

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 16, 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, Jason Sorensen, Sentinel Newspaper, Rod Halvorsen, City of Lakes Media, 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 October 16, 2018, regular Board of Commissioners meeting with the following: Add 9.8 Authorize Posting of Part Time Corrections and Transport Officer(s), 9.9 Accept Resignation of County Assessor, 9.10 Discuss Feedlot Setbacks along State Lines; and Delete 9.5 Consider Proposals for Employee Compensation Study. Carried unanimously.

Motion by Commissioner Flohrs, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes from the October 2, 2018, regular Board of Commissioners meeting. Carried unanimously.

Terry Viesselman, County Attorney, introduced Steph Johnson, Martin County Substance Abuse Prevention (MCSAP) Coalition Coordinator. Johnson, along with MCSAP Coalition members and Youth Coalition (YOCO) members, presented a PowerPoint presentation sharing information about what the MCSAP and YOCO Coalition is and what the Coalition is doing in prevention of underage drinking and drug use across all of Martin County with the recommendation that Martin County adopt a Social Host Ordinance (SHO) that will aid in deterring underage drinking in our community including:

Why do we need a Social Host Ordinance?

- Research shows that teens who are supplied alcohol by adults for in-home parties are more likely to:
 - ✓ Drink more often and binge drink.
 - ✓ Engage in risky sexual activity.
 - ✓ Vape, smoke marijuana and abuse prescription drugs.
 - ✓ Suffer injuries and have health problems compared to teens who do not drink alcohol at a young age.
 - ✓ Be involved in traffic accidents, thefts and violent behavior.
 - ✓ Get bad grades, make poor decisions and be involved in bullying.

We can do more to change the community norms:

- The proposed ordinance will provide a legal bias for holding adults responsible for knowingly allowing parties for individuals under the age of 21 in a place under their control whether or not they provide the alcohol. Such ordinances go beyond parents to include those near peers that take advantage of underage youth.
- Today's regulation provides penalties at teen parties for under-aged drinkers, but often adults are not charged. Currently law enforcement has to prove without a reasonable doubt who supplied alcohol where youth are drinking to be able to hold them responsible.

Viesselman presented and reviewed two model ordinances recommending the model that the City of Truman recently adopted should the Martin County Commissioners choose to adopt a social host ordinance. Viesselman noted Truman's ordinance is much more specific to the type of behavior we're trying to get at and it makes it very clear that anybody that is in control of the situation – whether they organized it or are responsible for the party and allow that activity to go on – whoever is the true social host could be charged.

Discussion ensued regarding if Martin County adopts a social host ordinance does that eliminate the need for the cities to adopt their own ordinance; why the County needs a social host ordinance when we already have laws and ordinances; is a public hearing required and how long would that process take; and if the City of Fairmont or City of Trimont have adopted a social host ordinance.

After further discussion, by consensus of the Board, it was determined to continue discussions pertaining to the proposed Martin County Social Host Ordinance and set a public hearing date and time at the November 6, 2018, regular Board of Commissioners meeting.

Commissioners thanked Johnson and MCSAP and YOCO Coalition members for their presentation.

Scott Higgins, County Coordinator, noted at the last Board meeting representatives of RenoDry USA presented a building dehydration system that would help the problems we are having with moisture in the walls (rising up into the walls from ground moisture) and has infiltrated the walls on the first floor of the courthouse with the walls showing some deterioration due from the moisture in the walls. There is also an issue with odors emitted in the courthouse from the crawl space under the courthouse. RenoDry USA has provided an assessment report and quote for installation of their device which is expected to dry out the entire interior walls of the first floor of the courthouse over time.

Doug Borchardt, Building Maintenance Supervisor, was present and noted he contacted several businesses that have installed the RenoDry USA dehydration system. Borchardt went on to note the contact person at Carleton College in Northfield, Minnesota, reported the college has some hundred year old buildings and they installed a RenoDry dehydration system in one of those buildings and they're going on three years now and they've had positive tests and liked the system so much that they purchased another dehydration unit. Borchardt also noted based on the reference received from Carleton College, Borchardt recommends purchase of the RenoDry USA dehydration system.

After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the purchase of a RenoDry USA building Dehydration System, as presented, in the amount of the project estimate of \$9,101.00 in order to help alleviate the deterioration of the courthouse walls due to moisture in the walls and assist in the maintenance and preservation of the courthouse walls. Carried unanimously.

Kevin Peyman, County Engineer, presented a Highway Department Update noting shouldering on County Road 26 is done and top soil and seeding will take approximately one week's time and then rumble strips will get milled in along the edges. Peyman went on to note the painting and striping will be scheduled once they see how the topsoil and seeding is going and that hopefully within a week or so they should be able to get everything done and open the road back up.

Jeff Markquart, Martin County Sheriff, introduced Abigail Nesbit, Emergency Management Director for Martin County. Markquart noted Nesbit began her duties on September 24, 2018.

Chairman Mahoney administered the Oath of Office for Nesbit's Emergency Management Director Position.

The Board welcomed Nesbit to her new position.

Forshee presented and reviewed the FY2019 Snowmobile Maintenance Grant Agreement for Prairieland Trail. Forshee noted the Blizzard Snowmobile Club has been awarded \$42,904.62 (\$5,417.40 one-time funding increase from FY2018) and is effective July 1, 2018, through June 30, 2019. Forshee went on to note that funding is to be used for the maintenance grooming of the trail for snowmobile use.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs,

R-#42/'18

RESOLUTION AUTHORIZING
FY2019 SNOWMOBILE MAINTENANCE GRANT AGREEMENT
FOR PRAIRIELAND TRAIL

WHEREAS, this agreement is made between the State of Minnesota and Martin County as it relates to the establishment of the Prairieland Trail, and

WHEREAS, Martin County desires to establish, construct, and maintain public trails; and

WHEREAS, the Minnesota Trails Assistance Program provides grants to local units of government for the construction and maintenance of recreational trails pursuant to the Minnesota Statutes, Chapter 84.83; and

WHEREAS, the Blizzard Snowmobile Club on behalf of Martin County, has submitted the application and resolution by the local government authorizing the proposed trails; and

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approve and authorize the Board Chair and/or Auditor/Treasurer to sign the Minnesota Trail Assistance Program FY2019 Grant Agreement in the amount of \$42,904.62 with an effective date of July 1, 2018 and expiration date of June 30, 2019.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, and was duly passed and adopted this 16th day of October, 2018.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Tom Mahoney, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Smith, Flohrs, Belgard, and Mahoney. NAYS: None. Resolution duly passed and adopted this 16th day of October, 2018.

Corey Klanderud, Chief Deputy Martin County Sheriff's Office, was present and noted that due to availability of some of our part time position staff and trying to prevent the ones that are available from working too much, Klanderud requests advertising to recruit at least one more person in both the Transport and Part Time Corrections positions.

Commissioner Smith noted the Personnel Committee has reviewed this request and it is our recommendation that we advertise to fill the positions.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Personnel Committee and Martin County Sheriff's Office, hereby approve and authorize advertising for recruitment to fill the part time Transport and part time Corrections Officer position(s) in the Martin County Sheriff's Office; and to establish an eligibility roster to fill full and part time vacancies as they occur. Carried unanimously.

Klanderud presented a current Martin County Jail Population update including twenty-three (23) in-house, thirteen (13) in Faribault County, two (2) in Jackson County, one (1) in Nobles County, and three (3) on EHM.

James Forshee, Martin County Auditor/Treasurer, presented a resolution authorizing the public sale of tax forfeited land in the County. Forshee noted the resolution sets the terms and conditions, date and time of sale. Forshee went on to note the sale is set for Tuesday, November 27, 2018, at 9:00 a.m. in the Commissioners Board Room – Martin County Courthouse.

Forshee also noted the City of Truman is requesting that we reduce the \$500.00 value placed on the old grocery store down to \$1.00 so that property can be taken off the sale so the City of Truman can purchase it with the intention of giving it to the (City of Truman's) EDA. Forshee recommends lowering the valuation of Parcel No. 41.060.0470 from \$500.00 to \$1.00.

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize lowering the valuation of Parcel No. 41.060.0470 in the City of Truman from \$500.00 to \$1.00. Carried unanimously.

Motion by Commissioner Flohrs, Seconded by Commissioner Smith,

RESOLUTION # 41/18

AUTHORIZING & FIXING TERMS OF TAX SALE:

BE IT RESOLVED, that all parcels of tax-forfeited land listed on the List of Tax-Forfeited Land #19 be classified as non-conservation land; that the basic sale price of each parcel on the List of Tax-Forfeited Land #19 , that is on file with the Martin County Auditor/Treasurer, be approved and authorization for a public sale of this land be granted, pursuant to M.S 282.01; that the sale will be held at **9:00 a.m. Tuesday, November 27, 2018,** by the Martin County Auditor/Treasurer, in the Commissioners Room, 1st Floor in the Martin County Courthouse, 201 Lake Avenue, Fairmont, Minnesota, beginning and not less than the basic sale price; and that all sales shall be full payment and on the terms set forth on the List of Tax-Forfeited Land # 19 dated November 5, 2018.

BE IT FURTHER RESOLVED, that the conditions and terms of the public sale shall be as described in the list contained herein and approved by the Martin County Board of Commissioners.

Motion was made by Commissioner Flohrs, seconded by Commissioner Smith and carried.

Dated this 16th Day of October, 2018.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

Thomas P. Mahoney, Chairperson

ATTEST: _____
Scott Higgins
Martin County Coordinator

Roll Call AYES: Commissioners Belgard, Schmidtke, Smith, Flohrs, and Mahoney. NAYS: None. Resolution duly passed and adopted this 16th day of October, 2018.

Dan Whitman, Martin County Assessor, was present to note that he met with the Personnel Committee and has tendered his retirement resignation effective December 31, 2018. Whitman recommends moving forward with filling the Assessor position as the goal is to have full staff in the Assessor's Office before his retirement date.

Commissioners commended Whitman for a job well done and his years of service to Martin County.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby accept, with regrets, the retirement resignation of Dan Whitman, Martin County Assessor, effective December 31, 2018. Carried unanimously.

Motion by Commissioner Smith, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize advertising recruitment for the Assessor position. Carried unanimously.

Forshee presented and reviewed the approved CY2019 Preliminary Budget and Levy set at 2.94% increase over CY2018 Levy that was approved by resolution at the September 28, 2018, regular Board of Commissioners meeting.

Higgins noted the Truth in Taxation public hearing for the CY2019 Budget will be held on Thursday, December 6, 2018, at 6:00 p.m.; and that due to the annual AMC Conference taking place on the first Tuesday in December, the regularly scheduled commissioners meeting on December 4, 2018, will need to be rescheduled to Thursday, December 6, 2018, prior to the Truth in Taxation public hearing; and that Board action to change the meeting date and time will take place at the November 6, 2018, regular Board of Commissioners meeting.

Commissioner Schmidtke noted the Martin County Veterans Memorial Committee had asked Martin County over a year ago for some donations and we budgeted \$20,000 for the Martin County Veterans Memorial and it's not just for the Fairmont site but that would be money spent on any memorial in Martin County. So at this time I am recommending to give them the \$20,000. We'd probably set that into a fund so they won't just spend it instantly it will be put into a fund that will grow and it will be a growing fund that they can use forever.

Commissioner Flohrs noted I like the fund idea a lot better. This memorial is supposed to last forever and there will be an ongoing expense. So I would really like to see it earmarked for some sort of fund.

Forshee noted that Kathy (Smith) contacted me last week and we talked about it and I went over and talked with Jessica (Korte) too but what we feel like we can do is we'd establish a fund for them which basically we would take that \$20,000 and put it into that fund. It stays with the County and the County Board has the control of that fund as requests come in. So it stays within

the County...it's in our fund balance...and as a request comes in then we'll address it at that time that way we've got control of it here.

Commissioner Smith noted by doing this I think that people that are sitting at this desk in 20 or 30 years from now might be appreciative of the fact that we're looking ahead toward the future and doing something and I even think that maybe that fund could grow. Maybe we could put some dollars in that fund to grow it so that there would be money there. It's (the Memorial) going to be there a long time.

Forshee noted once you've got that fund established then as we go through our budgets each year if there needs to be some levies increased it can be addressed at that time.

Commissioner Belgard inquired is this what that board was looking for?

Commissioner Smith noted they were looking for a donation. However, at this time, on their Phase 1 part of the project the wall is going to be delivered soon...not soon it's going to have to be put off until next spring; but, they've got the Phase 1 part of the project covered with their donations and they're still out soliciting private donations. They've done an amazing job with fundraising. And also they're getting a lot of in-kind services that are being donated to them which is helping them out a lot. When they get into projects in Phase 2 then they're going to be looking for more dollars.

Commissioner Schmidtke noted I think they're buying into what we have talked to them about and putting this into a fund that would grow and use little bits here and there.

Commissioner Belgard noted I'm sure it is worth noting that we own that property. So we already took that burden off of them. We're taking care of that property we've taken that burden off of them so when you talk about in-kind stuff certainly we're involved with the in-kind stuff. It just seems to me obviously I'm 100% in support of that project now the question on how much public support is different than the private support and I've always thought it should be private but I get that we own the land and we're going to be taking care of it and when people throw out the "it's for veterans" thing I always want to remind everybody that we (Martin County) have a budget of \$190,000 in our budget to take care of the real needs of the veterans. To help them eat, sleep, so we're taking care of the veterans. The memorial is a nice thing too but not as important to me as the \$190,000.

Commissioner Schmidtke noted you're correct but it is also important to memorialize the people that served our country and those that didn't make it back.

Commissioner Smith noted the Committee is intending to have a perpetual fund set aside also...they won't have that set up until they're done, so this could be something that could be used in the meantime.

Commissioner Belgard noted with our approval. Always have them come through us.

Commissioner Belgard inquired we're talking about the \$20,000 that we had budgeted.

Commissioner Schmidtke noted yes.

Chairman Mahoney inquired is there a reason they didn't come and get the money already?

Commissioner Schmidtke noted they're just waiting. They have enough money coming along that they can designate for Phase 1, so there was no rush to get it. They know we've been working and trying to make sure that we have a vote that we think we can pass.

Commissioner Smith noted and I also have to say that it's my fault that they're not here today. I got this idea and I talked to Steve (Fosness) about it and decided to put it on the agenda. So if we don't want to act on it today.

Chairman Mahoney noted well basically its last year's money. We did finish up our normal budget two weeks ago but since the money is there and everything.

Commissioner Belgard noted so one last question Jim (Forshee)...is our budget for 2018 fine? If we don't need to pull that money out and use it someplace else then there you go.

Higgins noted so the motion would be to establish a fund for the purpose of maintaining or donating toward the county veterans memorial into that fund for the purpose of maintaining the Martin County Veterans Memorial in the amount of \$20,000.

Motion by Commissioner Schmidtke, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve establishing a Martin County Veterans Memorial Fund and transferring \$20,000 into that fund for future maintenance and care of the Martin County Veterans Memorial; and to establish a Martin County Perpetual Care Fund for the future maintenance and care of the county veterans memorial. Carried unanimously.

Higgins noted Martin County's Veterans Service Officer, Doug Landsteiner, has been approached by Faribault County to help out Faribault County's veterans service office during the next few weeks while the office is short staffed. Higgins went on to note the Personnel Committee has discussed and approved Landsteiner to work one day per week at Faribault County during the next few weeks to help out.

The Board reviewed warrants to be paid October 16, 2018.

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve bills to be paid on October 16, 2018, and includes the Martin County Highway Department and Drainage Bills as presented. Carried unanimously.

Warrants received and paid October 16, 2018, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved October 16, 2018	\$159,833.33
Martin County Economic Development Fund	\$ 2,910.05

Solid Waste Management Fund	\$ 81,236.05
Law Library Fund	\$ 1,978.96
Building – CIP – Fund	\$158,654.57
Bank Building Fund	\$ 2,207.41
Refunding Fund	<u>\$ 3,177.00</u>
Total	\$409,997.37

Road and Bridge Funds Totaled	\$ 39,280.74
Martin County Ditch Funds Totaled	\$ 60,563.85

Commissioner Schmidtke opened discussion pertaining to feedlot setbacks along county and/or state lines. Schmidtke noted he received a telephone call inquiring about Martin County’s feedlot setbacks and property across the Iowa line.

Pam Flitter, Zoning Official, was present to address concerns raised regarding Martin County’s feedlot setbacks and noted that the party that called Commissioner Schmidtke was notified and came to the feedlot meeting. Flitter noted as far as crossing the boundaries we always, as a courtesy, contact those people. In every single situation I contact attorneys because the liability of the County is what I care about the most. Obviously this person received the courtesy letter because he attended the meeting and came to the courthouse and talked to us about it. Flitter also noted Martin County’s quarter mile setback requirement seems to be working fine. If there was an occasion that we ran into one that was within a quarter of a mile we would contact them and work with them on that.

After further discussion,

Commissioner Schmidtke and Flitter noted we can talk about this issue at a future Planning & Zoning Commission meeting.

The Board reviewed information and reports including September 2018 Financials; AMC District 7 Meeting on Friday, November 2nd, from 8 a.m. to 1 p.m. at Farmamerica in Waseca, MN; and 29th Annual Glows Parade on Friday, November 16th, with Lineup at 5:15 p.m. and parade at 6:00 p.m.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: October 2, 2018 – Personnel Committee meeting; October 3, 2018 – Human Services Executive Board meeting and Martin County Veterans Memorial Committee meeting; October 5, 2018 – F-M Joint Transit Executive Board meeting; October 8, 2018 – In Service Day (County Offices at Courthouse Closed for Business); October 9, 2018 – Ditch meetings in Winnebago, Library Board meeting, and Martin County Substance Abuse Prevention meeting; October 10, 2018 – Region 9 meeting at Kasota, MN, Labor Management Committee meeting at 1:30 p.m., Park Board meeting at 4:00 p.m., and Bureau 14 meeting at 6:00 p.m.; October 11, 2018 – Soil and Water meeting; October 12, 2018 – Prairieland meeting and F-M Joint Transit Full Board meeting; October 15, 2018 – Personnel Committee meeting and Compensation Advisory Committee meeting; October 16, 2018 – regular Board of Commissioners meeting at 9:00 a.m. and Drug Court Graduation at 12:30 p.m.; October 17, 2018 – Human Services meeting in Blue

Earth, MN, One Watershed One Plan meeting in St. James, MN, AMC's Local Government Workplace Symposium in Willmar, MN, on October 18-19, 2018; October 18, 2018 – Traverse des Sioux Library meeting; October 22, 2018 – Flue Shot Clinic at Highway Department and Courthouse; October 23, 2018 – Planning and Zoning meeting at 5:30 p.m. and Broadband Blandin Fall Conference in Brainerd, MN; October 24, 2018 – State Auditors arrive; October 30, 2018 – Employee Open Enrollment meetings; November 2, 2018 – AMC District 7 meeting in Waseca, MN; November 5, 2018 – regular Martin County EDA meeting at 5:15 p.m. and Beyond the Yellow Ribbon meeting; November 6, 2018 – regular Board of Commissioners meeting at 9:00 a.m. – Commissioners meeting room – Courthouse, and Election Day.

Higgins noted the Compensation Advisory Committee (CAC) has decided to conduct interviews with the responding compensation study firms and that is why this item was taken off today's agenda.

With no further business to wit, Board Chair adjourned the meeting at 10:41 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Tom Mahoney, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator