

BOARD PROCEEDINGS
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 1, 2017
@ 4:00 P.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 9:00 a.m. by Chairman Dan Schmidtke. Commissioners present were Elliot Belgard, Kathy Smith, Dan Schmidtke, Tom Mahoney, and Steve Flohrs. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, 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 Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the August 1, 2017, regular Board of Commissioners meeting with the following additions: 9.9 Consider Settlement and Release Agreement with Odell Wind Farm – Highway Department; 9.10 Consider Per Diems and Expenses for Commissioners (Smith) to attend AMC’s Soil and Water Conservation District Joint Work Group meetings; 9.11 Accept Donation Received from Marsha Donnelly; and 9.12 Road and Bridge & Ditch Bonding Information Update – Bill Fahey, Northland Securities. Carried unanimously.

Tom Swierczewski, Development Director with Tradewind Energy, presented an information update on the proposed Fourmile Wind Project planned in eastern Jackson County and southwest Martin County including Lake Belt, Fremont, and Jay Townships. The Fourmile Wind Project is expected to interconnect to a 138 kV (ITC Midwest) line at the Jackson North substation in Jackson, MN. The proposed project size is up to 300MW and will involve around 150 landowners and up to 60,000 acres will be involved in the project. The anticipated project start is 2019-2020.

Terry Viesselman, County Attorney, was present and noted he had nothing new to report. Viesselman asked if commissioners had any questions for him.

Commissioner Mahoney inquired at the last meeting we talked about needing attorneys...what was that for?

Viesselman answered that is for court appointed attorneys. We have various cases where by law you’re required to appoint an attorney and the county pays the bill and we’ve been paying \$75 per hour for them and so we’re looking at doing this on a contract basis. There were probably eight different lawyers here in the last year and I sent them an email to find if any are interested in contracting with Martin County.

Pam Flitter, Martin County Zoning Official, presented a Conditional Use Permit (CUP) request from West Ridge Pork (Craig and Deb Asmus) within Section 16 of Fraser Township. West Ridge Pork is proposing to expand their current hog operation on an existing building site

located in an “A” Agricultural District. Flitter noted the Planning Commission approved the CUP request during their July 25, 2017, meeting and is recommending approval of the Conditional Use Permit.

Motion by Commissioner Belgard, seconded by Commissioner Smith,

R-#22/'17

CONDITIONAL USE PERMIT
WEST RIDGE PORK
EXPAND CURRENT HOG OPERATION
IN AN “A” AGRICULTURAL DISTRICT
WITHIN SECTION 16 OF FRASER TOWNSHIP

Motion by Commissioner Belgard, seconded by Commissioner Smith,

WHEREAS, a Conditional Use Permit was requested by West Ridge Pork, Craig and Deb Asmus, applicants and owners of the property, located within Section 16 of Fraser Township in Martin County, Minnesota, (legally described in applications) for the purpose of expanding current hog operation over 1,000 animal units on an existing building site located in an “A” Agricultural District; and

WHEREAS, the Martin County Planning and Zoning staff has completed a review of the application and made a report pertaining to the request, a copy of said report has been presented to the County Board of Commissioners; and

WHEREAS, the Planning Commission of the County on the 25th day of July, 2017, following proper notice, held a public hearing regarding the request and, following the hearing, adopted a recommendation that the request for a Conditional Use Permit be granted; and

WHEREAS, the Martin County Board of Commissioners finds that Conditional Use Permit is to be issued for the following purpose:

Constructing and operating a feedlot site over 1,000 animal units; and

WHEREAS, the following conditions have been applied:

- Any additional permits required by the State of Minnesota must be obtained by the applicant.
- Building permit(s) must be obtained.
- Failure to comply with conditions may result in revocation of the Conditional Use Permit.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, and upon the recommendation of the Martin County Planning Commission, hereby approves the Conditional Use Permit for the above described property and is hereby issued pursuant to MS 394.301 and Martin County Ordinance #1, Chapter 6.01 and that this permit shall remain in full force and effect provided in the conditions as described above are met and maintained by the applicant and his/or her successors in interest. This permit is binding upon the applicant, the

record titleholder to the property, and his/her successors in interest. Notice is hereby given that this permit may be revoked if the conditions set forth above are not maintained as described above. This resolution shall become effective immediately upon its passage and without publication.

Dated this 1st day of August, 2017.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Mahoney, Flohrs, Smith, Belgard, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 1st day of August, 2017.

Flitter next presented a Conditional Use Permit (CUP) request from Make Line Ridge (Hugoson Family Farms) within Section 31 of East Chain Township. Make Line Ridge is proposing to expand their current hog operation on an existing building site located in an "A" Agricultural District. Flitter noted the Planning Commission approved the CUP request during their July 25, 2017, meeting and is recommending approval of the Conditional Use Permit.

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney,

R-#21/'17

CONDITIONAL USE PERMIT
MAKE LINE RIDGE LLLP
EXPAND CURRENT HOG OPERATION
IN AN "A" AGRICULTURAL DISTRICT
WITHIN SECTION 31 OF EAST CHAIN TOWNSHIP

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney,

WHEREAS, a Conditional Use Permit was requested by Make Line Ridge/Hugoson Family Farms LLLP, applicant and owner of the property, and David Latzke, owner of the property, located within Section 31 of East Chain Township in Martin County, Minnesota, (legally described in applications) for the purpose of expanding current hog operation on an existing building site located in an "A" Agricultural District; and

WHEREAS, the Martin County Planning and Zoning staff has completed a review of the application and made a report pertaining to the request, a copy of said report has been presented to the County Board of Commissioners; and

WHEREAS, the Planning Commission of the County on the 25th day of July, 2017, following proper notice, held a public hearing regarding the request and, following the hearing, adopted a recommendation that the request for a Conditional Use Permit be granted; and

WHEREAS, the Martin County Board of Commissioners finds that Conditional Use Permit is to be issued for the following purpose:

Constructing and operating a feedlot site over 1,000 animal units; and

WHEREAS, the following conditions have been applied:

- Any additional permits required by the State of Minnesota must be obtained by the applicant.
- Building permit(s) must be obtained.
- Failure to comply with conditions may result in revocation of the Conditional Use Permit.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, and upon the recommendation of the Martin County Planning Commission, hereby approves the Conditional Use Permit for the above described property and is hereby issued pursuant to MS 394.301 and Martin County Ordinance #1, Chapter 6.01 and that this permit shall remain in full force and effect provided in the conditions as described above are met and maintained by the applicant and his/or her successors in interest. This permit is binding upon the applicant, the record titleholder to the property, and his/her successors in interest. Notice is hereby given that this permit may be revoked if the conditions set forth above are not maintained as described above. This resolution shall become effective immediately upon its passage and without publication.

Dated this 1st day of August, 2017.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Belgard, Smith, Mahoney, Flohrs, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 1st day of August, 2017.

Flitter concluded noting the Minnesota Association of Planning and Zoning Administrators is working with the Association of Minnesota Counties (AMC) and will be hosting a Navigating Key Land Use Issues class in the fall. Commissioners may notify the Planning and Zoning Office if interested in attending.

Doug Landsteiner, County Veterans Service Officer, was present to inform the Board that the Martin County Veterans Service Office has received notification that Martin County is eligible to

receive a CVSO Operational Grant for FY2018 in the amount of \$10,000; and that funds must be used to enhance the operation of the County Veterans Service Office and should not be used to supplant or replace other funding. Landsteiner recommends authorization to execute FY2018 Operational Enhancement Grant.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard,

R-#20/17

RESOLUTION
AUTHORIZING EXECUTION OF
COUNTY VETERANS SERVICE OFFICE
OPERATIONAL ENHANCEMENT GRANT

BE IT RESOLVED, by the Martin County Board of Commissioners that Martin County, MN, enter into the attached Grant Contract with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following Program: County Veterans Service Office Operational Enhancement Grant Program. The grant must be used to provide outreach to the county's Veterans; to assist in the reintegration of combat Veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the county Veterans Service Office, as specified in Minnesota Laws 2017 Chapter 4, Article 1, Section 38, Subdivision 2. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED, by the Martin County Board of Commissioners, that Douglas C. Landsteiner, Martin County's Veterans Service Officer, be authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

WHEREUPON, Motion by Commissioner Flohrs, seconded by Commissioner Belgard, said resolution was duly passed and adopted this 1st day of August, 2017.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

STATE OF MINNESOTA

MARTIN COUNTY, MN

I, Scott Higgins, do hereby certify that I am the custodian of the minutes of all proceedings had and held by the Martin County Board of Commissioners of Martin County, MN, that I have

compared the above resolution with the original passed and adopted by the Martin County Board of Commissioners of Martin County, MN, at a regular meeting thereof held on the first Tuesday of August, 2017, at 9:00 a.m., that the above constitutes a true and correct copy thereof, that the same has not been amended or rescinded and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this first Tuesday of August, 2017, and have hereunto affixed the seal of the County.

Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Mahoney, Smith, Belgard, Flohrs, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 1st day of August, 2017.

Kevin Peyman, County Engineer, was present and noted the Board has had previous discussions on how to fund needed road improvement projects in Martin County (i.e. Wheelage Tax, Local Option Sales Tax, Wind Production Tax, General Obligation Bonding) and presented the Board with some preliminary numbers should they choose to the General Obligation Bonding. Peyman reviewed highlights based on numbers that were touched on at the last meeting.

Road and Bridge Bonding Info
Martin County Highway Department

\$3,000,000 Issue would result in debt payments of \$260,000 annually.

\$2,000,000 Issue would result in debt payments of \$175,000 annually.

*These amounts would be payable from Tax Levy beginning in 2019.

Two ways to look at the impact:

First is to relate the impact per capita: $\$3,000,000 - \$260,000 / 20,122 = \$12.92$ per capita

$\$2,000,000 - \$175,000 / 20,122 = \$8.70$ per capita

Second is to relate the impact as a % of valuation: $\$3,000,000 / \$260,000 = .006629\%$

$\$2,000,000 / \$175,000 = .004487\%$

The total debt for Martin County as of 1/1/2017 was \$6,007,000 which equals .654% of the net tax capacity.

Martin County Road and Bridge Levy Amounts:

2018 (proposed): \$2,488,211

2017: \$2,498,987

2016: \$2,549,774

2015: \$2,569,108

2014: \$2,607,524

Peyman reviewed if we were to issue \$3 million of road and bridge bonds the annual payment on that would be \$260,000, and a \$2 million bond would be payments of \$175,000 annually; and would be payable from the tax levy beginning in 2019. Peyman noted previous levies have steadily declined over the past four years from \$2.6 million in 2014 to a proposed 2.48 million in 2018. Peyman went on to note if we were to do the \$260,000 payments for the \$3 million, that would put the levy up to about \$2.75 million, a little over a 9 % increase. At \$2 million or \$3 million it wouldn't fix our problems but it would alleviate some of the backlog we have any buy us some time until another option comes along.

Much discussion ensued regarding funding options and road projects.

After further discussion,

Peyman concluded it seems there is some interest in bonding and Peyman will continue working with Bill Fahey, Martin County's Financial Advisor with Northland Securities, and will keep presenting updated information.

Peyman presented a Settlement and Release Agreement between Odell Wind Farm (Owner) and Kimball Township in Jackson County and Mountain Lake Township in Cottonwood County as there is currently a dispute between the parties regarding repair of certain roadways used and maintained during construction of the project. In this agreement Odell Wind Farm had to fix the roads in Kimball Township and Mountain Lake Township; however, both townships chose to negotiate a money settlement instead so the townships can fix the roads themselves. Kimball Township shall be paid the sum of \$84,821.00 and Mountain Lake Township shall be paid the sum of \$158,940.00 to resolve the Road Repair Dispute. Peyman noted this agreement doesn't directly impact Martin County other than we were part of the agreement that allows them to execute the agreement. Peyman recommends approval of the agreement.

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Settlement and Release Agreement with Odell Wind Farm to authorize payment to Kimball Township (Jackson County) in the amount of \$84,821.00 and Mountain Lake Township (Cottonwood County) in the amount of \$158,940.00 to resolve the Road Repair Dispute. Carried unanimously.

Jeff Markquart, Martin County Sheriff, presented and reviewed the South Central MN Computer Consortium Joint Powers Agreement noting this is a new agreement with the twenty-two other agencies that are involved in our Computer Aided Dispatch (CAD) System Records Management System due to information passed over the National Incident Based Reporting System.

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair and County Coordinator to sign the South Central MN Computer Consortium Joint Powers Agreement to implement and maintain a Records Management System, Computer Aided Dispatch System, Jail Management System, and Mobile Computer System in the Martin County Sheriff's Office. Carried unanimously.

Markquart next recommended a step increase based on satisfactory performance evaluation and according to Union Contract for Karen Bleess, Communications Officer with the Martin County Sheriff's Office.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, 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 for Karen Bleess, Communications Officer (LELS #115) from 2 Year Step at \$23.15/hour to 3 Year Step at \$23.68/hour, effective September 7, 2017. Carried unanimously.

Markquart concluded with a Martin County Jail Population update including eighteen (18) in-house, ten (10) out of county, and four (4) on Electronic Home Monitoring (EHM).

Higgins noted the family of the late Martin County Commissioner Steve Donnelly, who served as county commissioner for twenty-three (23) years, would like to provide a memorial to honor Commissioner Steve Donnelly and his service to the citizens of Martin County. Higgins went on to note it is proposed to name the employee Commissioners Award as the *Steven M. Donnelly Commissioner Award for Exemplary Performance and Citizenship*. The award would include information on the purpose of the award and the values emulated by Commissioner Donnelly. Higgins also noted the Donnelly family wishes to financially contribute to this award (i.e. purchasing of the award).

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners provide an employee recognition award known as the "Commissioners Award", awarded annually to the individual or department who has exhibited overall exemplary performance and citizenship; and in recognition of the late Commissioner Steve Donnelly and his twenty-three (23) years of service to the Citizens of Martin County; and emulating such values and standards; hereby rename and establish this award as the Steven M. Donnelly Commissioner Award for Exemplary Performance and Citizenship. Carried unanimously.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby accept the donation received from the family of Steven M. Donnelly, in the amount of \$1,000.00, to financially contribute to the establishment, implementation and continuance of the Steven M. Donnelly Commissioner Award for Exemplary Performance and Citizenship. Carried unanimously.

Higgins noted the need for a strategic planning session this year as the last session was held during the summer of 2010. Higgins went on to note the purpose of the strategic planning session is to discuss and establish long range objectives and priorities for the next five to ten years. The half-day session will include both training and planning sessions for Department Directors, Supervisors, and other appropriate staff. Higgins recommends moving forward with holding a strategic planning session this year (2017).

Motion by Commissioner Mahoney, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize County Coordinator to move forward with setting a date to hold a Strategic Planning Session. Carried unanimously.

Higgins noted the County Board has engaged Wold Architects to update the Justice Center Study completed in 2008 which focused specifically on the delivery of services and the evaluation of facilities necessary to achieve solutions for the jail, law enforcement, courts, court administration, and probation offices.

Jonathan Loose and Joel Dunning with Wold Architects were present to review the objectives for an updated Martin County Justice Center Study.

Higgins noted it was recommended at the July 25, 2017, commissioners meeting to establish a Justice Center Study Core Committee to work with Wold Architects in completing this new study; and that two (2) commissioners should serve on this committee. Commissioner Flohrs has indicated he is interested in serving.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby establish a Justice Center Study Core Committee to work with Wold Architects in completing a new Martin County Justice Center Study; and approve the appointment of Commissioner Steve Flohrs and Commissioner Kathy Smith to serve on the Justice Center Study Core Committee; and approve and authorize per diems and expenses for this committee. Carried unanimously.

Bill Fahey, Martin County's Financial Advisor with Northland Securities, presented a Ditch Bonding Information Update including the 2017 Ditch Detail Costs for JD #2 W&M, JD #38, JD #20, JD #314 M&F, JD #414 M&F, and JCD #350 M,J,W&C, totaling \$6,273,795.

Commissioner Mahoney inquired ditch debt really isn't our debt either is it?

Fahey noted these are General Obligations of Martin County. If there would ever be a failure we'd have to go ahead and pay for the principal and interest.

Commissioner Mahoney inquired but basically they're covered by the special assessments?

Fahey answered they are covered by the special assessments.

James Forshee, Martin County Auditor/Treasurer, and Jessica Korte, Accountant-A/T Office, reviewed the preliminary CY2018 budget which is currently at a 6.55% increase from 2017 to 2018 Levy; 2018 Budget Proposed Adds and Cuts; and Capital Improvement Plan (CIP).

Higgins recommends authorizing per diems and expenses for commissioners serving on AMC's Soil and Water Conservation District Joint Work Group.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize per diems and expenses for commissioners to attend AMC's Soil and Water Conservation District Joint Work Group meetings. Carried unanimously.

The Board reviewed warrants to be paid August 1, 2017.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve bills to be paid on August 1, 2017, as presented; and includes the Martin County Highway Department and Drainage bills as presented. Carried unanimously.

Warrants received and paid August 1, 2017, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved August 1, 2017	\$ 19,505.86
Solid Waste Management Fund	\$ 12,705.51
Law Library Fund	\$ 2,142.31
Human Services Fund	\$282,956.00
Ind. Sewage Treatment Sys. Loan Fund	\$ 15,653.04
Building – CIP – Fund	\$ 567.45
Bank Building Fund	\$ 47.01
Debt Service Fund	<u>\$ 14,690.00</u>
Total	\$348,267.18
Road and Bridge Funds Totaled	\$ 32,536.53
Martin County Ditch Funds Totaled	\$395,065.24

Commissioners reviewed AMC's Fall Policy Committee Meeting Agenda for September 14-15, 2017; and Riparian Buffer Aid Summary per County.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: July 25, 2017 – Planning and Zoning meeting at 5:30 p.m.; July 26, 2017 – Human Services meeting and Buffer Enforcement meeting; July 27, 2017 – Convention & Visitor's Bureau Bus Tour of Martin County – visiting several industries and farms, Emergency Communications Board meeting in Mankato, Minnesota at 10:30 a.m., and South Central EMS meeting at 1:00 p.m. in Mankato, Minnesota; July 31, 2017 – Rural Minnesota Energy Board Tour to South Dakota Deer Creek Electrical Plant; August 1, 2017 – regular Board of Commissioners meeting at 9:00 a.m., Building Committee meeting immediately following the Board of Commissioners meeting, and Personnel Committee meeting at 1:30 p.m.; August 2, 2017 – F-M Joint Transit Executive Board meeting and Martin County Veterans Memorial Committee meeting; August 7-11, 2017 – Commissioner Belgard will be out of town; August 7, 2017 – regular Martin County EDA meeting at 5:15 p.m.; August 8, 2017 – Library Board meeting in the afternoon; August 9, 2017 – Human Services Executive Board meeting; August 10, 2017 – Soil and Water meeting; August 11, 2017 – Prairieland meeting; August 14-20, 2017 – Martin County Fair; August 15, 2017 –

Regular Board of Commissioners meeting at 9:00 a.m., JD #48 Engineer's Analysis Report at 10:30 a.m., and Joint Citizens Advisory Human Services meeting in Blue Earth, Minnesota.

With no further business to wit, Board Chair adjourned the meeting at 12:14 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator