

Proceedings of the
Martin County Board of Commissioners
August 15, 2017

The regular meeting of the Martin County Board of Commissioners was called to order by Board Chair, Dan Schmidtke. Members present were: Tom Mahoney, Kathy Smith, and Steve Flohrs, and Elliot Belgard. Others present: Terry Viesselman, County Attorney, Kevin Peyman, County Engineer, James Forshee, Auditor/Treasurer, Doug Borchardt, Supervisor Maintenance, Steve McDonald, MIS Director, Erin Morrill, Emergency Management Manager, Becky Bentele, Victim Services Coordinator, Rod Halvorsen, KFMC/KSUM radio reporter and Brooke Wohlrabe, Reporter Fairmont Sentinel, Jim Beattie, BevComm.

Chair Schmidtke lead the Pledge of Allegiance.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs to approve the agenda with the following additions: Consider Letter of Support for the BevComm Broadband Project, Determine Status and final Action for Transfer of Transit Facility. Carried unanimously.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard to approve the minutes of the regular meeting held on July 25, 2017 and the August 1, 2017 as presented. Carried unanimously.

Beattie (BevComm) gave an update stating that the broadband project in the Granada area continues to go well. Beattie further stated that BevComm again has applied for the grant from DEED Broadband Grant from the Office of Broadband for 2018 stating that this project would take care of the entire Granada exchange.

Beattie requested a letter of support from the County Board for BevComm Broadband grant application, as well as a letter of support from the County Coordinator for the proposed broadband project in Granada area.

After further discussion,

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, approve and authorize the Board Chair to sign a letter of support to BevComm for grant application to DEED -Office of Broadband for the Broadband Grant. Carried unanimously.

County Attorney had nothing to report.

Peyman gave a Highway Department update, stating that I-90 should be opened today at Exit #39; discussed the turn back of State Highway #263 to the county. Schmidtke suggested that a couple of Commissioners meet with MNDOT to discuss the proposed turn back. By consensus, the board appointed Commissioner Flohrs and Schmidtke to work with the County Engineer on the turn back project.

Peyman provided a drawing of proposed curb and gutter system for the courthouse parking lot along the lake side of parking lot, stating that the County Building Committee has been discussing the need to replace the cabling fencing along the courthouse parking with a curb and drainage system. It was observed that it appears the trees along the bank where the majority of snow is piled over the lake bank, appears to be dying, maybe due to the snow piled in the one are and salt that gets scrapped off in snow removal. The proposed curb and gutter system is approximately 275 feet long. The cost of the total project is estimated at approximately \$20,000.

Flohrs inquired if there were possible grants available through the SWCD that could help with the project financially in the proposed drainage system.

Smith stated the need for the project is for safety reasons, as well as preserving the lake bank.

Peyman stated that if the parking lot curb and gutter project were to move forward, it would be best to do the work next year.

Borchardt stated in the meantime, it would be a good opportunity to pile the snow elsewhere rather than push over the lake bank and that it may take a few parking spaces for a few days, until it could be hauled away.

After further discussion,

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Building Committee, due to the dilapidated cabling fencing system, and need for better parking curbing, and storm water runoff down the lake bank, hereby approve the proposed parking lot project to include installation of approximately 275 ft. of curb, using the County Highway Department labor for prep work and installation of fencing needed along the curb, and installation of a drainage system; to be expended from the CIP Fund. Carried unanimously.

Higgins stated that due to the proposed installation of offices in the Transit Building, the project is proposed to displace 3 VSO vans, Drainage pick up, large trailer, ATV side by side and trailer, STS crew offices/work space and tool storage, winter storage of county flee vehicles, along with other general storage space used by the county. In order to house the displaced equipment, it is proposed to construct a new garage facility to fit the county needs. Higgins presented a drawing of building concept and exterior elevation, provided by Brunton Architects.

Higgins further stated that it is being proposed to construct a garage facility at 10,000 square foot building (similar to the size of the existing Transit Facility). The proposed building is proposed to be built on exiting county owned land near the County Highway Dept.

Higgins went on to say that for budgeting purposes the estimated cost for the construction of a similar size maintenance facility ranges from \$115-\$125 per square foot, depending on what is included in the building construction. The proposed garage facility is included in the CY2018 proposed budget at \$1.2 million dollars. The Building Committee has been meeting to discuss

the project and is recommending further discussion on the project with the full board and move toward engaging an architect firm for planning and design of the proposed facility.

Higgins stated that there is still interest by board members on whether or not keeping the Transit Facility would be better than building a new garage facility. Due to this continued discussion, MNDOT-Office of Transit has delayed the contract for the construction of offices for transit staff in the existing Transit Facility. It is asked if the board has any potential interest in keeping the facility.

There was general discussion by the board that at this point, there has been much work and progress on construction of offices in the facility and the facility needs to remain for transit purposes, and that there is no further interest in pursuing purchase of the exiting Transit Facility.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, are not interested in pursuing the purchase of the existing Transit Facility located at 1023 North Dewey Street, Fairmont, MN; and to affirm Resolution #57/15 that the Building be transferred to the Faribault-Martin County Transit Board (dba Prairie Lakes Transit). Carried unanimously.

Bentele presented request for submission of the Crime Victim Services 2018-19 Renewal Grant application, stating that Martin County is eligible to apply for \$210,000 for general crime services in Martin County during the 24 month period of October 1, 2017 to September 30, 2019. The grant award consists of \$161, 910 in Federal Victims of Crime Act (VOCA) funding and \$48, 090 in State funding. The county is responsible for matching the grant in the amount of \$40, 478.

Motion by Commissioner Flohrs, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve the submission of grant renewal application for the Crime Victim Services 2018-19 Renewal Grant RFP through the Minnesota Department of Public Safety-Office of Justice Programs Crime Victim Service in the amount of \$210, 000 for a 24 month period of October 1, 2017- September 30, 2019. Carried unanimously.

Bentele presented the resignation of Kari Buntjer, part time Administrative Secretary II effective August 15, 2017.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, to approve and accept the resignation of Kari Buntjer, part time Administrative Secretary II, for the Martin County Victim Services Office, effective August 15, 2017. Carried unanimously.

Bentele requested to fill the Administrative Secretary II vacancy and to reduce the position from 30 hours per week on average to 20 hours per week on average, stating that if there is a need and it is determined to increase the position back up to 30 hours, if the board would consider it.

Bentele reviewed the revised job description for this position and requested that it be reclassified to Administrative Assistant II Grade 9, due to the responsibilities and required qualifications for

the position which is comparable to other similar part time position(s) in the County (i.e. Probation Department).

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize recruitment to fill the part time Administrative Secretary II position; and to reduce the position from 30 hours per week to an average of 20 hours per week; and that the position be reclassified to Grade 9 and the position be titled Administrative Assistant II; and to approve the revised job description as presented. Carried unanimously.

Morrill presented and informed the Commissioners that they are required to review and acknowledge review of the updated Martin County Emergency Operations Plan and each to initial the plan review. The Plan is in its four year cycle for review. After the Commissioners have reviewed the revised Emergency Operations Plan, the Board has tentatively set the date of the September 5, 2017 board meeting for approval and adoption of the Plan. The Plan will then be submitted to Homeland Security and Emergency Management Regional Coordinator for review.

Morrill presented and reviewed the Resolution Authorizing Execution of Emergency Management Performance Grant Program agreement, stating that the Sheriff's Office has submitted the annual Emergency Management Performance Grant for Federal Fiscal Year 2017. The county has received the grant on an annual basis and the grant dollars received go toward expenses for Emergency Management. The contract award amount is \$22, 583.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard,

R-#24/'17

**RESOLUTION AUTHORIZING EXECUTION OF
EMERGENCY MANAGEMENT PERFORMANCE
GRANT PROGRAM AGREEMENT**

BE IT RESOLVED, that Martin County, Minnesota, enters into a Grant Agreement with the State of Minnesota, acting through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management, for the program entitled Emergency Management Performance Grant (EMPG) in the amount of \$22,583.00 effective January 1, 2017, through December 31, 2017, for the Federal Fiscal Year 2017.

BE IT FURTHER RESOLVED, that the Martin County Emergency Management Director, along with the Board Chair, is hereby authorized to execute and sign such Grant Agreements and amendments as are necessary to implement the program on behalf of Martin County, MN.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, and was duly made and adopted this 15th day of August, 2017.

**BOARD OF COMMISSIONERS
MARTIN COUNTY, MN**

ATTEST: _____
Scott Higgins, County Coordinator

Voting Aye: Mahoney, Smith, Belgard, Flohrs and Schmidtke.
Motion passed.

Higgins reviewed the wage step increase for Chris Vasvick, Deputy Sheriff to Step 8 (union pay scale-LELS #136), effective September 11, 2017.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Jeff Markquart, Sheriff, hereby approve and authorize the wage step increase based on a satisfactory performance evaluation and according to LELS #136 Union Contract, for Christopher Vasvick, Deputy Sheriff from 7 year step to 8 Year step at \$29.48/hour, effective September 11, 2017. Carried unanimously.

Sheriff Markquart gave an update to the Board on the installation of BDA's in the Fairmont Schools and that the testing went well and is working well. The project was \$40,000. A grant was received through the Regional Radio Board in the amount of \$20,000. The City of Fairmont and the Fairmont School District matched the grant with \$10,000 from each entity.

McDonald reviewed the quote received from Foty Lock and Safe (Fairmont, MN) for six electronic locking systems to be installed at the Auditor/Treasurer office (4), Planning and Zoning Office (1) and MIS Office (1), as part of the county's effort to improving courthouse security and replacing use of keys.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Building Committee, due to the need for consistency in electronic lock system for the courthouse, hereby approve and accept the quote received from Foty Lock and Safe for the E-Plex system as presented in the amount of \$9,588 for six electronic lock systems hardware to be installed at the Auditor/Treasurer Office (4), Planning and Zoning Office and MIS Office; and to be expended from the CIP Fund. Carried unanimously.

Borchardt stated that it is being proposed to cover up painted faux marble with "Plexiglas" like material to protect it from scrapes and scratches. Borchardt reviewed the estimated costs for the material is \$4,500; material cut to fit is \$5,950. The Building Committee has discussed the project and recommends purchasing the material and the need to preserve the faux marble. The maintenance staff would install the polycarbonate glass.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Building Committee, due to the need to protect the investment done on the painting of faux marble throughout the

courthouse, hereby approve the installation and purchase of polycarbonate glass 3/16 inch thick material to be installed over the faux marble areas that require it; and to approve the quote received from Fairmont Glass and Sign (Fairmont, MN), in the amount of \$5,950; and to be expended from the CIP Fund. Carried unanimously.

Higgins stated that Melvin Sukalski was hired as temporary building maintenance technician to help out in the interim, until the completion of hiring two maintenance personnel. This is completed. Sukalski's temporary employment ended on August 3, 2017.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approves the termination of temporary employment of Melvin Sukalski, Building Maintenance Technician, effective August 3, 2017; and with appreciation for assisting the Maintenance Department when they were shorthanded. Carried unanimously.

Pam Flitter, Zoning Official, presented recommendation to hire a Planning and Zoning Technician for enforcement in the new "Buffer" laws passed by the State Legislature this past legislative session. The Board passed a resolution accepting buffer enforcement at the county level. There was state aid provided to counties to conduct this work. The County received the state aid funding.

The Personnel Committee is not recommending to proceed with hire of staff for buffer enforcement. However the Drainage staff will continue to conduct buffer enforcement on drainage ditch systems throughout the county.

There was discussion on the need for a part-time feedlot inspector.

Smith stated that with consideration of the part time feedlot on the agenda, she would like to combine the two into one position and split buffer enforcement and feedlot inspections at 20 hours per week.

Belgard stated he sees a need for a part time feedlot inspection position.

Schmidtke suggested to wait 3-6 months to see where we are at before proceeding with a new position.

Flohers stated that we need to hire staff for buffer enforcement; we are getting state aid to do this work and pay for the position. Further stating that we are number one hog producing county in the State, I would go with hire of part time feedlot officer position as recommended by the Personnel Committee.

Flitter reviewed the need for proposed increase in feedlot inspection fees and for new construction, stating that the county has established that all feedlots are to be inspected or registered every four years, which equates to approximately 100 feedlot inspections per year. Additionally, requirements from the State have added additional work and time in feedlot

inspections and for new construction. The increase in fees will go toward the required feedlot grant match, which will help pay for the additional feedlot inspection staff.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, to proceed with moving forward for consideration by the Board as required on the proposed Feedlot Fee schedule as presented. Carried unanimously.

After further discussion,

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, to hire a full time Planning and Zoning Technician; and to perform and assist in buffer enforcement and feedlot inspections at approximately 50/50 split between these two functions; and to designate the Planning and Zoning Office to conduct buffer enforcement for the county. Voting Yes: Smith, Belgard, Flohrs, and Mahoney. Voting No: Schmidtke. Motion passed.

The Board Recessed at 10:33am

The Board Reconvened at 10:39am

Chair Schmidtke opened the public hearing on the Engineer's Analysis Report for JD #48. Those present on the Drainage Authority Board were: Mahoney, Smith, Belgard, and Flohrs. Also present were Kurt Deter, Counsel to the Board (Rinke Noonan Law Firm), Chuck Brandel, ISG Engineer for the project, Mike Forstner, County Drainage Systems Manager.

Deter gave an update on the status of hearing, mainly to determine if the Fairmont Foods control structure is an authorized control structure on this Ditch System.

Brandel presented a PowerPoint and provided his recommendations on the project.

Chair opened the hearing for public comments.

Various landowners and members of the public stated concerns and asked questions.

Deter inquired of Brandel if he had determined that the structure was authorized to be constructed.

Brandel responded it appears the plan sheet that had a structure in place, but the structure is smaller than what went in.

Belgard inquired is the structure limiting the flow.

Brandel responded that appears not be sized right for the size of watershed, it's too small.

Tom Calendar inquired if the county has any record that landowner was notified of this.

Brandel stated that we did find the structure as part of the plan. Our opinion is something needs to be done, it is undersized.

After further public comments and questions, an issue arose of a 1975 agreement.

Deter stated we need more information on this 1975 Agreement and inquired if this control system is an obstruction to the drainage system.

Deter suggested that it appears we need to look into this matter further and suggested the Board continue the hearing to a certain date and time.

With no further discussion,

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, acting as the Martin County Drainage Authority, and need to gather more information related to JD #48 Engineers Analysis Report; hereby continue the hearing of JD #48 Engineers Report until September 25, 2017 at 8am in the Board Room, at the Martin County Courthouse, 201 Lake Avenue, Fairmont, MN. Carried unanimously.

Higgins requested disposal of cabinet safe as surplus property. Higgins provided pictures of the cabinet safe.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the disposal of a cabinet safe through the State of Minnesota online auction service (MinnBid). Carried unanimously.

The Board reviewed the CY2018 Preliminary Budget, and continued to review proposed cuts and reductions, along with additions to the preliminary budget. No action taken on the Preliminary Budget.

Forstner presented a recommendation to set a public hearing for Final Acceptance of JD #40 Improvement Contract, for September 5, 2017 at 10:30am.

Motion by Flohrs, seconded by Mahoney, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby set the date of Tuesday, September 5, 2017 at 10:30am in the Commissioners Meeting Room-Martin County Courthouse, for Final Acceptance of the JD #40 Improvement Contract. Carried unanimously.

Forstner presented change orders for board consideration for CD #29/JD#367.

Motion by Commissioners Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, acting as the County Drainage Authority, hereby approves Change Order #1 as presented.

Change Order #1 includes: Contractor removed soil beneath pond berms = 3,800 CY * \$2.38 = \$9,044; Contractor removed soil containing Reed Canary Grass = 3,400 CY * \$2.38 = \$8,092.

Original Contract Price: \$2,530,532.50

Contract Price prior to this Change Order: \$2,530,532.50

Net Increase (Decrease) of this Change Order: \$17,136.00

Contract Price with all approved Change Orders: \$2,547,668.50

Carried unanimously.

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, acting as the Martin County Drainage Authority, hereby approves Change order #2 as presented.

Change Order #2 includes: The repair of Branch G-2 = \$11,620.40; Additional Changes to Branch G to protect the Farmable Wetland = \$7,552.40.

Original Contract Price: \$2,530,532.50

Net Increase (Decrease) from previous Change Orders No. 1 to 1: \$17,136.00

Contract Price prior to this Change Order: \$2,547,668.50

Net Increase (Decrease) of this Change Order: \$19,172.80

Contract Price with all approved Change Orders: \$2,566,841.30

Carried unanimously.

Forstner reviewed the need for tree removal along JD #367, stating there is need to have the trees removed along the Ditch system.

Motion by Commissioner Belgard, seconded Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, acting as the County Drainage Authority, based on the recommendation of the Drainage Systems Manager; and the need to remove trees in areas of JD #367 is hereby approved as presented. Carried unanimously.

Forstner gave an update on the CD #11 and JD #50 Lessard Sams Outdoor Heritage Council Grant proposals, including restoration of 160 acres of wetlands, improving flood storage, establishing critical pollinator habitat and filtering and slowing the flow of water to the East Fork of the Des Moines River and into Okamanpedan Lake.

Bill Fahey, Northland Securities, was present and provided a packet of information to the Board pertaining to the Finance Plan for the issuance of General Obligation Bonds in the amount of \$6,160,000 Series 2017A.

Fahey also provided a Debt Issuance Guide for Minnesota Counties. It was determined due to the length of the meeting Fahey would review it with the Board at another time.

Motion by Commissioner Smith, seconded by Commissioner Belgard, to approve the warrants to be paid August 15, 2017 as follows:

Warrants received and paid August 15, 2017, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved August 15, 2017	\$101,210.22
Enhanced 9-1-1 Fund	\$ 33,464.83

Martin County Economic Development Fund	\$ 5,337.40
Solid Waste Management Fund	\$ 31,731.53
Law Library Fund	\$ 21.75
County Attorney's Forfeiture	\$ 1,698.00
Building – CIP – Fund	\$ 14,373.50
Bank Building Fund	\$ 2,273.88
Total	\$190,111.11

Road and Bridge Funds Totaled	\$ 10,390.42
Martin County Ditch Funds Totaled	\$153,177.24

Carried unanimously.

Higgins reviewed the following information included in the Board agenda packets including, the July 2017 Monthly Financial Statement, public ad for the Martin County Logo contest, update on the Courthouse Office Space Study summary, Courthouse Security Improvements/Recommendations summary.

Board members reviewed their past and future meetings.

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney, to approve the agreement with Northland Securities.

With no further business to wit, the meeting was adjourned by Chair at 1:15pm.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator