

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 17, 2023
@ 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 Richard Koons. Commissioners present were Bleess, Belgard, Flohrs, Smith, and Koons. Also present were Scott Higgins, Martin County Coordinator, Taylor McGowan, County Attorney, Michael Forstner, Auditor/Treasurer, Leigha Johnson, Human Resources Director, Brooke Wohlrabe, 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 Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the January 17, 2023 regular Board of Commissioners meeting with the following addition: 9.8.5 Consider Hire of Circulation Tech at the Martin County Library. Carried unanimously.

Motion by Commissioner Smith, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes from the January 3, 2023 regular Board of Commissioners meeting. Carried unanimously.

Jen Kahler and Katy Gonzalez, Directors with Kinship of Martin County, along with new director Courtney Logwood, were present and provided a 2022 program update including serving 66 matches throughout the year; currently have 18 kids waiting for a mentor with only 4 waiting longer than 1 year; 28% of the mentees currently matched in the program are outside of Fairmont; 45% of the waiting list mentees are outside of Fairmont; and reviewed focus areas and Program Goals for 2023 including: Targeted Growth Attainment for Mentors Outside of Fairmont, Mentor Recruitment Ambassador Program, Consistent Family Engagement, and Kinship of Martin County Board Development.

The Board thanked the Kinship of Martin County directors for the good work they do and the continued success of the Program.

Scott Higgins, Martin County Coordinator, was present and noted citizen (re)appointment information has not yet been received for the Water Plan Advisory Committee or the Martin County Parks/Trail Committee.

Ashley Brenke, District Director Martin SWCD, along with Pam Flitter, Planning and Zoning Director, and Wendy Chirpich, Planning and Zoning Technician, were present to review and request approval of the Natural Resources Block Grant (NRBG) 2022 Year-end financial reports.

Brenke noted the NRBG is a grant the County receives annually from the Minnesota Board of Water and Soil Resources. This grant provides funding from the state for programs such as Septic Implementations, Septic Upgrades, Shoreland, Water Plan Advisory, and the Wetland Conservation Act. Brenke went on to note we at the Soil and Water Conservation District

implement the Water Plan and the Wetland Conservation Act on behalf of the County and we are accountable to the state for how we spend these funds. As part of that process, we complete final financial reports when we close out these grants which states that we have all the records that are necessary, we believe that these records are complete and subject to an audit, and that we spent all the funds: Local Water Management Plan - \$13,697.00, Septic Treatment Systems - \$18,600.00, Shoreland - \$3,024.00, Wetland Conservation Act - \$8,778.00, and the 2020 Septic Treatment Systems Upgrade - \$20,088.00.

After review and discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Natural Resources Block Grant 2022 Year-end Financial Reports for Local Water Management funds spent in the amount of \$13,697; Septic Treatment Systems funds spent in the amount of \$18,600; Shoreland funds spent in the amount of \$3,024; Wetland Conservation Act funds spent in the amount of \$8,778; and 2020 Septic Systems Upgrade funds spent in the amount of \$20,088. Carried unanimously.

Higgins noted the Board had discussion at the last meeting (January 3, 2023) and determined to set a Public Hearing to consider the Conditional Use Permit request from W. Lorentz & Sons Construction, Inc. (Beverly Schleining, property owner), within Section 25 of Fairmont Township. W. Lorentz & Sons Construction, Inc. is proposing to mine gravel and sand in an "SL-1" Shoreland Special Protection District and in an "A" Agricultural District. The Martin County Zoning Ordinance requires a Conditional Use Permit for any mining operation in an "SL-1" Shoreland Special Protection District and in an "A" Agricultural District. Higgins went on to note the recommended date for holding the public hearing is February 21, 2023 at 10:30 a.m.

Discussion ensued pertaining to staff report information and conditions for the proposed W. Lorentz & Sons Construction, Inc. conditional use permit.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby set a public hearing date and time to consider the Conditional Use Permit request from W. Lorentz & Sons Construction, Inc. within Section 25 of Fairmont Township. Public Hearing will be held on February 21, 2023 beginning at 10:30 a.m. in the Commissioners Meeting Room – Martin County Courthouse. Carried unanimously.

Higgins reviewed and recommends renewal of a retainer agreement for legal services with Rupp, Anderson, Squires, Waldspurger & Mace to provide advice and consultation upon issues relating to zoning matters.

After review and discussion,

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Retainer Agreement with Rupp, Anderson, Squires, Waldspurger & Mace in the amount of

\$5,000 to provide advice and consultation upon issues relating to zoning matters. Carried unanimously.

Michelle Duncan, Martin County Recorder, was present and reported on the Recorder's Compliance Fund, Technology Fund, and Vital Records update per MN Statute 357.182 Subd. 6. Duncan noted the real estate turnaround time for the recording of documents is in compliance. Documents must be recorded and returned to the customer within ten days of the presentation of the document to the Recorder. Currently the Compliance Fund balance is \$184,843.73 and that \$11 from every recorded document goes to the Compliance Fund. Duncan also noted a Compliance Fund Committee meeting is held annually to discuss the current budget estimated to be at \$60,000.

Duncan continued the Recorder's Technology Fund has a balance of \$271,370.75 and that \$10 of every recorded document goes to this fund for the Recorder's use. Duncan noted real estate recordings in 2022 were 3,915 down from 4,861 in 2021.

Duncan next provided a 2022 Vital Records update including: 126 births, 265 deaths, and 97 marriage applications. There were 266 passport books, 25 combination card and book, and 3 passport cards; and revenue of \$10,290.

Motion by Commissioner Bleess, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Recorder's Office CY2022 Year End Update. Carried unanimously.

Mike Sheplee, County Assessor, was present and noted the Assessor's Office has received and accepted two (2) completed Single-Family Housing Tax Abatement Policy applications along with the required \$250 application fee that have met all the requirements of the application. MN Statutes require the County Board hold a public hearing to consider abatement for property taxes to be levied by the County for new construction of single-family homes and recommends setting a public hearing date for Tuesday, February 21, 2023 beginning at 10:00 a.m.

- Jonah Mayo, 207 110th St, Alpha, MN – Parcel No. 09.017.0450 in Jay Township. Estimated total amount of taxes \$13,435.
- Larry and Deb Philipp, 1566 120th Ave, Welcome, MN – Parcel No. 06.024.0350 in Fox Lake Township. Estimated total amount of taxes \$13,435.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby set a public hearing date and time to consider single-family housing tax abatement to Jonah Mayo, Alpha, MN. Public Hearing will be held on Tuesday, February 21, 2023 beginning at 10:00 a.m. in the Commissioners Meeting Room – Martin County Courthouse. Carried unanimously.

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby set a public hearing date and time to consider single-family housing tax abatement to Larry and Deb Philipp, Welcome, MN. Public Hearing will be held on Tuesday, February 21, 2023 beginning at 10:05 a.m. in the Commissioners Meeting Room – Martin County Courthouse. Carried unanimously.

Steve McDonald, MIS Director, was present to review a speaker upgrade option for the Board Room videoconferencing system.

McDonald noted he was directed to look at the possibility of adding a second speaker in the Board Room and contacted VSI the company that installed the current system. McDonald went on to note VSI doesn't recommend putting in a second speaker due to the layout of the room and possibility of feedback and potential echoing and proposed putting speakers on the credenza but with having to run wire that wasn't a viable option either. However, VSI did submit a quote in the amount of \$3,450.00 to install a better pair of speakers on each side of the back monitor that they feel will give more volume and they will replace the amp and equipment down here to get more volume out of it. McDonald also noted the big thing with videoconferencing is a lot of times the problem is on the other end with people's equipment. We can do this upgrade and you're going to get some volume but it's not going to fix the equipment used by people on the other end and the people who aren't speaking directly into their microphone. If we spend the money...you will get some more volume; but, can't guarantee this upgrade will meet all the needs and neither can the company because there are so many different variables that come into play on this.

Discussion ensued pertaining to speaker location(s), people on other end of videoconferencing not speaking directly into or close enough to their microphones, and use of headsets.

Commissioner Smith noted anything that we can do to make this better for us in this room we need to do. If we can turn up our speaker I think it will improve our ability to hear. I don't see any reason not to go through with this so I will make a motion to approve the \$3,450 for an upgrade to our speaker system. And, I would like to add that if it (the upgrade) doesn't work that VSI will keep working toward a solution.

Additional discussion ensued pertaining to possibility of speaker installation on ceiling beam facing towards the commissioner credenza and that VSI should come on site to determine where the additional speakers will be installed; this expense isn't necessary and that the problem is with the people on the other end that aren't speaking into the microphone; every device that people are using have different microphones; why the need for good speakers and amp weren't addressed at the time the original system was installed; and every software package out there for videoconferencing from WebEx to Zoom to Microsoft all handle audio differently.

After further discussion,

Motion by Commissioner Smith, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Martin County MIS Department to purchase the speaker and amp upgrade for Martin County's videoconferencing system in the Commissioners Board Room in the amount of \$3,450.00 from Video Services, Inc.; and that if the upgrade doesn't work that VSI will keep working toward a solution. Carried unanimously.

Leigha Johnson, Human Resources Director, was present and introduced Robert Pavao with CLA Talent Solutions and noted the Personnel Committee has talked with CLA along with Mike Forstner (Auditor/Treasurer). Johnson noted we've had our Finance Director position posted for

a little over a month and haven't gotten a whole lot of attraction for a good healthy pool to be able to make a good hiring decision and recommend engaging with CLA (Talent Solutions) to help us with recruiting for this position.

Pavao was present via videoconferencing and noted Scott (Higgins), Leigha (Johnson) and myself met last week regarding the Finance Manager position with the County and talked through some of the issues that they've been having in finding qualified candidates and we went through our process of how we go about finding candidates and our expertise in this area. Pavao noted he works exclusively with state and local government clients at CLA including municipalities and counties. That's what he specializes in. Pavao went on to note he sent Leigha (Johnson) a proposal along with a scope of work for CLA's services in regards to this potential partnership; and that he was invited today to answer any questions that commissioners may have or try and clarify some things in our proposal.

Higgins inquired if Pavao would highlight the search process proposal.

Pavao noted to help the County find this position you would be hiring CLA Talent Solutions to perform this function. We would work along with the County to determine what the proper job description should be, what the proper profile should be. We'll do significant due diligence on the front end to find out what the hard skills need to be, what the soft skills need to be, and what the personality mix of this person needs to be in working in the current environment. If we do end up partnering with the County then we do a 360 degree view of the position. We get deep into all of those factors and we prepare Critical Success Factors document that allows us to really hone in on what we are going to be recruiting to. Once we do that, my team and I, I have a group of recruiters that work along with me, are going to then attack the market. We're going to look for candidates in the market area working for you now. Maybe not other counties; but, maybe some municipalities, cities, towns, that has what you are looking for.

Pavao continued our goal is to reach out to at least 200-300 people in order to make connections regarding this position. From that 200 or 300 Pavao hopes to be able to speak to about 10% of those folks so 20-25 people that he will have an actual conversation with that will go through all the parameters of the position. We'll go through the compensation, we'll go through the benefits, and then candidates that we feel are a good match we'll then get into more detail and due diligence of a 60-90 minute meeting with the candidate to go through their background, go through their resume, go through all the moves that they have made, and determine why they feel that the County would be a good option for them at this point in their career. Pavao noted once we go through that and we determine that this candidate or group of candidates are good options for the County then we will send candidate profiles and resumes to Leigha (Johnson) for dissemination to whoever needs to be part of those interviews, schedule the interviews, set them up, get the candidates in front of anybody that needs to see them, shepherd them through the process, and then hopefully on the other end have somebody that the County feels good enough about and to make an offer to.

Higgins noted and the fee is 25% of the first-year compensation.

Johnson noted depending on qualifications of the candidate if we were to start them at Step 1, 25% of the first year would be \$19,947 and will be paid in thirds.

Pavao noted that's correct. Payment is in thirds. Pavao went on to note the proposal that was sent and the scope of work sort of take your midpoint between the \$80,000 and \$105,000 or \$106,000 so had we set this fee at \$95,000 first year so it came out to \$23,750 but that's just sort of a placeholder until we have another conversation about where you want to target that salary. You need to keep in mind the fees are fixed for the first two installments. The first installment is when we sign our agreement to partner and the second installment is due when we've schedule at least two candidates for you to meet and that third installment is open dependent upon where the candidate comes in on salary. So, if we do hire below that \$95,000 target then that third installment would be reduced to take into consideration what that salary is times 25%. Pavao also noted we stand behind the work so if for any reason you determine the person is not a good fit or the candidate decides to leave within the first four months we will replace that person for free.

Discussion ensued pertaining to the difficulty of trying to place someone in this position; if the County anticipates using CLA's services moving forward for other positions; and the County's current engagement with David Drown and Associates for review of all current County job descriptions and all duties in the Auditor/Treasurer's Office and if CLA will be duplicating a lot of the work that has already been done.

Pavao noted if you have put together job profiles and job descriptions to this particular position we would maybe take that as a framework. But we would work closely with the Auditor/Treasurer's Office to determine are there things that are not written because a lot of times we see there are implied profile points that are not necessarily written into a job description. So, we would at the end of our discussions, come up with an agreed upon list of things that we would want to cover and then create a specific job profile based on all of those conversations. And as part of the service fee, we do really dig in on the front end to make sure that we're recruiting to the right profile.

Higgins inquired about the title of the job. There was some discussion for the title to be Finance Director. Pavao has noted the title Finance Manager would work for this position.

Pavao noted yes we are going with a Finance Manager for the purposes of the proposal, for the scope of work, and that salary level. If our discussions warrants expanding that to a higher level that's certainly something that can happen during the due diligence portion of this. But for what we're talking about today, this position is a Finance Manager.

After review and discussion,

Motion by Commissioner Belgard, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, hereby accept the CLA Talent Solutions Search Proposal for Martin County Finance Manager; and that CLA's fee is 25% of the total first year cash compensation. Carried unanimously.

Johnson noted the Board Chair and Vice Chair met with all the collective bargaining groups and before you are three of the four bargaining groups contracts for your consideration. Tentative Agreements have been reached with LELS #136 Deputies and Sergeants, Martin County

Highway Supervisors Association, and AFSCME Library #1204-9. Johnson went on to note all three contracts include a three-year renewal for 2023 to 2025 and matching compensation as the County set for non-union at 3% general wage adjustments plus 2% pay matrix recalibration for 2023, and 3% general wage adjustments for 2024 and 2025. Johnson also noted all three contracts also have a provision in there that we will recognize Juneteenth as a holiday if and when the state of Minnesota formally adopts it as a holiday. Johnson reviewed other factors and updates that are not consistent throughout the contracts including:

- LELS #136 Deputies and Sergeants
 - o Update to holiday language – full time employees who work on the recognized holiday will be paid at one and one-half times their regular rate (with the premium rate eligible to be transferred to Comp Balance).
 - o Field Training Officer (FTO) premium pay of \$2.00 per hour to train new personnel.
 - o On Call Pay annual incremental increase 2023 - \$6.00 per hour, 2024 - \$7.00 per hour, and 2025 - \$8.00 per hour.
 - o Worked hours on New Year's Eve starting at 4:00 p.m. to be paid at one and one-half (1.5) times regular hourly wage.
- Martin County Highway Supervisors
 - o Update to Funeral/Bereavement Leave to match non-union policy in regards to covered family members.
 - o Minor language updates for job titles included in the union and points of contact for benefits.
- AFSCME Local Group #1204-9 (Library Employees)
 - o Holiday hours provision to change to part time employees are entitled to paid holiday based on their normal scheduled work hours.

After review,

Motion by Commissioner Belgard, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve the Law Enforcement Labor Services #136 Deputies and Sergeants Union Contract Agreement effective January 1, 2023 through December 31, 2025; the Martin County Highway Supervisors Association Union Contract Agreement effective January 1, 2023 through December 31, 2025; and the AFSCME Library #1204-9 Union Contract Agreement effective January 1, 2023 through December 31, 2025; and authorize Board Chair to sign the respective Union Contract Agreements. Carried unanimously.

Johnson noted interviews have been conducted for the Circulation Technician which is a 25 hour per week job at the Martin County Library and recommends the internal hire of Lori Haugen effective January 23, 2023. Johnson went on to note Haugen's current position as Branch Floater is classified at the same rate as the Circulation Technician. Therefore, Haugen's pay rate will remain the same at a Grade 10 Step 2 at \$22.46 per hour.

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the hire of Lori Haugen

to Circulation Technician at the Martin County Library at 25 hours per week at Grade 20 Step 2 at \$22.46 per hour, effective January 23, 2023. Carried unanimously.

Johnson continued recommending recruitment to fill the Branch Floater vacancy noting one consideration we would like to bring before you is that historically the Branch Floater has been a 12 hour per week job. Through union negotiations there is some concern that we need more hours in that position whether it is two 12-hour people or adding up to 20 hours for the Branch Floater position. Johnson went on to note Jenny (Trushenski) Library Director recommends to increase the Branch Floater to 20 hours per week. This 20 hour per week Branch Floater position would be PERA eligible but with no other benefit eligibility.

Commissioner Smith noted we just felt that staff were not getting enough opportunities to take their PTO due to the fact that we didn't have enough hours for our Branch Floater position. So, this would help alleviate that.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize recruitment to fill a Branch Floater vacancy at the Martin County Library at 20 hours per week. Carried unanimously.

Johnson noted the Personnel Committee has reviewed the proposed wage adjustment for the LELS #136 Deputies and Sergeants, Martin County Highway Supervisors Association, and AFSCME Library 1204-9 collective bargaining group employees and recommends approval of the general wage adjustment of 3.0% for eligible union employees, and a 2.0% recalibration of the 2023 Pay Matrix, and approve step increases for eligible union employees per the Collective Bargaining Agreements and County Compensation/Classification Plan, effective January 1, 2023.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign resolution establishing the CY2023 Wages and Salaries for Collective Bargaining Eligible Employees.

R-#12/'23

RESOLUTION
ESTABLISHING THE CY2023 WAGES AND SALARIES
FOR COLLECTIVE BARGAINING ELIGIBLE EMPLOYEES

WHEREAS, it is the intent of the Board of Commissioners that Martin County bargaining unit employees be compensated fairly and equitably based upon their performance; and,

WHEREAS, the Board established an intent to maintain a competitive compensation schedule for County employees within the County's Classification and Compensation system; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Martin, State of Minnesota, that effective January 1, 2023, the union employees shall receive a

General Wage Adjustment increase of 3.0% subject to the County's Classification and Compensation plan and Collective Bargaining Groups; and,

BE IT FURTHER RESOLVED, that the 2023 Salary Matrix for the Martin County Classification and Compensation Plan shall be recalibrated to include a 2.0% general increase effective January 1, 2023; and,

BE IT FINALLY RESOLVED, that the Martin County Board of Commissioners, hereby approve the general wage adjustment of 3.0% for eligible union employees, and a 2.0% recalibration of the 2023 Pay Matrix and approve step increases (appointed and hired), per the County Compensation/Classification Plan, and eligible LELS #136 Deputies and Sergeants, per union contract, and Highway Supervisors Association, per union contract, and AFSCME Library #1204-9, per union contract, effective January 1, 2023.

Motion by Commissioner Smith, seconded by Commissioner Flohrs, said resolution duly passed and adopted this 17th day of January, 2023.

BOARD OF COMMISSIONERS
MARTIN COUNTY

Richard Koons, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Belgard, Bleess, Flohrs, Smith, and Koons. NAYS: None. Resolution duly passed and adopted this 17th day of January, 2023.

Johnson noted interviews have concluded, the Personnel Committee has met, and recommends the hire of Prosper Richards to Part Time Correctional Deputy in the Martin County Sheriff's Office. Johnson went on to note this hire will be the last Part Time Correctional Deputy position to fill. There are, however, still two more Full Time Correctional Deputy positions to fill. Johnson recommends the hire of Prosper Richards at Grade 12 Step 1 at \$25.56 per hour, effective January 23, 2023.

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Personnel Committee and Human Resources Director, hereby approve and authorize the hire of Prosper Richards to Part Time Correctional Deputy in the Martin County Sheriff's Office at Grade 12 Step 1 at \$25.56 per hour, effective January 23, 2023; and is not eligible for full time benefits. Carried unanimously.

Johnson next presented 2023 wage correction information for Part Time Court Services employee, Patti Mathews. Johnson noted Mathews is approved and placed at a Grade 9 Step 2. The proposed correction is due to past practice that non-union (non-Law Enforcement) part time employees receive step increases after accumulating the equivalency of 2080 worked hours.

Based on calculations, Mathews should have received a Step Increase in December 2021, and if timeline kept moving forward would be eligible for another Step Increase in July of 2023. Johnson went on to note it is the recommendation of the Personnel Committee to place Mathews at a Grade 9 Step 4 (2023) at \$23.36 per hour, and restart her timeline of earning the 2080 hours equivalency as of January 1, 2023; and to put this practice in writing in the policy so it is known and documented.

Commissioner Bleess inquired the target date for getting that done.

Johnson noted we can get it done in the next month or so.

Motion by Commissioner Bleess, seconded by Commissioner Smith, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Personnel Committee, hereby approve the 2023 wage placement correction for Patti Mathews, Part Time Court Services employee, to Grade 9 Step 4 at \$23.36 per hour, effective January 1, 2023. Carried unanimously.

Joshua Schuetz, Martin County EDA CEDA Consultant, was present to review a draft of the Martin County Broadband Grant Program Application. Schuetz noted the Martin County EDA was tasked with developing an application framework for the Martin County Broadband Partnership Program whereby we can grade applicants for a broadband program funded through dollars from the American Rescue Plan Act (ARPA).

Schuetz reviewed a summary of the proposed Martin County Broadband Grant Program including,

- All funded projects must be fiber to the premises
- Applications will be graded by points, with 125 points possible
- Minimum of 100 mbps (megabits per second) download speed and 20 mbps upload speed
- Funding will be disbursed on a reimbursement basis
- Martin County has the right to refuse any application and ask follow-up questions of any applicant
- All applications and disbursements of funds must be approved by the Martin County Board of Commissioners
- Funds awarded in this Program may make up no more than 50 percent of total project cost

Schuetz continued as I said the only project portions that are going to be funded are those that are last mile projects. So, a project may include more components; but, the only parts that will receive County funding are those with last mile components. Once again, we are looking at getting the highest quality broadband possible here and this application is long and complex because we want to make sure that the County gets the best for its dollars. We do have a duplication of benefits policy in here...our understanding that funding originally from the American Rescue Plan Act will be utilized for this. That will prevent any concerns about duplication of federal funds. So, that would mean that a portion of a project funded through this program could not also be funded through a federal program. It is a fairly long application that requires quite a bit of data from companies. It requires proof they are capable of undertaking projects of this magnitude. We don't want any half completes. There will be inspections throughout the process, and all final applications must be approved by our County Board.

Higgins noted the program application is under review at the county attorney's office.

Taylor McGowan, County Attorney, was present and noted as far as the substance of it I don't think there is anything of concern. We received these funds for specific purposes under federal law and broadband access is one of the designated purposes. So, I think it is really our money to use for that and the application process seems very thorough. McGowan went on to note my only concern going through this is obviously in the news there's been a lot of talk about misuse of these types of funds. But, the way that the process is set out and given that it can't fund more than 50% of the project, I think there's a lot of assurances that the grant money will be going to these broadband projects.

Schuetz noted and it was designed with that exact concern in mind and that's part of why we decided to not only doing it on a reimbursement basis, but also so that we have real good evidence that it is again high-quality broadband that there will be no misuse of funds.

Commissioner Smith inquired the definition of last mile.

Schuetz noted last mile means the last part to a particular home or business which is often the most difficult part to fund. So, you might have a situation where there has been a mile built out quite a ways but then the last mile the last could be feet to your house or business wasn't built in. And obviously that's a very frustrating situation for anyone who has ended up in that situation especially people in the outlying areas throughout Minnesota, throughout the country, deal with and that's why we have this emphasis on last mile.

Discussion ensued pertaining to Board allocation of a \$1.5 million fund balance as a result of ARPA funds to be used to establish a Countywide Broadband Grant Program; inclusion of application period dates and initial review dates along with advertisement of the program and application guidelines; and potential of transferring of the Martin County Broadband Partnership Program responsibilities to the Martin County EDA.

Commissioner Smith inquired the timeframe for the County Board to approve the ARPA fund balances.

Higgins noted the Board can allocate and establish those funds at the February 7, 2023 regular Board of Commissioners meeting.

After further discussion,

Motion by Commissioner Bleess, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, having determined the need for access to high speed broadband service for the County residents, businesses, and for economic development purposes throughout Martin County, and having determined the need for County investment in high speed broadband throughout the County, hereby approve the draft of the Martin County Broadband Grant Program application. Carried unanimously.

Steve Chase, Veterans Memorial Volunteer, was present to review the COBRA helicopter annual inspection report noting the required annual inspection was completed on January 6, 2023, by himself and Douglas Landsteiner, Martin County Veterans Service Officer.

US GSA/MN SASP Inspection Report: CT 0022

Date	Deficiency	Issue	Action	Disposition
2020	Security Lighting	Safety	FMT Installed	Abated
2020	Cobra Prominence Sign	Required Info	Install	Abated
2020	Donor Plaques	ID Contributors	Install	Pending
2021	Main Rotor Rotation	Liftoff	Tethered/Shunt	Abated
2021	Dog Tag Ring	Missing Tags	Secure with Key Ring	Abated
2022	Female Military Statue	Inclusion	MC Board Ordered	Pending
2023	Main Rotor Rotation	Liftoff	Engineered Lockout	Pending
2023	Rear Tail Vertical Fin	Paint Scuffed	Touchup Paint	Pending
2023	Recognize MC Dedication Committee	Acknowledgement	MC Discretion	Pending

Chase noted the helicopter's rotor liftoff is one of the main reasons that there should be a meeting to talk about that soon because you'll see in your pictures that the first one (picture) is the gun turret on the front and the cables are loose and they're wrapped around the gun and they are actually starting to rip the front turret off of the helicopter. The second picture is the back cable on the fin assembly and it is loose and rubbing all the paint off and that's going to cause some rust streaks to come down and it saws back and forth and eventually it can saw a hole in that tailfin. So, that's why we do that annual inspection to find out things we need to do to make it better. Chase also reviewed a letter written by Jim Miller, past chairman of the Martin County Veterans Memorial Committee. Chase also introduced Mark Westcott, son of the late Tom Westcott, representing his father's interest in the restored helicopter.

Commissioner Belgard inquired if there was a plan and a recommendation to fix these things.

Chase noted my opinion is there's a mechanical way of locking this out and pull out that hub. You take off the covers and the side, get inside, take the row of bolts off around it and pull that cover off and then get inside to where there's like a planetary gear and secure that in there. This is what I heard from the helicopter experts that do this every day. You're better off to work with somebody to do it right and recommend supervision of your county engineer to see that it's done right. The helicopter is not on the ground so it will take a lift to get up there. I mentioned to work with an engineer to make sure it is done right. This is the second time that they've cabled it and then they have the leaking oil up there too so if we want to have the issue totally disappear you need a professional in there to oversee it.

Higgins noted as the Board is aware it is our obligation to make sure the helicopter is kept up and is in the best condition.

Discussion ensued pertaining to who to contact to fix the helicopter and that the County Coordinator will follow up on the project.

After further discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the COBRA AH-1F helicopter annual inspection report. Carried unanimously.

Higgins presented the AIA Agreement between Martin County and Hallberg Engineering for Commissioning Services for the proposed Martin County Regional Public Safety and Justice Center. Higgins noted the Board had previously approved Request for Proposals for complete mechanical commissioning and B3 requirements for the proposed justice center building project and awarded the low bid to Center for Energy and Environment (CEE) in the amount of \$39,900; however, CEE is unable to fulfill their commissioning and B3 services. Higgins went on to note the Justice Center Planning Committee recommends entering into an agreement with Hallberg Engineering in the amount of \$43,000 (second low bid received) to assist in meeting the requirements of the State of Minnesota B3 guidelines for the proposed Martin County Regional Public Safety and Justice Center.

After review and discussion,

Motion by Commissioner Smith, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign and execute the AIA Agreement with Hallberg Engineering in the amount of \$43,000 to assist in meeting the requirements of State of Minnesota B3 guidelines for the proposed Martin County Regional Public Safety and Justice Center. Carried unanimously.

Higgins noted whenever donations to the County are received, the Board must give its approval of acceptance for these donations. Higgins went on to note the County received the listed donations in 2022 for the following County programs:

- The Martin County Victim Witness Program \$ 400.00
- Martin County Veterans Service Office \$1,467.00

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign resolution Approving and Accepting Donations for CY2022.

R-#11/'23

RESOLUTION APPROVING AND ACCEPTING DONATIONS FOR CY2022

WHEREAS, pursuant to Minnesota Statutes 465.03, the County shall by resolution of the governing body adopted by a two-thirds majority of its members accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor.

WHEREAS, the Martin County Victim Witness Program has received donations from:

Truman Westford Waverly Community Chest \$ 400.00

WHEREAS, the Martin County Veterans Service Office has received donations from:

DAV Chapter 32	\$ 250.00
Bonnie Ask	\$ 5.00
Valero	\$ 612.00
DAV Chapter	\$ 400.00
W. James & Marilyn Rock	<u>\$ 200.00</u>
	\$1,467.00

WHEREAS, the Martin County Victim Witness Program wishes to accept these donations and utilize them to serve victims of general crime; and the Martin County Veterans Service Office wishes to accept these donations and utilize them for the purchase of a veterans service van.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby accepts the listed donations to be used to serve victims of general crime for the Martin County Victim Witness Program; and accepts the listed donations to be used towards the purchase of a veterans service van for the Veterans Service Office.

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, said resolution was duly passed and adopted this 17th day of January, 2023.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Richard Koons, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Smith, Belgard, Bleess, Flohrs, and Koons. NAYS: None. Resolution duly passed and adopted this 17th day of January, 2023.

Lucas Cyphers, Building Maintenance Supervisor, was present and reviewed proposals for south elevator repair at the Human Resource Building.

Cyphers noted as many of you know we have had an ongoing problem with the south elevator at the Human Resource Building. Thyssenkrupp, the contracted maintenance company, has been adding oil to it every six to eight months but we haven't gone any further than that. Cyphers went on to note he recently requested an inspection load test to figure out where the oil is going and it was determined that it is most likely going into the dirt jack hole which is below the car and it was recommended turning the elevator out of service. Cyphers went on to note he requested a bid for repair and a bid for replacement and full upgrade on the car due to the age of the car as the mechanical room parts have been harder to come by especially the electrical parts. Bids were received from TKE and MEI Total Elevator Solutions:

TKE (Thyssenkrupp) – South Elevator Repair Work Order – Hydraulic Cylinder Replacement Modernization Proposal	\$66,093.75 \$78,173.74
MEI Total Elevator Solutions – South Elevator Repair – Parts and labor costs exceeds the percentage to modernize. No Quote. Modernization Proposal	\$76,588.82

Cyphers reviewed bids and recommends the Modernization Proposal with MEI. Cyphers continued the County is responsible for electrical work and making sure there is an active phone line in that mechanical room. Cyphers also noted a change order would be mandated if MEI finds a problem with anything in that jack hole (pit) whether the cylinder is stuck, whether it has been leaking...they would have to exhume all that contaminated soil depending on what they find.

Commissioner Smith noted the Building Committee has not met on this and so they do not have a recommendation. I asked Scott (Higgins) to get this on the agenda because that elevator is very important in that building and needs to get fixed as soon as possible. It is the only elevator that goes to the basement and the only elevator that goes to the mezzanine.

After review and discussion,

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, due to the need for the Human Resource Building south elevator modernization, hereby approve and authorize Board Chair and/or the County's Authorized Representative to sign the Modernization Proposal for the Human Resource Building south Elevator with MEI Total Elevator Solutions in the amount of \$76,588.82. Carried unanimously.

Shane Fett, Drainage Inspector, was present to recommend setting a public hearing date and time for the Preliminary Engineer's Report for the CD #27 Improvement Project. Fett noted possible dates are February 20, 2023; the afternoon of February 21, 2023; or March 1-3, 2023. Fett also noted attendance of the full Board is required.

After discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, having received a petition for an Improvement to CD #27, hereby set a public hearing date and time for the Preliminary Engineer's Report for the CD #27 Improvement Project. Public Hearing will be held on Tuesday, February 21, 2023 at 1:00 p.m. in the Commissioners Meeting Room – Martin County Courthouse. Carried unanimously.

The Board reviewed Warrants, Auditor Warrants, and EFT Transactions to be paid January 17, 2023.

Motion by Commissioner Belgard, 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 January 17, 2023, and includes the Highway Department bills and Drainage bills as presented. Motion carries.

Warrants received and paid January 17, 2023, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved January 17, 2023	\$196,175.52
Road and Bridge Fund	\$ 318.78
Martin County Economic Development Fund	\$ 25,294.52
Solid Waste Management Fund	\$ 68,053.72
Law Library Fund	\$ 18.18
Recorder's Technology Fund	\$ 2,250.00
Building-CIP-Fund	\$356,964.23
Human Service Building Fund	<u>\$ 10,822.68</u>
Total	\$659,897.63

Road and Bridge Funds Totaled	\$134,431.61
Martin County Ditch Funds Totaled	\$181,842.73

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, to move into closed session pursuant to Minnesota Statute 13D.05 Subd. 3(c) (3) – Purchase of Real Property for County Use.

Carried unanimously.

Closed session began at 10:47 a.m.

Present were Commissioners Belgard, Bleess, Koons, Flohrs, and Smith. Also present were Taylor McGowan, County Attorney, Scott Higgins, Martin County Coordinator, and Julie Walters, Administrative Assistant.

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

Board back in open session at 11:09 a.m.

No action as a result of the Purchase of Real Property for County Use closed session.

The Board reviewed Reports and Announcements including: the AMC Legislative Conference will be held February 22-23, 2023 in St. Paul. Commissioners Flohrs, Bleess, Belgard, and Koons will not be attending the conference. Commissioner Smith, and Scott Higgins, Martin County Coordinator will be attending; Board Operations Policies and Procedures Policy; Approved CY2023 Budget Packet; and southern Minnesota Initiative Foundation's 2023 Sprout! Event.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: January 4, 2023 – Human Services Executive Board meeting; January 5, 2023 – AMC Virtual Policy meeting; January 6, 2023 – Prairie Lakes Transit Executive Board meeting, JD #91 M&J Improvement Project Public Hearing at 9:00 a.m., JD #9 M&W Improvement Project Public Hearing at 10:30 a.m.; January 9, 2023 – regular Martin County EDA meeting at 5:15 p.m., Justice Center Planning Committee call with Senator Draheim; January 10, 2023 – Union Negotiations, Personnel Committee meeting, Justice Center Planning Committee Bonding meeting, Library Board meeting; January 11, 2023 – Bureau 14 meeting; January 12, 2023 – Soil and Water Committee meeting, Interview for Auditor/Treasurer’s Office; January 13, 2023 – Prairieland meeting, GBERBA meeting; January 16, 2023 – Martin Luther King Holiday Observed – Courthouse Closed; January 17, 2023 – Building Committee meeting, Martin County Veterans Memorial Committee meeting at 2:00 p.m., Agri-Business meeting; January 18, 2023 – Human Services full board meeting in Fairmont, MN; January 19, 2023 – Traverse des Sioux Library meeting, Des Moines River Watershed One Watershed One Plan meeting; January 23, 2023 – Rural Minnesota Energy Board meeting, Minnesota Valley Action Council meeting, Prairie Lakes Transit 2021 Audit Exit Interview with Amy Thomas; January 24, 2023 – Convention and Visitor’s Bureau meeting; January 25, 2023 – County Government 101 (January 25-27, 2023), South Central Minnesota Multi-County HRA meeting; January 31, 2023 – Navigator Pipeline meeting at the Courthouse; February 1, 2023 – Martin County Veterans Memorial Committee meeting; February 2, 2023 – AMC Futures Committee meeting; February 3, 2023 – Prairie Lakes Transit Executive Board meeting; February 6, 2023 – regular Martin County EDA meeting at 5:15 p.m., Beyond the Yellow Ribbon meeting; February 7, 2023 – next Regular Board of Commissioners meeting at 9:00 a.m. – Commissioners Meeting Room – Martin County Courthouse.

With no further business to wit, Board Chair adjourned the meeting at 11:27 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Richard Koons, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator