

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 4, 2018
@ 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 Mahoney. Commissioners present were Belgard, Flohrs, Schmidtke, Smith, and Mahoney. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, County Attorney, Kevin Peyman, County Engineer, Jason Sorensen, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

The Pledge of Allegiance was recited.

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the September 4, 2018, regular Board of Commissioners meeting with the following additions: 5.2 Introduction of Ben Huntley, Planning and Zoning Technician; and 9.7 Discuss Communications Facility Use Agreement – Martin County Sheriff’s Office. Carried unanimously.

Motion by Commissioner Smith, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the August 7, 2018, and August 21, 2018, regular Board of Commissioners meetings; and the minutes of the May 1, 2018, Board Work Session. Carried unanimously.

Pam Flitter, Martin County Zoning Official, was present and introduced Ben Huntley, Planning and Zoning Technician for the Martin County Planning and Zoning Office. Flitter noted Huntley begins his duties today – September 4, 2018.

The Board welcomed Huntley to his new position.

Michelle Larsen, Youth Intervention and Prevention Program Coordinator, was present to thank commissioners and staff that attended the Martin County Teen Court 20 Year Anniversary celebration on August 10, 2018, and presented commissioners, on behalf of Martin County Teen Court Jurors, with a resolution designating September 2018 as Martin County Teen Court Month.

Chair Mahoney read aloud the resolution designating September 2018 as Martin County Teen Court Month.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard,

R-#36/18

RESOLUTION
DESIGNATING SEPTEMBER 2018

AS MARTIN COUNTY TEEN COURT MONTH

WHEREAS, Teen Court is an alternative to the juvenile justice system for young people who have committed minor petty and status offenses, and who consent to participate in the program.

WHEREAS, Teen Court is part of youth prevention and early intervention programs in Martin County, and is based on a philosophy of being youth driven and youth led.

WHEREAS, Teen Court benefits the juvenile justice system by reducing court backlogs without increasing recidivism and provides an outlet to confront the consequences of the offenders' actions.

WHEREAS, Teen Court provides youthful offenders and volunteers the opportunities to learn about responsible citizenship and law, and to develop skills in public speaking, mediation, and pro-social leadership through hands on experience.

WHEREAS, Teen Court exemplifies the practice of empowering youth through involvement in community solutions, teaching decision-making and leadership skills, and positive peer pressure.

WHEREAS, Teen Court designs creative consequences and sentencing options whereby youthful offenders receive dispositions handed down by their peers that hold them accountable, repair the harm to the victim and the community, and contribute to public safety.

WHEREAS, 567 juvenile offenders have participated in the Martin County Teen Court since the first session was held on August 10, 1988.

WHEREAS, 2018 marks the twentieth year of Martin County Teen Court serving the youth in our county.

THEREFORE, BE IT RESOLVED, that the County of Martin, Minnesota, hereby adopts this resolution and designates September 2018, as MARTIN COUNTY TEEN COURT MONTH to be celebrated in conjunction with the 20 year anniversary.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, said resolution was duly passed and adopted this 4th day of September, 2018.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Tom Mahoney, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Smith, Schmidtke, Belgard, Flohrs, and Mahoney. NAYS: None. Resolution duly passed and adopted this 4th day of September, 2018.

Terry Viesselman, Martin County Attorney, presented a County Attorney Office update including litigation against the Federal government for Payment in Lieu of Taxes payments. The Federal government instilled payments just like the State does if counties have federal land that qualifies for PILT. Congress didn't fund enough money starting in 2015 to make the payments so the agency had no money to fund it and so payments haven't been made for the last three years and so there's a Class Action Lawsuit to recover that. Martin County does not receive Federal PILT payments; therefore, Martin County does not have to join the lawsuit as there is nothing for us to recover.

Viesselman went on to note Minnesota Energy Resource Corporation (MERC) reached a resolution a short time ago for over evaluation of their natural gas pipeline distribution system for assessment years 2008, 2009, 2010, 2011, and 2012. The Attorney General's Office handled it on behalf of everybody and the Supreme Court finally made a final decision that there has to be a payback for some back taxes. The Auditor/Treasurer's Office is recalculating those assessments and when we get the amount we'll have to make the payment.

Viesselman also noted we have a couple of claimants from when we had the flooding down by Interlaken when the County tile broke and they made a claim and we turned it over to Minnesota Counties Intergovernmental Trust (MCIT). MCIT denied the claim as they found no negligence on the part of the County. The claimants are not happy with that. MCIT won't cover it because there is no liability unless you as a Board disagree you could pay it (the claims) yourself. But MCIT has dealt with it and if the claimants have more questions they should contact MCIT directly.

Commissioners thanked Viesselman for the update.

Kevin Peyman, County Engineer, presented a Highway Department Update including there is a party that is interested in serving on the Martin County Parks/Trail Committee and we're hoping to have a name by the next commissioners meeting.

Peyman continued with a construction update on County State Aid Highway (CSAH) 26 from east of Fairmont to the Faribault County line. Peyman noted the last time I told you the CIR (Cold In Place Recycle) was done. The first lift, the hot mix that goes over the top of it, is all done and they're about half done with the second lift. Then there's a third lift that goes on, a wear course we call it, so it is thinner and goes the fastest. At this point we're hoping the weather cooperates so they can keep moving along.

Commissioner Belgard inquired if the road can be opened up when you still have the shoulders to do.

Peyman noted CSAH 26 will remain closed to thru traffic until the shouldering is complete.

Commissioner Smith inquired have you had any progress on the shoreland permit for our curb and gutter in back of the courthouse.

Peyman noted yes we should be pretty good with the permit I still haven't gotten the final okay; but, I have finished the bid sheets and will try and get some prices on that this week and then hopefully we'll still get this project done this fall.

Commissioner Schmidtke noted he received a telephone call again this weekend regarding shoddy workmanship by the State Highway Department on State Highway 263.

Peyman noted he will go drive the road and talk with the state's road maintenance people to see what road maintenance is planned yet for this year. Peyman went on to note they (the State) are out for Request for Proposals (RFP's) right now to get a consultant in that would do the design and then the construction work so I think MnDOT is still on schedule for 2021 construction on State Highway 263. We'll know a lot more once they get their consultant selected.

Commissioner Smith inquired about a bridge replacement during this construction project.

Peyman noted he will check into it as he is unaware about the timing.

Commissioner Flohrs inquired about patrons being able to get out to the Flying Goose camp ground during the construction.

Peyman noted the camp ground has been notifying him when there are scheduled weddings and events and then he works with the contractor to make sure that people are able to get there one way or another and this has been going okay.

Commissioners thanked Peyman for the update.

Commissioners discussed possible dates for the annual Tax Forfeited Land and Road Tour for viewing various tax forfeited parcels and road construction projects and equipment in Martin County.

After discussion,

By Consensus, the Martin County Board of Commissioners set a special meeting date and time for the annual Tax Forfeited Land and Road Tour for Tuesday, September 25, 2018, at 7:00 a.m. with tour beginning at The Ranch Restaurant in Fairmont, MN; and then will tour various tax forfeited parcels and road construction projects and equipment.

Jeff Markquart, Martin County Sheriff, noted the Board had authorized advertisement for recruitment of an Emergency Management Director and recommends the hire of Abigail Nesbit as Emergency Management Director for Martin County. Nesbit's anticipated start date is September 24, 2018.

Motion by Commissioner Flohrs, second by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the hire of Abigail Nesbit as the Martin County Emergency Management Director for Martin County, at Grade 13 Step 1 at \$22.18/hour, a non-union position, eligible for non-union benefits; with an anticipated start date of September 24, 2018. Carried unanimously.

Markquart presented and reviewed the State of Minnesota Communications Facility Use Agreement with the Minnesota Department of Transportation (MnDOT) for adding a connection point on the Blue Earth Tower. Markquart noted that due to unresolved failure problems with our Frontier connection we have decided to go with a second connection off of the Blue Earth Tower. We currently have three towers now in the system and this latest connection will be a fourth; and that electrical services fees for the fourth connection remains at the three to four stations cost of \$400.00 per year.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the State of Minnesota Communications Facility Use Agreement between the County of Martin, MN, and the Minnesota Department of Transportation (MnDOT) to install, use and maintain Martin County's communications equipment on the Blue Earth Communications Tower and agrees to pay MnDOT for four (4) base stations in the amount of \$400.00 per year, effective September 1, 2018 through August 31, 2028; and to authorize the Board Chair to sign the Communications Facility Use Agreement. Carried unanimously.

Markquart presented a current Martin County Jail Population update including twenty-three (23) in-house, five (5) out of county, and three (3) on Electronic Home Monitoring.

James Forshee, Martin County Auditor/Treasurer, presented and reviewed the TriMin Agreement for maintenance and support of the County's IFS System which the Joint Integrated/IFS Committee (JIC) has approved as well as the Minnesota Counties Computer Cooperative (MnCCC) Board. Forshee noted the 2019 Support Fees have increased from \$4,675 (2018) to \$4,920 (5.24% change).

After review and discussion,

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Ratification Statement from Minnesota Counties Computer Cooperative for the Professional Services Agreement between Minnesota Counties Computer Cooperative (MnCCC) and TriMin Systems, Inc., for the maintenance and support of the County's IFS Financial System. The Agreement will become effective January 1, 2019, through December 31, 2021. This agreement commits the participating members for the term of the contract and the financial obligations associated with this contract. Carried unanimously.

Higgins noted the Building Committee is recommending the installation of replacement lighting, electrical, data lines, and HVAC system to finish remodeling of the expansion (office/conference room) space (formerly the Court Administration Vault Area – second floor – courthouse). The

remaining items for the project would be to paint and install carpet to complete the remodeling. Higgins noted the current HVAC system in that space is mainly feeding the MIS Offices now. They keep it cooler due to the heat generated by the computer equipment and server, so the new space would need to have a separate heating and cooling system. Quotes were received as follows:

Contract Bid Summary
Former Court Administration Vault Area
Replacement Lighting, Electrical, Data Lines, & HVAC System
September 4, 2018

Quotes Requested and Received

1. Installation of 4 outlets, 2-data outlets (including 2 phone lines) and 3-Progress 20” LED hanging decorative lamps
2. Heating and Cooling Proposals

Business Name		
Kahler Electric	Base Bid (Electrical Outlets, Data Lines (telephone) and Progress Lighting	\$3,065
	Heating/Cooling Electrical Baseboard Heaters thermostat (200 Watts)	\$ 325
	Install A/C Circuit (does NOT include A/C Unit)	<u>\$1,020</u> \$1,345
	Option #1: Upgrade to 30” light fixtures Add	\$1,350
DeWar Electric	Base Bid (Electrical Outlets, Data Lines (telephone) and Progress Lighting	\$4,138
	Option #1: Upgrade to 29” light fixtures Add	\$1,145
	No Bid for Heating and Cooling	
Boesch Electric	Base Bid (Electrical Outlets, Data Lines (telephone) and Progress Lighting	\$2,547
	Lennox Heat Pump/Condenser/Air Handler System	\$4,699
	Option #1: Upgrade to 30” light fixtures Add	\$1,095

Higgins noted the Building Committee has reviewed the bids and recommends the bid received from Boesch Electric for base bid, Air Handler System, and to include Option #1 Upgrade Light Fixtures, if needed.

Commissioner Smith inquired so these (bids) really aren’t apples to apples.

Higgins noted the vendors quoted on what they could do. So what we're looking at right now is obviously Boesch Electric who seems to be the apparent low bidder for the electrical work and have bid to install a heat pump/condenser/air handler system.

After review and discussion,

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon receiving bids for electrical work and heating and cooling to finish the remodel project of 2nd floor courthouse expansion space, and upon the recommendation of the Building/Purchasing Committee, hereby approve bid received from Boesch Electric in the amount of \$7,246.00 for the installation of complete base bid, heating and cooling, and lighting for the aforementioned remodel project. Carried unanimously.

Michael Forstner, Martin County Drainage Administrator, was present to recommend setting a public hearing date and time to hear a Petition received from MnDOT for Minor Alterations to JD #10 State Highway 4 Culvert. Forstner recommends October 2, 2018, at 10:00 a.m.

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, acting as the Drainage Authority for Martin County, hereby set the date of October 2, 2018, at 10:00 a.m., to hear a Petition received from MnDOT for Minor Alterations to JD #10 State Highway 4 Culvert. Carried unanimously.

Higgins noted after additional revisions the preliminary CY2019 budget is currently at a 5.52% increase from 2018 to 2019 Levy; reviewed the 2019 Budget Proposed Adds and Cuts; and Capital Improvement Plan (CIP).

Much discussion ensued regarding a \$250,000 reduction the County's CIP (Capital Improvement) Fund thus reducing the percentage of Levy increase to below 4%; and discussion of CIP projects slated for 2019.

After review and discussion, Forshee noted he will calculate the additional proposed reduction to the CIP Fund and prepare spreadsheets accordingly for review at the next budget workshop.

The Board reviewed warrants to be paid September 4, 2018.

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 September 4, 2018, and includes the Martin County Highway Department and Drainage Bills as presented. Carried unanimously.

Warrants received and paid September 4, 2018, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved September 4, 2018	\$106,513.55
Enhanced 9-1-1 Fund	\$ 26.85
Martin County Economic Development Fund	\$ 2,787.50

Solid Waste Management Fund	\$ 36,972.97
Human Services Fund	\$298,193.67
Recorder's Technology Fund	\$ 9,650.00
Ind. Sewage Treatment Sys. Loans	\$ 36,488.47
Building – DIP – Fund	\$ 2,377.25
Bank Building Fund	\$ 3,259.85
Refunding Fund	<u>\$ 106.00</u>
Total	\$496,376.11

Road and Bridge Funds Totaled	\$126,208.40
Martin County Ditch Funds Totaled	\$148,740.95

The Board reviewed reports and announcements including: Sheriff's Office POST Board Standards Review Letter; CY2019 Health Insurance Renewal Information; and 2019 Association of Minnesota Counties (AMC) Dues Notice.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: August 21, 2018 – Human Services Advisory Board meeting in the evening; August 24, 2018 – Budget Committee meeting at 9:00 a.m.; August 27, 2018 – Mediation at 1:00 p.m.; August 28, 2018 – Broadband meeting and Board Work Session; August 29, 2018 – Human Services meeting, CVB meeting, AMC Extension Board meeting in St. Paul, MN, and City of Fairmont Land Use Plan meeting; August 30, 2018 – Health Insurance Renewal meeting in Mankato, MN, and Budget Committee meeting with Human Services; September 4, 2018 – regular Board of Commissioners meeting at 9:00 a.m., Building Committee meeting at 10:30 a.m., and Martin County Economic Development Committee meeting at 6:00 p.m. at Welcome City Hall in Welcome, MN; September 5, 2018 – F-M Joint Transit Executive Board meeting, Human Services Executive Board meeting, Beyond the Yellow Ribbon meeting, Martin County Veterans Memorial Committee meeting, and SHIP Grant (Wellness Dollars) meeting; September 6, 2018 – Bonding Webinar (Mental Health Regional Facilities) at 9:00 a.m.; September 7, 2018 – HSA Insurance meeting at 10:00 a.m.; September 10, 2018 – Personnel Committee at 1:00 p.m.; September 11, 2018 – Martin County Substance Abuse Prevention meeting, Library Board meeting, and Insurance Committee meeting at 1:00 p.m. – Sisseton Conference Room; September 12, 2018 – South Central Minnesota Multi-County HRA Board meeting, and Park Board meeting at 4:30 p.m. at Cedar-Hanson Park in Trimont, MN; September 13-14 AMC Fall Policy Conference at Arrowwood Resort in Alexandria, MN; September 17, 2018 – Minnesota Valley Action Council meeting in Mankato, MN; September 18, 2018 – regular Board of Commissioners meeting at 9:00 a.m. – Commissioners Meeting Room – Martin County Courthouse, Employee Recognition Day Event 11:30 to 1:00 p.m. at the Transit Facility; September 19, 2018 – Department Directors meeting at 8:30 a.m.; September 21, 2018 – Prairieland meeting.

With no further business to wit, Board Chair adjourned the meeting at 10:12 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Tom Mahoney, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator