

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 4, 2020
@ 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 Steve Flohrs via WebEx (videoconferencing due to the COVID-19 Virus pandemic). Commissioners present via WebEx were Belgard and Flohrs. Commissioners Smith and Koons were present in the Commissioners Meeting Room. Commissioner District #2 is vacant. Also present were Scott Higgins, Martin County Coordinator, Terry Viesselman, County Attorney, Jessica Korte, Martin County Auditor/Treasurer, Jason Sorensen, Sentinel Newspaper, Rod Halvorsen, City of Lakes Media, Julie Walters, Administrative Assistant, and members of staff.

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 August 4, 2020 regular Board of Commissioners meeting with the following: Delete 9.6 Presentation of CY2019 Martin County EDA Annual Report, and 8.1 Consider Citizen Appointment to the EDA Commission. Roll Call AYES: Commissioners Smith, Belgard, and Flohrs. NAYS: None. Motion Carries.

Motion by Commissioner Smith, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the July 7, 2020 regular Board of Commissioners meeting. Roll Call AYES: Commissioners Belgard, Smith, and Flohrs. NAYS: None. Motion carries.

Commissioner Koons arrived at the meeting at 9:06 a.m.

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the July 21, 2020 regular Board of Commissioners meeting. Roll Call AYES: Commissioners Koons, Smith, Belgard, and Flohrs. NAYS: None. Motion carries.

Abigail Nesbit, Emergency Management Director, was present via WebEx and provided a COVID-19 pandemic update noting Martin County's current numbers as of August 3, 2020 are 204 total confirmed cases with 9 active cases all recovering at home. Nesbit went on to note that she has submitted COVID-19 expenses to the Federal Emergency Management Agency (FEMA) for the Courthouse, Sheriff's Office, and the City of Trimont Police Department, and is currently working with Martin County West for submission of their expenses as well. Nesbit also noted the reimbursement share for FEMA is 75 percent/25 percent which means that 25 percent of the total amount will be paid locally and then 75 percent will be reimbursed from FEMA if the expenses submitted are so approved.

John McDonald, Sentencing to Service Crew Leader, was present to provide an update and review of the DOC Work Service Summary (STS) Report for Second Quarter 2020.

Terry Viesselman, County Attorney, was present via WebEx and noted he had nothing new to report on the status of the Home Rehabilitation County Loan for Parcel No. R06.050.0230 (Berkness property).

Viesselman noted the County Attorney's Office received a resignation notice from Assistant County Attorney Adam Hinz, effective August 14, 2020. Viesselman recommends acceptance of the Hinz resignation and requests approval to fill the vacancy.

Motion by Commissioner Koons, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Adam Hinz, Assistant County Attorney, effective August 14, 2020. Roll Call AYES: Commissioners Belgard, Smith, Koons, and Flohrs. NAYS: None. Motion carries.

Motion by Commissioner Belgard, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize recruitment to fill an Assistant County Attorney vacancy. Roll Call AYES: Commissioners Smith, Koons, Belgard, and Flohrs. NAYS: None. Motion carries.

Nesbit presented and reviewed a resolution in consideration of Adopting the Martin County Multi-Jurisdictional Hazard Mitigation Plan noting the Plan expired in 2018 and she has spent all of 2019 assisting and writing the new Plan. The Plan, to protect the health, safety, and welfare of the residents of Martin County, was submitted to the state and FEMA approved it and sent it back to the County and small cities for adoption. Nesbit recommends adoption of the Martin County Multi-Jurisdictional Hazard Mitigation Plan.

Motion by Commissioner Belgard, seconded by Commissioner Smith,

R-#54/'20

County of Martin

RESOLUTION ADOPTING THE MARTIN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, the County of Martin has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the State of Minnesota and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risks; and

WHEREAS, the Minnesota Homeland Security and Emergency Management provided federal mitigation funds to support development of the mitigation plan; and

WHEREAS, a *Martin County Multi-Jurisdictional Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee; and

WHEREAS, FEMA Region V has approved the *Martin County Multi-Jurisdictional Hazard Mitigation Plan*; the purpose of this Plan is to reduce the loss of life and property due to natural disaster; and

WHEREAS, the implementation of the *Martin County Multi-Jurisdictional Hazard Mitigation Plan* will protect the health, safety, and welfare of the residents of the Martin County, as well as, reduce potential damage and shorten the disaster recovery period; and

WHEREAS, the *Martin County Multi-Jurisdictional Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS, the County of Martin conducted a web-based public survey to introduce the planning concept and to solicit questions and comments, and to present the Plan and request comments, as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Martin County Board:

1. The Martin County Multi-Jurisdictional Hazard Mitigation Plan is hereby adopted as an official plan of the County of Martin; minor revisions recommended by the Federal Emergency Management Agency and/or the Minnesota Homeland Security Emergency Management may be incorporated without further action.
2. The County of Martin, as identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to the County of Martin.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the County Board, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Director is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress to the Minnesota Homeland Security and Emergency Management Department.

Certified to be a true and correct copy of a Resolution adopted by the County Board.

Motion by Commissioner Belgard, seconded by Commissioner Smith. Resolution was duly passed and adopted this 4th day of August, 2020.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Flohrs, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Koons, Smith, Belgard, and Flohrs. NAYS: None.
Resolution duly passed and adopted this 4th day of August, 2020.

Kevin Peyman, County Engineer, was present via WebEx and noted we have a 1992 CAT Rubber Tire Roller (Unit #59), and it has a little over 3,800 hours on it. A few weeks ago or a month ago we broke an axle and damaged the shaft and hub when it was out on the road. The problem is it was a CAT machine but CAT had actually bought out another company and they didn't actually make the machine it just had the CAT name on it and after 20 years they quit

supporting parts for it so we could no longer get parts. Peyman went on to note we've been trying for weeks to find used parts to get the machine back running. It seems our only option would be to have somebody make the axle with an estimated cost to repair the unit of \$14,000; but, it just doesn't seem worth it for that old of a machine. We looked more at used machines and found that CAT Ziegler has a used 2002 that came from Kandiyohi County, MN. We did talk to them and understand there were no real issues for them with the machine and that they just wanted a newer one. The machine has a little over 1,420 hours and the price for the used machine is \$28,500. A comparable new model under the state contract would be \$110,000 and this model actually was manufactured by CAT so they are still making parts and their plan is to continue to support it for parts. So, I'm not as worried about having the same problem about not being able to repair this as it is.

Peyman noted the Rubber Tire Roller is one of those machines that when you need it, you need it and it gets used for 3 or 4 weeks out of the year and the rest of the year it sits. We use it a lot for sealcoating primarily and then shoulders and things like that. So it's a machine that isn't as important as other machines that we use every day all year round like a Tandem. I'm more comfortable purchasing an 18 year old machine rather than spending \$110,000 on one that's going to sit for 10 months out of the year until we need it.

Peyman went on to note in its current condition our Unit #59 doesn't have any value and they told us they wouldn't give us anything on trade-in. You need four rubber tire rollers when you sealcoat. We use two and then we use two of Faribault County's and then we send our two to Faribault County when they seal because you need 4 of them going so we share 2 and 2. Our second unit is almost the same as our first one so if this purchase is approved our plan would be because it doesn't have any value and Faribault County has two that are similar to that we would keep our Unit #59 and part it out as we need to and hopefully we could keep our other unit running for a while if we have problems with that one.

Peyman also noted because we didn't anticipate this problem, it is not a budgeted 2020 item. However, every year I put \$10,000 in miscellaneous equipment in our budget just because odds and ends and things come up. So \$10,000 of the \$28,000 would be covered and I'm confident that the rest of my budget can absorb the balance of \$18,000. We'd have to spend \$14,000 on the repair anyway so I think it is a much better way to go than try to spend that much money on a machine that we're going to have trouble repairing going forward. Peyman recommends purchase of used 2002 Rubber Tire Roller from CAT Ziegler in the amount of \$28,500; and for the Martin County Highway Department to keep our old Unit #59.

After discussion,

Motion by Commissioner Koons, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of commissioners, upon the recommendation of the County Highway Engineer, hereby approve and authorize the purchase of a used 2002 CAT Model PS105B Rubber Tire Roller with 1,420 hours from CAT Ziegler in the amount of \$28,500 to be expended from the CY2020 Highway Department Budget. Roll Call AYES: Commissioners Smith, Belgard, Koons, and Flohrs. NAYS: None. Motion carries.

Peyman provided a brief Highway Department Update including progress on the CSAH 52 and CSAH 54 construction projects.

Leigha Johnson, Human Resources Manager, was present via WebEx and noted the Assessor's Office has received a resignation notice from Deputy Assessor Laura Odgren effective Tuesday, August 18, 2020. Johnson recommends acceptance of Odgren's resignation.

Motion by Commissioner Smith, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, hereby approve and accept the resignation of Laura Odgren, Deputy Assessor for the Martin County Assessor's Office, effective August 18, 2020. Roll Call AYES: Commissioners Belgard, Koons, Smith, and Flohrs. NAYS: None. Motion carries.

Johnson presented and reviewed revisions to Martin County's Preparedness Policy related to COVID-19 including updated language regarding Executive Order 20-81 requiring face-coverings indoors and in communal areas.

Motion by Commissioner Koons, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, due to the COVID-19 pandemic and in conjunction with Executive Orders related to the COVID-19 pandemic, and the need for a preparedness plan policy for the implementation of policies and procedures in continuing county operations and meeting the public needs due to the COVID-19 pandemic, and with the county courthouse and its facilities open to provide necessary services to the public, hereby approve the proposed revisions relating to requiring face coverings indoors and in communal areas to Martin County's Preparedness Policy Plan as presented, effective August 4, 2020. Roll Call AYES: Commissioners Belgard, Smith, Koons, and Flohrs. NAYS: None. Motion carries.

Scott Higgins, County Coordinator, was present and reviewed the Contract for Cleaning Services with Voss Cleaning Services for janitorial services at the Courthouse, Security Building, and Human Resource Building, in the amount of \$3,489.00 per month. Higgins noted the County Attorney's Office drafted the Contract for janitorial services with Voss Cleaning Services.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the cleaning services contract in the amount of \$3,489.00 per month with Voss Cleaning Services at the Martin County Courthouse and Law Enforcement Center located at 201 Lake Avenue in Fairmont, MN and the Human Resource Building located at 115 W. First Street in Fairmont, MN effective June 15, 2020 for the duration of one (1) year, with annual automatic renewal thereafter if no changes are to be made. Roll Call AYES: Commissioners Belgard, Smith, Koons, and Flohrs. NAYS: None. Motion carries.

Jessica Korte, Martin County Auditor/Treasurer, along with Higgins, reviewed the preliminary CY2021 budget which is currently at a 7.28% increase from 2020 to 2021 Levy; 2021 Proposed Adds and Cuts; and Capital Improvement Plan (CIP).

Rhonda Allis, Transportation Planning Director with MnDOT District, along with Greg Ous, District Engineer, were present via WebEx and provided an update on District 7's 10-Year District Work Plan including the Statewide Transportation Improvement Program, STIP (next 4 years) and the Capital Highway Investment Plan, CHIP (Years 5-10) which are updated annually. Allis reviewed maps of District 7 2020 construction season projects, new projects entering in the STIP, upcoming programmed projects, 2021-2024 Area Transportation Improvement Program Changes including Highway 263 and Highway 4 in Martin County, District 7 CHIP planned projects, and 10-year work plan next steps.

Much discussion ensued regarding MnDOT's push back of the Highway 263 and Highway 4 projects.

Commissioner Koons noted when you talked about going around looking at other pavement conditions around the state I can't see that there's too many that are in worse shape than Highway 263 or Highway 4. So how is it that they keep falling through the cracks? This Highway 263 project has been pushed back about 7 years now. I travel the state quite extensively and this Highway 263 project that is now pushed out another 2 years they don't come much worse than that road. Highway 4 from Sherburn north they don't come much worse than the condition of that and you talk about how funds get moved around based on the condition of the pavement...I don't see a whole lot of other roads that are in worse shape than these two in the state.

Allis noted it is definitely unfortunate that the Highway 263 project had to be pushed out yet another year. I know that project has been in the process of being developed for quite some time. I think it is definitely a benefit to the County and a benefit to the district that we're able to access those Central Office Turn Back Funds otherwise all of the dollars that would go toward that project would have to be covered by the district which would just take away from our ability to use those dollars somewhere else. But that did require us to have to push it out a year, you're exactly right. I do know our maintenance staff has said that their primary focus is in Martin County, they are looking at a lot of patching and maintenance work on I-90 west of Fairmont; but Highway 263 and Highway 4 especially north of Sherburn are definitely on their radar for maintenance work this summer so we're going to continue to do what we can to make them as passable as possible. We know that we have more need across the state, not just in our district, but across the state than we have funds for and so until we have funding infused into our program that allows us to get out there and take care of more of these pavements we have to prioritize which ones are going to be done sooner and a lot of that often times we're held to our performance measures which really puts a lot of emphasis on the Interstate system and on our national highway system because a lot of our funds do come from our federal program and that's where they want to see those dollars used. In the case of both of the roadways that you mentioned Highway 263 and Highway 4 are not on either one of those systems, so they immediately become a little bit lower priority from a funding standpoint. But then we also take a look at things like traffic volumes on the roadways and you're going to find that a lot of those, especially what we call our 200 series roadways, and we just had two of them turned back in Faribault County (253 and 254) but the volumes are low enough on those roadways that when we have to make a decision to see where to place the dollars we're going to take a look at a Highway 22 or roadways that have more traffic on them. So there are a number of things that we look at

from a prioritization standpoint. But, we are definitely aware of the fact that we just do not have the resources available to deal with all of the issues that exist within our district right now.

Peyman noted obviously we all share the frustration of those projects getting pushed back again and sometimes we have to do it on our own roads. We don't always agree with the decisions MnDOT makes but I do feel that we have a real good relationship with MnDOT and when those issues come up I don't have a problem calling Greg (Ous) or Lisa (Bigham) or Rhonda (Allis) to help get the answer and express whatever we need. So I think we have a good working relationship with MnDOT so like Rhonda (Allis) said don't be afraid to reach out to her or me and I'll go through MnDOT. I do feel they'll listen to our concerns. Obviously they can't always do what we want but we have a good relationship and I appreciate that and am confident that will continue.

The Board reviewed Warrants, Auditor Warrants, and EFT Transactions to be paid August 4, 2020.

Motion by Commissioner Koons, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve Warrants, Auditor Warrants, and EFT Transactions to be paid on August 4, 2020, and includes the Highway Department bills and Drainage bills as presented. Roll Call AYES: Commissioners Belgard, Smith, Koons, and Flohrs. NAYS: None. Motion carries.

Warrants received and paid August 4, 2020, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved August 4, 2020	\$190,906.19
Solid Waste Management Fund	\$ 10,880.60
Human Services Fund	\$302,451.17
Recorder's Technology Fund	\$ 550.86
Ind. Sewage Treatment Systems Loan Fund	\$ 16,044.91
Building-CIP-Fund	\$236,427.18
Human Services Building Fund	<u>\$ 894.64</u>
Total	\$758,155.55

Road and Bridge Funds Totaled	\$305,534.74
Martin County Ditch Funds Totaled	\$ 74,359.59

Higgins presented and reviewed a draft copy of the Martin County Board of Commissioners Operating Rules & Guidelines to be considered at the next meeting. Higgins noted the Personnel Committee has worked on this guide for the Board and public outlining county commissioner protocols while serving in office including County Board Organization, County Board Meetings, Conduct of Debate, Types of Board Action, County Board Agenda, Advisory Committees, Code of Ethics, Citizens, and Staff Roles.

Commissioner Smith noted the Personnel Committee felt the Martin County Board of Commissioners Operating Rules and Guidelines will be helpful in the future for our new Board members.

Chairman Flohrs noted most counties have something like this and I think it is important that we consider for adoption.

Johnson presented renewal information for the following ancillary benefits including: Sun Life Insurance monthly rates remain unchanged for 2021 at \$.184 per month per \$1000 and the basic AD&D benefit will remain unchanged at \$.018 per month per \$1000, the Child/Dependent life will remain unchanged at \$1.15 per month per unit, and the optional employee and spouse life and AD&D rates will remain unchanged for 2021; Voluntary Vision Insurance through VSP rates remain unchanged for 2021; Long Term Disability through The Hartford rates remain unchanged for 2021; and Long Term Care through UNUM rates remain unchanged for 2021. Johnson noted there is a proposed 4% increase for Dental Insurance through Dearborn. However, we are going out for bid for the Voluntary Dental to look at other options.

The Board recessed at 10:57 a.m.

The Board reconvened at 11:00 a.m.

Chairman Flohrs opened the public hearing for Consideration of Final Acceptance of Contract on Improvement of JD #51 with Koehl Excavating, LLC.

Mike Forstner, Drainage Administrator, was present and noted no landowners were present in the Commissioners Meeting Room or via WebEx videoconferencing.

Chuck Brandel, Engineer with ISG, was present via WebEx and noted the JD #51 project was approved for construction back in 2015. It is a 1,500 acre watershed. We improved a portion of JD #51. The original estimate was \$1.3 million. We were getting very favorable bids back in 2016 and the Koehl bid did come in about \$300,000 low. We did have a few change orders primarily with the pond and some sloughing on the ponds that we didn't expect. So our total final contract was \$1,143,980.58. Most of the construction was done in 2016 and completed in 2017. We were holding a large chunk of money for a piece of pipe that had a lot of sediment in it and we thought that we lost 4 inches of capacity however found that it was actually functioning very close to the original capacity. So we are proposing to accept the contract and close this project out. By statute this actually would start the warranty period at this point. We've included in our report an abandonment map including the Mainline and portions of Branch B to be abandoned. As we accept the project the Kroon pond and the Becker pond will be accepted into the project. Brandel went on to note I did talk to Lonny Becker today he did say that he couldn't make the hearing but he did say that he wanted to let me know that the system is working well on his property. He said the last two years there has been a huge improvement to his property and he said he didn't have any issues with the pond. Brandel also noted unless there are comments that we haven't received my recommendation is to accept the Project and close out the contract. In doing so there would be a final payment of \$57,199.03. I'm not sure if Martin County Drainage has paid damages yet but we do have the damages included for 8 acres of permanent damages and 62.3 acres of temporary damages. So, again, we're recommending acceptance of the contract and close out of the project. If there were landowner comments we need to address those and make sure we have those covered before we accept the project.

Chairman Flohrs opened the hearing for public comment. There was none.

Forstner noted no landowner comments have been received.

Commissioner Belgard noted I had one or two landowners that were concerned about the Kroon pond adjacent to the township road and if additional riprapping was done.

Brandel noted we did have some sloughing occurring there and we did add some additional riprap to stabilize the area.

With no public comment,

Motion by Commissioner Belgard, seconded by Commissioner Koons, to close the public portion of the hearing. Roll Call AYES: Commissioners Smith, Koons, Belgard, and Flohrs. NAYS: None. Motion Carries.

After consideration of the final acceptance of the Improvement to JD #51,

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, and based on the recommendation and final acceptance of the JD #51 Improvement Project from Chuck Brandel, Engineer with ISG, hereby approve the close out and final contract payment for the JD #51 Improvement with Koehl Excavating, LLC from Hancock, MN in the amount of \$57,199.03. Roll Call AYES: Commissioners Koons, Smith, Belgard, and Flohrs. NAYS: None. Motion carries.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: July 21, 2020 – regular Board of Commissioners meeting at 9:00 a.m., Ditch Hearings at 2:00 p.m. and 3:00 p.m. in Blue Earth, MN; July 22, 2020 – Martin County Veterans Memorial Committee-Dedication meeting and Personnel Committee meeting at 10:30 a.m.; July 23, 2020 – Budget meeting at 10:00 a.m., South Central EMS meeting in Eagle Lake, MN at 1:00 p.m.; July 24, 2020 – Personnel Committee meeting at 10:00 a.m. and Department Directors meeting at 2:30 p.m.; July 27, 2020 – Rural Minnesota Energy Board meeting, Martin County Veterans Memorial Committee meeting, and Kinship of Martin County meeting; July 28, 2020 – Human Services meeting, F-M Joint County Transit Full Board Meeting, Planning and Zoning meeting at 5:30 p.m.; July 29, 2020 – Martin County Veterans Memorial Committee-Dedication meeting, south Central Multi-County HRA virtual meeting; July 30, 2020 – Martin County Veterans Memorial Committee-Dedication meeting; July 31, 2020 – Martin County Veterans Memorial Committee-Dedication set-up, VIP Reception at Gomsrud Park in Fairmont, MN; August 1, 2020 - Dedication of the Bell Cobra Helicopter; August 3, 2020 – Martin County EDA Commission meeting at 5:15 p.m.; August 4, 2020 – regular Board of Commissioners meeting – Commissioners Meeting Room – Martin County Courthouse; August 5, 2020 – Martin County Veterans Memorial Committee meeting; August 7, 2020 – F-M Joint County Transit Executive Board meeting (Belgard may attend the meeting virtually); August 11, 2020 – Human Services Executive Board meeting at 8:30 a.m. (Commissioner Koons will try and make this meeting) and Library Board meeting in the afternoon; August 14, 2020 – Prairieland meeting; August 18, 2020 – next regular Board of Commissioners meeting at 9:00 a.m. – Commissioners Meeting Room – Martin County Courthouse.

With no further business to wit, Motion by Commissioner Koons, seconded by Commissioner Smith, to adjourn the meeting. Meeting adjourned at 11:16 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Flohrs, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator