

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
APRIL 18, 2017
@ 4:00 P.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 4:00 p.m. by Chairman Dan Schmidtke. Commissioners present were Kathy Smith, Dan Schmidtke, Tom Mahoney, Steve Flohrs, and Elliot Belgard. Also present were Scott Higgins, Martin County Coordinator, Kevin Peyman, County Engineer, Diane Sanders, County Recorder, 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 Mahoney, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the April 18, 2017, regular Board of Commissioners meeting with the following additions: 4.2 Consider Minutes from the January 17, 2017 Board Work Session; and 9.12 Review Wold Architects and Engineers fee proposal for updated feasibility study for a Martin County Justice Center Facility. Carried unanimously.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes from the April 4, 2017, regular Board of Commissioners meeting; Special Board Meeting from March 27, 2017; and January 17, 2017 Board Work Session. Carried unanimously.

Doug Borchardt, Building Maintenance Supervisor, introduced Jared Klug, Building Maintenance Technician. Borchardt noted Klug began his duties on April 5, 2017.

The Board welcomed Klug to his new position.

Chair Schmidtke informed the Board that the Fox Lake Conservation League, Inc. is requesting approval of a premises gambling permit application to include the Fox Lake Golf Course, Inc.; and that the license will become effective April 18, 2017.

James Forshee, Martin County Auditor/Treasurer, noted that the required paperwork received from the Fox Lake Conservation League, Inc., was received and found to be in order.

Motion by Commissioner Flohrs, seconded by Commissioner Smith,

R-#13/'17

RESOLUTION
PREMISES GAMBLING PERMIT APPLICATION
FOX LAKE CONSERVATION LEAGUE INC.

BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approves the Minnesota Lawful Gambling Premises Permit Application – Form LG214 for the Fox Lake Conservation League, Inc., per the requirements of Minnesota Statutes; and concurrent with the rest of their premise location permits, to include the following location at the Fox Lake Golf Course, Inc., located at 15 E. Park Drive in Sherburn, Minnesota 56171; and becomes effective April 18, 2017.

Motion by Commissioner Flohrs, seconded by Commissioner Smith, resolution was duly passed and adopted this 18th day of April, 2017.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Belgard, Mahoney, Smith, Flohrs, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 18th day of April, 2017.

Scott Higgins, County Coordinator, presented and reviewed the Sheriff’s Office recommendation of step increases based on satisfactory performance evaluations and according to Union Contract(s) for the following Martin County Sheriff’s Office personnel: Christopher Gerhardt, Deputy Sheriff, and Adam Wells, Corrections Officer.

Motion by Commissioner Smith, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize step increases based on satisfactory performance evaluations and according to Union Contract(s) for the following Martin County Sheriff’s Office personnel: Christopher Gerhardt, Deputy Sheriff (LELS #115), from 4 Year Step at \$27.50/hour to 5 Year Step at \$28.21/hour, effective March 21, 2017; and for Adam Wells, Corrections Officer (LELS #115), from 6 Year Step at \$25.03/hour to 7 Year Step at \$25.43/hour, effective May 14, 2017. Carried unanimously.

Higgins noted due to Kay Wrucke’s recent retirement and the appointment of Diane Sanders to the County Recorder position, Sanders is requesting authorization to hire replacement staff. Sanders has stated that customer traffic varies from day to day and the office is customer service oriented and that is their top priority. Sanders has also stated the need for succession planning in the office and that it can be difficult to only have three staff to cover the office when a staff member is out for training, vacation days, and sick days.

Higgins went on to note the Personnel Committee has met a number of times with Sanders and recommends not hiring replacement staff. The basis for not replacing staff is that if it were not for the function of issuing passports, the Recorder’s Office would not necessarily need to replace staff. The existing passport staff is limited on the duties they are able to perform with the

Recorder's Office due to the requirements from Federal Government. The Committee is currently exploring the possibility to combine the issuance of passports with existing staff from other offices.

Diane Sanders, County Recorder, was present and noted I think the passport services has been an issue and we just had a review by the Passport Services office and they commended our office and felt that we were doing a wonderful job and they appreciate the experience and the knowledge that our office provides. And, I think our office has handled the separation of duties very well and I think both personal services that we offer is very important and it just fits with our office and we handle it. I think we accommodate vital records and the passports very well. Passports is not a full time job and Michelle (Duncan) our passport person right now has many other duties. She can't work with vitals and we have made it work. My concern is retirement and losing staff people that are experienced in real estate and that takes a long time and would hope to find someone that had real estate experience.

Commissioner Belgard inquired what our other option is. Move passports somewhere else?

Chair Schmidtke answered additional duties assigned to a position already filled in the Auditor/Treasurer's Office.

After further discussion,

Motion by Commissioner Mahoney, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby table request for replacement staff in the Martin County Recorder's Office. Carried unanimously.

Higgins noted there has been discussion with the County Recorder and the Building Committee and Personnel Committee on the location of the County Recorder's Office. Back in 2003 or 2004 the County Recorder moved her office location from the current second floor existing office to downstairs in a vault on the first floor of the courthouse. Higgins went on to note the Martin County Space Study showed and the Building Committee has had many discussions of needing that downstairs office space and it has been suggested to build that office in the current existing space. Higgins also noted department heads and elected officials should be in close proximity to their office or within their office space.

Sanders noted if you came up and measured it off you know there may be room for that office but then there wouldn't be enough room for the desk. We have the public coming through the office all the time to the (second floor) vault and I just think it would be so tight in there and I just think there's not room for an office in that space.

Commissioner Smith noted the Building Committee looked at this and we had a space study done and the study recommended this happen...that we move the Recorder's Office upstairs to free up more space. We do feel that there is room up there. It isn't ideal and is not something that we want to do (partition off an office) but at this time it is what we have to work with.

Commissioner Belgard inquired will this change if we hire another person up there?

Chairman Schmidtke answered I don't think so. There used to be four people up there in the current office space.

Commissioner Mahoney noted so the proposed office for Diane (Sanders) would that be in the larger room?

Higgins answered yes.

Sanders noted I still think if you came up and measured it off there just would not be room. Currently Nancy's (Kunkel) desk and my desk are side by side and I would say there's but three feet for us to walk between our desks.

Commissioner Belgard inquired where was Kay's (Wrucke) desk before she moved her office downstairs.

Chairman Schmidtke noted there used to be a desk right straight in the door as you walk in.

Commissioner Smith answered the counter was pushed back about three feet into the office.

Sanders noted the counter was moved in order to accommodate customers in the office space. It was a short counter and we just didn't have enough room for our customers and then with the separation of duties with passports we needed a more separate space. If we have two customers getting birth certificates you know we have confidential data and we just need more space at the counter.

Commissioner Mahoney noted I've never been a big fan of the second office downstairs. I think you would kind of want to be in touch with the public and your staff. It is not an easy office to access for public. If you wanted to have a private conversation you'd either have to go through the 4-H (Office) area or down the spiral staircase.

After further discussion,

Motion by Commissioner Mahoney, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve the construction of an office for the County Recorder in the existing department space; and to authorize expenditures for the construction of the office from the Capital Improvement Program Fund (CIP). All those voting in favor: Commissioners Mahoney, Smith, Belgard, and Schmidtke. Against: Commissioner Flohrs. Motion carries.

Higgins noted the Court Administration staff and Building Committee have worked together and have recommended the remodeling of the Court Administration Vault area to create office space for two staff people. The proposed project would essentially build a wall dividing the vault area into two separate spaces. One side would continue to be used as a vault area for records storage; the other side would be remodeled as an office space. This would include constructing a wall, carpet, paint, ceiling tile, some electrical and HVAC work. Higgins went on to note the plan is to move staff into this space by June or July of this year.

Higgins continued it is also recommended that the Law Library Office, currently used by the Judges Law Clerk on the third floor of the courthouse, be split into two office spaces. One side would remain an office; the other space would be used as a conference room. This project would include construction of wall, paint, some electrical and HVAC work and installation of a doorway to the office space.

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve the remodeling of the Court Administration Vault area into two spaces with one side remaining as a vault storage of records, and the other side as office space; and to approve and authorize the remodeling of the Law Library Office space into two spaces; and to authorize expenditure for the remodeling projects from the Capital Improvement Fund (CIP). Carried unanimously.

James Forshee, Auditor/Treasurer, noted with the recent move of the Payroll/HR staff person down to the first floor, revisions have been made to the job description for this position, which essentially eliminates Auditor/Treasurer functions and focuses more on Human Resources functions for the position. Forshee recommends approval of the new Payroll/HR job description.

Higgins noted the Personnel Committee has reviewed and recommends approval of the new job description.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the revised job description for the Payroll/HR job classification, which more accurately reflects the objective and essential functions of the position. Carried unanimously.

Higgins noted Martin County has been awarded a Department of Employment and Economic Development (DEED) Office of Broadband Development Border to Border Broadband Development Grant for the Martin County Rural Broadband Initiative in Partnership with Frontier Communications. The grant amount is \$1,677,823.00 with a grant effective date of January 11, 2017 through June 30, 2019; the total eligible project cost is \$3,355,646.00 and that the matching funds of \$1,677,823.00 is coming from Frontier Communications. The State's Authorized Representative for this grant is Jane Leonard, Broadband Grants Administrator, and the Grantee's (County's) Authorized Representative is me, Scott Higgins. Higgins recommends entering into this grant agreement and noted the county attorney has reviewed the Agreement and approves it as to form and content.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, enter into a grant agreement with the Department of Employment and Economic Development Office of Broadband Development Border to Border Broadband Development for the Martin County Rural Broadband Initiative in Partnership with Frontier Communications in the amount of \$1,677,823.00 and is effective January 11, 2017 through June 30, 2019; and authorize Board Chair and County Coordinator to execute and sign such grant agreement(s) on behalf of Martin County. Carried unanimously.

Steve McDonald, MIS Director, was present to review a quote received from Foty Lock & Safe for the proposed electronic lock system to be installed on the three entrance doors to the courthouse and the stairwell in the Security Building lobby. This corresponds to improving courthouse security and replacing the use of keys. The quote includes hardware, including fobs and not labor costs. The Building Committee recommends approval.

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| Stand-alone aluminum door lock | \$1,217 (x 3 = \$3651.00) |
| Stand-alone inside antenna | \$311 (x 3 = \$933.00) |
| Gateway | \$545 |
| Printable card | \$11 each |
| Plain card | \$9 each |
| Fob | \$11 each |
| (Cards are ordered in minimum packs of 100) | |
| The above lock and antenna operate on the same 4 AA Duracell batteries | |

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Building Committee, hereby approve and accept the quote received from Foty Lock & Safe for the E-Plex system as presented for up to four electronic lock systems and the required fobs or cards; and to be expended from the CIP Fund. Carried unanimously.

Forshee noted he has received a resignation notice from Darcy Jones, Account Technician I/Payroll with the Auditor/Treasurer's Office, effective April 28, 2017, and asks the Board to accept the resignation; and to authorize advertising for recruitment to fill the vacancy.

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby accept with regrets the resignation of Darcy Jones, Account Technician I/Payroll with the Auditor/Treasurer's Office, effective April 28, 2017. Carried unanimously.

No action taken on recruitment to fill the vacancy in the Auditor/Treasurer's Office.

Higgins noted the Board has authorized the recruitment of a second Building Maintenance Technician position and that interviews, reference, and criminal background checks have been completed and recommends the hire of Lucas Cyphers effective May 3, 2017.

Motion by Commissioner Flohrs, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Building Maintenance Supervisor, hereby approve the hire of Lucas Cyphers as Building Maintenance Technician at Grade 9 Step 1 at \$16.02/hour for the Martin County Building Maintenance Department effective May 3, 2017; and is eligible for benefits per County Policy as it applies to this position. Carried unanimously.

Higgins presented the Human Resources Records Retention Schedule for Board consideration noting the proposed record retention schedule is for various records and documents related to Human Resources including descriptions and classification of the personnel records and documents that are handled by the Coordinator's Office. Higgins recommends approval of the Human Resources Records Retention Schedule.

Motion by Commissioner Smith, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the Human Resources Records Retention Schedule as proposed, effective April 18, 2017. Carried unanimously.

Kevin Peyman, County Engineer, was present to open discussion on lowering the speed limit for the section of highway on CR 26 from Bixby Corner (CR 39) west to the end of the Fairmont Industrial Park. Peyman noted we do not have the authority to set our own speed limits so we would need to request a speed study through the Minnesota Department of Transportation (MnDOT). The primary reason is (MnDOT) doesn't want artificially low speed limits and that's why the Association of Minnesota Counties (AMC's) stance has been generally to leave it in MnDOT's hands. So, what we would do is pass a resolution requesting a speed study basically from Bixby's Corner to past ADS (Hancor, Inc.) which is about eight tenths of a mile and request them to come look at it. It is a tricky area because 80% of the time it's not a big issue, there's no real accident history, there's not any realignment or sight issues; it's more those few times a day when those major employers are getting on and off work that it is a traffic issue. So the process would be I'd prepare a resolution for you, you'd pass it, MnDOT would do a study and then they would determine what the speed should be and then they would issue it, the Commissioner Order, making it that and then we'd put up signs. Peyman went on to note I haven't seen a lot to necessarily justify seeing it lowered; but at the same token if you've gotten those complaints and you want to say you're addressing it if you pass the resolution you're not necessarily asking for a lower speed limit what you're saying is you think MnDOT should look at it and then they come down and they spend a day doing radar readings of the traffic, they look at the patterns and basically what you're doing is asking an office that specializes in speed limits to come and look at it to see if they'd feel it would be justified to lower. They might come back and say no that they think it should be 55 mph. So I've not necessarily seen anything that tells me yes it should be 45 mph but that's not the resolution you'd be passing. You're saying you'd like it to be looked at because we've gotten feedback from citizens that we would like to have it studied by the traffic office. Again, I'm not saying you should do that but you've gotten enough feedback or have seen enough issues that you want to do that...that would be a step in the process.

After discussion,

No action taken on lowering the speed limit on CR 26 (Fairmont Industrial Park area).

Peyman presented a brief Highway Department update including our preconstruction meeting is on Friday so I'll know a lot more information about the construction schedule and think it will be early to mid-summer but will get more of a firm schedule on Friday; and the new playground equipment has been installed at Cedar-Hanson Park and it looks pretty nice.

Higgins presented a proposal received from Wold Architects and Engineers for planning services to complete a Justice Center Study that will re-validate the previous study completed around 2009. Higgins noted there has been some renewed interest from the Building Committee and Court/Courthouse Security Committee about having a current study to include facilitating a process which confirms the existing facility usage, meeting with major stakeholders of different departments to gain insight on the new needs since 2009 and then develop potential future space needs, review the condition of existing facilities and anticipate the development of options for the solution to accommodate the space needs. Higgins went on to note the proposed fixed fee is \$9,350 for their services and expenses on top of that are not to exceed \$1,750 for a total of \$11,100. Higgins also noted this is part of some of the things we're working with and wanted to bring this to your attention since they did the study in 2009 and we've talked about security and court security and jail issues that we're having and feel this would be some information you would want to consider having updated.

After discussion,

No action taken on Wold Architects and Engineers proposal for an updated feasibility study for a Martin County Justice Center.

Michael Forstner, Drainage Administrator, introduced Rick Hopper, PE-Director of Engineering, Dallas Heikens, PE-Licensed Civil Engineer, and Derek Behrens, Engineering Technician with Jacobson-Westergard & Associates Inc. (JW&A) of Estherville, Iowa.

Hopper, Heikens, and Behrens, presented information about JW&A noting their firm offers civil engineering and land surveying services for both the private and public sectors and that their years of experience and thousands of successful projects to their credit will ensure that your project will be successful as well. Hopper noted they would welcome the opportunity to serve Martin County.

Forstner noted the Martin County Drainage Administration Office is recommending the acceptance of a Petition for an Improvement of JD #99; and is also recommending the appointment of Chuck Brandel, Engineer with I&S Group, as engineer for the proposed Improvement Project.

Motion by Commissioner Smith, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby accept the Petition for an Improvement of JD #99; and appoint Chuck Brandel with I&S Group as Engineer for the Improvement Project. Carried unanimously.

Forstner presented a resolution Ordering the Redetermination of and appointing Viewers for CD #46 in Rutland Township. Forstner noted there have been a lot of issues lately and it only has \$22,000 in value and most of the system is built with corrugated metal pipes so it will be in need of repair shortly so we need to get the proper value and watershed incorporated in.

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs,

R-#14/'17

ORDER APPOINTING VIEWERS AND
REDETERMINATION OF CD #46

WHEREAS, the Martin County Board of County Commissioners hereby determines that the original benefits or damages determined in drainage proceedings for Martin County CD #46 do not reflect present day land values or that the benefited or damaged areas have changed.

IT IS THEREFORE ORDERED, that:

Ron Ringquist
402 Valley View Dr.
Redwood Falls, MN 56283

Dan Ruby
51305 715th St.
Jackson, MN 56143

Chuck Bowers
78799 335th St.
Madelia, MN 56062

Three disinterested residents of the state, be and hereby are appointed viewers to redetermine and report the benefits and damages and the benefited and damaged areas of Martin County CD #46.

IT IS FURTHER ORDERED, that the viewers, after taking an oath to faithfully perform their duties as viewers and, after having received from the County Drainage Office (Auditor/Treasurer), certified copies of the order appointing them as viewers and of the order designating the time and place of their first meeting, proceed with their work as such viewers pursuant to law and make and file their report with the Auditor at the earliest possible date.

Upon motion by Commissioner Mahoney, seconded by Commissioner Flohrs, and unanimously carried, said resolution was duly passed and adopted this 18th day of April, 2017.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Belgard, Smith, Flohrs, Mahoney, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 18th day of April, 2017.

The Board reviewed warrants to be paid April 18, 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 April 18, 2017, as presented; and includes the Martin County Highway Department and Drainage bills as presented. Carried unanimously.

Warrants received and paid April 18, 2017, are registered on file in the Auditor/Treasurer's Office as follows:

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|---|---------------------|
| Revenue Fund – Warrants Approved April 18, 2017 | \$137,260.61 |
| Enhanced 9-1-1 Fund | \$ 1,473.03 |
| Martin County Economic Development Authority | \$ 712.00 |
| Solid Waste Management Fund | \$ 69,709.53 |
| Law Library Fund | \$ 1,693.85 |
| Recorder's Technology Fund | \$ 2,460.00 |
| Recorder's Compliance Fund | \$ 2,325.00 |
| Bank Building Fund | \$ 11,958.39 |
| Miscellaneous Tax Fund | <u>\$ 11,000.00</u> |
| Total | \$238,592.41 |
| Road and Bridge Funds Totaled | \$105,425.26 |
| Martin County Ditch Funds Totaled | \$ 80,144.93 |

The Board reviewed the Monthly Financial Report for February 2017; and set the date of May 16, 2017, to host a Cook Out/BBQ lunch in Appreciation and Recognition of All Employees and in Celebration of Public Service Week (May 7-13, 2017) and National County Government Month (April 2017).

Jeff Markquart, Martin County Sheriff, presented an update on the current Martin County Jail Population noting there are twenty-five (25) in house, eighteen (18) out of county, and eight (8) on Electronic Home Monitoring (EHM); and noted the Minnesota Sheriff's Association will be performing a security assessment of the courthouse and security building the cost of which will be covered under grant funds.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: April 5, 2017 – Human Services Executive Board meeting, F-M Joint Transit Board Executive Board meeting, and AMC Leadership Conference (Commissioners Flohrs & Smith) April 5-6, 2017, in Nisswa, Minnesota; April 10, 2017 – Personnel Committee meeting, Court/Courthouse Security Committee Facility Sub-committee meeting, and Pork Masters Golf Planning meeting; April 11, 2017 – Library Board meeting and AgriBusiness meeting; April 12, 2017 – Social Post Ordinance meeting, Region 9 Development Commission meeting, and ditch inspections by Commissioner Flohrs; April 13, 2017 – Building Committee meeting, Court/Courthouse Security Committee meeting, and Soil and Water meeting; April 14, 2017 – Prairieland meeting; April 17, 2017 – Trimont City Council meeting; April 18, 2017 – Boy and Girl County Government Day, CD #56 Hearing at 1:30 p.m., JD #48 Hearing at 2:00 p.m., Labor Management Committee

meeting at 2:30 p.m., and regular Board of Commissioners meeting at 4:00 p.m.; April 19, 2017 – Human Services Full Board meeting, Park Board meeting at Cedar-Hanson Park in Trimont, Minnesota; April 20, 2017 – Traverse de Sioux Library meeting in Mankato, Minnesota; April 24, 2017 – CERT Steering Committee meeting in Worthington, Minnesota; April 25, 2017 – Human Services Teleconference meeting at 12:00 p.m., JD #91 and JD #99 meetings; May 1, 2017 – EDA Regular Board meeting at 5:15 p.m. in the Sisseton Room – Martin County Courthouse, Beyond the Yellow Ribbon meeting, and Planning and Zoning meeting at 5:30 p.m. in the Commissioners Meeting Room; May 2, 2017 – CD #48 meeting at 2:00 p.m., JD #20 meeting at 3:00 p.m., and regular Board of Commissioners meeting at 4:00 p.m. – Commissioners Meeting Room – Courthouse.

Richard Koons, citizen, was present and inquired about the JD #29 Project and why it hasn't gotten started again yet.

Chairman Schmidtke informed Koons that he needed to speak with Michael Forstner, Martin County Drainage Administrator, for a prioritization schedule.

With no further business to wit, Board Chair adjourned the meeting at 5:29 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator