of June, 2014.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Flohrs, Pierce, Donnelly, Belgard, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 17th day of June, 2014.

Steve McDonald asked the Board to establish and approve an hourly rate for IT services for the City of Fairmont. McDonald noted the IT staff assists the Fairmont Police Department as the need arises due to the fact the City of Fairmont no longer has a full time IT person on staff. McDonald went on to note that due to the amount of time expended on various projects, McDonald recommends establishing a \$60 per hour fee for such IT services. McDonald also noted there have been past discussions with City of Fairmont officials regarding IT services for the Fairmont Police Department including the need to charge for such services. McDonald added smaller agencies within the County will be charged for services as well.

After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, based on staffing costs, hereby establish and approve the hourly service rate for county IT services for City of Fairmont at \$60 per hour effective July 1, 2014. Carried unanimously.

Dan Whitman, Martin County Assessor, was present to request approval to attend the 2014 International Association of Assessing Officers (IAAO) Annual Conference August 24-28 in Sacramento, California. Whitman noted he would attend as the Martin County Assessor and as the Vice President of the Minnesota Association of Assessing Officers (MAAO) representing our state and local area. Whitman went on to note the estimated expenses will be 4 nights in the conference hotel at \$169 per night plus tax plus a few meals. Whitman also noted the MAAO has offered to cover registration cost and travel expense (approximately \$1,000) to the conference.

Motion by Commissioner Flohrs, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the out of state travel request for Dan Whitman to attend the 2014 International Association of Assessing Officers (IAAO) Annual Conference August 24-28, 2014 in Sacramento, California; and includes four (4) nights lodging at \$169 per night (plus tax and parking) and five (5) days of meals at up to \$30

per day. Those voting in favor: Commissioners Flohrs, Pierce, Belgard, and Schmidtke. Those voting against: Commissioner Donnelly. Motion carried.

Higgins stated the Board is being asked to approve and authorize the private sale of tax forfeited land bordering public water (Martin County Parcel #23.039.1560) to the adjoining landowner, Serenade's by the Lake Restaurant. Higgins went on to state this parcel of shore land (Hall Lake) is located on Albion Avenue in Fairmont, across the street from Serenade's. Higgins also stated legislation reads that Martin County may sell by private sale to the adjoining owner the tax forfeited land bordering public water; and that the conveyance must be in a form approved by the attorney general. Higgins requests the Board take action to set a purchase price and terms of sale for the parcel of shore land.

James Forshee, Martin County Auditor/Treasurer, stated the parcel of land is made up of two parcels – the 150 feet of shore land which is valued at \$4,800; and a section of property to the north of the restaurant.

Much discussion ensued regarding sale price and terms, if the property can be split and sold as two separate parcels, City of Fairmont assessments already attached to the property, and if restaurant owners actually want to purchase the shore land property.

After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve negotiating with the owners of Serenade's by the Lake Restaurant for the purchase of shore land located on Albion Avenue – Martin County Parcel #23.039.1560. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, stated the insurance company has deemed the motor grader damaged in the Dunnell Shop fire a total loss with the value on the loss of \$121,250. Peyman went on to state the Highway Department has researched purchasing used and new motor graders, as well as John Deere versus CAT and that CAT models are priced approximately \$30,000 higher than John Deere. Peyman noted the state contract price on a new John Deere 770G is \$231,912 and recommends purchase from RDO Equipment Company. Peyman went on to note the balance due after insurance monies are applied will be expended from Highway Department reserve account funds. Peyman also noted that unlike the truck (also damaged in the Dunnell Shop fire) that we kept and got back on the road, there is no way we could get the motor grader back on the road and make it useable.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, after careful consideration and review of the bids for the motor grader between CAT and John Deere models, and upon the recommendation of the County Highway Engineer, hereby approve the purchase of a new John Deere 770G Motor grader from RDO Equipment of North Mankato, MN, at the state contract price of \$231,912.00 to replace the 2007 model considered a total loss at the Dunnell Shop fire. Carried unanimously.

Peyman stated the Martin County Parks/Trail Committee worked with the Waverly-Westford 4-H Club and submitted a grant application to the Martin County Area Foundation for new playground equipment at Perch Lake Park. Peyman went on to state the Martin County Area Foundation approved a grant to Waverly-Westford 4-H Club in the amount of \$12,500 for the playground equipment project. Peyman noted Martin County will initially pay for the playground equipment and will be reimbursed by the Waverly-Westford 4-H Club when the grant funds are received. Peyman recommends acceptance of the Martin County Area Foundation grant funds; and that there will be no direct cost to the County other than Highway Department and Park Board labor costs to help build up and level the playground site.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Highway Engineer and Martin County Parks/Trail Committee, hereby accept the donation received from the Martin County Area Foundation and Waverly-Westford 4-H Club in the amount of \$12,500 for the purchase and installation of new playground equipment at Perch Lake Park. Carried unanimously.

Peyman next presented a Highway Department update including clean-up of trees and branches and working with the power company to block roads due to downed power lines from the recent rains and wind; and that he will soon be conducting interviews for the Trimont Shop position and will hopefully bring a recommendation to the next Board meeting.

Deb Mosloski, Drainage Specialist for Martin County, and Mike Forstner, Ditch Inspector, opened discussion regarding Federated Rural Electric's estimate for 3 phase power for JD #34 pump. Forstner noted there is currently a 2 phase line there now and it is blowing out the pumps on that ditch system. Forstner went on to note this 3 phase line should keep repair costs down on those pumps. Mosloski noted Federated Rural Electric requires 50% down before proceeding.

After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve Federated Rural Electric's estimate for 3 phase power for JD #34 pump in the amount of \$24,938.68; and authorize 50% down payment in the amount of \$12,469.34 for work to begin. Carried unanimously.

Mosloski presented a resolution ordering the redetermination of and appointing viewers for CD #47 which outlets into that new improvement project for JD #367.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard,

R-#33/'14

ORDER APPOINTING VIEWERS AND
REDETERMINATION OF CD #47

WHEREAS, the Martin County Board of County Commissioners hereby determines that the original benefits or damages determined in drainage proceedings for Martin County CD #47 do not reflect present day land values or that the benefited or damaged areas have changed.

IT IS THEREFORE ORDERED, that:

Ron Ringquist
402 Valley View Dr.
Redwood Falls, MN 56283

Charles Bowers
78799 335th St.
Madelia, MN 56062

Chris Christianson
27258 810th Ave.
Hollandale, MN 56045

Three disinterested residents of the state, be and hereby are appointed viewers to redetermine and report the benefits and damages and the benefited and damaged areas of Martin County CD #47.

IT IS FURTHER ORDERED, that the viewers, after taking an oath to faithfully perform their duties as viewers and, after having received from the County Drainage Office (Auditor/Treasurer), certified copies of the order appointing them as viewers and of the order designating the time and place of their first meeting, proceed with their work as such viewers pursuant to law and make and file their report with the Auditor at the earliest possible date.

Upon motion by Commissioner Flohrs, seconded by Commissioner Belgard, and unanimously carried, said resolution was duly passed and adopted this 17th day of June, 2014.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Pierce, Belgard, Flohrs, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 17th day of June, 2014.

Higgins presented grant application information for the Juvenile Justice Advisory Committee (JJAC) and the Office of Justice Programs Year 2015 Title II Juvenile Justice Grants to supplement Martin County's existing Youth Intervention and Prevention Programs.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize submission of an application for the Year 2015 Title II Juvenile Justice Grant for additional funding of Martin County's Youth Intervention and Prevention Program. Carried unanimously.

Higgins stated the Victim Witness Program has received notification from the Office of Justice Programs Crime Victim Services that Emergency Funds are available in the amount of \$500.00 for the period of July 1, 2014 to June 30, 2015. Emergency funds are an additional source of supplemental funding to aid in direct services to victims of crime.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs,

R-#34/'14

RESOLUTION AUTHORIZING EXECUTION
OF EMERGENCY FUND GRANT AGREEMENT

BE IT RESOLVED that Martin County, Minnesota will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety.

BE IT FURTHER RESOLVED that funds for this grant contract in the amount of \$500.00 for the period of July 1, 2014 to June 30, 2015 are for emergency funds to county and city prosecutors and victims' assistance programs to reimburse crime victims who have emergency needs under MN Stat. 611A.675.

BE IT FURTHER RESOLVED that the Martin County Board Chair is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of Martin County.

BE IT FINALLY RESOLVED upon a motion by Commissioner Belgard, and seconded by Commissioner Flohrs, and was unanimously carried.

Resolution duly passed and adopted this 17th day of June, 2014.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Flohrs, Belgard, Pierce, Donnelly, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 17th day of June, 2014.

Higgins reviewed plans and estimate received from Sherburn Nursery & Floral for plantings and mulch for two areas of the courthouse lawn. Higgins stated one of the areas is to the south of the courthouse where grass does not seem to grow very well, and the other area includes a three foot wide strip where the flag poles are installed. Higgins went on to state mulch will also be added bordering sidewalks. Higgins noted the cost for assorted shrubs, perennials and grasses is \$949.15 plus installation and 1 year guarantee in the amount of \$616.95. Higgins went on to note the Building and Purchasing Committee has reviewed the landscaping plans and costs and recommends purchasing the plants and do the planting ourselves. Higgins also noted the quoted price does not include the cost of mulch; and that the County will seek a donation form Sherburn Landscaping to help offset the price.

Motion by Commissioner Pierce, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve quote received from Sherburn Nursery & Floral for assorted shrubs, perennials and grasses for courthouse landscaping project. Carried unanimously.

Higgins opened discussion regarding the role of county surveyor and if a county board is able to appoint this position and be taken off the ballot.

Forshee noted we are one of three counties that still have an elected surveyor. According to the secretary of state the County Board may by resolution adopted at least six months prior to the end of the term of office of the county surveyor, declare its intention to fill the office by appointment, with notification to any person that filed for that position that the position is going from an elected to an appointed position.

After further discussion,

Consensus of the Board is to consider appointment of county surveyor at the next regular Board of Commissioners meeting on July 1, 2014.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the CY2015 Budget Requests received from the Martin County Historical Society and Martin Soil and Water Conservation District. Carried unanimously.

Motion by Commissioner Flohrs, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve payment of claims for the month of June, 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 June 17, 2014 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved June 17, 2014	\$243,432.64
Recreation and Safety Fund	\$ 662.33
Martin Co. Economic Development Authority	\$ 977.28
Solid Waste Management Fund	\$ 26,810.87

Law Library Fund	\$ 462.06
Martin County Transit Fund	\$ 49,831.90
County Attorney's Forfeiture	\$ 833.50
Recorder's Technology	\$ 9,250.00
Ind. Sewage Treatment System Loans	\$ 12,531.00
Bank Building Fund	<u>\$ 2,620.73</u>
Total	\$347,412.31

Road and Bridge Funds Totaled	\$166,084.14
Martin County Ditch Funds Totaled	\$ 77,316.20

Commissioners reviewed information including Duties of the Office of the Sheriff; Monthly financial Statement for May, 2014; and South Central Service Cooperative Board of Directors meeting minutes of June 4, 2014.

Commissioners presented their individual board member reports.

Commissioner Flohrs stated he attended Human Services Executive Board meeting on June 4, 2014; JD #2 meeting on June 17, 2014.

Commissioner Belgard stated Commissioner Donnelly and I attended the Fairmont City Council meeting where they were having a workshop on the Fairmont lakes – lakeshore management and enforcement of laws on the water on June 9, 2014; special EDA meeting and the Martin County Courthouse and Regional Transit meeting in Blue Earth on June 13, 2014.

Commissioner Pierce stated he had nothing new to add other than a couple of lakeshore meetings.

Commissioner Donnelly stated he attended a city meeting and Building Committee meeting.

Commissioner Schmidtke stated in addition to those mentioned he attended a Feedlot meeting and an Extension Committee meeting.

Commissioners reviewed their calendars of upcoming meetings and activities: June 17, 2014 – Board of Equalization meeting at 6:30 p.m.; June 18, 2014 – Human Services meeting in Blue Earth, MN, and Evasive Species webinar beginning at 1:00 p.m.; June 22, 2014 – Sherburn Holiday Festival Parade at 3:00 p.m.; June 24, 2014 – Planning & Zoning meeting at 5:30 p.m., and Water Plan Committee meeting; June 26, 2014 – Watershed Workshop (Flohrs & Belgard will attend); June 27, 2014 – Out of Home Placement meeting at 1:30 p.m. (Belgard & Pierce will attend); June 30, 2014 – RT Vision meeting at 10:00 a.m. (electronic timecards); July 1, 2014 – regular Board of Commissioners meeting at 9:00 a.m. in the Board Room, and Labor Management Committee meeting at 1:30 p.m. in the Sisseton Conference Room.

With no further business to wit, Board Chair adjourned the meeting at 6:33 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator