

BOARD PROCEEDINGS
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 7, 2017
@ 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 Dan Schmidtke. Commissioners present were Flohrs, Mahoney, Smith, Schmidtke, and Belgard. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, County Engineer, 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 Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the November 7, 2017, regular Board of Commissioners meeting with the following addition: 9.15 Consider County State Aid Highway Funds Advance Resolution for CSAH 26 Construction. Carried unanimously.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes from the October 3, 2017, and October 17, 2017, regular Board of Commissioners meetings. Carried unanimously.

Terry Viesselman, County Attorney, updated the Board regarding an Order Establishing Attorney Fees that had recently been signed by Judge Richards, Judge Bentz, and Judge Trushenski, increasing the hourly rate for court-appointed attorneys at county expense from \$75 an hour to \$100 an hour, effective November 1, 2017. Viesselman noted the judge has the authority to raise the fee and the \$75 fee is way below what lawyers charge per hour. Viesselman also noted Martin County is still pursuing contracting with attorneys that are interested in providing court appointment services; however, there are a very limited number of attorneys in the area that are qualified to do Child in Need of Protection or Services (CHIPS) cases and the state has put a restriction that you have to have this certain kind of training. Viesselman went on to note that himself, Connie Belgard, Court Administrator, and Scott Higgins, County Coordinator, are working toward a procedure on how to get to the next step. This information will then be sent out to those that have expressed interest.

After discussion,

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby ratify Order Establishing Attorney Fees for Court-Appointed Attorneys at \$100 per hour, effective November 1, 2017. Carried unanimously.

Mary Muller, Clerk Treasurer with the City of Ceylon, was present to request financial assistance to help with demolition of a dilapidated building located at 310 South Center Street in Ceylon,

Minnesota. Muller reviewed a packet of information that was presented to the Board which included five (5) different bids to demolish the building.

Demolition Bids for Ceylon Rest Home
(310 South Center Street)
November 3, 2017

S&J Excavating, Inc. (Fairmont, MN) \$15,973.00

- Demolition and disposal of house and garage – hauled to landfill site.
- Copy of load tickets to City of Ceylon.
- All concrete hauled to recycle pile.
- Cap water service at property line.
- Cap sewer line at property line.
- Septic tanks – cisterns found on site will be an extra charge for pumping and disposal of material.
- All asbestos material removed by others

Wayne Walter (Ceylon, MN)

- Tear down house and garage \$ 5,000.00
- Trucking of demo material and landfill fees \$14,000.00
- Fill in basement to ground level using block walls as part of fill. \$ 3,500.00
- Remove trees around house. \$ 500.00
- Load out concrete driveway – sidewalk. \$ 500.00
- \$23,500.00**

Blue Earth Environmental Company (Mankato, MN)

- House and garage removal and disposal of asbestos containing material. \$23,500.00
- Removal and disposal of the hazards and garbage.
- Demolition and disposal of the house and garage.
- Backfill the hole with clean fill material.
- Level site to drain.
- Sewer and water shut off at the curb.

- ❖ Removal and disposal of asbestos containing material only. \$ 9,500.00

- Removal of the hazards (fluorescent light bulbs and mercury switches), garbage prior to demolition. Demolition, and disposal of the house and garage. Backfill the hold with clean fill material. Sewer and water shut off at the curb. \$19,500.00

Beemer Companies (Fairmont, MN)

✓ Demo of building and garage	\$22,180.00
✓ Asbestos abatement per survey	<u>\$11,500.00</u>
	\$33,680.00

MAVO Systems

▪ Removal of asbestos containing materials from vacant Residence.	\$26,300.00
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Apex Envirocare Ltd.

Asbestos inspection to house and garage	\$ 950.15
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Muller noted that the City of Ceylon favors the bid from the Blue Earth Environment Company in the amount of \$23,500.00 because they’re going to do the demolition from start to finish including asbestos removal, demo, cap off the sewer and water and backfilling; and inquired what the County will commit to for assisting with the demo of the building.

After review and discussion of bids received,

Commissioner Flohrs recommends allocating \$10,000 to help with the demolition costs and the City of Ceylon can choose who they want to.

After further discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize a \$10,000 allocation to the City of Ceylon to aid in costs associated with the demolition of a dilapidated building located at 310 South Center Street in Ceylon, Minnesota, to be expended from the Tax Forfeiture Fund. Carried unanimously.

Kevin Peyman, County Engineer, was present to review a resolution supporting Local Road Improvement Program for CSAH 26. Peyman noted last year the Minnesota Legislature appropriated bond funds to The Local Road Improvement Program and as a result of these bond funds the Minnesota Department of Transportation State Aid for Local Transportation Office is soliciting projects from counties, cities, and townships that have regional significance or safety improvements. Peyman recommends approving a resolution to submit an application and support for reconditioning of CSAH 26 from T.H. 15 to the east Martin County line which is the main easterly entrance for Martin and Faribault County residents into the City of Fairmont, provides access to the City of Fairmont and surrounding communities to the Fairmont Municipal Airport, and provides a vital farm to market route for Martin County’s extensive farming economy. Peyman went on to note the proposed project will add safety upgrades to CSAH 26 with paved

shoulders and rumble stripes. Peyman also noted that there is no guarantee the County will get the funds for the road improvement but noted he has some knowledge on the types of projects that they are looking for including project timelines and filling out the application. An award announcement is anticipated by the end of this year.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard,

Martin County Highway Department
Resolution No. 4 - 2017

LOCAL ROAD IMPROVEMENT PROGRAM APPLICATION FOR CSAH 26

Whereas, the Minnesota Legislature appropriated bond funds to The Local Road Improvement Program (LRIP) in 2017; and

Whereas, as a result of these bond funds The Minnesota Department of Transportation State Aid for Local Transportation Office is soliciting projects from Counties, Cities, and Townships that have regional significance or safety improvements; and

Whereas, Martin County is committed to reconditioning CSAH 26 from T.H. 15 to the east Martin County line which is the main easterly entrance for Martin and Faribault County residents into the City of Fairmont; and

Whereas, CSAH 26 provides access to the City of Fairmont and surrounding communities to the Fairmont Municipal Airport which has a significant economic impact on area businesses, and

Whereas, CSAH 26 provides a vital farm to market route for Martin County's extensive farming economy and serves as a crucial piece of our 10 ton network of roads, and

Whereas, this project will add safety upgrades to CSAH 26 with paved shoulders and rumble stripes that will reduce lane departure concerns due the high volume of traffic and heavy truck traffic on CSAH 26 that has caused chronic pavement edge drop-off problem in the past.

Therefore, be it resolved that the Martin County Board of Commissioners supports LRIP funds for the Cold-In-Place Recycling, Bituminous overlay and added bituminous shoulders for CSAH 26 from T.H. 15 to the east county line:

Upon motion by Commissioner Flohrs, seconded by Commissioner Belgard, and carried said resolution was duly passed and adopted this 7th day of November, 2017

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 7th day of November, 2017.

Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Smith, Mahoney, Belgard, Flohrs, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 7th day of November, 2017.

Peyman continued that the CSAH 26 project will require state aid funds in excess of those available in the County’s State Aid/Municipal Construction Account. And, for that reason, Peyman presented a resolution for Board consideration to proceed with an advance from the County State Aid Construction fund in the amount of \$671,422.00. Peyman noted the resolution shows the maximum that the County may have to borrow for the CSAH project and recommends including this funding resolution with the grant application as a way of showing that we’re committed to doing this project and gives us the option that we can borrow. Peyman noted that advance funds are released on a first-come first-served basis and that approving this resolution does not guarantee the availability of funds.

Motion by Commissioner Mahoney, seconded by Commissioner Smith,

Martin County Highway Department
Resolution No. 5 - 2017

COUNTY STATE AID HIGHWAY FUNDS ADVANCE RESOLUTION CSAH 26

WHEREAS, the County of Martin is planning to implement County State Aid Street Project in 2018 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date 11/05/17	\$3,191,082
2018 estimated construction allocation for Martin County	\$3,237,496

Less estimated disbursements:

Project #46-626-023	\$6,950,000	
Project Finals (overruns-if any)	\$150,000	
Total Estimated Disbursements		\$7,100,000
Advance Amount (amount in excess of acct balance)		\$671,422

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project of the County of Martin in an amount up to \$671,422 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

Upon motion by Commissioner Mahoney, seconded by Commissioner Smith, and carried said resolution was duly passed and adopted this 7th day of November, 2017

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 7th day of November, 2017.

Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Flohrs, Belgard, Smith, Mahoney, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 7th day of November, 2017.

Peyman provided a Highway Department Update including construction on CSAH 38 through Northrop and east from Hwy 15 to the Martin/Faribault County line is complete; plows and sanders are on with hopes they won't be needed for a while; and it is business as normal for this time of year.

Captain Corey Klanderud, Martin County Sheriff's Office, was present to inform the Board that Martin County's current Jail Food Service Contract with Hy-Vee (Fairmont) will end December 31, 2017; and recommends that Martin County solicit proposals for Jail Food Service for a two-year term commencing January 1, 2018 to December 31, 2019. Klanderud noted we've had a minor language change to make sure that our nutritional requirements are being met on our weekends and holidays when we serve two full meals and a snack.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize advertisement for bids for the Martin County Jail Food Service Contract for a two-year term commencing January 1, 2018 through December 31, 2019. Carried unanimously.

Klanderud next presented a recommendation to hire Jordan Paukert as part time Deputy for the Martin County Sheriff's Office. Klanderud noted Paukert was hired last spring for the County's Seasonal Water Patrol and would like to move him up to part time Deputy and train him for patrol duties in order to provide options for filling shifts and gaps.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the reclassification of Jordan Paukert to Part Time Deputy for the Martin County Sheriff's Office, effective November 12, 2017, at \$24.05/hour; and is not eligible for benefits. Carried unanimously.

Klanderud continued with a recommendation to change the classification of Jared Gray who is currently the County's only part time deputy, to a Temporary Full Time Deputy Assignment to fill vacant Deputy work schedule until a permanent solution is put in place. Klanderud noted Gray is currently a Part Time Deputy for the Martin County Sheriff's Office.

Motion by Commissioner Flohrs, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Temporary Full Time Deputy Assignment for Jared Gray, effective November 12, 2017, for a period of up to six months, until the formal hiring process is completed. Carried unanimously.

Klanderud concluded recommending recruitment to fill Full and Part Time Deputy position(s) with the Martin County Sheriff's Office to fill a current vacant Deputy position and Part Time Deputy Positions as they become available.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize advertisement for recruitment to fill Full and Part Time Deputy Position(s) with the Martin County Sheriff's Office. Carried unanimously.

Scott Higgins, Martin County Coordinator, noted interviews have been completed for the Youth Intervention and Prevention Coordinator position; and that the Personnel Committee recommends the hire of Michelle Larsen, contingent upon satisfactory background check(s).

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the hire of Michelle Larsen, Youth Intervention and Prevention Coordinator for the Martin County Probation Office, at Grade 10 Step 1 at \$17.36/hour, with a tentative start date of November 27, 2017; and is eligible for benefits as it applies to this position, subject to serving a twelve (12) month probationary period; and is contingent upon background checks that are satisfactory to the County. Carried unanimously.

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 Monday, November 20, 2017, at 9:00 a.m. in the Commissioners Board Room – Martin County Courthouse.

Motion by Commissioner Smith, seconded by Commissioner Flohrs,

RESOLUTION No. R-#38/'17

AUTHORIZING & FIXING TERMS OF TAX SALE:

BE IT RESOLVED, that all parcels of tax-forfeited land listed on the List of Tax-Forfeited Land #18 be classified as non-conservation land; that the basic sale price of each parcel on the List of Tax-Forfeited Land #18, 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 **9:00 a.m. Monday, November 20, 2017,** 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 #18 dated November 7, 2017.

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 Smith, seconded by Commissioner Flohrs and carried.

Dated this 7th Day of November, 2017.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

Dan Schmidtke, Chairperson

ATTEST: _____
Scott Higgins
Martin County Coordinator

Roll Call AYES: Commissioners Belgard, Mahoney, Flohrs, Smith, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 7th day of November, 2017.

Higgins presented the annual advertising contracts with the Fairmont Sentinel for the year 2018, noting that the new display advertising contract for 750 inches is at the rate of \$12.95 per column inch; and that the classified advertising contract for 100 inches is at the rate of \$9.10 per column inch. Higgins went on to note the rates have increased 2.3% and 1.1% over the last year respectively and recommends the new rates.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the contract agreements with the Sentinel Newspaper for Display Advertising and Classified Advertising as follows: Display Advertising at a rate of \$12.95 per column inch (minimum of 750 inches); and Classified Advertising at a rate of \$9.10 per column inch (minimum of 100 inches) effective January 1, 2018 and ending December 31, 2018. Carried unanimously.

Higgins 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 2017 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 County Newspaper for Martin County for the year 2017.

After discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Smith, 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 2018. Bid opening will be held on Monday, December 11, 2017, at 10:00 a.m. in the Martin County Courthouse – Commissioners Meeting Room – First Floor; with bid award at the December 19, 2017, regular Board of Commissioners meeting. Carried unanimously.

Higgins presented and reviewed a resolution listing commissioner appointments to designated Standing Committees for the year 2018. Higgins noted the Board may choose to continue serving on their respective committees as listed or may switch between fellow commissioners.

No action taken on consideration of resolution for County Board Member Appointments to Various Boards/Committees.

Higgins noted the Association of Minnesota Counties (AMC) requests that each county provide voting delegates to the annual conference which will be held December 4-5, 2017, in St. Cloud, Minnesota; with by-laws allowing up to eight participants.

After review and discussion,

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, 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 4-5, 2017, in St. Cloud, Minnesota, which includes Commissioners Mahoney, Schmidtke, Smith, Flohrs, and Belgard; and James Forshee, Michael Forstner, and Julie Walters. Carried unanimously.

Higgins and Forshee presented and reviewed the preliminary Tax Levy for year 2018 which equates to a 5.84% increase.

The Board opened discussion pertaining to CY2018 allocations to Red Rock Center for the Arts and the Martin County Veterans Memorial. As result of discussion, by consensus included it in the CY2018 Budget in the amount originally budgeted of \$4,050.

The Board reviewed warrants to be paid November 7, 2017.

Motion by Commissioner Smith, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve bills to be paid on November 7, 2017, as presented; and includes the Martin County Highway Department and Drainage bills as presented. Carried unanimously.

Warrants received and paid November 7, 2017, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved November 7, 2017	\$113,114.42
Enhanced 9-1-1 Fund	\$ 2,215.63
Martin County Economic Development Fund	\$ 147.23
Solid Waste Management Fund	\$ 31,507.54
Human Services Fund	\$282,956.00
Recorder's Compliance Fund	\$ 2,325.00
Building – CIP – Fund	\$ 1,716.21
Bank Building Fund	\$ 32,938.27
Refunding Fund	<u>\$ 9,255.00</u>
Total	\$476,175.30
Road and Bridge Funds Totaled	\$ 39,173.67
Martin County Ditch Funds Totaled	\$456,048.36

The Board reviewed reports and announcements including Interlaken Heritage Days Contribution Request; Minnesota Counties Intergovernmental Trust (MCIT) 2016 Annual

Report; and Minnesota Valley Action Council's Quarterly Report (hand-carried by Commissioner Flohrs).

Motion by Commissioner Belgard, seconded by Chair Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file CY2018 Allocation Request received from the Interlaken Heritage Days Committee. Carried unanimously.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: October 17, 2017 – Audit Exit Interview with State Auditors and JD #314 meeting; October 18, 2017 – Human Services meeting; October 19, 2017 – Traverse de Sioux Library Board meeting; October 23, 2017 – Fairmont Area Kinship meeting; October 24, 2017 – Planning and Zoning meeting at 5:30 p.m.; October 25, 2017 – Community Conversation meeting on Aging from 10 – 11:30 a.m. at the SMEC Building, and Convention and Visitors Bureau meeting; October 30, 2017 – Interviews for Planning and Zoning Technician; October 31, 2017 – Special Board Meeting Awarding the Sale of General Obligation Drainage Ditch Bonds, Series 2017A; November 1, 2017 – District 7 Fall Meeting at the Nicollet Conservation Club in Nicollet, Minnesota, JCD #350 Ditch meeting in Trimont, Minnesota, and Martin County Veterans Memorial Committee meeting; November 6, 2017 – EDA meeting at 5:15 p.m., Beyond the Yellow Ribbon meeting, and Convention and Visitors Bureau Strategic Planning meeting; November 7, 2017 – Extension Committee meeting at 8:00 a.m., Personnel Committee meeting at 8:00 a.m., regular Board of Commissioners meeting at 9:00 a.m. – Commissioners Meeting Room – Martin County Courthouse, and Labor Management Committee meeting at 1:00 p.m.; November 8, 2017 – Human Services Executive Board meeting, Department Directors meeting at 8:30 a.m., Transit Executive Committee meeting at 10:00 a.m., and Justice Center Study Committee meeting at 1:30 p.m.; November 9, 2017 – Soil and Water meeting; November 10, 2017 – Veterans Day Observed – Courthouse Closed; November 11, 2017 – Martin County Veterans Memorial Committee Flag Raising Ceremony; November 14, 2017 – SHIP meeting at 11:00 a.m., Ash Borer meetings at 9:30 a.m. and 10:30 a.m. at the Knights of Columbus Hall in Fairmont, Minnesota, and Library Board meeting; November 15, 2017 – Park Board meeting, Rural Minnesota Energy Board Executive Committee conference call; November 16, 2017 – Emergency Communications Board meeting in Mankato, Minnesota, South Central EMS meeting at 1:00 p.m. in Eagle Lake, Minnesota, and Traverse de Sioux Library Board meeting; November 17, 2017 – Prairieland meeting, GBERBA meeting, and 28th Annual Glows Parade at 6:00 p.m.; November 20, 2017 – Minnesota Valley Action Council meeting and Martin County Substance Abuse Prevention Coalition (MCSAP) meeting; November 21, 2017 – regular Board of Commissioners meeting at 9:00 a.m. – Commissioners Meeting Room – Martin County Courthouse including Continuation Hearing at 10:00 a.m. for consideration of proposed increases to the current County Feedlot Inspection and New Construction Fee structure.

With no further business to wit, Board Chair adjourned the meeting at 10:08 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator