

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
JULY 21, 2015  
@ 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 Steve Flohrs.

Commissioners present were Tom Mahoney, Steve Flohrs, and Elliot Belgard. Commissioner Schmidtke was absent; Commissioner District Three is vacant. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, Martin County Attorney, Rod Halvorsen, KSUM-KFMC Radio, Desiree Diaz, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the July 21, 2015, regular Board of Commissioners meeting with the following: Delete 8.3 Highway Department Update; and insert 8.10 Consider Disposal of VSO Van, and 8.11 Consider Human Services Request for use of Office Space, to follow 5.0 County Attorney Report. Carried unanimously.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the July 7, 2015, regular Board of Commissioners meeting. Carried unanimously.

Gary Stephenson of Ft. Dodge, Iowa, was present to thank the Commissioners for allowing Martin County to be a part of his quest to carry on a tradition his father began in 1990 which was getting a 1934 lithograph print of the U.S. Constitution donated to each of Iowa's 99 counties. With only a handful remaining on his list Stephenson decided to expand to the six states bordering Iowa. The lithograph prints were discovered in a Chicago warehouse in 1987 and were originally printed to give out at Chicago's World Fair in 1934. Stephenson seeks sponsors to cover framing costs and asks the county board to accept the lithograph print from area veterans and to display the lithograph print in the courthouse.

Stephenson thanked the following sponsors including Bank Midwest, Graham Tire Company, Hawkins Chevrolet, Boekett Building Supply, Inc., Carquest Auto Parts, American Family Insurance-John Gibeau Agency, Fairmont Body Shop, American Glass-Steve & Cheryl Petrowiak, Kahler Electric Co., and Schellpeper Family. Stephenson then thanked the local veterans that were present including Bob Meschke, Commander at VFW Post 1222 Fairmont, Darrel Kraher, VFW Post 1222 Fairmont, Gary Reutzel, Sr. Vice DAV, Gerald Stauffer, DAV Chapter 32, Allen Kahler, Commander Chapter 32 DAV, Don Tietje, Commander Ceylon Post 529, Jim Miller, American Legion Post 36 Fairmont, Lyle Anderson, Post 529 Ceylon, Marlen Bents, Post 529 Ceylon, Doug Landsteiner, Martin County Veterans Service Officer, VFW Post 1222, American Legion Post 36 and DAV Chapter 32, and John McDonald, Welcome Post 533 Past Commander.

The local veterans, along with Stephenson, presented the lithograph to the Martin County Commissioners:

Dedicated to the men and women of Martin County who have served, are serving or will serve in the United States Armed Forces and Reserves along with their families.

#### The Constitution

Printed in 1934, the lithograph was discovered over 50 years later in Chicago. Now, as we celebrate over 225 years since the enactment of this great document, may each of us come to enjoy its beauty. May we also recognize our founding fathers for their unique wisdom, and to never forget those who have served and sacrificed defending it.

The Board thanked the veterans and Stephenson for the framed print.

Tim Penny, Southern Minnesota Initiative Foundation President & CEO, and Jean Burkhardt, Board Chair Southern Minnesota Initiative Foundation, were present to review the Southern Minnesota Initiative Foundation's (SMIF) Annual Report for FY2014. Penny noted in Martin County, SMIF focuses on both Early Childhood and Entrepreneur Support.

Chairman Flohrs thanked Penny and Burkhardt for their report.

Terry Viesselman, Martin County Attorney, presented a Memorandum of Understanding received from Jackson County Attorney, Sherry Haley, clarifying addresses where parties are to serve each other any correspondence pertaining to the Joint Powers Agreement between Jackson County, Martin County, and the Red Rock Rural Water System.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Memorandum of Understanding between Jackson and Martin Counties and Red Rock Rural Water System for inclusion of addresses where the parties are to serve each other any correspondence, notices or pleadings regarding the Joint Powers Agreement. Carried unanimously.

Doug Landsteiner, Martin County Veterans Service Officer, was present to request approval for disposal of a 2005 Chevrolet Astro Van. Landsteiner noted this vehicle has the lesser miles of two Astro Vans (167,921 miles); but is the more problematic of the two vans and eventually we will request the disposal of the remaining Astro van. Landsteiner recommends disposal of the gray 2005 Chevrolet Astro Van with 167,921 miles on the Minnesota surplus services auction site.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the disposal of a 2005 Chevrolet Astro Van, Vehicle Identification Number 1GNEL19X65B122383, as surplus property; and to place the Astro Van on the State of Minnesota Surplus Services MinnBid

auction site; and authorize the County Auditor/Treasurer to sign off on the Certificate of Title. Carried unanimously.

Scott Higgins, Martin County Coordinator, noted Martin County was informed that the Faribault/Martin Human Services is in need of additional office space in the Human Resource Building in Fairmont due to required staffing needs. It has been suggested that the space currently occupied by the Veterans Service Office is the only office space available for the staffing needs. If this is the case and the VSO Office would need to find new office space. One option would be to move VSO into the county owned building located at 121 North Main Street in Fairmont.

Landsteiner noted that along with himself and the veteran services specialist, all the veterans are happy with the current office location and have never had any issues since they have both handicap and standard elevator access. Landsteiner went on to note my preference is not to move; however, if the Board deems it necessary, then we move. Landsteiner also noted I would rather not move and I don't think the veterans would like to see us move again. I would suggest the Building Committee look over options at the Human Resource Building and get together to discuss options at that building as to what other possibilities might be available for room for the additional staff. In my opinion, there are other possibilities available.

After discussion,

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby authorize the Martin County Building/Purchasing Committee to research available office space options for the Faribault and Martin Counties Human Services Offices and Martin County Veterans Service Office; and to report findings and recommendation back to the Board. Carried unanimously.

Holli Arp, Regional Director-University of Minnesota Extension, was present to review the renewal Memorandum of Agreement (MOA) as recommended by the Martin County Extension Committee. Arp noted the renewal MOA will be for a three year term beginning January 1, 2016, and is asking for a 6.75% increase over three years (2% the first year, 2.25% the second year, and 2.5% the third year). Arp went on to note we've got great staff members working in Martin County and requests the Board's continued support.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Memorandum of Agreement between the University of Minnesota and Martin County for providing Extension Programs locally and employing County Extension Staff for a three (3) year period beginning January 1, 2016, through December 31, 2018; and in the annual amount of \$68,881 for the year 2016, \$70,431 for the year 2017, and \$72,192 for the year 2018. Carried unanimously.

Kristie Gaalswyk-Pomerence, Martin County 4-H Program Coordinator, was present to personally invite the Martin County Commissioners to be judges for the 2015 4-H Container Garden Challenge at the Martin County Fair.

By consensus of the Board, it was decided that the Martin County Board of Commissioners will participate as judges for the 2015 4-H Container Garden Challenge at this year's Martin County Fair.

Chairman Flohrs reviewed the Sheriff's Office recommendation for employee step increase.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Jeff Markquart, Martin County Sheriff, hereby approve and authorize step increase based on satisfactory performance evaluation and according to Union Contract(s) for the following Martin County Sheriff's Office personnel: Andrew Boe, Corrections Officer (LELS #115), from 7 Year Step at \$24.32/hour to 8 Year Step at \$24.79/hour, effective July 21, 2015. Carried unanimously.

Higgins noted the Martin County Sheriff's Office has accepted the resignation of Michael Dahl, part time Deputy Sheriff, effective July 24, 2015, and asks the Board to do the same.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Michael Dahl as part time Deputy for the Martin County Sheriff's Office, effective July 24, 2015. Carried unanimously.

Erin Busta, Martin County Emergency Management Director, presented a resolution requesting State Disaster Assistance in accordance with Minnesota Statute 12B.30. Busta noted on July 9, 2015, the State Homeland Security and Emergency Management Office came down and did their preliminary damage assessment from storm damage received on June 22, 2015, and their damage numbers came back a little higher than our initial damage assessment of \$55,000. Busta went on to note their estimate came in around \$59,837 which put us well over our state threshold numbers. So the next step in this process was to submit this resolution requesting state disaster assistance. From there the state turns in their preliminary damage assessment and our signed request and that is submitted to the governor for approval or disapproval. Busta also noted the City of Ceylon did submit a damage assistance request and was added to the list and moving forward the State and I will work with them to make sure that they understand the process moving forward if we are approved by the governor.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney,

R-#29-'15

RESOLUTION  
REQUESTING STATE DISASTER ASSISTANCE UNDER MN STATUTE 12B

WHEREAS, the County of Martin, was impacted by a wind event on June 22, 2015; and

WHEREAS, the wind event caused severe damages to the Martin County communities of Sherburn, Welcome, Fairmont and Ceylon; and

WHEREAS, the County of Martin declared a local emergency on June 22, 2015 and was ratified by the County Board of Commissioners July 7, 2015, in response to the disaster; and

WHEREAS, The County of Martin and HSEM conducted a Preliminary Damage Assessment in the cities of Sherburn, Welcome, Fairmont and Ceylon, which revealed eligible public infrastructure costs and damages, as a result of the wind event, which exceeded 50% of Martin County's federal damage indicator; and

NOW, THEREFORE, BE IT RESOLVED by the County Board of Martin County, Minnesota, that the County Board requests state public disaster assistance in accordance with Minnesota Statute 12B.30.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, resolution duly passed and adopted this 21<sup>st</sup> day of July, 2015.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Flohrs, Board Chair

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

Roll Call AYES: Commissioners Mahoney, Belgard, and Flohrs. NAYS: None. Resolution duly passed and adopted this 21<sup>st</sup> day of July, 2015.

Sara Eischens, DOC District Supervisor, along with Sentencing to Service (STS) Crew Leaders John McDonald and Kyle Redenius, presented an update about the STS Program including crews helping with East Chain School move to Granada, painting projects, storm clean-up in Sherburn and Ceylon, Civic Summer Theater set building, concrete project, building clean-up in Trimont, and extensive work over the next six weeks or so at the Martin County Fairgrounds. Commissioners thanked Eischens, McDonald, and Redenius for their report and the great job they do.

James Forshee, Martin County Auditor/Treasurer, noted per state statute the County will be responsible for processing and counting absentee ballots and presented a resolution authorizing a County Absentee Ballot Board for the upcoming election year. Forshee went on to note the Absentee Ballot Board will consist of himself, Angie DeBoer, and Darcy Jones.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney,

R#28/'15

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 July 21, 2015; 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 Mahoney, and duly adopted this 21<sup>st</sup> day of July, 2015.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Flohrs, Board Chair

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

Roll Call AYES: Commissioners Mahoney, Belgard, and Flohrs. NAYS: None. Resolution duly passed and adopted this 21<sup>st</sup> day of July, 2015.

Forshee presented the formal Engagement Letter from the State Auditor noting the Office of the State Auditor (OSA) has the authority to perform audits of Minnesota counties and that the OSA will continue to provide audit services to Martin County for the years ending December 31, 2015, December 31, 2016, and December 31, 2017. Forshee recommends continued audit services provided by the Office of the State Auditor.

After discussion,

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair and Auditor/Treasurer to sign the letter of Understanding of Services Agreement for audit services by

the State of Minnesota Office of the State Auditor for the years ending December 31, 2015, December 31, 2016, and December 31, 2017. Carried unanimously.

Higgins noted the South Central Minnesota Multi-County HRA has notified us that the term of John Hovick will expire on September 30, 2015; and that the South Central Minnesota Multi-County HRA is requesting verification if Hovick's term will be extended or if a new member will be appointed to this position starting October 1, 2015.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the reappointment of John Hovick to serve on the South Central Minnesota Multi-County HRA Board of Directors, with term beginning October 1, 2015, and term ending September 30, 2016. Carried unanimously.

Jessica Korte, Accountant Auditor/Treasurer's Office, reviewed the CY2014 State Audit Review findings with the Board.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby Receive and File the CY2014 State Audit Report. Carried unanimously.

Chairman Flohrs opened the public hearing for the notice of repealing the Martin County Wind Energy Conversions Systems Ordinance, Notice of Adoption of the Martin County Renewable Energy Ordinance, and Notice of Amendment to the Martin County Zoning Ordinance.

Pam Flitter, Martin County Zoning Official, noted we currently have a Wind Energy Conversion Ordinance which is working fine; but we do not have anything in place for solar energy. Flitter went on to note she has been working with and has met with the Planning Commission several times resulting in combining the wind and solar into one ordinance which is now the Renewable Energy Ordinance.

Flitter also noted the Planning Commission after proper notice to all the cities, townships, and state agencies, and publication, held a Public Hearing on June 23, 2015, at the Martin County Commissioners meeting room and Planning Commission voted to repeal the Wind Energy Conversion Ordinance previously adopted in 2004; to adopt the Renewable Energy Ordinance and to amend our Zoning Ordinance to reflect those changes in that ordinance. The amendments to the Martin County Zoning Ordinance included some definitions related to that ordinance and added permitted and conditional permitted districts in our "A" Agricultural District, our "SL-1" Special Protection Shoreland District, our "SL-2" Residential Recreational Shoreland District, "SL-B Shoreland Business District, "SL-C" Shoreland Conservation District, "R-1" Single Family Residential District, "HB" Highway Business District, and "I" Industrial District in relation to the Martin County Renewable Energy Ordinance.

Flitter noted after hearing public testimony, we had one township representative show up; I received comment back from Dan Girolamo with the Department of Natural Resources (DNR) noting the DNR doesn't really have anything in place right now as to where to locate solar; but

he said he liked how I had included where they would and would not be allowed; and a gal over in Windom found a typo. The Planning Commission voted unanimously to recommend repealing the Martin County Wind Energy Conversion Ordinance, to adopt the Renewable Energy Ordinance, to amend the Martin County Zoning Ordinance, and with that, a recommendation of approval to you as a County Board.

Chairman Flohrs asked for input from the public. No representatives from the public in attendance nor public input or comments submitted in writing were received concerning Repealing the Martin County Wind Energy Conversions System Ordinance, adopt the Martin County Renewal Energy Ordinance, and to amend the Martin County Zoning Ordinance.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, to close the public portion of the meeting. Carried unanimously.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby repeal the Martin County Wind Energy Conversions Systems Ordinance previously adopted November 16, 2004. Carried unanimously.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and adopt the Martin County Renewable Energy Ordinance as presented; and to amend the Martin County Zoning Ordinance to include the newly adopted Renewable Energy Ordinance.. Carried unanimously.

Chairman Flohrs inquired if the County's shoreline is in compliance with the new buffer laws?

Flitter noted yes, with our protected waters very well.

The Board reviewed warrants to be paid July 21, 2015.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve bills to be paid on July 21, 2015, as presented; and includes the Martin County Highway Department and Drainage bills as presented. Carried unanimously.

Warrants received and paid July 21, 2015, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved July 21, 2015	\$ 153,802.33
Enhanced 9-1-1 Fund	\$ 26,066.87
Recreation and Safety	\$ 68.45
Martin Co. Economic Development Authority	\$ 3,840.63
Solid Waste Management Fund	\$ 43,373.57
Law Library Fund	\$ 930.93
Martin County Transit Fund	\$ 52,208.17
County Attorney's Forfeiture	\$ 100.00
Recorder's Compliance	\$ 2,528.22



Ind. Sewage Treatment Sys. Loans	\$ 13,870.94
Bank Building Fund	\$ 4,831.65
Refunding Fund	\$ 1,794.00
Taxes and Penalties Odd Years	<u>\$ 804.00</u>
Total	\$ 304,219.76
Road and Bridge Funds Totaled	\$ 288,487.16
Martin County Ditch Funds Totaled	\$ 82,926.83

The Board reviewed information received from the Rural Minnesota Energy Board for dues payable in CY2016; from the Association of Minnesota Counties for dues payable in CY2016; the 2015 First Quarter Martin County Transit Operating Report; and June 2015 Monthly Financial Statement.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby Receive and File the CY2016 Dues Request from the Rural Minnesota Energy Board. Carried unanimously.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby Receive and File the CY2016 Dues Request from the Association of Minnesota Counties. Carried unanimously.

Commissioners presented their individual board member reports.

Commissioner Belgard noted he attended the Region 9 Development Commission all-day tour and annual meeting following the tour in Mankato, MN, on July 8, 2015; Transit Executive Board meeting on July 13, 2015; and Prairieland meeting on July 17, 2015.

Commissioner Mahoney noted he attended a Park Board meeting at Wolter Park by East Chain Lake on July 8, 2015; Human Services Executive Board meeting on July 15, 2015; Prairieland meeting on July 17, 2015.

Commissioner Flohrs noted in addition to those already mentioned he attended a Personnel Committee meeting on July 7, 2015; Department Directors meeting on July 8, 2015; Soil and Water meeting on July 9, 2015; Trimont Parade on July 11, 2015; Library Board meeting on July 14, 2015; GBERBA meeting on July 16, 2015; Ditch #29 meeting at the Krahmer Law Office; Welcome parade on July 18, 2015; and MVAC Annual Meeting on July 20, 2015.

Commissioners reviewed their calendars of upcoming meetings and activities: July 21, 2015 – Labor Management Committee meeting at 11:00 a.m., and Personnel Committee meeting following LMC; July 22, 2015 – Faribault-Martin Transit Board meeting at 8:30 a.m., Insurance Committee meeting at 10:30 a.m., SHIP meeting at 11:00 a.m., Convention & Visitors Bureau meeting at noon; July 23, 2015 – Blandin meeting at 3:00 p.m., South Central Emergency Communication Board meeting at Mankato Justice Center at 10:30 a.m., and South Central EMS meeting in Mankato, MN, at 1:30 p.m.; July 24, 2015 – Conference call with Rural Minnesota Energy Board; July 25, 2015 – Truman Parade at 5:00 p.m.; July 27, 2015 – Rural Minnesota

Energy Board meeting in the afternoon; July 29, 2015 – Human Services Full Board meeting at 9:00 a.m. in Fairmont; July 27 through August 7, 2015 – Martin County App Camp for Students in Grades 9-12 to be held at the Southern Minnesota Education Campus (SMEC) Building in Fairmont; August 3, 2015 – regular Martin County EDA meeting at 5:15 p.m. and Beyond the Yellow Ribbon meeting; August 4, 2015 – regular Board of Commissioners meeting at 9:00 a.m. in the Commissioners Meeting Room.

Higgins noted the AMC September Policy Committee meetings will be held September 17-18, 2015, at Breezy Point. Commissioners are asked to confirm attendance with Higgins. Higgins also noted Bryan Stading. EDA Consultant needs office space and that the available space is an office located near the Probation Department. Higgins noted that has discussed this with the Sarah Eischens, DOC Supervisor and would be using that office space until other office space arrangements can be made.

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

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Flohrs, Board Chair

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