

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 20, 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 Schmidtke, Smith, Mahoney, and Flohrs. Commissioner Belgard was absent. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, County Attorney, Jason Sorensen, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

The Pledge of Allegiance was recited.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the November 20, 2018, regular Board of Commissioners meeting with the following: Add 6.2 Consider US Bank Property Tax Appeal Settlement, 9.8 Discuss Martin County Veterans Memorial Donation, and 13.2 Consider Year-End Bill Payment Cycle in December, 2018; and Delete 9.2 Consider Recommendation for Appointment of County Assessor. Carried unanimously.

Terry Viesselman, County Attorney, was present to review an amendment and Estoppel Certificate to the VSO office space lease at the Lakeview Office Complex. Viesselman noted the proposed second amendment includes a revision to the term and use in that the lease will continue for three additional years from the original expiration date of November 30, 2019 through November 30, 2022, as well as increase the monthly rent from \$593.00/month to \$629.30/month for the additional three years. Viesselman went on to note the Estoppel Certificate assures the Landlord (Smith Rental Properties, LLC) that Martin County is abiding by the lease agreement for current office space at Lakeview Office Complex.

Commissioner Smith inquired if the current lease has a termination clause included.

Viesselman answered in looking through the lease agreement there is not a termination paragraph. However, usually in rentals a lot of times there is not just because the whole idea of the lease is they want you there and they rely on you being there. But, a termination paragraph could be included.

Commissioner Flohrs inquired so can we get out (of the lease) if we want at any time?

Viesselman answered no. Usually what you do is get somebody in there to cover the remainder of your term.

Commissioner Smith inquired don't we have it (a termination paragraph) on other properties?

Viesselman and Scott Higgins, County Coordinator, answered yes we have had them before.

Commissioner Schmidtke noted I don't think we have any plans of moving out of there; but, I think it would be good (to include a termination paragraph) just in case...

Commissioners Flohrs and Smith noted it (a termination clause) should be in there.

After discussion,

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby table consideration of second amendment to the VSO Office Lease Agreement to extend lease for the VSO office space located at the Lakeview Office Complex; and to authorize the County Attorney to incorporate early termination language into the Term and Use section of the lease agreement. Carried unanimously.

Viesselman noted that a negotiated tax court settlement has been reached with US Bank and recommend acceptance of their last offer of \$897,000 for pay 2017, 2018 and 2019. This is a reduction of an average of \$109,500 on values of between \$941,000 and \$1,090,800; and will generate tax abatements of approximately \$2,800 for 2017p, \$1,600 for 2018p, and \$10,850 for 2019p. Viesselman recommends acceptance of the negotiated settlement.

Motion by Commissioner Schmidtke, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Terry Viesselman, County Attorney, hereby approve the tax court settlement agreement with US Bank pertaining to the valuation of the property (parcel number) in Fairmont, Minnesota, with the value being reduced an average of \$109,500 which is just a little over 10% reduction; and will generate tax abatements of approximately \$2,800 for 2017p, \$1,600 for 2018p, and \$10,850 for 2019p; and authorize the Board Chair and/or the County Attorney to sign the necessary settlement documents. Carried unanimously.

The Board reviewed minutes from the November 6, 2018, regular Board of Commissioners meeting.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes from the November 6, 2018, regular Board of Commissioners meeting. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, presented two tobacco licenses for approval for the following businesses: Casey's Retail Company – Casey's General Store #3005 located at 112 2nd Street, P.O. Box 235, in Welcome, MN, and Casey's Retail Company – Casey's General Store #3003 located at 10 Broadway Street in Trimont, Minnesota. Forshee noted the required forms have been completed by the applicant and all is in order.

Motion by Commissioner Flohrs, seconded by Commissioner Schmidtke,

R-#47/'18

RESOLUTION

ISSUANCE OF TOBACCO LICENSES FOR 2019

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 license for the following Retail Establishments, effective January 1, 2019 through December 31, 2019:

- Casey's Retail Company – Casey's General Store #3005 located at 112 2nd Street, P.O. Box 235 in Welcome, MN 56181
- Casey's Retail Company – Casey's General Store #3003 located at 10 Broadway Street in Trimont, MN 56176

Upon this motion made by Commissioner Flohrs, seconded by Commissioner Schmidtke, was duly made and passed this 20th day of November, 2018.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Tom Mahoney, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Smith, Schmidtke, Flohrs, and Mahoney. NAYS: None. Commissioner Belgard was absent. Resolution duly passed and adopted this 20th day of November, 2018.

Kevin Peyman, County Engineer, was present and reported on the final contract for 2017 Mill and Overlay Projects including SAP 46-638-016 and SAP 46-745-001 Mill and Overlay on CSAH 38 and CSAH 145 (through Northrop). Peyman noted final examination has been made, contract has been completed, and the entire amount of work has been performed. Peyman recommends approval of the final contract to Ulland Brothers, Inc. in the amount of \$2,177,846.47.

Motion by Commissioner Schmidtke, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Engineer, hereby approve the final contract payment for SAP 46-638-016 and SAP 46-745-001 Mill and Overlay Project with Ulland Brothers, Inc., of Cloquet, Minnesota, in the amount of \$2,177,846.47. Carried unanimously.

Scott Higgins, County Coordinator, presented a revised job description for the Deputy Assessor position that more accurately reflects the objectives and essential functions of the position. Higgins noted proposed revisions are highlighted in red, that the Personnel Committee has reviewed the proposed revised job description and recommends approval of the revisions.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the revised job description for the Deputy Assessor position which more accurately reflects the objective and essential functions of the position. Carried unanimously.

Mike Sheplee, Deputy Assessor, presented and reviewed his recommendation to add a \$1,000 addition to the County's current Beacon site. Sheplee noted Schneider Geospatial has a tool that we can add on to our current Beacon product that will allow users to search for sales, download their sales, filter and sort them. This tool will be a tab on the Beacon page, would be updated nightly, and is not a complicated tool to use. It would be something that a casual user could use as well as a power user. Sheplee went on to note the second thing it would do is provide a second tab for comparable sales. So the concept here would be during appeal season say somebody would like to appeal their property they will typically call us and say what comparables do you have that are like mine. We would set up the criteria what comparables for these properties would look like, like property type, distance from their place, and the years of sales and whether they're qualified. It would be something real simple for the non-expert person to click on to get the same information we would give them over the telephone. Those two things continue some of the goals we have in our office to use technology to better serve our customers, to get them the information that they need when they need it and when they want it on a 24/7 basis. Sheplee also noted the way that we do our sales listings today we prepare a spreadsheet on a monthly basis. We have approximately 10 subscribers to that and it takes us 4 to 6 hours to produce including the preparation of it, the distribution, the invoicing, and collecting the subscription fees for it. We calculated that cost and it is about a \$3,600.00 annual expense to the County. So our goal with this Beacon product is to make a product more available to our customers, and reduce the amount of time that we're spending doing this which really should and could be automated work and put those resources toward something more important and continue to improve our assessment, equalization and fairness. I think it will serve the customers well. We will be the first ones in Minnesota to have this tool. We have been

leaders with Beacon in the past with some significant improvements. We continually get unsolicited comments about the Beacon product here in the County and how available information is, how reliable, accurate, and timely. Many customers have to travel to other counties to find this information and have to go through books and paper records for things that we have available at the touch of a finger. Sheplee noted just one more thing we currently have subscriptions also to Beacon on a map level...people subscribe to all of the maps that are available and the sales basis. The sales subscriptions give them access to what we call our comp search tool so kind of a complex tool so that's kind of for power users and they're actually paying subscription fees for that. When we get this tool in place I would like to get together with these customers to see if this meets their need and then talk about what subscription levels may or may not need to change.

Chairman Mahoney inquired what does the subscription run.

Sheplee noted \$600.00 per year.

Commissioner Smith noted I hear that too all the time what a valuable service Beacon is to those that use it.

After discussion,

Motion by Commissioner Smith, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Deputy Assessor, hereby approve adding an enhancement through Schneider Geospatial for Beacon Sales Search Tools to the County's existing Beacon website with a one-time setup fee of \$1,000.00 to be expended from the Assessor's Office CY2018 budget; and to approve and authorize Board Chair to sign the necessary enhancement agreement(s). Carried unanimously.

Wendy Chirpich, Planning and Zoning Technician, presented a list of Martin County Septic Loans for the year 2018 for certification and assessments to property taxes for those listed in the amount of \$89,579.17.

After Board consideration, review and discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, being presented the listing of the 2018 Martin County Septic Loans in the amount of \$89,579.17, plus an additional system that has been installed in 2018 and is awaiting final paperwork and not recorded, to be certified and assessed to the respective properties, effective 2019 as follows:

Loans granted during 2018 through the Martin County ISTS Loan Program. Apply the principal and interest to tax statements as a special assessment.

Loans granted during 2018 through the Martin County ISTS Loan Program. Apply the principal and interest to tax statements as a special assessment.

	Name	Parcel Number	Loan %	Loan Years	System Cost (including fees)	Landowner's Contribution	Grant Dollars	Loan Amount
1	Kuntz, Charles & Marlene	09.004.0700	2	10	\$ 25,348.04	\$ -	\$ 4,000.00	\$ 21,348.04
2	Abel, Richard & Patricia	05.012.0350	2	10	\$ 19,365.43	\$ 225.00	\$ 4,000.00	\$ 15,140.43
3	Sinn, Tyler & Alexandra	12.018.0600	2	10	\$ 15,025.00	\$ 225.00	\$ 4,000.00	\$ 10,800.00
4	Assink, Kimberly	02.024.0600	2	10	\$ 18,877.45	\$ -	\$ 2,500.00	\$ 16,377.45
5	Becker, Benjamin & Cassie	16.026.0350	4	10	\$ 10,963.25	\$ -	\$ -	\$ 10,963.25
Grand Totals:					\$ 89,579.17		\$ 14,500.00	\$ 74,629.17
Average Septic System Cost:					\$ 17,915.83			

If you have questions, or if you need to review any of the loan files which are stored in the Planning & Zoning Department, please contact us. Signed loan documents were recorded in the Martin County Recorder's Office for each of these loans.

The systems listed below have been installed in 2018. Loans in process; awaiting final paperwork; and not yet recorded. **Systems may be eligible for grant dollars.

	Name	Parcel Number	Loan %	Loan Years	System Cost Estimate (including fees)	Landowner's Contribution	Grant Dollars**	Possible Loan Amt
1	Sommer, Allan & Fern	17.012.0400	2	10	\$ 8,912.44	\$ 225.00	\$ 2,700.00	\$ 5,987.44

Carried unanimously.

Chirpich noted that annually the County Board sets the interest rate for the Martin County Septic Loan Program and that current interest rates are 2% and 4% dependent upon the applicant's household income. Chirpich recommends no change in interest rates for 2019.

Motion by Commissioner Flohrs, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, having the authority to adjust the interest rates charged for the Martin County Septic Loan Program, after review and consideration, hereby approve the rate of 2% and 4% (no change from 2018) annual interest to be charged accordingly per the income level of the applicants as described by the Martin County ISTS Loan Program for CY2019, effective January 1, 2019. Carried unanimously.

Higgins noted annually the Board reviews Citizen Advisory Boards/Commissions for (re)appointments for those terms expiring. Martin County Boards and Advisory Committees with member terms ending December 31, 2018, and who are eligible and willing to serve an additional term include:

- ★ Extension Committee – Laurie Quinn and Jody Saxton’s terms will expire December 31, 2018. Both Quinn and Saxton are eligible and willing to serve an additional term.
- ★ Planning Commission – Rodney Erickson and Gary Schaub’s terms will expire December 31, 2018. Both Erickson and Schaub are eligible and willing to serve an additional term.
- ★ EDA Commission – Larry Baarts and Brent Schultze’s terms will expire December 31, 2018. Both Baarts and Schultze are eligible and willing to serve an additional term.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissions, hereby approve (re)appointments to the following Citizen Advisory Boards and Commissioners: Extension Committee – Laurie Quinn and Jody Saxton with terms ending December 31, 2021; Planning Commission – Rodney Erickson and Gary Schaub with terms ending December 31, 2021; and EDA Commission – Larry Baarts and Brent Schultze with terms ending December 31, 2021. Carried unanimously.

Forshee opened discussion and presented his recommendation to transfer the \$20,000 donation to be used by the Martin County Veterans Memorial Committee for the perpetual care and maintenance of the Martin County Veterans Memorial from the general fund to an interest earning special fund.

Motion by Commissioner Schmidtke, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Auditor/Treasurer to transfer Martin County Veteran’s Memorial Committee funds in the amount of \$20,000 for the perpetual care and maintenance of the Martin County Veterans Memorial from the County’s general fund to a special fund. Carried unanimously.

Jeff Markquart, Martin County Sheriff, was present to provide a current Martin County Jail Population update including twenty-seven (27) in custody, four (4) out of county and one (1) on Electronic Home Monitoring.

Markquart noted out of state travel request for Deputy Ballard to attend SWAT Training September 15-19, 2018, at Camp Dodge in Johnston, Iowa, should have been presented at a Commissioners meeting three weeks prior to attending the training per County Policy. Markquart went on to note Deputy Ballard has incurred meal expenses that were not covered by the training and requests consideration to submit meal expenses for reimbursement.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize out of state travel request for Deputy Ballard to attend the SWAT Training held September 15-19, 2018, at Camp Dodge in Johnston, Iowa; and authorize reimbursement of eligible meal expense(s) as determined by detailed receipts per County Policy. Carried unanimously.

The Board reviewed Warrants, Auditor Warrants, and EFT Transactions to be paid November 20, 2018.

Motion by Commissioner Smith, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve Warrants, Auditor Warrants, and EFT Transactions to be paid on November 20, 2018, and includes the Martin County Highway Department and Drainage bills as presented. Carried unanimously.

Warrants received and paid November 20, 2018, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved November 20, 2018	\$ 95,868.69
Sheriff's Contingency Fund	\$ 45.00
Martin County Economic Development Fund	\$ 604.70
Solid Waste Management Fund	\$ 72,394.93
Law Library Fund	\$ 732.48
Ind. Sewage Treatment System Loans	\$ 11,141.60
Building-CIP-Fund	\$ 605.00
Bank Building Fund	\$ 5,403.17
Taxes and Penalties Even Years	<u>\$ 738.00</u>
Total	\$187,533.57
Road and Bridge Funds Totaled	\$ 38,777.93
Martin County Ditch Funds Totaled	\$ 33,494.56

Forshee recommends adding a year-end bill payment cycle in addition to the regular bill payment cycles on December 6 and December 18, 2018. Forshee noted the cut-off date is December 21, 2018 at 5:00 p.m. with checks mailed out on December 28, 2018.

Motion by Commissioner Schmidtke, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve a year-end bill payment cycle with bills due in the Auditor/Treasurer's Office by 5:00 p.m. on December 21, 2018, with checks mailed out on December 28, 2018. Carried unanimously.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: November 6, 2018 – Building Committee meeting; November 7, 2018 – Martin County Veterans Memorial Committee meeting and Human Services Executive Board meeting; November 8, 2018 – Soil and Water Committee meeting and Prairieland Executive Board meeting; November 9, 2018 – GBERBA meeting and Canvass Board meeting at 9:00 a.m.; November 13, 2018 – Extension Committee meeting at 8:00 a.m., Library Board meeting in the afternoon, MCSAP meeting at noon, and Childcare Town Meeting in the evening; November 14, 2018 – Department Director meeting at 8:30 a.m., One Watershed One Plan in the afternoon, and Park Board meeting at 4:00 p.m.; November 15, 2018 – Traverse des Sioux Library Board meeting; November 16, 2018 – Prairieland meeting and Glows Parade at 6:00 p.m.; November 19, 2018 – Personnel Committee meeting, Minnesota Valley Action Council meeting, and Rural Minnesota Energy Executive Board conference call; November 20, 2018 – Personnel Committee meeting and AgriBusiness in the evening; November 21, 2018 – Human Services Full Board meeting and Convention and Visitors Bureau (CVB) meeting; November 22-23, 2018 – Thanksgiving Holiday, Courthouse Closed; November 26, 2018 – Rural Minnesota Energy Board meeting in

Slayton, Minnesota, Department Director Evaluations, and Soil and Water Area 6 meeting at the Knights of Columbus Hall in Fairmont, Minnesota; November 27, 2018 – Human Services All Agency meeting at the old East Chain School at 9:00 a.m., Forfeited Land Sale, and Planning and Zoning meeting at 5:30 p.m.; November 28, 2019 – JD #37 meeting at 10:00 a.m., JD #9 meeting at 1:00 p.m. in Ormsby, Minnesota, and Fairmont Comprehensive Plan from 6-8 p.m.; November 29, 2018 – Department Director Evaluations and RMEB-CERTS meeting in Windom, Minnesota; November 30, 2018 – Drug Court Steering Committee meeting; December 3-4, 2018 – Association of Minnesota Counties Annual Conference in Bloomington, Minnesota; December 5, 2018 – Human Services Executive Committee meeting, Martin County Veterans Memorial Committee meeting, Community Center Presentation at the Fairmont Opera House, and Leadership Martin County Government Day; December 6, 2018 – St. Paul Lutheran Bell Choir at noon – second floor rotunda – Martin County Courthouse, Park Board meeting at 4:30 p.m., regular Board of Commissioners meeting at 4:30 p.m., and Martin County Board of Equalization meeting at 6:00 p.m.; December 10, 2018 – regular Martin County EDA meeting at 5:15 p.m.; December 11, 2018 – Commissioner Schmidtke Open House from 3:00 p.m. to 4:30 p.m.

With no further business to wit, Board Chair adjourned the meeting at 9:45 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Tom Mahoney, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator