

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 3, 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 Dan Schmidtke, Steve Flohrs, Tom Mahoney, and Elliot Belgard. Commissioner District Three is vacant. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Desiree Diaz, Fairmont Sentinel Reporter, Rod Halvorsen, KSUM-KFMC Radio, Terry Viesselman, Martin County Attorney, Kevin Peyman, Martin County Engineer, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the November 3, 2015, regular Board of Commissioners meeting with the following additions: To revise 8.6 Discuss and/or Set Budget Workshop Date; and Add 8.7 Consider FY2016 Snowmobile Maintenance Grant Agreement for Prairieland Trail, 8.8 Consider Youth Intervention Program (YIP) Grant and Resolution, 8.9 Consider Delegates to MCIT Annual Meeting, and 8.10 Consider Sale of 2007 E350 Turtle Top Van Terra Transit Bus. 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 October 6, 2015, and October 20, 2015, regular Board of Commissioners meetings. Carried unanimously.

The Board briefly discussed filling the Martin County Mentoring Network Program Coordinator position currently open due to the resignation of Shawn Chambers in September, 2015. Commissioners noted a meeting had taken place between Martin County and Fairmont Area Kinship to discuss the possibility of merging the two programs into one.

After discussion,

No action taken on filling the Martin County Mentoring Network Program Coordinator position.

Terry Viesselman, Martin County Attorney, presented an update on the Attorney's Office computer network upgrade at an estimated cost of \$22,000. Viesselman noted costs of the upgrade will be expended from the County's drug forfeiture fund. Viesselman also noted he will research drafting a joint powers agreement for the potential merging of the Fairmont Area Kinship and Martin County Mentoring Network Program.

Kevin Peyman, Martin County Engineer, presented a resolution authorizing the transfer of all Martin County Municipal Construction funds in excess of two years apportionment into the County's regular construction account. Peyman noted once a set maximum is reached and funds

are not depleted, your needs start to be reduced because you can only accumulate so much. Peyman recommends the transfer of excess funds so Martin County does not receive a deduction.

Motion by Commissioner Schmidtke, seconded by Commissioner Mahoney,

Martin County Highway Department
Resolution No. 6 - 2015

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

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

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

Upon motion by Commissioner Schmidtke, seconded by Commissioner Mahoney, and carried said resolution was duly passed and adopted this 3rd day of November, 2015

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

By: _____
Chair Martin County
Board of Commissioners

Attest: _____
Scott Higgins
County Coordinator

CERTIFICATION

I hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Martin at a duly authorized meeting thereof held on the 3rd day of November, 2015.

Scott Higgins
County Coordinator

Roll Call AYES: Commissioners Belgard, Mahoney, Schmidtke, and Flohrs. NAYS: None.
Resolution duly passed and adopted this 3rd day of November, 2015.

Peyman presented a Highway Department update including progress of shower/restroom building at Cedar-Hanson Park. Peyman noted that prep work has been completed including installation of septic tanks and poured footings; and that perhaps by the end of the week everything will be ready for arrival of the building. Peyman went on to note grading work around the building and sidewalk work will be completed in spring, 2016.

Peyman continued a meeting was held last week to continue talking about Lake Aires Road and the 3-way stop intersection. Peyman noted we are waiting on final word from the state as to what is going to happen with the speed limit and trying to get that lowered to 30 mph. Short term, Peyman noted it was decided to try and put up some School Bus Ahead signs which have been ordered and should arrive soon; and that the Gopher One call was being done today so when the signs do arrive they can be put up one in each direction. Peyman also noted the stop signs make a speed study difficult and at this time we are in a holding pattern until we receive a report back from the state regarding lowering of the speed limit.

Ashley Brenke, Director Martin Soil and Water Conservation District, and Rich Perrine, Water Plan/WCA Coordinator with Martin Soil and Water Conservation District, presented a resolution to update the Martin County Comprehensive Local Water Management Plan. Perrine noted the current Plan will expire at the end of 2016 and that the Soil and Water Board and the Advisory Committee have both recommended moving forward revising the Water Plan beginning late this year. Perrine went on to note a Wetland Management Plan is set to be included in the Plan and that there will be three watersheds when moving to a one watershed one plan approach and since they'll be happening at different times we need to extend the Water Plan with that goal in mind. Perrine also noted it has been five years since the "mid" update; but the Plan itself is ten years old.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney,

R-#40/'15

RESOLUTION
TO UPDATE THE MARTIN COUNTY
COMPREHENSIVE LOCAL WATER MANAGEMENT PLAN

WHEREAS, Minnesota Statutes, §103B.301, Comprehensive Local Water Management Act (Act), authorizes Minnesota counties to develop and implement a Comprehensive Local Water Management Plan, and

WHEREAS, the Act requires that a county update and revise their Comprehensive Local Water Management Plan on a periodic basis, and

WHEREAS, the Act encourages that a county coordinate its planning with contiguous counties, and solicit input from local governmental units and state review agencies, and

WHEREAS, the Act requires that plans and official controls of other local governmental units be consistent with the Comprehensive Local Water Management Plan, and

WHEREAS, Martin County has determined that the revision and continued implementation of a Comprehensive Local Water Management Plan will help promote the health and welfare of the citizens of Martin County, and

NOW, THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners resolve to revise and update its current Comprehensive Local Water Management Plan.

BE IT FURTHER RESOLVED that Martin County will coordinate its efforts in the revision and update of its Comprehensive Local Water Management Plan with all local units of government within the county, and the state review agencies; and will incorporate where appropriate any existing plans and rules which have been developed and adopted by watershed districts having jurisdiction wholly or partly within Martin County into its Comprehensive Local Water Management Plan.

BE IT FURTHER RESOLVED that the Martin County Board of Commissioners delegates the SWCD responsibility of coordinating, assembling, writing and implementing the revised Comprehensive Local Water Management Plan pursuant to Minnesota Statutes, §103B.301.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, and unanimously carried, said resolution was duly passed and adopted this 3rd day of November, 2015.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Flohrs, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

CERTIFICATION

STATE OF MINNESOTA
COUNTY OF MARTIN

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Martin at a duly authorized meeting thereof held on the 3rd day of November, 2015.

Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Mahoney, Belgard, and Flohrs. NAYS: None. Resolution duly passed and adopted this 3rd day of November, 2015.

A brief discussion ensued regarding 50 foot buffers vs. 1 rod strips. Perrine noted Countywide; we're way ahead of the game. Most of the natural waterways are such that most of the buffers are there because of the meander and the native vegetation is still intact. Perrine also noted, however, there are still some that farm right up to the banks. What isn't designated by the Department of Natural Resources ultimately we're going to have to determine and there will be some type of a requirement for a buffer because we can't be farming to or up against.

James Forshee, Martin County Auditor/Treasurer, presented a resolution authorizing the public sale of tax forfeited land in the County. Forshee noted the resolution sets the terms and conditions, date, and time of sale. Forshee went on to note the sale is set for Tuesday, November 24, 2015, at 10:00 a.m. in the Commissioners Meeting Room – Martin County Courthouse.

Motion by Commissioner Mahoney, seconded by Commissioner Schmidtke,

RESOLUTION # 39/ 15

AUTHORIZING & FIXING TERMS OF TAX SALE:

BE IT RESOLVED, that all parcels of tax-forfeited land listed on the List of Tax-Forfeited Land #16 be classified as non-conservation land; that the basic sale price of each parcel on the List of Tax-Forfeited Land #16, that is on file with the Martin County Auditor/Treasurer, be approved and authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at **10:00 a.m. Tuesday, November 24, 2015**, by the Martin County Auditor/Treasurer, in the Commissioners Room, 1st Floor in the Martin County Courthouse, 201 Lake Avenue, Fairmont, Minnesota, beginning and not less than the basic sale price; and that all sales shall be full payment and on the terms set forth on the List of Tax-Forfeited Land #16 dated November 3, 2015.

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

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

Dated this 3th Day of November, 2015.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

Steve Flohrs, Chairperson

ATTEST: _____
Scott Higgins
Martin County Coordinator

Roll Call AYES: Commissioners Belgard, Schmidtke, Mahoney, and Flohrs. NAYS: None.
Resolution duly passed and adopted this 3rd day of November, 2015.

Scott Higgins, Martin County Coordinator, noted Minnesota Statutes require that bids be taken for Official County Newspaper for the publication of notices, minutes, etc., and that the Truman Tribune was awarded the bid for the 2015 Official County Newspaper. Higgins went on to note it is time to again advertise for bids to all known newspapers in Martin County in order to designate the official newspaper for Martin County for the year 2016.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Coordinator's Office to advertise for bids for designation of the official newspaper for Martin County for the year 2016. Carried unanimously.

Higgins noted the Association of Minnesota Counties (AMC) requests that each county provide voting delegates to the annual conference which will be held December 7-8, 2015, in St. Cloud, Minnesota; with by-laws allowing up to eight participants.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve up to eight delegates to attend the Association of Minnesota Counties (AMC) Annual Conference to be held December 7-8, 2015, in St. Cloud, Minnesota, which includes Commissioners Flohrs, Mahoney, Schmidtke, and Belgard, and Scott Higgins, Julie Walters, Kris Sparks, and Kevin Peyman. Carried unanimously.

Forshee noted the Blizzard Snowmobile Club has been awarded \$36,828.00 (\$40,420.89 for FY2015 that included a one-time supplement for FY15 in the amount of \$2,616.09) and is effective July 1, 2015, through June 30, 2016, to be used for the maintenance grooming of the Prairieland Trail.

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard,

R-#41/'15

RESOLUTION AUTHORIZING
FY2016 SNOWMOBILE MAINTENANCE GRANT AGREEMENT
FOR PRAIRIELAND TRAIL

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

WHEREAS, Martin County desires to establish, construct, and maintain public trails; and

WHEREAS, the Minnesota Trails Assistance Program provides grants to local units of government for the construction and maintenance of recreational trails pursuant to the Minnesota Statutes, Chapter 84.83; and

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

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approve and authorize the Board Chair and/or Auditor/Treasurer to sign the Minnesota Trail Assistance Program FY2016 Grant Agreement in the amount of \$36,828.00 with an effective date of July 1, 2015 and expiration date of June 30, 2016.

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard, and was duly passed and adopted this 3rd day of November, 2015.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Flohrs, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Mahoney, Belgard, Schmidtke, and Flohrs. NAYS: None. Resolution duly passed and adopted this 3rd day of November, 2015.

Higgins noted Youth Intervention Program (YIP) funding has been approved and awarded in the amount of \$35,836.00 (no change from 2015) with in-kind of match of \$3,982.00 for the purpose of providing an ongoing stable funding source to community-based early intervention programs for youth. Higgins went on to note the contract period is October 1, 2015, through September 30, 2016.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney,

R-#42/'15

RESOLUTION

Authorizing Execution of Grant Agreement for Juvenile Justice Grant

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

Intervention Program Funding in the amount of \$35,836.00 with in-kind match of \$3,982.00 for the purpose of providing an ongoing stable funding source to community-based early intervention programs for youth.

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

I certify that the above resolution was adopted by the Board of Commissioners of Martin County on this 3rd day of November, 2015.

BOARD OF COMMISSIONERS
MARTIN COUNTY

Steve Flohrs, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Mahoney, Belgard, and Flohrs. NAYS: None. Resolution duly passed and adopted this 3rd day of November, 2015.

Higgins noted the 2015 Annual Meeting of the Minnesota Counties Intergovernmental Trust (MCIT) will be held on Monday, December 7, 2015, at 4:00 p.m. during the Association of Minnesota Counties (AMC) Annual Conference in St. Cloud, Minnesota. Higgins went on to note an election will be held for three seats on the MCIT Board of Directors and MCIT by-laws provide for the designation of official voting delegates and alternates. Martin County's two current delegates are Commissioner Elliot Belgard and James Forshee, Auditor/Treasurer. Higgins also noted Forshee will be unable to attend the meeting this year, therefore, recommends that an alternate be appointed.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby confirm the 2015 Minnesota Counties Intergovernmental Trust Voting Delegate, Commissioner Elliot Belgard, and appoint Voting Alternate, Commissioner Dan Schmidtke, to the 2015 Annual Meeting of the Minnesota Counties Intergovernmental Trust to be held Monday, December 7, 2015, at 4:00 p.m. in St. Cloud, Minnesota. Carried unanimously.

Higgins noted the Board previously approved the disposal of a 2007 Turtle Top Van Terra E350 Class 400 transit bus and the Minnesota Department of Transportation – Office of Transit has provided a letter of approval and relinquishing the state's interest in the bus. Higgins went on to note the bus was to be placed on the State of Minnesota Surplus Services – MinnBid on line auction website; however, we were contacted by STEP Inc. of Fairmont that they are interested in purchasing the transit bus for \$1,200. Higgins also noted appraisals were received in the amount of \$1,000 and \$1,500; and the bus will need \$800 to \$1,000 in repairs to fix the

transmission. Higgins noted STEP Inc. is aware of the transmission issue and recommends the sale to STEP Inc.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the sale of a 2007 Turtle Top Van Terra E350, VIN No. 1FDWE35S77DA13723, State No. B070114 Class 400 transit bus due to having met its useful mechanical life to STEP Inc. of Fairmont, Minnesota, in the amount of \$1,200. Carried unanimously.

The Board reviewed information regarding the 26th Annual Glows Parade to be held Friday – November 20, 2015, at 6:00 p.m.

Commissioners presented their individual board member reports.

Commissioner Schmidtke noted he attended a Lake Aires Road meeting and Planning & Zoning Commission meeting on October 27, 2015; and Faribault-Martin County Transit Full Board meeting on October 30, 2015.

Commissioner Mahoney noted in addition to those mentioned he attended a Human Services meeting on October 21, 2015; Faribault-Martin County Transit Executive Committee meeting on October 28, 2015; and Faribault-Martin County Transit Full Board meeting on October 30, 2015.

Commissioner Belgard noted in addition to those mentioned he attended a Lake Aires Road meeting, 2015 Audit Entrance meeting with State Auditors, and Fairmont Area Kinship meeting on October 27, 2015; Faribault-Martin County Transit Full Board meeting and Retirement Reception for Judge Walker on October 30, 2015.

Commissioner Flohrs noted in addition those mentioned he attended a Traverse de Sioux Library meeting on October 22, 2015.

Commissioners reviewed their calendars of upcoming meetings and activities: November 3, 2015 – Public Hearing for Final Viewers Report for the Redetermination of Benefits of the following Martin County Ditches: CD #6, CD #8, CD #13, CD #26, JD #13 and JD #29 at 2:00 p.m.; November 4, 2015 – AMC District 7 Fall Meeting 8 a.m. to 12 p.m. at Riverside Town & Country Club in Blue Earth, Minnesota, and Human Services Executive Board meeting at 1:30 p.m.; November 9, 2015 – Martin County EDA meeting at 5:15 p.m.; November 10, 2015 – Martin County Growers Association breakfast meeting at The Ranch Restaurant and Traverse de Sioux Library meeting in the afternoon; November 12, 2015 – Soil and Water meeting at 9:00 a.m., and public meeting for Faribault-Martin County Transit at 4 p.m.; November 13, 2015 – Prairieland meeting, Faribault-Martin County Transit Executive Board meeting, and GBERBA meeting in Mankato, Minnesota; November 14, 2015 – Commissioner Flohrs will be delivering Thanksgiving Dinner to Veterans Families through Beyond the Yellow Ribbon; November 15, 2015 – 4-H Recognition Banquet at the Sherburn Community Hall; November 16, 2015 – Fairmont Substance Abuse Prevention meeting, Minnesota Valley Action Council meeting,

CERT Steering Committee meeting in Slayton, Minnesota; and November 17, 2015 – Extension Committee meeting at 8:0 a.m., next regular Board of Commissioners meeting at 9:00 a.m., and Continuation Hearings on JD #367 and CD #29 at 2:00 p.m. in the Commissioners meeting room.

Forshee and Higgins reviewed the CY2016 Preliminary Budget currently at a 7.64% increase over CY2015. Forshee noted an alternate budget would cut the increase to 7.0%. Forshee went on to note at the 7.64% increase monies are being put into reserves and that not all of the 2015 budgeted monies will be spent so some of those funds will go into the reserves also.

After discussion, the Board did not change the CY2016 Preliminary Budget.

With no further business to wit, Board Chair adjourned the meeting at 9:51 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Flohrs, Board Chair

ATTEST: _____
Scott Higgins, Coordinator