

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
NOVEMBER 15, 2016
@ 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 Elliot Belgard. Commissioners present were Tom Mahoney, Steve Flohrs, Dan Schmidtke, Kathy Smith, and Elliot Belgard. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Engineer, Terry Viesselman, Martin County Attorney, Jason Sorensen, Sentinel Newspaper, Rod Halvorsen, KSUM-KFMC Radio, Julie Walters, Administrative Assistant, and members of staff and public.

The Pledge of Allegiance was recited.

Motion by Commissioner Schmidtke, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the November 15, 2016, regular Board of Commissioners meeting as presented. Carried unanimously.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the November 1, 2016, regular Board of Commissioners meeting. Carried unanimously.

Chairman Elliot Belgard, along with Kevin Peyman, County Highway Engineer, introduced and recognized Robert Koch, retiree of the Martin County Highway Department for over 39 years of service, and presented Koch with a retirement gift.

Terry Viesselman, County Attorney, was present to note that he has reviewed the proposed VSO Office Space Lease Agreement with Smith Rental Properties and approves the Agreement as to form and content.

Motion by Commissioner Schmidtke, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners (Lessee), hereby approve and authorize Board Chair to sign the VSO Office Lease Agreement with Smith Rental Properties (Lessor) for approximately 712 square feet of office space located at the Lakeview Office Complex, 2423 Albion Avenue, Suite 11, in Fairmont, Minnesota, at \$593.00 per month for a three (3) year lease beginning on the 1st day of December, 2016. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, presented three tobacco licenses for approval for the following businesses: Casey's General Store #3003 located at 10 Broadway Street in Trimont, MN; Casey's General Store #3005 located at 112 2nd Street in Welcome, MN; and Town Center Inc., d/b/a Town Center Super Valu located at 500 Hwy 4 South in Trimont, MN. Forshee noted the required forms have been completed by the applicants and all is in order.

Motion by Commissioner Flohrs, seconded by Commissioner Schmidtke,

RESOLUTION

ISSUANCE OF TOBACCO LICENSES FOR 2017

WHEREAS, the County of Martin, MN (County) has established a Tobacco Ordinance (Ordinance) relating to the sale, possession, and use of tobacco in Martin County and to reduce the illegal sale, possession, and use of such items to and by minors, along with compliance with Minnesota Statutes and Rules; and

WHEREAS, applications for a tobacco license to sell tobacco shall be made through the County and its required forms as established by the Ordinance; and

WHEREAS, the Martin County Board of Commissioners (Board) may either approve or deny the license, or delay it for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the Board approves the application, the County Coordinator shall issue the license. If the application is denied, notice of the denial shall be given to the applicant along with notice of the applicants right to appeal the Board's decision; and,

WHEREAS, all licenses shall be valid under the Ordinance for one calendar year from the date of issuance; and,

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approve and authorize tobacco licenses for the following Retail Establishments, and valid for the year 2017:

- Casey's General Store #3003 located at 10 Broadway Street in Trimont, MN
- Casey's General Store #3005 located at 112 2nd Street, P.O. Box 235 in Welcome, MN

Upon this motion made by Commissioner Flohrs, seconded by Commissioner Schmidtke, was duly made and passed this 15th day of November, 2016.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Mahoney, Smith, Schmidtke, Flohrs, and Belgard. NAYS: None. Resolution duly passed and adopted this 15th day of November, 2016.

Motion by Commissioner Flohrs, seconded by Commissioner Smith,

RESOLUTION

ISSUANCE OF TOBACCO LICENSES FOR 2017

WHEREAS, the County of Martin, MN (County) has established a Tobacco Ordinance (Ordinance) relating to the sale, possession, and use of tobacco in Martin County and to reduce the illegal sale, possession, and use of such items to and by minors, along with compliance with Minnesota Statutes and Rules; and

WHEREAS, applications for a tobacco license to sell tobacco shall be made through the County and its required forms as established by the Ordinance; and

WHEREAS, the Martin County Board of Commissioners (Board) may either approve or deny the license, or delay it for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the Board approves the application, the County Coordinator shall issue the license. If the application is denied, notice of the denial shall be given to the applicant along with notice of the applicants right to appeal the Board's decision; and,

WHEREAS, all licenses shall be valid under the Ordinance for one calendar year from the date of issuance; and,

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approve and authorize tobacco licenses for the following Retail Establishment, effective November 1, 2016 through October 31, 2017:

- Town Center Inc., d/b/a Town Center Super Valu located at 500 Hwy 4 South in Trimont, MN 56176

Upon this motion made by Commissioner Flohrs, seconded by Commissioner Smith, was duly made and passed this 15th day of November, 2016.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Mahoney, Smith, Flohrs, and Belgard. NAYS: None. Resolution duly passed and adopted this 15th day of November, 2016.

The Board reviewed Martin County Boards and Advisory Committees with member terms ending December 31, 2016.

Higgins noted Ned Koppen and Jane Burkhardt are eligible and willing to serve an additional term on the Martin County Library Board; and that the County Board appointed Jane Kotewa to serve on the Human Services Board for a term of three years beginning January 2013 through December 2015, and that the Board will need to reappoint Kotewa for the term 2016 through 2018.

Motion by Commissioner Smith, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve (re)appointments to the following Citizen Advisory Boards and Commissions: Martin County Library Board – Ned Koppen and Jane Burkhardt with terms ending December 31, 2019; and Human Services Board – Jane Kotewa with term ending December 31, 2018. Carried unanimously.

Kevin Peyman, County Engineer, reported on final contract for 2016 Mill and Overlay Projects including SAP 46-620-006 (CSAH 20 between CSAH 39 and TH 15), SAP 46-632-007 (CSAH 32 between CSAH 39 and TH 15), SAP 46-639-015 (CSAH 39 between CSAH 20 and CSAH 26), and SAP 46-641-008 (CSAH 41 between Margaret St. and CSAH 32). Peyman noted final examination has been made, work has been completed, and the entire amount of work has been performed. Peyman recommends approval of the final contract with Ulland Brothers, Inc. of Cloquet, MN, in the amount of \$2,419,998.22.

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Engineer, hereby approve the final contract payment for SAP 46-620-006, SAP 46-632-007, SAP 46-639-015, and SAP 46-641-008 Mill and Overlay Projects with Ulland Brothers, Inc. of Cloquet, Minnesota, in the amount of \$2,419,998.22. Carried unanimously.

Forshee noted the Auditor/Treasurer's Office has completed interviews for the Account Technician I position. Forshee went on to note there were twenty-seven (27) applicants and of those four (4) were interviewed on Monday, October 31, 2016. Forshee recommends hiring Adria Mosloski effective November 21, 2016, contingent upon satisfactory reference and criminal background checks (BCA).

Motion by Commissioner Schmidtke, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Martin County Auditor/Treasurer, hereby approve the hire of Adria Mosloski as Account Technician I at Grade 10 Step 1 at \$16.93/hour for the Auditor/Treasurer's Office, effective November 21, 2016; and is contingent upon satisfactory reference and criminal background checks (BCA); and is eligible for benefits per County Policy as it applies to this position. Carried unanimously.

Higgins presented the Advertising contract with the Fairmont Sentinel for the year 2017, noting that the new display advertising contract for 750 inches is at the rate of \$12.65 per column inch; and that the classified advertising contract for 100 inches is at the rate of \$9.00 per column inch.

Higgins went on to note the rates have increased 2.5% and 2.3% over the last year respectively and recommends the new rates.

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the Advertising Contracts with the Sentinel at the following rates: Display Advertising Contract for 750 inches at a rate of \$12.65 per column inch, and the Classified Advertising Contract for 100 inches at a rate of \$9.00 per column inch for the year 2017. Carried unanimously.

Forshee noted final numbers have been received for the installation of the new shower/restroom facility at Cedar-Hanson Park in the amount of \$469,312.44 and recommends, per the County's Temporary Interfund Loan Policy, to transfer that amount from the General Fund to the Park Fund for payment of the facility, and that repayment has been set at a ten (10) year term with annual payments in the amount of \$46,931.24 with final payment of \$46,931.28 in the year 2026.

Motion by Commissioner Mahoney, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, in order to standardize and establish the purpose and procedures for the accounting of the County's Interfund Loan Policy, and after review and consideration, hereby approve the transfer of funds from the County's General Fund to the Park Fund in the amount of \$469,312.44 for payment of the shower/restroom facility at Cedar-Hanson Park; and that the Park Fund will pay back the General Fund over a 10 year period. Carried unanimously.

Higgins noted as the Board is aware we have a retirement of a full time position in the Probation Department. Higgins went on to note that the Department of Corrections (DOC) supervisor, Sara Eischens, reviewed the case load of work that the Probation Department has and is recommending recruitment to hire a part time position at 20 hours per week. Higgins also noted that the position has been reviewed by the County's Personnel Committee and recommends recruitment of a 20 hour per week administrative assistant position for the Probation Department.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Personnel Committee, hereby approve and authorize advertising for recruitment of a 20 hour per week part time administrative assistant position for the Probation Department. Carried unanimously.

Higgins noted Youth Intervention Program (YIP) funding has been approved and awarded in the amount of \$35,836.00 (no change from 2016) with in-kind match of \$3,983.00 for the purpose of providing an ongoing stable funding source to community-based early intervention programs for youth. Higgins also noted the contract period is October 1, 2016 through September 30, 2017, and recommends authorizing execution of the YIP funding.

Motion by Commissioner Mahoney, seconded by Commissioner Smith,

R-#47/'16

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 \$3,983.00 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 15th day of November, 2016.

BOARD OF COMMISSIONERS
MARTIN COUNTY

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Flohrs, Schmidtke, Smith, Mahoney, and Belgard. NAYS: None. Resolution duly passed and adopted this 15th day of November, 2016.

Higgins presented and reviewed the MRCI Work Source Contract for 2017 Janitorial Services in the Martin County Security Building, Courthouse, and Human Resource Center. Higgins noted an overall net decrease for 2017 services.

Nicole Schwidder, Community Placement Specialist with MRCI WorkSource, was present to review changes to a new proposed janitorial services contract for 2017. Schwidder noted changes include right-size crews and increase in per client wages from \$5.00 to \$9.50 per client per hour. Schwidder also noted MRCI has not updated its contract with Martin County since 2013 and that there have been some minimum wage increases that have taken place over the last few years. Schwidder went on to note MRCI has previously had five (5) clients coming in to clean the courthouse/security building and law enforcement center and that over the past few weeks has had four (4) clients coming in to clean the same areas and has found that the crew supervisor is comfortable and satisfied with the change in client number versus cleaning task list. Schwidder reviewed proposed contract service fees:

Martin County Courthouse/Security Building – Current bid \$1,196.46/month

4 Clients working 2 hours, 5 days per week (resized crew)

$\$9.50 \times 4 \text{ clients} = \$38 \text{ per hour} \times 2 \text{ hours/day} = \$76 \times 5 \text{ days/week} = \$380/\text{week} \times 4.33 \text{ weeks} =$

$\$1,645.40/\text{month}$

$\$19,744.80/\text{year}$

*Increase bid of $\$448.95/\text{month}$ or $\$5,387.40/\text{year}$

Law Enforcement Center – Current bid \$318.24/month

2 Clients working .50 hours, 3 days per week (resized crew)

$\$9.50 \times 2 \text{ clients} = \$19 \text{ per hour} \times .50 \text{ hours/day} = \$9.50 \times 3 \text{ days/week} = \$28.50/\text{week} \times 4.33 \text{ weeks} =$

$\$123.41/\text{month}$

$\$1,480.92/\text{year}$

*Decrease bid of $\$194.83/\text{month}$ or $\$2,337.96/\text{year}$

Human Resource Center – Current bid \$1,515.86/month

4 Clients working 1.75 hours, 5 days per week (resized crew)

$\$9.50 \times 4 \text{ clients} = \$38 \text{ per hour} \times 1.75 \text{ hours/day} = \$66.50 \times 5 \text{ days/week} = \$332.50/\text{week} \times 4.33 \text{ weeks} =$

$\$1,439.73/\text{month}$

$\$17,276.76/\text{year}$

*Decrease bid of $\$76.13/\text{month}$ or $\$913.56/\text{year}$

Mike Miller, Martin County Building Maintenance Supervisor, noted he has not noted a difference in MRCI's cleaning crew reduction to 4 clients.

Commissioner Schmidtke noted I think it is a good idea...it's by the hour so if it takes a little longer one night or two nights or if it's a little less...that's good too. I would like to see a little more focus in all of our buildings on the dusting, especially the stairwells or in rooms on window sills and ledges and stuff. I think that needs to happen.

Schwidder noted that is something that we can change at any time and I very much appreciate Mike's (Miller) communication.

After further discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign agreement with MRCI (Fairmont) for janitorial services for the effective term of January 1, 2017 to December 31, 2017, for the following facilities: Human Resource Building (Human Services) from $\$1,515.86$ per month to $\$1,439.73$ per month; Courthouse/Security Building from $\$1,196.46$ per month to $\$1,645.40$ per month; and Law Enforcement Center from $\$318.24$ per month to $\$123.41$ per month. Carried unanimously.

Lowell Spee, Bob Lunz, and Rick Lunz, were present to address an issue regarding a dam at the end of JD #48. Spee noted over the years we've had a lot of issues with JD #48...a lot of blow outs which have resulted in a lot of costs over the years. Two years ago with a repair of the tile came before the Board and asked for quite a chunk of money to get that done and there were a lot

of assessments put on at that time and so everybody on the ditch has already paid quite a bit of money as far as that goes to get this up and running. Spee noted JD #48 is actually restricted by a dam or a controlled structure on the end. Mike (Forstner) actually let me know about that. I had heard it from my father one time about that being there...these are a couple of pictures of that and the water that was in there earlier this spring. Spee went on to note Bob (Lunz) and I were out and got permission to drive back by the dam with a Tony Downs employee, a structure was put in many, many years ago. The structure has been looked into before and on March 4, 1975; Bolton & Menk came to the county board and let them know that the structure was there for the purpose to keep contaminated water from going in the creek through the corn and pea pack. There was also a prevision within the document that I got that states there was supposed to be a pump, if not two pumps, pumping if there was an overflow so it would not restrict the flow of the tile coming into it and that when there was an overflow that it would pump into their lagoons and then they could use it later on for irrigation. When we were down there we didn't see any pumps.

Michael Forstner, Drainage System Manager, noted according to records and a conversation I had with Kurt Deter, attorney with Rinke Noonan (representing the County), when they petitioned it they never petitioned to make it part of the system so it is technically not part of the system. It's a private structure on a public waterway. Forstner also noted pump housings are still there. Forstner also noted its Fairmont Foods property. I talked to John Heuer, manager of Fairmont Foods, and he indicated they still need the structure as a fallback.

Commissioner Schmidtke inquired what the affect down-stream is if it (the structure) is removed.

Spee noted I'm proposing to have the structure removed to better allow the flow of water in Center Creek from a public structure being put in a private tile.

Rick Lunz was present and noted he has lost multiple thousands of dollars and this year is probably a net loss of \$28,000 to \$30,000.

Chairman Belgard noted I think the next step is to find out whose responsibility it (the structure) is and if it (the structure) can be removed.

After further discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby authorize Mike Forstner, Martin County Drainage System Manager, to proceed with obtaining legal opinion pertaining to a controlled water structure on JD #48. Carried unanimously.

The Board reviewed warrants to be paid November 15, 2016.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve bills to be paid on November 15, 2016,

as presented; and includes the Martin County Highway Department and Drainage bills as presented. Carried unanimously.

Warrants received and paid November 15, 2016, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved November 15, 2016	\$127,195.66
Martin County Economic Development Fund	\$ 891.01
Solid Waste Management Fund	\$ 37,926.19
Law Library Fund	\$ 672.66
Recorder's Technology Fund	\$ 335.00
Ind. Sewage Treatment Sys. Loan	\$ 13,491.85
Bank Building Fund	<u>\$ 2,256.83</u>
Total	\$182,769.20
Road and Bridge Funds Totaled	\$169,229.19
Martin County Ditch Funds Totaled	\$430,677.46

Jessica Korte, Accountant-A/T Office, presented and reviewed the CY2017 preliminary budget summary. The certified levy was set back in September, 2016, at a 7.194% increase over 2016 in the amount of \$1,006,168 dollars approximately. Due to accounting adjustments a proposal was presented to the Board showing a 7.14% change.

Higgins noted this is the 6th Board Work Session regarding the CY2017 budget and inquired if the Board had any other changes or ideas before continuing forward.

The Board reviewed information and reports including the 2016 Minnesota Counties Intergovernmental Trust (MCIT) Dividend Payments; and minutes of the South Central Services Cooperative November 2, 2016 Board of Directors meeting.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: November 1, 2016 – Building Committee meeting immediately following the Commissioners meeting, and Corrections/Communications Union Negotiations; November 2, 2016 – AMC District 7 Fall Meeting at the Truman Fire Hall at 8:00 a.m., Faribault-Martin County Joint Transit Executive Board meeting, Human Services Executive Board meeting, Leadership Martin County – Government Day, and Veterans Memorial Committee meeting; November 4, 2016 – Work Force meeting in New Ulm – Mahoney noted they're going to combine the southwest and south central regions; November 7, 2016 – Beyond the Yellow Ribbon meeting, Personnel Committee meeting, and regular Martin County EDA meeting at 5:15 p.m.; November 8, 2016 – Election Day and Martin County Library Board meeting; November 9, 2016 – Bureau 14 meeting – Mahoney noted the Historical Society put on a good presentation, and JD #40 Project update; November 11, 2016 – Veterans Day – Courthouse Closed; November 14, 2016 – Canvassing Board meeting, Minnesota Valley Action Council meeting – Mahoney noted they're changing their dynamics of their Board so I think they have a 47 person board and now they're going to 25...so Commissioner Flohrs is going to be the county representative and I'm going to be the private sector representative; November 15, 2016 – Building Committee meeting

immediately following the regular Board of Commissioners meeting to review Space Study recommendations, meeting at the Ag Center in Blue Earth, MN, and Agri-Business meeting at 6:00 p.m.; November 16, 2016 – Human Services meeting at 9:00 a.m., Prairieland meeting at 11:00 a.m., Department Directors meeting at 8:30 a.m., and Park Board meeting at 4:00 p.m.; November 17, 2016 – Traverse de Sioux Library meeting and Strategic Planning in afternoon; November 18, 2016 – Faribault-Martin County Joint Transit Executive Board meeting, GBERBA meeting at 9:30 a.m., 27th Annual Glows Parade at 6:00 p.m.; November 21, 2016 – JD #2 M&W final hearing at 2:00 p.m. and JD #4 meeting pertaining to adding more acres into the system by Ormsby, MN; November 22, 2016 – Highway Supervisor Union Negotiations at 4:00 p.m. and Library Union Negotiations at 6:00 p.m.; November 24-25, 2016 – Thanksgiving Holiday – Courthouse Closed; November 28, 2016 – Rural Minnesota Energy Board meeting; November 29, 2016 – Human Services Agency meeting in Fairmont; November 30, 2016 – SHIP meeting in Truman, MN; December 4, 2016 – Wellness Bowling from noon to 2 p.m. at Bowlmor Lanes in Fairmont and Kinship Christmas Party 2-4 p.m.; December 5-6, 2016 – AMC Annual Conference in Minneapolis, MN; December 7, 2016 – Faribault-Martin County Joint Transit Executive Board meeting and Human Services Executive Board meeting; December 8, 2016 – Soil and Water meeting, regular Board of Commissioners meeting at 4:30 p.m. – Commissioners meeting room, Truth in Taxation meeting at 6:00 p.m. – Commissioners meeting room.

With no further business to wit, Board Chair adjourned the meeting at 10:12 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Elliot Belgard, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator