

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, MAY 7, 2019  
@ 9:00 A.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 9:00 a.m. by Chairwoman Kathy Smith. Commissioners present were Kathy Smith, Elliot Belgard, Steve Flohrs, Richard Koons, and Tom Mahoney. Also present were Scott Higgins, County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, County Attorney, Rod Halvorsen, City of Lakes Media, 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 Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the May 7, 2019, regular Board of Commissioners meeting with the following: Delete 10.1 Consider Continued Weed Control Maintenance on various County Ditch Systems – D. Reffer, B&W Control Specialists. Carried unanimously.

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the April 2, 2019, and April 16, 2019, regular Board of Commissioners meetings. Carried unanimously.

Chairwoman Smith read aloud a proclamation designating May 5-11, 2019, as Public Service Recognition Week.

R-#24/'19

***PUBLIC SERVICE RECOGNITION WEEK-May 5-11, 2019***

*In honor of the millions of public employees at the federal, state, county, and city levels:*

**Whereas:**

Americans are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation working;

**Whereas:**

Public employees not only provide public service, but take oaths;

**Whereas:**

Many public servants, including military personnel, law enforcement officers, firefighters, health care professionals and many other public occupations, risk their lives each day in service to the people of the United States and around the world;

**Whereas:**

County Public servants include, those in public safety (Sheriff Deputies, Corrections and Communications Officers, Emergency Management), Road and Bridge employees, Courthouse staff, (Auditing, Land Records, Public Drainage, Administration, Elections, Planning and Zoning, Courts, Probation, Veterans Services, 4-H, Computer Technicians, Library, Victim Services, Social Services, Solid Waste, Elected officials (County Board, County Attorney, Auditor/Treasurer, County Recorder, Surveyor), and countless other occupations in county government. Day in and day out they provide the diverse services demanded by the American people of their government with efficiency and integrity; and

**Whereas:**

Without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials;

**Therefore:**

I, Kathy Smith, Board Chair for the Martin County Board of Commissioners do hereby announce and proclaim to all citizens and set seal hereto, that **May 5-11, 2019**, is Public Service Recognition Week. All citizens are encouraged to recognize the accomplishments and contributions of government employees at all levels — federal, state, county and city.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Kathy Smith, Board Chair

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

Motion by Commissioner Belgard, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, hereby approve proclamation designating May 5-11, 2019 as Public Service Recognition Week. Carried unanimously.

Motion by Commissioner Mahoney, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, hereby move into a closed session per Minnesota Statute 13D.05 Subd. 3(b) at 9:06 a.m.

Those present were Commissioners Smith, Flohrs, Belgard, Koons, and Mahoney. Also present were Terry Viesselman, County Attorney, Scott Higgins, County Coordinator, James Forshee, Martin County Auditor/Treasurer, Mike Sheplee, County Assessor, and Laura Odgren, Deputy Assessor.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, to go back into open session. Carried unanimously.

Meeting returned to open session at 9:46 a.m.

Terry Viesselman, County Attorney, noted we were in closed session talking with Marc Manderscheid, an attorney from the Twin Cities, who has been representing us on Walmart tax appeal petitions. Viesselman went on to note Walmart has filed two cases here in District Court and after discussion with Manderscheid it is my recommendation to the Board that we have Manderscheid's law firm to represent Martin County in both of those cases.

Motion by Commissioner Mahoney, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the hire of Marc Manderscheid with Briggs and Morgan Law Firm for legal services pertaining to Walmart tax appeal law suit. Carried unanimously.

Viesselman presented and reviewed a proposed new policy for Possession of Firearms in the workplace. Viesselman noted Martin County does not currently have a policy establishing a procedure for employee possession of firearms and that Minnesota Statute states that any employee or agent of an employee for a political subdivision, which would be the County, is forbidden from having a firearm while performing their official duties. Viesselman went on to note the law makes an exception for law enforcement and the county attorney, or his or her assistants. Viesselman also noted the Personnel Committee has reviewed the proposed policy and recommends approval.

Motion by Commissioner Flohrs, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, after review and consideration of the proposed Employee Protections/Possession of Firearms Policy, and having determined a need for such a policy to establish procedures for employee possession of firearms in the Martin County Courthouse and other County facilities and while employees are on duty, hereby approve the proposed Employee Protections/Possession of Firearms Policy as presented, effective upon its adoption by the Martin County Board of Commissioners, effective May 7, 2019. Carried unanimously.

Doug Hartke, Grant Coordinator/Board Member with the Fox Lake Conservation League, Inc., was present to review and provide information on two land acquisition parcels. Hartke noted both of these parcels will be purchased with funds received from the 2018 Lessard-Sams Outdoor Heritage Council (LSOHC) grant funds received:

- Parcel #1 – Notification of intent to purchase 232.2 acres from Caleb Krusemark within Section 16 of Waverly Township. Fox Lake Conservation League does have a purchase agreement and will close in June 2019. Hartke estimates Payment in Lieu of Taxes (PILT) payment, based on their appraisal, is \$10,627.00.
- Parcel #2 – Notification of intent to purchase 126 acres from Dwane Blachowske within Section 28 of Center Creek Township. Fox Lake Conservation League has a verbal purchase agreement and estimates PILT payment on this property to be \$3,323.00.

Wayne Walter, representing the City of Ceylon, was present to request financial assistance to help with demolition of two buildings on two separate parcels in the City of Ceylon. Walter noted the city purchased a couple of houses on Main Street at the last Forfeited Land Sale and requests financial assistance in razing those properties. We're working with the fire department to possibly do a couple of training burns and we're working with Sentencing to Service (STS) to

clean the houses out before we can do an asbestos inspection and proceed from there. The biggest cost will be tearing down and hauling debris away; however, at this point in time there are no cost estimates available.

James Forshee, Martin County Auditor/Treasurer, noted they (the City of Ceylon) did purchase those properties on the sale last year. Right now we've got \$119,000 in our Forfeited Land Fund to be used for this purpose in helping smaller communities with demolition costs.

Discussion ensued pertaining to previous financial assistance requests from cities and towns; and possible concrete debris crushing by the Martin County Highway Department.

Higgins requested that Walter bring back cost estimates before the County proceeds with financial assistance.

No action taken on financial assistance request from the City of Ceylon for the demolition of two parcels on W. Main Street.

Jeff Markquart, Martin County Sheriff, was present to review a Memorandum of Agreement (MOA) with the Granada Huntley East Chain (GHEC) School District for a School Resource Officer position. Markquart noted the County Attorney has reviewed the MOA that is proposed to share the cost of the full time deputy position 66% (GHEC) and 34% (County) and includes an initial three year term. Markquart also noted the Personnel Committee has reviewed and discussed the proposed MOA and recommends approval.

Viesselman noted he has reviewed the MOA and recommends approval of the MOA authorizing Board Chair to sign the Agreement contingent upon receipt of the signed MOA from GHEC.

Commissioner Koons opened discussion pertaining to Paragraph No. 4 Term of Agreement noting language clarification regarding the initial three year term and that either party may cancel upon a sixty day notice to the other. Remove the right to terminate during the initial three year term.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, after review and consideration per the request of the Granada Huntley East Chain School District (GHEC), hereby approve and authorize the Board Chair to sign the Memorandum of Agreement (MOA) with the GHEC School District for a Sheriff's Deputy position to be assigned as the School Resource Officer (SRO) for the District; with the proposed shared cost for the position with 66% paid by GHEC and 34% paid for by the County, and to include a three year initial term effective September 2019 through August 2022; and is contingent upon Term of Agreement language change removing the right to terminate during the initial three year term. Carried unanimously.

Markquart presented and reviewed the Professional Services Agreement for Welfare Fraud Investigations between the Faribault County Sheriff's Office and the Martin County Sheriff's

Office. Faribault County will provide Fraud Welfare Investigative Law Enforcement Officer Services, as agreed upon by the Sheriff of Faribault County and the Sheriff of Martin County. The Services provided by Faribault County shall be for the duties and assistance of investigating Fraud and Welfare cases for Faribault and Martin County Human Services, as directed by Minnesota Statute, county and city ordinances and as directed by either sheriff. Per the proposed agreement, there shall be no fee directed to the Martin County Sheriff's Office for this service. The agreement shall be in effect until January 1, 2024 and may be extended if necessary or terminated after a sixty day written notice. Markquart noted we've been joined with them (Faribault County) for quite a few years but now the state requires an agreement be in place in order to receive grant funds.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that that Martin County Board of Commissioners, after review and consideration of the proposed Professional Services Agreement for Welfare Fraud Investigation between the Faribault County Sheriff's Office and the Martin County Sheriff's Office, hereby approve, ratify, and authorize Sheriff Markquart to sign the Professional Services Agreement for Welfare Fraud Investigations, effective upon signing until January 1, 2024. Carried unanimously.

Markquart noted the Martin County Sheriff's Office has received award notification for the Martin County Remote Electronic Alcohol Monitoring (REAM) Grant for FY20-21 in the amount of \$3,000 (\$1,500 Fiscal Year 2020 and \$1,500 Fiscal Year 2021). Markquart noted grant funds are specifically for DWI offenders who are unable to fully pay for the daily cost of remote electronic alcohol monitoring.

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair and Martin County Sheriff's Office to sign the State of Minnesota Grant Agreement through its Department of Corrections Grants and Subsidies Unit and the Martin County Sheriff's Office, FY20-21 Remote Electronic Alcohol Monitoring Agreement effective July 1, 2019 through June 30, 2021 in the amount of \$3,000 (\$1,500 Fiscal Year 2020 and \$1,500 Fiscal Year 2021). Carried unanimously.

Markquart provided a Martin County Jail Population Update including twenty-four (24) in-house, ten (10) out of county, and four (4) on Electronic Home Monitoring (EHM).

Kevin Peyman, County Engineer, opened discussion regarding the speed limit of CSAH 26 from Fairmont to the Faribault County Line. Peyman noted a couple of years ago Minnesota passed a law that allowed 60 mph speed limits on a lot of rural two lane state highways and we saw that with Trunk Highway 15 moving to 60 mph along with a lot of state roads around Minnesota that met certain design criteria. Peyman went on to note there was some language in the law at the time that county roads could do the same thing and we've talked about in the past that we don't set our own speed limits only MnDOT does that through a speed study. So initially when that law passed even though it mentioned counties MnDOT was not following through...they didn't feel it should apply to counties so they were not honoring speed studies from counties that requested looking at roads going from 55 mph to 60 mph. Probably a year ago that changed and MnDOT decided they are going to interpret it that if counties are interested in looking at having

some of their rural roads be 60 mph they can; however, there is a long list of criteria that goes with it. Peyman noted the road needs to have a logical beginning and end term it can't just end at the county line. It has to have no real horizontal or vertical alignment issues meaning no curves, hills that aren't designed for that, has to be wide enough shoulders and things like that so the logical road that stuck out to me was our CSAH 26 (Old Highway 16) because we just redid it and it has wide shoulders. Peyman went on to note Faribault County initially brought it up that they want to do their side but they couldn't do it unless it went all the way from Fairmont to Blue Earth. So the process would be we'd pass a resolution that MnDOT would do a speed study and both counties would have to pass a resolution. Faribault County may have already passed or has discussed it and decided that they want to pursue it at least. So both counties would pass a resolution. MnDOT is far behind on their speed studies, about a year and a half to maybe two years out before we'd actually see if we'd be able to put up signs; but we have to start somewhere. So, I just wanted to throw it out there for discussion if we're interested. Peyman also noted from an engineering standpoint it is a road that has no alignment issues. It's wide open site distance and it's wide enough. So from an engineering standpoint there's no reason it couldn't be 60 mph so I wanted some guidance as to if you wanted me to pursue looking at that or not.

After discussion, Commissioners recommend that Peyman move forward with pursuing a speed study on CSAH 26.

Peyman noted bid letting for SAP 046-654-001 CSAH 54 Grading and Bridge Replacement was held May 3, 2019, at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN. Peyman went on to note the Engineer's Estimate for the project was \$1,871,292.93 and we had four bidders with Brunz Construction as the low bidder at \$1,693,773.52. Peyman recommends award of the contract to the low bidder.

**MCHD**  
Contract bid Summary

Contract No.: 5401  
Project No.: SAP 046-654-001  
Bid Opening: 05/03/2019 10:00 a.m.

| Vendor No. | Business Name             | Total Bid Amount | Percent Over/Under Estimate |
|------------|---------------------------|------------------|-----------------------------|
|            | Engineers Estimate        | \$1,871,292.93   |                             |
| 0          | Brunz Construction Co Inc | \$1,693,773.52   | 9.49% UNDER ESTIMATE        |
| 1740       | R&G Construction          | \$1,918,764.54   | 2.54% OVER ESTIMATE         |
| 1201       | Mathiowetz Construction   | \$2,021,127.58   | 8.01% OVER ESTIMATE         |
| 351        | Duininck Construction-MN  | \$3,208,464.53   | 71.46% OVER ESTIMATE        |

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids and upon receiving bids for SAP 046-654-001 CSAH 54 Grading and Bridge Replacement, and upon the recommendation of the county engineer, hereby approve and award the low bid for SAP 046-

654-001 CSAH 54 Grading and Bridge Replacement to Brunz Construction Company of Madison Lake, MN, in the amount of \$1,693,773.52; and authorize the Board Chair and appropriate staff (County Engineer, Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman noted bid letting for SAP 046-599-077 Waverly Township Bridge Replacement was held May 3, 2019, at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN. Peyman went on to note the Engineer’s Estimate for the project was \$294,005.15 and we had two bidders with Mathiowetz Construction as the low bidder at \$313,729.00. Peyman recommends award of the contract to the low bidder.

**MCHD  
Project Bid Summary**

Project Name: Grading & Bridge Replacement

Waverly Twp

Contract No.: 9977

Client: Martin County Highway Dept

Project No.: SAP 046-599-077

Bid Opening: 05/03/2019 10:00 AM

Owner: Martin County

| Vendor No. | Business Name            | Total Bid Amount | Percent Over/Under Estimate |
|------------|--------------------------|------------------|-----------------------------|
|            | Engineers Estimate       | \$294,005.15     |                             |
| 1201       | Mathiowetz Construction  | \$313,729.00     | 6.71% OVER ESTIMATE         |
| 1246       | Midwest Contracting, LLC | \$322,115.00     | 9.56% OVER ESTIMATE         |

Motion by Commissioner Belgard, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids and upon receiving bids for SAP 046-599-077 Waverly Township Bridge Replacement, and upon the recommendation of the county engineer, hereby approve and award the low bid for SAP 046-599-077 Waverly Township Bridge Replacement to Mathiowetz Construction of Sleepy Eye, MN, in the amount of \$313,729.00; and authorize the Board Chair and appropriate staff (County Engineer, Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman noted that bid letting for C.P. 19:10 Supplying Bituminous Material (Sealcoat Oil) was held May 3, 2019, at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN, and that three bids were received. Peyman recommends low bid award based on lowest constant to Jebro, Inc.

**Bid Results**

C.P. 19:10

Supplying of Bituminous Material for Sealcoating

Letting on May 3, 2019 – 10:00 a.m.

Martin County Highway Department

Fairmont, MN 56031

507-235-3347

BIDDER

|                       | <u>Qty</u> | <u>Description</u>    | <u>Unit Price</u> | <u>Amount</u> |
|-----------------------|------------|-----------------------|-------------------|---------------|
| Flint Hills Resources | 675        | CRS 2P Liquid Asphalt | 506.40            | \$341,820.00  |
|                       |            | Total                 |                   | \$341,820.00  |

|            | <u>Qty</u> | <u>Description</u>    | <u>Unit Price</u> | <u>Amount</u> |
|------------|------------|-----------------------|-------------------|---------------|
| H.G. Meigs | 675        | CRS 2P Liquid Asphalt | 509.99            | \$344,243.25  |
|            |            | Total                 |                   | \$344,243.25  |

|             | <u>Qty</u> | <u>Description</u>    | <u>Unit Price</u> | <u>Amount</u> |
|-------------|------------|-----------------------|-------------------|---------------|
| Jebro, Inc. | 675        | CRS 2P Liquid Asphalt | 498.25            | \$336,318.75* |
|             |            | Total                 |                   | \$336,318.75  |

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids and upon receiving bids for C.P. 19:10, and upon the recommendation of the county engineer, hereby approve and award the low bid for Supplying Bituminous Material for Sealcoating to Jebro, Inc. in the amount of \$336,318.75; and to authorize the Board Chair and appropriate staff (County Engineer, Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman noted that bid letting for C.P. 19:11 Supplying Gasoline and Diesel Fuel was held May 3, 2019, at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN, and that two bids were received. Peyman recommends low bid award based on the lowest constant to NuWay Cooperative.

Bid Results

C.P. 19:11  
 Supplying Gas & Diesel  
 Letting on May 3, 2019 – 10:00 a.m.  
 Martin County Highway Department  
 Fairmont, MN 56031  
 507-235-3347

NuWay Cooperative, Trimont, MN

| <u>Product</u>            | <u>Quantity</u> | <u>Unit Price</u> | <u>Constant</u> | <u>Amount</u> |
|---------------------------|-----------------|-------------------|-----------------|---------------|
| Diesel to Fairmont Shop   | 50,000          | \$2.31            | \$0.052         | \$115,500.00  |
| Diesel to Dunnell Shop    | 7,500           | \$2.52            | \$0.254         | \$ 18,900.00  |
| Diesel to Trimont Shop    | 7,500           | \$2.52            | \$0.254         | \$ 18,900.00  |
| Gasoline to Fairmont Shop | 45,000          | \$2.35            | \$0.052         | \$105,750.00  |
|                           |                 | TOTAL             | \$8,750.00      | \$259,050.00  |

Central Farm Services, Truman, MN

| <u>Product</u>            | <u>Quantity</u> | <u>Unit Price</u> | <u>Constant</u> | <u>Amount</u>       |
|---------------------------|-----------------|-------------------|-----------------|---------------------|
| Diesel to Fairmont Shop   | 50,000          | \$2.3472          | \$0.06          | \$117,360.00        |
| Diesel to Dunnell Shop    | 7,500           | \$2.5372          | \$0.25          | \$ 19,029.00        |
| Diesel to Trimont Shop    | 7,500           | \$2.5372          | \$0.25          | \$ 19,029.00        |
| Gasoline to Fairmont Shop | 45,000          | \$2.4025          | <u>\$0.06</u>   | <u>\$108,112.50</u> |
|                           |                 | TOTAL             | \$9,450.00      | \$263,530.50        |

\*All Bid prices set on April 29<sup>th</sup> @ 10:00 a.m. The constant (margin/freight) is set with the bid and stays the same all year as fuel prices fluctuate up or down.

Motion by Commissioner Mahoney, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids and upon receiving bids for C.P. 19:11, and upon the recommendation of the county engineer, hereby approve and award the low bid for Supplying Gasoline and Diesel Fuel to NuWay Cooperative of Trimont, MN, in the amount of \$259,050.00; and to authorize the Board Chair and appropriate staff (County Engineer, Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman noted the Board authorized the recruitment of a Maintenance Crew Foreman position for the Martin County Highway Department. Internal applications were called for and three people applied. Peyman recommends the promotion and hire of Curtis Holland to the Maintenance Crew Foreman position effective May 12, 2019. Peyman noted Holland has been a Highway Technician/Maintenance Worker for approximately three and one-half years.

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Engineer, hereby approve the promotion and hire of Curtis Holland as Maintenance Crew Foreman for the Martin County Highway Department at Grade 14 Step 3 at \$26.06/hour effective May 12, 2019; and is eligible for benefits per Highway Supervisors Union Contract as it applies to this position. Carried unanimously.

Peyman recommends advertising (internally) to fill the open Highway Technician/Maintenance Worker position.

Motion by Commissioner Flohrs, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize advertising for recruitment of a Highway Technician/Maintenance Worker position for the Martin County Highway Department. Carried unanimously.

Peyman presented a brief Highway Department Update including interviews will be conducted tomorrow to fill the Heavy Equipment Operator (out of the Dunnell Shop) position; and current condition of the County's gravel roads.

Mike Sheplee, Assessor, was present to recommend advertising for recruitment to fill an open Appraiser position in the Martin County Assessor's Office. Sheplee noted the promotion of

Laura Odgren to Deputy Assessor leaves an open Appraiser position and that due to the workload in the Assessor's Office that it has been determined to fill the vacant position. Sheplee noted the Personnel Committee has reviewed this request and recommends approval to fill the vacancy.

Commissioner Mahoney stated a concern on the recruitment request to fill an Appraiser position.

After discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Martin County Assessor and Personnel Committee, hereby approve and authorize advertising for recruitment of an Appraiser for the Martin County Assessor's Office. Those voting in favor: Commissioners Koons, Belgard, Flohrs, and Smith. Those voting against: Commissioner Mahoney. Motion carries.

Sheplee, along with Adria Mosloski, Jessica Korte, Norma Padgett, Laura Odgren, Diane Sanders, Pam Flitter, and Wendy Chirpich, provided a presentation on the recent Kaizen Event held on February 6, 2019. Sheplee noted the purpose of the structured process improvement event was to gather staff from various departments to review the County's processes related to land splits, subdividing process, and eCRV process flow including Kaizen goals of 1) *Reduce* the length of time it takes to complete a land split process in Martin County government, 2) *Improve* accuracy within the land split process, 3) *Increase* the flow of the land split process by identifying, reducing and improving the wait times that occur in the current process, 4) *Improve* the understanding among Kaizen team members of their work in the land split process, and 5) *Improve* both the service to the general public and their impression of Martin County government through a new more efficient land split process. Sheplee went on to note many of the items that were identified as needing improvement have been implemented and are working great. In the Assessor's Office on processing an eCRV on a split we've gone from waiting weeks or a month or more waiting for things to be done so we can process that to same day.

Flitter noted as a result of the Kaizen event addressing the process of land splits, it is recommended the Board consider and approve a resolution assuming the authority to enforce the parcel transfer and division restrictions of Minn. Stat. §272.162. Flitter also noted the practices and procedures that are laid out in this resolution we're already doing.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard,

R-#25/'19

## RESOLUTION

ASSUMING THE AUTHORITY TO ENFORCE THE  
PARCEL TRANSFER AND DIVISION RESTRICTIONS OF  
MINN. STAT. §272.162

WHEREAS, Minnesota Statute §272.162 specifies the conditions when a local government may restrict parcel transfers or land divisions; and

WHEREAS, the 90<sup>th</sup> Legislature adopted Chapter 1 in the 2017 First Special Session, amending Minn. Stat. §272.162; and

WHEREAS, the amended Minn. Stat. §272.162 authorizes a county to review a deed or other instrument conveying a parcel of land for transfer or division before it's recorded, ensuring conformity with the county's land use regulations; and

WHEREAS, a county's review of a proposed land transfer or division will protect land owners from problems arising from property splits not compliant with zoning regulations or inaccurate parcel descriptions; and

WHEREAS, a county must choose to assume the authority to review deeds or other instruments conveying parcels of land for transfer or division.

NOW, THEREFORE, BE IT RESOLVED, the restrictions of Minn. Stat. §272.162 shall apply to property within Martin County's boundaries, specifically, the County Auditor shall not transfer or divide the land in the official records and shall not certify the deed or other instrument of conveyance as provided in Minn. Stat. §272.12, if:

- a. The land conveyed is less than a whole parcel of land as charged in the tax limits;
- b. The part of land conveyed appears within the area of application of municipal or county subdivision regulations adopted and filed under Minn. Stat. §394.35 or 462.36; and
- c. The part conveyed is part of or constitutes a subdivision as defined in Minn. Stat. §462.352, Subdivision 12; and

BE IT FURTHER RESOLVED, the county auditor may transfer or divide the land if its deed or instrument contains a certification by the clerk of the municipality or designated county planning official:

- a. That the municipality's or county's subdivision regulations do not apply;
- b. That the subdivision has been approved by the governing body of the municipality or county; or
- c. That the restrictions on the division of taxes and filing and recording have been waived by resolution of the governing body of the municipality or county in the particular case because compliance would create an unnecessary hardship and failure to comply would not interfere with the purpose of the regulations.

Upon this motion made by Commissioner Flohrs, seconded by Commissioner Belgard, resolution duly passed and adopted this 7<sup>th</sup> day of May, 2019.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Kathy Smith, Board Chair

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

Roll Call AYES: Commissioners Mahoney, Koons, Belgard, Flohrs, and Smith. NAYS: None. Resolution duly passed and adopted this 7<sup>th</sup> day of May, 2019.

Sheplee presented an overview of the 2018 Property Tax Services Report. This third publication of the report includes comparisons to previous reports. County items reviewed included PRISM Submissions, County Board of Appeal and Equalization Submissions, Tax Calculation Certification, Quintile Reassessment, Assessor Staffing Levels (Parcels/Assessor), Sales Verification, eCRV Buyer Submission to County Acceptance, and eCRV County Acceptance to County Finalization.

Rich Perrine, WCA Water Plan Coordinator with Martin SWCD, provided an information update including the Partners Report 2018 – Martin County Water Plan (Martin SWCD Plan); Letter from the Martin County Water Plan Advisory Committee Recommendations to the Martin County Drainage Authority; and Highlights of the 2018 Partners Report – Martin County Water Plan (Martin SWCD Plan).

The Board thanked Perrine for his dedication and work for 22 plus years of service to Martin SWCD and wished him well in his retirement.

Higgins noted per the County Board’s request, the County Attorney has formulated a proposed lease agreement between Martin County and the Martin County Fair, Inc., for office space for the Extension/4-H Program. Higgins presented and reviewed a revised lease agreement with proposed monthly lease amount of \$500/month (\$6,000 annually), and estimated cost for a 10Meg circuit and internet services and phone charges from the courthouse at \$595/month for three years contract or \$463/month for a five year contract.

Steve McDonald, MIS Director, reviewed a proposed bundle from Frontier for the 10Meg circuit and internet services and phone charges from the courthouse to the proposed Extension/4-H Office space and recommends an Ethernet Internet Line (EIA) at \$463.00/month for a five year contract.

After review and discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the lease agreement between the Martin County Fair, Inc., and County of Martin for the Extension/4-H Program office for a 5 year lease at \$500.00 per month (\$6,000 annually); along with the stated terms and conditions as presented. Carried unanimously.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize MIS director to move forward with Frontier Bundle Proposal for 10Meg private line from the Martin County

Courthouse to the Martin County Fairgrounds for Ethernet Internet Line at \$463.00/month for a period of five years. Carried unanimously.

Forshee presented his recommendation to appoint Ron Ringquist, Chuck Bowers, and Tom Peterson as viewers for the redetermination of benefits for CD #53.

Motion by Commissioner Flohrs, seconded by Commissioner Mahoney, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, has the authority to redetermine benefits for county drainage systems and hereby appoints Ron Ringquist, Chuck Bowers, and Tom Peterson as Ditch Viewers in the redetermination of the original construction and subsequent improvements to be assessed for CD #53. Carried unanimously.

Commissioner Koons opened discussion on behalf of a constituent and Iowa County Supervisor to update an agreement permitting landowners on CD #53 to get water moved across the road into Iowa (Emmet County, Iowa).

After discussion, it was determined that consideration of updating an agreement with the state of Iowa will be postponed until after the redetermination on CD #53 has been completed.

No action taken on request to revise an Agreement with the state of Iowa and Martin County on CD #53.

The Board reviewed Warrants, Auditor Warrants, and EFT Transactions to be paid May 7, 2019.

Motion by Commissioner Mahoney, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve Warrants, Auditor Warrants, and EFT Transactions to be paid on May 7, 2019, and includes the Martin County Highway Department and Drainage bills as presented. Carried unanimously.

Warrants received and paid May 7, 2019, are registered on file in the Auditor/Treasurer's Office as follows:

|  |                    |
|--|--------------------|
| Revenue Fund – Warrants Approved May 7, 2019 | \$174,659.80       |
| Sheriff's Contingency Fund                   | \$ 39.96           |
| Martin County Economic Development Fund      | \$ 1,511.60        |
| Human Services Fund                          | \$293,898.09       |
| Recorder's Technology Fund                   | \$ 4,750.00        |
| Building – CIP – Fund                        | \$ 1,615.00        |
| Bank Building Fund                           | \$ 1,659.67        |
| Refunding Fund                               | \$ 1,366.00        |
| Taxes and Penalties Even Years               | <u>\$ 2,126.00</u> |
| Total  | \$481,626.12       |
| Road and Bridge Funds Totaled                | \$ 68,450.26       |
| Martin County Ditch Funds Totaled            | \$ 97,155.93       |

The Board reviewed reports and announcements including District 7 Spring Meeting to be held on Wednesday – June 5, 2019, in St. James, Minnesota; Thank You Letter received from the Southern Minnesota Initiative Foundation; and the CY2020 Budget Packet.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: April 17, 2019 – Human Services, F-M Joint County Transit Board meeting, Park Board meeting; April 18, 2019 – Traverse des Sioux Library meeting, Personnel Committee meeting; April 23, 2019 – Hazard Mitigation Planning meeting; April 26, 2019 – special Prairieland meeting; April 29, 2019 – Workforce meeting in Redwood Falls, Minnesota; May 1, 2019 – Personnel Committee meeting; May 2, 2019 – Southern Minnesota Initiative Foundation Sprout Event; May 6, 2019 – regular Martin County EDA meeting at 5:15 p.m., Commissioners Belgard and Mahoney went to Prairieland to look at the new shredder; May 8, 2019 – Human Services Executive Board meeting, Department Directors meeting at 8:30 a.m., Childcare meeting at 11:30 a.m., MnDOT Transportation meeting in North Mankato, Minnesota, and Region Nine meeting in North Mankato, Minnesota; May 9, 2019 – Soil and Water meeting, Building Committee Commissioners and Coordinator meeting with City Hall regarding proposed Lake Avenue Reconstruction at 2:30 p.m. and Lake Avenue Reconstruction open house at City Hall from 5-7 p.m.; F-M Joint County Transit Executive Board meeting at 8:00 a.m., Transportation Advisory Committee meeting at 10:00 a.m. in Mankato, Minnesota, GBERBA meeting, and retirement open house for Rich Perrine from 1:00 to 3:00 p.m. at Martin SWCD offices; May 14, 2019 – Library Board meeting, Park Board meeting at Cedar-Hanson Park, Human Services open house at Upward Bound, and One Watershed One Plan meeting; May 16, 2019 – Renaissance Roofing inspection of courthouse dome; May 17, 2019 – Prairieland meeting and SHIP meeting from 11 a.m. to 1 p.m.; May 20, 2019 – MVAC meeting, end of legislative session; May 21, 2019 – next regular Board of Commissioners meeting at 9:00 a.m. – Commissioners Meeting Room – Martin County Courthouse, Public Service Week Employee Appreciation Lunch 11:30 a.m. to 1:00 p.m. – Courthouse (lakeside).

With no further business to wit,

Motion by Commissioner Koons, seconded by Commissioner Belgard, to adjourn the meeting. Carried unanimously.

Meeting adjourned at 11:50 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Kathy Smith, Board Chair

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