

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, DECEMBER 19, 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 Smith, Schmidtke, Belgard, Flohrs, and Mahoney. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, County Attorney, Kevin Peyman, County Engineer, Rod Halvorsen, KSUM-KFMC Radio, Jason Sorensen, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

The Pledge of Allegiance was recited.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the December 19, 2017, regular Board of Commissioners meeting with the following additions: 7.1 Consider Tobacco License for Casey's General Store located in Trimont and Welcome; and add to 8.1 Consider Additional Re-appointments to the Water Plan Advisory Committee. Carried unanimously.

Motion by Commissioner Smith, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the November 21, 2017, and December 7, 2017, regular Board of Commissioners meetings. Carried unanimously.

The Board recognized Jessica Korte for her achievement in her education and work in obtaining her license as a Certified Public Accountant (CPA).

Julie Grunewald, Career Corrections Agent Adult & Juvenile Probation, introduced Michelle Larsen, Youth Intervention & Prevention Coordinator for the Martin County Probation Office. Grunewald noted Larsen began her duties on Monday – November 27, 2017.

The Board welcomed Larsen to her new position.

Terry Viesselman, County Attorney, provided the Board with a brief update pertaining to the Martin County Veterans Memorial land noting the plat has been approved as a subdivision and once the deed is received back from Region 9, the deed will be properly recorded.

Higgins presented two tobacco licenses for approval for the following businesses: Casey's General Store #3003 located at 10 Broadway Street in Trimont, Minnesota; and Casey's General Store #3005 located at 112 2<sup>nd</sup> Street in Welcome, Minnesota. Forshee noted the required forms have been completed by the applicants and all is in order.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard,

R-#55/'17

RESOLUTION

ISSUANCE OF TOBACCO LICENSES FOR 2018

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

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

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

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

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approve and authorize tobacco licenses for the following Retail Establishments, and valid for the year 2018:

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

Upon this motion made by Commissioner Mahoney, seconded by Commissioner Belgard, was duly made and passed this 19<sup>th</sup> day of December, 2017.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Flohrs, Smith, Belgard, Mahoney, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

Scott Higgins, Martin County Coordinator, reviewed Martin County Boards and Advisory Committees with terms expiring:

- Martin County Library Board – Glenni Urban’s term will expire December 31, 2017. Urban has agreed and is eligible to serve another term.
- Water Plan Advisory Committee – Bruce Moore, Wayne Sommer, Darwin Roberts, Duane Rosburg, and Jeff Ziemer’s terms will expire December 31, 2017. Moore, Sommer, Roberts, and Rosburg are eligible and interested in serving another term. Also, Martin SWCD requests the Board to have the Well Driller Position on the Plan be Well Driller/Source Water Industry and add a City of Fairmont resident as a representative; and move the Planning Commission member to an Ex Officio position.
- Martin County Parks/Trail Committee – Joe Burns, At Large member, term will expire December 31, 2017. Burns has indicated he is not interested in serving another term. Laurie Quinn, District 1, Bruce Gorackowski, District 2, and Pat Bulfer, District 3, terms will also expire December 31, 2017. Quinn, Gorackowski, and Bulfer, have indicated they are interested in serving another term on the Martin County Parks/Trail Committee.
- EDA Commission – Chris Pierce and Randy Grupe’s terms will expire December 31, 2017. Pierce and Grupe are not eligible to serve an additional term.

Motion by Commissioner Flohrs, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve the (re)appointments of the following Martin County citizens to the following Citizen Advisory Boards/Commissions: Martin County Library Board – Glenni Urban with term ending December 31, 2020; Water Plan Advisory Committee – Bruce Moore, Wayne Sommer, Darwin Roberts, and Duane Rosburg, with terms ending December 31, 2020; and Martin County Parks/Trail Committee – Laurie Quinn, District 1, Bruce Gorackowski, District 2, and Pat Bulfer, District 3, with terms ending December 31, 2020. Carried unanimously.

Motion by Commissioner Smith, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve that the Water Plan Advisory Committee’s Well Driller position on the Water Plan Advisory Committee, be changed to Well Driller/Source Water Industry; add a City of Fairmont resident as a representative on the Water Plan Advisory Committee; and move the Planning Commission member to an Ex Officio position. Carried unanimously.

Ashley Brenke, District Manager Martin Soil and Water Conservation District, and Pam Flitter, Zoning Official, presented and reviewed the FY2018/2019 Natural Resources Block Grant agreement noting the money from this grant will provide funding for the following county programs and services:

	FY2018/2019
	<u>Total to be Received</u>
• Local Water Management	\$27,394
• Wetland Conservation Act	\$17,556
• Shoreland	\$ 6,048

- Septic Treatment Systems \$18,600
  - Septic Treatment Systems Upgrade \$ 2,827
  - Septic Treatment Systems Incentive \$ 3,000
- Total \$75,425

Motion by Commissioner Belgard, seconded by Commissioner Mahoney,

R-#48/'17

RESOLUTION

BOARD OF WATER AND SOIL RESOURCES NATURAL RESOURCES BLOCK GRANT  
FOR FY2018 & 2019

WHEREAS, Martin County has a State approved comprehensive local water plan, which has been locally adopted pursuant to Minnesota Statutes Chapter 103B; and

WHEREAS, Martin County may assess a levy under its general levy authority to match such grants by BWSR pursuant to Minnesota Statutes 103B.335;

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approves of Martin County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its comprehensive local water management in the amount of \$27,394; the administration of the wetland conservation act in the amount of \$17,556; administration of the DNR shoreland program in the amount of \$6,048; Septic Treatment Systems in the amount of \$18,600; Septic Treatment Systems Upgrade in the amount of \$2,827; and Septic Treatment Systems Incentive in the amount of \$3,000; with total grant amount of \$75,425.00 under the terms of the Grant Agreement and all statutory requirements; and

THAT THE Martin County Board of Commissioners authorizes the expenditure of cash and in-kind contributions to match the Natural Resources Block Grant as specified in Laws of Minnesota and the Grant Agreement.

BE IT FURTHER RESOLVED THAT, the Chairperson of the Martin County Board of Commissioners and the County Auditor or County Coordinator is authorized to execute the Grant Agreement together with all related documents.

Motion was made by Commissioner Belgard, seconded by Commissioner Mahoney, and was duly passed and adopted this 19<sup>th</sup> day of December, 2017.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Dan Schmidtke, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Flohrs, Smith, Mahoney, Belgard, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

Brenke presented and reviewed the Martin County Aquatic Invasive Species Prevention Plan for Martin County noting that the 2018 Plan continues to focus on public outreach, education, and monitoring.

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and adopt the 2018 Aquatic Invasive Species Prevention Plan for Martin County. Carried unanimously.

Flitter informed the Board a Septic System 101 meeting for homeowners is scheduled from 6-8 p.m. on February 8, 2018, and will be held at the Knights of Columbus Hall in Fairmont.

Kevin Peyman, County Engineer, presented and reviewed a resolution which authorizes and directs the Board Chair and County Auditor, on behalf of Martin County, to execute and enter into an agreement with the Commissioner of Transportation prescribing terms and conditions of federal aid funds which may be made available for eligible transportation related projects. Peyman recommends passage of the resolution.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard,

Martin County Highway Department  
Resolution No. 8 - 2017

**RESOLUTION FOR AGENCY AGREEMENT FOR FEDERAL  
PARTICIPATION IN CONSTRUCTION WITH MnDOT**

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the County of Martin to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Board Chairman and the County Auditor are hereby authorized and directed for and on behalf of the County of Martin to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1030046", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Upon motion by Commissioner Flohrs, seconded by Commissioner Belgard, and carried said resolution was duly passed and adopted this 19th day of December, 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 19th day of December, 2017.

\_\_\_\_\_  
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Mahoney, Smith, Belgard, Flohrs, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

Peyman presented and recommends executing the State of Minnesota Agency Agreement for Federal Participation in construction. The agreement designates the Minnesota Department of Transportation to act as the County's agent in accepting federal funds in its behalf made available for the construction, improvement, or enhancement of transportation financed either in whole or in part by Federal Highway Administration federal funds.

Motion by Commissioner Smith, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Engineer, hereby approve and authorize Board Chair to sign the State of Minnesota Agency Agreement for Federal Participation in Construction. Carried unanimously.

Peyman presented and reviewed two delinquent accounts recommending Board action to write off the delinquent accounts to the Road and Bridge Fund.

- Dollar Rent-a-Car     \$313.22
- United Rentals         \$100.00
- Total     \$413.22

After review,

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Engineer, hereby deems the following delinquent accounts as uncollectible for a total amount of \$413.22: Dollar Rent-a-Car - \$313.22, and United Rentals - \$100.00. Carried unanimously.

Peyman, along with Brenda Nielson, City of Trimont Administrative Assistant, presented and reviewed a resolution and agreement in support for the City of Trimont's application for Transportation Alternatives Funding Solicitation. Peyman noted the City of Trimont would like to submit a project identified as Trimont Active Transportation Alternative Plan for funding and due to the fact that the City of Trimont is a community less than 5000 in population it requires the County to act as sponsoring agency for the project. Peyman went on to note the City of Trimont has requested that Martin County act as sponsoring agent, and the County Engineer will act as the fiscal agent in regards to said project. Peyman also noted the City of Trimont agrees to assume full responsibility for the operation and maintenance of the property and facilities related to this project, which includes but not limited to pavement marking required in crossing public roads. Peyman recommends passage of the support resolution and agency agreement.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs,

Martin County Highway Department  
Resolution No. 9 - 2017

RESOLUTION TO SPONSOR TRIMONT, MN  
TRANSPORTATION ALTERNATIVES APPLICATION

BE IT RESOLVED, that **Martin County** agrees to act as sponsoring agency for a transportation alternatives project identified as **Trimont Active Transportation Alternative Plan** and has reviewed and approved the project as proposed. Sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations.

BE IT FURTHER RESOLVED, that **Kevin Peyman** is hereby authorized to act as agent on behalf of this sponsoring agency.

Upon motion by Commissioner Belgard, seconded by Commissioner Flohrs, and carried said resolution was duly passed and adopted this 19th day of December, 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 19th day of December, 2017.

\_\_\_\_\_  
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Mahoney, Smith, Flohrs, Belgard, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Engineer, hereby approve and authorize Board Chair to sign the State of Minnesota Agency Agreement for the Design, Construction and Maintenance of Trimont Active Transportation Alternative Plan Project. Carried unanimously.

Higgins noted Martin County’s Jail Food Service contract is up for renewal December 31, 2017, and the County had advertised for bids for proposals for inmate food service to the Martin County Jail with at least two hot meals per day for the period of two years covering January 1, 2018, through December 31, 2019. Bids were received, opened, and reviewed as follows:

<b><u>Bid Received From</u></b>	<b><u>Bid Amount</u></b>
Hy-Vee Food Store	\$5.00 per meal (Snack stays at current rate of \$2.50/each)

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, to approve and authorize Board Chair to sign resolution for \$5.00 per meal for at least two hot meals per day with Hy-Vee Food Store of Fairmont, MN:

R#49/’17

**RESOLUTION**

**ACCEPTING AND AWARING BID FOR INMATE FOOD SERVICE FOR THE MARTIN COUNTY JAIL for TWO YEAR PERIOD  
JANUARY 1, 2018 to DECEMBER 31, 2019**

WHEREAS, pursuant to an advertisement for bids for proposals for Inmate Food Service to the Martin County Jail; and

WHEREAS, bids were received on a per meal basis for the period of two years covering January 1, 2018 through December 31, 2019; and

WHEREAS, bids were received, opened, and reviewed, and the following bids were received complying with the advertisement:

BIDDER

1. Hy-Vee Food Store – Fairmont

BASE BID

\$5.00 per meal

WHEREAS, it appears the low bid is from Hy-Vee Food Inc., Fairmont, Minnesota, and after having carefully reviewed each bid proposal, the Board believes that the bid proposal from Hy-Vee Food Inc. meets the bid expectations and requirements.

NOW THEREFORE BE IT RESOLVED on a motion by Commissioner Mahoney, seconded by Commissioner Flohrs,

1. That the Martin County Board of Commissioners after due considerations of the bids received, approves and authorizes the Chair to sign the necessary Food Service contracts with Hy-Vee Food Inc., of Fairmont, Minnesota, on behalf of Martin County for the above referenced Inmate Food Service to the Martin County Jail according to the plans and specifications therefore approved by the County Board of Commissioners and on file in the office of the County Coordinator in the amount of \$5.00 per meal,

ADOPTED by the Martin County Board of Commissioners this 19<sup>th</sup> day of December, 2017.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Dan Schmidtke, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Smith, Belgard, Flohrs, Mahoney, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

Jeff Markquart, Martin County Sheriff, presented and reviewed the 2018 Nursing Services Contract for inmate nursing services. Markquart noted a \$0.50 cent per hour increase has been requested for the 2018 contract at \$39.50/hour (\$39.00/hour in 2017) with on-call services and emergency call back fees remaining at \$100 per month. Markquart recommends Board approval.

Motion by Commissioner Mahoney, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the Nursing Services Agreement between Joy Pousch, RN, BSN and the Martin County Sheriff's Office (Martin County) to provide regular and on-call nursing services at an hourly rate of \$39.50 per hour and on-call services of \$100.00 per month, effective January 1, 2018, through

December 31, 2019; and is contingent upon County Attorney's review and approval. Carried unanimously.

Markquart presented a resolution for approval of newly hired part time employee #48 to be included on the Public Employees Police and Fire Plan.

Motion by Commissioner Flohrs, seconded by Commissioner Smith,

R-#54/'17

**POLICE OFFICER DECLARATION RESOLUTION**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of Commissioners of Martin County hereby declares that the position of Deputy Sheriff, currently held by Employee # 48 meets all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire Plan salary deduction by the governmental subdivision.

STATE OF MINNESOTA  
COUNTY OF MARTIN

I, Scott Higgins clerk of Martin County Board of Commissioners do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 19<sup>th</sup> day of December, 2017; the original of which is on file in this office. I further certify that five members voted in favor of this resolution and that five members were present and voting.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Roll Call AYES: Commissioners Mahoney, Belgard, Smith, Flohrs, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

Markquart presented a Martin County Jail population update including twenty (20) In-house, ten (10) Out-of-County, and four (4) on Electronic Home Monitoring.

Markquart informed the Board that this is the season for fraud and to be aware of phone calls asking for private information and money.

Higgins noted Minnesota Statutes require that bids be taken for Official County Newspaper for the publication of notices, board minutes, etc. Higgins went on to note advertisement for bid was published and bid information sent to the four newspapers in Martin County. Higgins also noted bids were due Monday, December 18, 2017, by 4:00 p.m. with bids to be opened during the regular Board of Commissioners meeting on Tuesday, December 19, 2017. Bids were received from: The Truman Tribune, Fairmont Sentinel, and Fairmont Photo Press.

<b>Truman Tribune</b>	<b>Bid Price</b>
Publication of Delinquent Tax List	\$4.55
Publication of Official Board Proceedings	\$4.55
First Publication of Financial Statement	\$4.55 + Cost of Printing – no mark up.
Second Publication of Financial Statement as an insert to a newspaper	\$0.05
Subscribers residing in Martin County	875
<b>Fairmont Sentinel</b>	<b>Bid Price</b>
Publication of Delinquent Tax List	\$8.10
Publication of Official Board Proceedings	\$5.25
First Publication of Financial Statement	\$3.50 + \$425 for 8,000 overrun
Second Publication of Financial Statement as an insert to a newspaper	\$0.05
Subscribers residing in Martin County	8,209
<b>Fairmont Photo Press</b>	<b>Bid Price</b>
Publication of Delinquent Tax List	\$7.00
Publication of Official Board Proceedings	\$6.00
First Publication of Financial Statement	\$7.00
Second Publication of Financial Statement as an insert to a newspaper	\$0.05
Subscribers residing in Martin County	10,174

After review,

No action taken by the Board.

Forshee presented the resolution Establishing the Tax Levy for 2018 collectible in 2019 in the amount of \$15,845,013 (5.69 per cent increase from 2017).

After discussion and consideration,

Motion by Commissioner Mahoney, seconded by Commissioner Belgard,

R-#51/'17

R E S O L U T I O N

ESTABLISHING THE TAX LEVY FOR YEAR 2017 COLLECTIBLE IN 2019:

WHEREAS, the Martin County Board of Commissioners duly considered budgets to determine the tax levy to be collected in 2019.

NOW THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners do hereby order and determine that taxes to be levied in the year 2018 and collectible in the year 2019 be as follows to-wit:

	<u>Net Levy</u>
Revenue Fund	\$ 8,004,239
Road & Bridge Fund	\$ 2,479,490
Parks and Rec.	\$ 64,449
Solid Waste Management Fund	\$ -0-
Library Fund	\$ 731,796
Human Service Fund	\$ 3,721,246
Transit	\$ -0-
Building CIP Fund	\$ 420,000
Debt Service Fund/Hwy Debt Service	\$ 355,197
Economic Development	<u>\$ 68,596</u>
TOTAL TAX LEVY	\$ 15,845,013

BE IT FINALLY RESOLVED, that copies of this resolution be filed with the Martin County Auditor/Treasurer; and

Upon Motion made by Commissioner Mahoney, seconded by Commissioner Belgard, and unanimously carried, said resolution was duly passed and adopted this 19<sup>th</sup> day of December, 2017.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Dan Schmidtke, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Smith, Flohrs, Belgard, Mahoney, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

Forshee presented the resolution establishing the CY2018 Fund Expenditures and Revenues noting fund expenditures for 2018 are estimated at \$28,323,141 and fund revenues are estimated at \$28,890,947.

After discussion and consideration,

Motion by Commissioner Smith, seconded by Commissioner Flohrs,

R-#52/'17

## RESOLUTION

### ESTABLISHING THE FUND EXPENDITURES AND REVENUES FOR THE YEAR 2018

WHEREAS, the Martin County Board of Commissioners duly considered fund Expenditures and Revenues for the year 2018.

NOW THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners do hereby order and determine that fund expenditures and revenues for the year 2018, is as follows:

	<u>Expenditures</u>	<u>Revenues</u>
Revenue Fund	\$ 10,566,991	\$ 2,800,334
Parks & Recreation	\$ 138,249	\$ 73,800
Road & Bridge	\$ 10,311,731	\$ 7,846,839
E-911 Fund	\$ 50,270	\$ 98,600
Sheriff Contingency Fund	\$ 5,000	\$ 5,000
Solid Waste	\$ 502,556	\$ 738,425
Library	\$ 742,693	\$ 13,000
Law Library	\$ 39,200	\$ 26,000
Human Services	\$ 3,621,246	\$ -0-
Recorders Technology Fund	\$ 20,000	\$ 37,000
Recorders Compliance Fund	\$ 50,000	\$ 40,700
Building CIP Fund	\$ 1,320,000	\$ 1,065,000
Human Services Building	\$ 359,129	\$ 189,160
Hwy Debt Service	\$ 252,625	\$ -0-
New Constr Debt Service	\$ 102,572	\$ -0-
ISTS Loan	\$ 172,283	\$ 112,076
MC Area Redevelopment Agency	\$ -0-	\$ -0-
Economic Development	\$ 68,596	\$ -0-

General Tax Levy	\$	<u>\$ 15,845,013</u>
TOTAL	\$	<u>\$ 28,890,947</u>
	\$	<u>\$ 28,323,141</u>

Upon motion by Commissioner Smith, seconded by Flohrs, and carried, said resolution was duly passed and adopted this 19<sup>th</sup> day of December, 2017.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Dan Schmidtke, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Mahoney, Belgard, Flohrs, Smith, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

Higgins noted each year the Board takes action to approve annually the employee wages for payroll purposes. Higgins went on to note this typically includes the non-union employees, County Highway Supervisor’s Association, and AFSCME Library 1204C, LELS #115 Corrections/Communications Officers, and LELS #136 Deputy and Sergeants. Higgins also noted the Library Board is responsible for the Library staff and typically follows the County Board’s action as it pertains to the Library Union contract. Eligible LELS #115 (Corrections/Communications) and LELS #136 (Deputy/Sergeants) receive their step increase on their employment anniversary dates per their respective union contracts.

After review and discussion,

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve the general wage adjustments of 2.5% for eligible employees; and approve step increases for eligible non-union employees (appointed and hired), per the County Compensation/Classification plan; and eligible AFSCME Library 1204C per union contract; and Highway Supervisor’s Association, per union contract; and to approve step increases for eligible employees in the LELS #115 (Corrections/Communications Officers) and LELS #136 (Deputy/Sergeants) on their employment anniversary dates per their respective union contracts; effective January 1, 2018. Roll Call AYES: Commissioners Smith, Flohrs, Mahoney, Belgard, and Schmidtke. NAYS: None.

Higgins presented a list and pictures of county surplus equipment located in storage at 121 No. Main recommending disposal of the surplus items via on-line auction, offering for use in county offices, or destroying the surplus equipment.

Jessica Korte, Accountant-Auditor/Treasurer’s Office, noted there is a minimum commission of \$50.00 for items sold on the State of Minnesota’s online auction service.

After discussion,

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the disposal of the county surplus equipment through the State of Minnesota's online auction service, offering to county employees at highest bid, or to dispose of accordingly if the item has no value. Carried unanimously.

Jim Forshee, Martin County Auditor/Treasurer, and Jessica Korte, Accountant-Auditor/Treasurer's Office, reviewed the CY2016 annual State Audit for Martin County. The audit information was provided to the Board and reviewed.

The Board received and filed the CY2016 State Audit Report.

Pam Flitter, Zoning Official, presented the Planning Commission's recommendation to adopt the Martin County Buffer Ordinance and Buffer Map; and Amendment to the Martin County Zoning Ordinance (Shoreland) and Land Use Map. Flitter noted that after hearing public testimony and with due deliberation the Planning Commission voted unanimously to recommend adoption of the Martin County Buffer Ordinance and Buffer Map; and Amendment to the Martin County Zoning Ordinance (Shoreland) and Land Use Map by a public hearing which was held November 28, 2017.

Martin County Zoning Ordinance Amendment:

Chapter 13 (Shoreland Districts)

Subdivision 18

Agricultural Use Standards

Number 1

with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.

- (2) Roads, driveways, and parking areas must meet structure setbacks and not be placed within bluff and shore impact zones, when other reasonable and feasible placement alternatives exist. If no alternatives exist, they may be placed within these areas, and must be designed to minimize adverse impacts.
- (3) Public and private watercraft access ramps, approach roads, and access-related parking areas may be placed within shore impact zones provided the vegetative screening and erosion control conditions of this subpart are met. For private facilities, the grading and filling provisions of this Ordinance must be met.

### **Subdivision 16. General Standards for Stormwater Management.**

- (1) When possible, existing natural drainage ways, wetlands, and vegetated soil surfaces must be used to convey, store, filter and retain storm water runoff before discharge to public waters.
- (2) Development must be planned and conducted in a manner that will minimize the

extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.

- (3) When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle storm water runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.

### **Subdivision 17. Specific Standards for Storm Water Management.**

- (1) Impervious surface coverage of lots must not exceed 25 percent of lot area.
- (2) When constructed facilities are used for storm water management, documentation must be provided by a qualified individual that they are designed and installed consistent with the field office technical guide of the local soil and water conservation districts.
- (3) New constructed storm water outfall to public waters must provide for filtering or settling of suspended solids and skimming of surface debris before discharge.

### **Subdivision 18. Agricultural Use Standards.**

- (1) General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in perennial permanent vegetation or operated under an approved conservation plan (~~Resource Management Systems~~) that includes alternative riparian water quality practices based on the Natural Resources Conservation Service ~~consistent with the field office technical guide (FOTG) of the local soil and water conservation districts of or the Natural Resource Conservation Service~~ United States Soil Conservation Service, practices approved by the Board of Water and Soil Resources(BWSR), or practices based on local conditions approved by the local soil and water conservation district that are consistent with the FOTG. ~~as provided by a qualified individual or agency.~~ The shore impact zone for parcels with permitted agricultural land uses is ~~equal to a line parallel to and 50 feet~~ an area with a 50-foot average width and a 30-foot minimum width, as measured from ordinary high water level if identified, or the top or crown of bank or normal water level as provided in Minnesota Statutes, section 103F.48, subd 3(c), whichever is applicable.
- (2) Animal feedlots must meet the following standards:
  - (A) New feedlots must not be located in the shoreland of watercourses or in bluff impact zones and must meet a minimum setback of 300 feet from the ordinary high water level of all public waters basins; and
  - (B) Modifications or expansions to existing feedlots that are located within 300 feet of the ordinary high water level or within a bluff impact zone are allowed if they do not further encroach into the

existing ordinary high water level setback or encroach on bluff impact zones.

### **Subdivision 19. Extractive Use Standards.**

- (1) **Site Development and Restoration Plan.** An extractive use site development and restoration plan must be developed, approved, and followed over the course of operation of the site. The plan must address dust, noise, possible pollutant discharges, hours and duration of operation, and anticipated vegetation and topographic alterations. It must also identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion, and must clearly explain how the site will be rehabilitated after extractive activities end.
- (2) **Setbacks for Processing Machinery.** Processing machinery must be located consistent with setback standards for structures from ordinary high water levels of public waters and from bluffs.

**Subdivision 20. Standards for Commercial, Industrial, Public and Semi-Public Use.** Surface water-oriented commercial uses and industrial, public, or semi-public uses with similar needs to have access to and use of public waters may be located on parcels or lots with frontage on public waters. Uses without water-oriented needs must be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, must either be set back double the normal ordinary high water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions. Those with water-oriented needs must meet the following standards:

- (1) In addition to meeting impervious coverage limits, setbacks, and other zoning standards presented elsewhere in this Ordinance, the uses must be designed to incorporate topographic and vegetative screening of parking areas and structures.
- (2) Uses that require short-term watercraft mooring for patrons must centralize these facilities and design them to avoid obstructions of navigation and to be the minimum size necessary to meet the need.
- (3) Uses that depend on patrons arriving by watercraft may use signs and lighting to convey needed information to the public, subject to the following general standards:
  - (A) No advertising signs or supporting facilities for signs may be placed in or upon public waters. Signs conveying information or safety messages may be placed in or on public waters by a public authority or under a permit issued by the county sheriff.
  - (B) Signs may be placed, when necessary, within the shore impact zone if they are designed and sized to be the minimum necessary to convey needed information. They must only convey needed information. They must only convey the location and name of the establishment and the general types of goods or services available. The signs must not contain other detailed

After discussion and review,

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, after required public hearing was held by the Martin County Planning Commission on November 28, 2017, for the consideration of adopting the Martin County Buffer Ordinance and Buffer Map and Amendment to the Martin County Zoning Ordinance (Shoreland) and Land Use Map, at which public testimony was taken, and was then approved by the Martin County Planning Commission and recommended for approval by the Martin County Board of Commissioners, and having submitted the proposed Ordinance and Amendment to the Martin County Board of Commissioners for consideration, and after careful review and consideration, hereby approves the Martin County Buffer Ordinance and Buffer Map and Amendment to the Martin County Zoning Ordinance (Shoreland) and Land Use Map, effective December 19, 2017. Roll Call AYES: Commissioners Mahoney, Flohrs, Smith, Belgard, and Schmidtke. NAYS: None.

The Board thanked Flitter and Martin SWCD for working on this project.

Ron and Elizabeth Grove, landowners, were present to address the Board regarding ongoing issues with county tile (JD #44) that runs through their land in its entirety. Grove expressed concern that his land takes on water from everyone else on the tile system, that the tile installed in 1925 is too small and not designed adequately for water intake causing drown-outs, blowouts, and crop loss, and yet between the nine people on the tile system, Grove's assessment is the largest at \$1,700 compared to others paying lesser amounts. Grove noted he is aware this is not the proper procedure and that a petition for improvement has to come from the landowners on the ditch system before anything can be done to alleviate the drainage problem; but, he has talked to the others on the system and they won't spend money to improve someone else's drainage problem.

The County Board, acting as the Drainage Authority for Martin County, along with Michael Forstner, Drainage Administrator, and Jesse Walters, Martin SWCD Outreach Coordinator, outlined options for the Groves including contacting landowners on the system to petition for an Improvement; Martin County Drainage will talk with Viewers to relook at the land values for drown-outs along the JD #44 system; and Martin SWCD will check into Conservation Reserve Enhancement Programs (CREP) that may offer drainage solutions for the Groves.

Forstner noted that due to a larger quantity of beaver in Martin County and a lesser quantity of beaver trappers and trapping costs Forstner recommends increasing the County's current amount paid for the beaver bounty of \$20.00 each to \$50.00 each.

After discussion,

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby approve and authorize increasing the Martin County beaver bounty from \$20.00 per beaver to \$50.00 per beaver; and approve and authorize revision to the current Martin County Beaver Removal from Martin County Drainage Systems Policy to reflect the increased beaver

bounty; and that the beaver bounty will be monitored and reviewed annually. Carried unanimously.

Forstner presented the annual resolution for Ditch Levies and Assessments payable for CY2018.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs,

**R-#56/'17**

**RESOLUTION**

**ORDER FIXING DITCH REPAIR AND MAINTENANCE LEVIES AND ASSESSMENTS ON COUNTY, JOINT COUNTY, AND JUDICIAL DITCHES OF MARTIN COUNTY, MN:**

WHEREAS, ditch repair and maintenance expenditures having been made, or to be made, on various County, Joint County, and Judicial Ditches located wholly or partly within Martin County, MN and it appearing that there are not sufficient funds to the credit of the ditches to finance said repairs and maintenance expenditures; therefore the Martin County Board of Commissioners do hereby, by resolution; levy and assess the following ditch fund accounts to pay for current expenditures for repairs and maintenance or to reimburse other funds where monies have been or will be loaned to the ditch fund, or for the designated purpose of payments on future repair and maintenance expenditures, and

WHEREAS, the various drainage system levy and assessments hereby made by the County Board of Commissioners shall be apportioned and assessed pro rata upon all lands, corporations, and municipalities which have participated in the total benefits theretofore determined; and such levy and assessments for repairs and maintenance of any one ditch system be limited in any one calendar year based upon pro rata percentage of the original calendar year based upon pro rata percentage of the original benefits of that particular drainage system thereof in Martin County, MN under the provisions of Minnesota Statutes Annotated 103-E.

THEREFORE, BE IT RESOLVED, by the Martin County Board of Commissioners of Martin County, MN that the following County, Joint County, and Judicial ditches hereby levied and assessed in the amounts so indicated as sufficient to take care of their obligations for repairs and maintenance heretofore made, or to be made, and equal installments be spread and made payable where necessary, with and made payable where necessary, with and as a part of the Real Estate Taxes in the indicated as follows, to-wit:

**DITCHES LEVIED FOR ONE YEAR PAYABLE 2018:**

<u>NUMBER</u>	<u>DITCH</u>	<u>AMOUNT</u>
9001	JD#1	\$5,000.00
9011	JD#8M&F	\$1,000.00
9041	JD#27	\$1,000.00
9045	JD#29	\$10,000.00

9155	JD#390	\$5,000.00
9069	JD#47	\$10,000.00
9071	JD#48	\$10,000.00
9072	JD#48M&J	\$1,000.00
9080	JD#60	\$3,000.00
9086	JD#68	\$5,000.00
9107	JD#90	\$5,000.00
9110	JD#93	\$5,000.00
9112	JD#96	\$5,000.00
9115-99	JD#99	\$1,000.00
1090	JCD#23F&M	\$500.00
1009	CD#11	\$10,000.00
1017	CD#22	\$1,000.00
1038	CD #40	\$4,500.00
1035	CD#36	\$1,000.00

Upon motion by Commissioner Belgard, seconded by Commissioner Flohrs, and carried, said resolution was duly passed and adopted this 19<sup>th</sup> day of December, 2017

**BOARD OF COMMISSIONERS**

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**Dan Schmidtke, Chairman**

**ATTEST:** \_\_\_\_\_  
**James Forshee, Martin County Auditor/Treasurer**

DITCHES LEVIED FOR MORE THAN ONE YEAR

Ditch #	Name of Ditch	Year Starting	Year Ending
1025SEP	County Ditch #29SEP	2018 (20 years)	2037 (\$1,741,250.00)
1025IMP	County Ditch #29IMP	2018 (20 years)	2037 (\$1,758,750.00)
1033	County Ditch #34	2018 (2 years)	2019 (\$2,000.00)
1043	County Ditch #46	2018 (10 years)	2027 (\$25,000.00)
1055	County Ditch #59	2018 (3 years)	2020 (\$20,000.00)
1064	County Ditch #69	2018 (8 years)	2025 (\$40,000.00)
9002	Judicial Ditch #2M&F	2018 (10 years)	2027 (\$85,000.00)
9005	Judicial Ditch #3	2018 (3 years)	2020 (\$20,000.00)
9012	Judicial Ditch #8	2018 (3 years)	2020 (\$15,000.00)
9018	Judicial Ditch #11M&J	2018 (2 years)	2019 (\$5,000.00)
9032	Judicial Ditch #22	2018 (2 years)	2020 (\$5,000.00)

9036	Judicial Ditch #25	2018 (5 years)	2022 (\$15,000.00)
9139	Judicial Ditch #28	2018 (6 years)	2023 (\$40,000.00)
9050	Judicial Ditch #33	2018 (3 years)	2020 (\$5,000.00)
9143	Judicial Ditch #34	2018 (3 years)	2020 (\$15,000.00)
9057	Judicial Ditch #38	2018 (10 years)	2027 (\$225,000.00)
9063	Judicial Ditch #41	2018 (3 years)	2020 (\$12,000.00)
9066	Judicial Ditch #43	2018 (3 years)	2020 (\$8,000.00)
9067	Judicial Ditch #44	2018 (2 years)	2019 (\$10,000.00)
9075SEP	Judicial Ditch #51SEP	2018 (20 years)	2037 (\$1,057,050.00)
9075IMP	Judicial Ditch #51IMP	2018 (20 years)	2037 (\$682,950.00)
9084	Judicial Ditch #66	2018 (2 years)	2019 (\$4,000.00)
9091	Judicial Ditch #73	2018 (3 years)	2020 (\$15,000.00)
9130	Judicial Ditch #202M&F	2018 (6 years)	2023 (\$75,000.00)
9054SEP	Judicial Ditch #367SEP	2018 (20 years)	2037 (\$501,998.28)
9054IMP	Judicial Ditch #367IMP	2018 (20 years)	2037 (\$233,001.72)
9152	Judicial Ditch #414M&F	2018 (18 years)	2035 (\$680,000.00)

Roll Call AYES: Commissioners Mahoney, Smith, Flohrs, Belgard, and Schmidtke. NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017.

The Board reviewed warrants to be paid December 19, 2017.

Motion by Commissioner Mahoney, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve bills to be paid on December 19, 2017, as presented; and includes the Martin County Highway Department and Drainage bills as presented. Carried unanimously.

Warrants received and paid December 19, 2017, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved December 19, 2017	\$238,345.09
Martin County Economic Development Fund	\$ 1,831.32
Solid Waste Management Fund	\$ 45,640.78
Law Library Fund	\$ 834.94
Ind. Sewage Treatment System Loans	\$ 13,744.13
Building – CIP – Fund	\$ 219.16
Bank Building Fund	\$ 6,855.77
Taxes and Penalties Odd Years	\$ 390.00
Total	\$307,861.19
Road and Bridge Funds Totaled	\$154,036.81
Martin County Ditch Funds Totaled	\$ 76,844.91

Commissioners reviewed their calendars of previous and upcoming meetings and activities: December 7, 2017 – Justice Center Study Committee meeting at 10:30 a.m., Ditch meetings at 3 and 3:45 p.m., Personnel Committee meeting, regular Board of Commissioners meeting at 4:30 p.m., and Truth in Taxation meeting at 6:00 p.m.; December 11, 2017 – Martin County EDA regular monthly meeting at 5:15 p.m.; December 12, 2017 – Library Board meeting; December 13, 2017 – Board Work Session at 4:00 p.m., Agri-Business meeting and Bureau 14 meeting; December 14, 2017 – South Central EMS meeting in Eagle Lake, Minnesota, Soil and Water meeting and Water Plan meeting; December 15, 2017 – Prairieland Executive Board and Full Board meetings and Sherburn Library open house in the afternoon; December 18, 2017 – Martin County Substance Abuse Prevention meeting; December 19, 2017 – Annual Holiday Potluck; December 20, 2017 – Human Services meeting and Faribault-Martin Joint Transit meeting in Blue Earth, Minnesota, and Convention and Visitors Bureau meeting; December 21, 2017 – Traverse de Sioux Library meeting; December 25, 2017 – Courthouse closed for the Christmas Holiday; January 2, 2017 – Organizational meeting of the County Board at 9:00 a.m. in the Commissioners Meeting Room – Martin County Courthouse.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, to move into closed session for the performance evaluation of the Martin County Coordinator. Carried unanimously.

Closed session began at 11:01 a.m.

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, to move back into open session. Carried unanimously.

Board back into open session at 12:00 p.m.

Higgins asked that action be taken to receive and file the 2016 State Audit Report.

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, to receive and file the 2016 State Audit Report. Carried unanimously.

The Board reviewed and discussed the following:

- Briefly discussed the proposed Garage Facility and directed staff to stop any further ISG Architect work for the Plan Concept Phase. By consensus the Board determined they had what they need at this point for this phase of the project.
- No action taken on the revisions to the Martin County Coordinator job description and to have the Personnel Committee review changes to the job description.
- Discussed the job opening for the part time Administrative Assistant in the Victim Witness Office. Based on the recommendation by Becky Bentele, Victim Services Coordinator, to not proceed in hire of part time staff for the Office at this time in order to determine if position is needed.

With no further business to wit, Board Chair adjourned the meeting at 12:05 p.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator