

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 5, 2024
@ 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 Richard Koons, Jaime Bleess, Kathy Smith, Steve Flohrs, and Elliot Belgard (via videoconferencing out of state). Also present were Scott Higgins, Martin County Coordinator, Taylor McGowan, County Attorney, Michael Forstner, Auditor/Treasurer, Leigha Johnson, Human Resources Director, Jason Sorensen, Fairmont Photo Press, Brooke Wohlrabe, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

The Pledge of Allegiance was recited.

Motion by Commissioner Koons, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the March 5, 2024 regular Board of Commissioners meeting with the following addition: 8.2 Consider Citizen Appointment to the Planning and Zoning Commission. Roll Call AYES: Commissioners Belgard, Flohrs, Bleess, Koons, and Smith. NAYS: None. Duly passed.

Motion by Commissioner Bleess, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the February 20, 2024 regular Board of Commissioners meeting. Roll Call AYES: Commissioners Belgard, Koons, Flohrs, Bleess, and Smith. NAYS: None. Duly passed.

Casey Westhoff, MRCI CEO, was present and provided a brief presentation about MRCI along with extending an invitation for a Martin County Commissioner to serve on the MRCI Board of Directors.

Westhoff noted MRCI is a non-profit organization that primarily serves people with disabilities and disadvantages; has a presence in 77 counties in Minnesota; and is the 7th largest civic non-profit in Minnesota. Westhoff went on to note there are eighteen (18) employers right now in Martin County that provide employment opportunities for people that we support. Westhoff also noted MRCI has a spot for a Martin County representative to serve on the MRCI Board of Directors. Meetings are held bi-monthly on the first Monday of the month at 3:00 p.m. at the MRCI headquarters on Energy Drive in Mankato, MN. Westhoff noted attending meetings virtually is acceptable and that he will send the Martin County Coordinator an MRCI Board of Directors application for commissioners interested in filling a seat on the MRCI Board.

The Board thanked Westhoff for the update.

Michael Forstner, Auditor/Treasurer, was present and noted that Rose Lake Golf Club is requesting renewal of its Liquor, Wine, Club, or 3.2% License for a period of one year starting April 1, 2024 through March 31, 2025. Forstner noted all required documentation has been received and recommends approval.

Motion by Commissioner Koons, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve the renewal of Liquor, Wine, Club, or 3.2% License with Sunday Sales for Rose Lake Golf Club for a period of one-year starting April 1, 2024 through March 31, 2025. Roll Call AYES: Commissioners Belgard, Flohrs, Bleess, Koons, and Smith. NAYS: None. Duly passed.

Scott Higgins, Martin County Coordinator, presented a proposed Agreement with Midwest Art Conservation Center (MACC) for an onsite exam of the courthouse dome murals. Higgins noted initial review by the county attorney posed several questions regarding MACC's Terms and Conditions and additional information was requested by the Board.

Taylor McGowan, County Attorney, was present and noted he spoke with the MACC director and MACC will not change the terms of their Agreement. However, they do prioritize safety and will work with the County's building staff to make sure everything is set up properly and safely for the mural exam. McGowan note while not optimal, MACC does carry their own insurance and recommends approval.

After discussion,

Motion by Commissioner Bleess, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and accept the project proposal from Midwest Art Conservation Center (MACC) for the onsite exam of one Martin County Courthouse Dome mural at the total project cost of \$2,475.00. Roll Call AYES: Commissioners Koons, Belgard, Flohrs, Bleess, and Smith. NAYS: None. Duly passed.

The Board reviewed consideration for the appointment of Jordan Liebenstein to serve and represent Commissioner District #1 on the Martin County Planning Commission.

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby appoint Jordan Liebenstein to serve as Commissioner District #1 Representative on the Martin County Planning Commission, effective March 5, 2024 through December 31, 2026. Roll Call AYES: Commissioners Bleess, Belgard, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

Kevin Peyman, County Engineer, was present and noted at the October 3, 2023 Martin County Commissioners meeting, the Board approved the purchase of a 2023 budgeted one-ton truck from Hawkins Chevrolet for a 2024 Chevrolet Silverado 3500HD 4WD Reg Cab in the amount of \$47,465.00. Peyman went on to note Martin County was notified by Hawkins Chevrolet on February 23, 2024 that Chevrolet is not able to fill our order. Chevrolet is not allocating any one-ton regular cab trucks for 2024 and that the earliest they would be able to order would be 2025. Peyman noted Fairmont Ford had also submitted a truck order bid in the amount of \$50,238.00 for the October 2023 consideration and indicated that they can still honor the same quoted price from 2023 if we order the truck now, and we should have delivery by June 1, 2024. Peyman recommends to cancel the previous truck order with Hawkins Chevrolet for a 2024 Chevrolet Silverado 3500HD and to approve ordering a 2024 Ford F350 4x4 reg cab truck from Fairmont Ford in the amount of \$50,238.00.

Motion by Commissioner Flohrs, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Engineer, hereby approve the County Engineer to cancel the previous truck order bid with Hawkins Chevrolet for a 2024 Chevrolet Silverado 3500HD 4WD Reg Cab Truck; and to approve and authorize the purchase of a 2024 Ford F350 4X4 Regular Cab Truck from Fairmont Ford in the amount of \$50,238.00. Roll Call AYES: Commissioners Bleess, Belgard, Koons, Flohrs, and Smith. NAYS: None. Duly passed.

Peyman next reviewed Martin County's Five-Year Construction Plan including change of project scope for CSAH 39; and change in project plan years for CSAH 50, CSAH 8, and CSAH 26.

Commissioner Koons inquired about lowering the speed limit on CSAH 53 through the Ghost Town Tavern area.

Peyman noted he has talked to both the district traffic engineer and state aid engineer that approves speed studies and both said it would virtually be impossible to lower the speed limit through there because MnDOT controls speed limits and most likely if you requested a speed study it would either come out the same or they might even recommend increasing it to 60 mph. When you pass a resolution asking for a speed study you commit to do whatever their recommendation is. Peyman went on to note the district engineer had some ideas for trying to force a parking lot across the street on a little gravel road; but, then they would want them to put in a crosswalk with lighting and it would be quite expensive and wanted to pass that on to the owner. Peyman noted the state engineer had some other ideas including trying to reduce parking to one side of the road only, where the bar is, so people aren't crossing the road. There may be some small improvements to be made such as posting some pedestrian signs perhaps; but, the speed limit isn't one of them. We can't control that. Peyman also noted he will talk with the bar owner to see if he has ideas too and bring additional information back to the Board.

Peyman concluded noting that spring road restrictions went into effect February 26, 2024, and can stay on a maximum of eight weeks. Outside of spring restrictions all roads are 10-ton per axle year round. During restrictions gravels change. The rest of the roads stay 10-ton per axle and gravels change to 5-ton per axle.

Pam Flitter, Planning and Zoning Director, was present and presented an update to the Board on Martin County's 2023 Building Permit Types and Numbers.

2023 Permit Types and Numbers

Type of Permit Issued	Number
Building	153
Commercial Pesticide Tests Administered	64
Septic	52
Variances	8
Conditional Use Permits	6
Re-Zone	1
Sub-Division	0

Flitter next reviewed permit comparisons from 2019 through 2023.

2019 – 2023 Permit Comparisons

Permit Type	2019	2020	2021	2022	2023
Building	124	196	144	125	153
Feedlot	8	5	6	1*	0
Septic	42	67	49	59	52
Variances	19	24	13	12	8
CUPS	5	4	9	6	6
Re-Zone	1	0	0	1	1
Sub-Division	1	0	0	0	0

*State Feedlot Site

Flitter noted Martin County had 11 new houses in 2023 and we had 20 new houses in 2022. In comparison, the city of Fairmont had 1 new house last year. So, it's interesting to know that Ag is still one of our biggest industries and it really shows through our permitting.

Mike Sheplee, County Assessor, was present to review two (2) Single-Family Housing Tax Abatement applications.

Sheplee noted the Assessor's Office has received and accepted a completed Single-Family Housing Tax Abatement Policy application, along with the \$250 application fee, from Anthony and Deborah Bertram, and have met all the requirements of the application. Minnesota 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, April 2, 2024, beginning at 10:00 a.m.

- Anthony and Deborah Bertram, 819 Reiman Court, Fairmont, MN – Parcel No. 23.023.0080, looking to build a single-family residence. Estimated total amount of taxes is \$13,007.

Motion by Commissioner Belgard, 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 Anthony and Deborah Bertram, Fairmont, MN. Public Hearing will be held on Tuesday, April 2, 2024, beginning at 10:00 a.m. in the Commissioners Meeting Room – Martin County Courthouse. Roll Call AYES: Commissioners Koons, Flohrs, Bleess, Belgard, and Smith. NAYS: None. Duly passed.

Sheplee went on to note the Assessor's Office has also received a completed Single-Family Housing Tax Abatement Policy application, along with the \$250 application fee, from Ryan and Sherry Anderson in Austin, MN, for a housing structure at 28 Clear Lake Drive West near Ceylon, MN. Sheplee noted he called the Anderson's for clarification of the structure and the Anderson's noted this structure will not be used as their primary residence. Sheplee also noted there is nothing on the application that makes applicants declare how they are going to use the structure. So, the question is asked after the policy comes in.

Discussion ensued pertaining to single-family home tax abatement applications that have been turned down or withdrawn before coming before the Board due to the structure not being a primary residence; screening the applications before being presented to the Board; and amending the policy.

After discussion,

Motion by Commissioner Koons, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve returning the Single-Family Housing Tax Abatement Policy application fee in the amount of \$250 to Ryan and Sherry Anderson, along with a letter of denial. Roll Call AYES: Commissioners Belgard, Flohrs, Bleess, Koons, and Smith. NAYS: None. Duly passed.

Leigha Johnson, Human Resources Director, was present and noted the County Personnel Committee has met and recommends recruitment for the County's temporary seasonal positions including one (1) Library Summer Intern at approximately 35 hours per week at \$15.00 per hour, one (1) Highway Department Summer Help at approximately 35-40 hours per week at \$15.00 per hour, and two (2) Summer Boat and Water Patrol positions at approximately 20 hours per week at \$20.00 per hour.

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Personnel Committee, hereby approve the recruitment of temporary seasonal positions including one (1) – Library Summer Intern, one (1) – Highway Department Summer Help, and two (2) – Summer Boat and Water Patrol Deputies. Roll Call AYES: Commissioners Belgard, Flohrs, Koons, and Smith. NAYS: None. ABSTAIN: Commissioner Bleess. Duly passed.

Johnson noted the County Personnel Committee has met and recommends recruitment for the following replacement positions including a Full Time Highway Building Maintenance Technician, a Part Time Library Circulation Technician at 25 hours per week, and a Part Time Transport Officer which is an on-call position typically less than 10 hours per week.

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Personnel Committee, hereby approve the recruitment of replacement positions to include one (1) – Full Time Highway Building Maintenance Technician, one (1) – Part Time Library Circulation Technician, and one (1) – Part Time Transport Officer. Roll Call AYES: Commissioners Koons, Belgard, Bleess, Flohrs, and Smith. NAYS: None. Duly passed.

Ben Madsen, County Surveyor, was present to recommend Board authorization to submit a Public Land Survey (PLSS) Monument Grant Application to the Minnesota Geospatial Information Office for the purpose of the Martin County PLSS Corner Re-monumentation and Records Updating Project.

Madsen noted on February 20, 2024, the Board approved Madsen to submit a Letter of Intent for the PLSS Monumentation Grant application through the Minnesota IT Services Geospatial

Information Office in the amount of \$118,000; and that the next step is Board consideration to approve and authorize submission of the required grant application to the aforementioned state agency for the proposed Re-monumentation Project for Jay and Lake Fremont Townships.

Madsen went on to note based on letters of intent received there were far more counties that put in their letters of intent for grant funds than what there is money for. So, the total asking amount statewide, ended up being \$16.5 million dollars which means it will be a competitive process.

Michelle Duncan, Martin County Recorder, was present to note she is 100% behind Madsen and that this project needs to be done to get Martin County caught up.

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve Resolution for Authorization to Submit a Public Land Survey (PLSS) Monument Grant Application to the Minnesota Geospatial Information Office for the purpose of the Martin County PLSS Corner Re-monumentation and Records Updating Project.

R-#16/'24

Resolution

Authorization to Submit a Public Land Survey (PLSS) Monument Grant Application to the Minnesota Geospatial Information Office for the purpose of the Martin County PLSS Corner Remonumentation and Records Updating Project

WHEREAS, the Martin County Surveyor's Office has the opportunity to request funding from the Public Land Survey System (PLSS) Monument Grant Program for the project titled "Martin County Remonumentation Project – 2024 Jay & Lake Fremont" in the amount of \$118,000; and

WHEREAS, The Martin County Auditor/Treasurer's Office has reviewed the funding request and the "Duties of a Fiscal Agent" document provided by the State and is aware of the work that will occur if funded, the project timeline, and the project budget.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners authorizes on behalf of Martin County that the Martin County Surveyor's Office to work with County Auditor/Treasurer and other appropriate county staff to submit a grant application to the Minnesota Geospatial Information Office (MnGeo) for the project titled "Martin County Remonumentation Project – 2024 Jay & Lake Fremont" in the amount of \$118,000.

BE IT FURTHER RESOLVED, that the Martin County Board of Commissioners authorizes the Martin County Auditor's Office to act as fiscal agent if funding is awarded for the project titled "Martin County Remonumentation Project – 2024 Jay & Lake Fremont", and will comply with all terms as stated in the fiscal agent agreement.

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, said resolution was duly passed and adopted this 5th Day of March, 2024.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Kathy Smith, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Koons, Belgard, Bleess, Flohrs, and Smith. NAYS: None.
Resolution duly passed and adopted this 5th day of March, 2024.

Forstner presented a resolution declaring Martin County's intent to reimburse certain expenditures from the proceeds of bonds to be issued by the County for Drainage Ditch Projects including the Judicial Ditch #414 M&F Project and the County Ditch #28 Project. Forstner recommends approval.

After discussion,

Motion by Commissioner Koons, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby approve Resolution Declaring the Official Intent of Martin County to Reimburse Certain Expenditures from the Proceeds of Bonds to be issued by the County.

MARTIN COUNTY, MINNESOTA

RESOLUTION NO. R-#17/'24

**DECLARING THE OFFICIAL INTENT OF
MARTIN COUNTY TO REIMBURSE
CERTAIN EXPENDITURES FROM THE PROCEEDS
OF BONDS TO BE ISSUED BY THE COUNTY**

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the County expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a tax-exempt bond;

WHEREAS, the County has determined to make this declaration of official intent ("Declaration") to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF

MARTIN COUNTY AS FOLLOWS:

1. The County proposes to undertake various drainage ditch projects (the “Project”),

Drainage Ditch Projects - Judicial Ditch #414 M&F; County Ditch #28;

2. The County reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of bonds in an estimated maximum principal amount of \$3,500,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d) (3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) “preliminary expenditures” up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the County to finance the project for which the preliminary expenditures were incurred. The term “preliminary expenditures” includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the County based on the facts and circumstances known to the County as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraph 2 are consistent with the County’s budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the County are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the County's budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Motion by Commissioner Koons, seconded by Commissioner Bleess, resolution duly passed and adopted this 5th day of March, 2024.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

Kathy Smith, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Belgard, Flohrs, Bleess, Koons, and Smith. NAYS: None. Resolution duly passed and adopted this 5th day of March, 2024.

Shane Fett, Drainage Inspector, was present to recommend ordering the Redetermination of Benefits for CD #43, CD #51, JD #43, JD #72, JD #79, JD #89, and JD #115; and recommends appointing Ron Ringquist, Dan Ruby, Tom Peterson, and alternate Chuck Powers, as viewers.

After discussion,

Motion by Commissioner Koons, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby approve Resolution Order Appointing Viewers and Redetermination of various listed ditches.

R-#18/'24

ORDER APPOINTING VIEWERS AND
REDETERMINATION OF VARIOUS LISTED DITCHES

WHEREAS, the Martin County Board of County Commissioners hereby determines that the original benefits or damages determined in drainage proceedings for Martin County CD #43, CD #51, JD #43, JD #72, JD #79, JD #89, and JD #115 do not reflect present day land values or that the benefited or damaged areas have changed.

IT IS THEREFORE ORDERED, that:

Ron Ringquist
402 Valley View Dr.
Redwood Falls, MN 56283

Dan Ruby
51305 715th St.
Jackson, MN 56143

Tom Peterson
2315 55th Ave.
Trimont, MN 56176

Chuck Bowers - Alternate
78799 335th St.
Madelia, MN 56062

Three disinterested residents of the state, be and hereby are appointed viewers to redetermine and report the benefits and damages and the benefited and damaged areas of Martin County CD #43, CD #51, JD #43, JD #72, JD #79, JD #89, and JD #115.

IT IS FURTHER ORDERED, that the viewers, after taking an oath to faithfully perform their duties as viewers and, after having received from the County Drainage Office (Auditor/Treasurer), certified copies of the order appointing them as viewers and of the order designating the time and place of their first meeting, proceed with their work as such viewers pursuant to law and make and file their report with the Auditor at the earliest possible date.

Upon motion by Commissioner Koons, seconded by Commissioner Bleess, and unanimously carried, said resolution was duly passed and adopted this 5th day of March, 2024.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Kathy Smith, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Flohrs, Belgard, Bleess, Koons, and Smith. NAYS: None. Resolution duly passed and adopted this 5th day of March, 2024.

Fett next recommended setting a date and time for a Redetermination of Benefits Hearing for CD #32, CD #44, CD #50, JD #75, JD #78, JD #104, and JD #110. Fett recommends setting one hearing date for all ditches within the first two weeks of April, 2024.

After discussion,

Motion by Commissioner Bleess, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby set a Public Hearing date and time for the Redetermination of Benefits for CD #32, CD #44, CD #50, JD #75, JD #78, JD #104, and JD #110. Public Hearing will be held on Tuesday, April 9, 2024, at 9:00 a.m. in the Commissioners Meeting Room – Martin County Courthouse. Roll Call AYES: Commissioners Koons, Belgard, Flohrs, Bleess, and Smith. NAYS: None. Duly passed.

The Board reviewed Warrants, Auditor Warrants, and EFT Transactions to be paid March 5, 2024.

Motion by Commissioner Koons, 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 March 5, 2024, and includes the Highway Department bills and Drainage bills as presented. Roll Call AYES: Commissioners Bleess, Flohrs, Belgard, Koons, and Smith. NAYS: None. Duly passed.

Warrants received and paid March 5, 2024, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved March 5, 2024	\$160,774.73
Solid Waste Management Fund	\$ 3,118.77
Human Services Fund	\$352,504.92
Recorder’s Technology Fund	\$ 834.00
American Rescue Plan	\$ 1,871.00
Human Service Building Fund	<u>\$ 5,375.35</u>
Total	\$524,478.77

Road and Bridge Funds Totaled	\$ 67,375.23
Martin County Ditch Funds Totaled	\$102,038.16

Higgins presented Inter-Agency Reports and Announcements including Reconveyance of Tax Forfeited Lots located in Center Creek Commons; Martin County Student Government Date will be held on April 16, 2024; and Lakeside Cemetery CY2024 Allocation Request Letter.

Board Discussion ensued pertaining to the Lakeside Cemetery CY2024 Allocation Request Letter.

Chairwoman Smith noted Lakeside Cemetery has requested the allocation that the County budgeted for in our CY2024 Budget.

Higgins noted this is an FYI for the Board as it is a bigger expenditure.

Commissioner Flohrs inquired if this is a good idea. Are we setting a precedent here? It’s a private business. It’s not a church cemetery. Essentially you’re saying any business in Martin County can come and ask us for \$50,000.

Commissioner Koons noted it’s a 501C3.

Commissioner Flohrs noted same deal, same difference. I just don’t like this idea at all.

Commissioner Belgard noted did we just get a request and receive an allocation...we never voted to approve this as a budget item did we?

Higgins noted yes. It was included in the CY2024 Budget.

Commissioner Belgard noted he agrees with Commissioner Flohrs...that is a bad precedent. Did the city of Fairmont do a request like that...are they giving them \$50,000? I’m not sure why we would do that. This got included in the budget and I don’t know that it should have been in there.

Higgins noted it is an eligible expense because it’s a cemetery.

Commissioner Belgard noted I think there’s twenty other cemeteries in Martin County too that will certainly be asking for money if we do that.

Commissioner Koons noted there’s only two in the County that can do this as I recall the discussion.

McGowan noted statute does authorize the County can grant money to cemeteries and that he will bring up the statute to see if there is any limitation on specifically what type of cemeteries.

Higgins noted you have had discussions about this. We kept it in the budget so...there has been past discussions on that.

Commissioner Bleess inquired how many other 501C3's does the County contribute to.

Chairwoman Smith noted Kinship of Martin County, Martin County Preservation Association Red Rock Center for the Arts, Martin County Historical Society, Martin County Fair Board; but, you are statutorily allowed to do that.

Commissioner Koons noted the general consensus (of the Board) was that we were willing to help but not take it over.

Chairwoman Smith noted that Lakeside Cemetery showing some real need. They're working hard out there to get things working better. If giving them this money could get them back on track, I'm in support of this. I do not believe that I would support this on an ongoing basis; but on a one-time basis.

Commissioner Bleess inquired this is in the budget and the budget that we passed was just under a 4 percent levy. Am I remembering that right?

Forstner noted 4.16 percent. Lakeside Cemetery's original request was \$239,435 and we cut it back to \$50,435.

Commissioner Koons noted at \$239,435 we were taking it over.

Forstner noted the \$239,435 is what it would cost for a whole year with two (2) staff and the \$50,435 is what it was cut back to.

Chairwoman Smith noted we do not have to approve this today if is something that we'd like to discuss further. This is their request to us. We can include it in bills for the next meeting or we can come back and talk about it.

Commissioner Belgard noted so what about the city of Fairmont. Are they plugging in anything for this? It's in their jurisdiction as well. I don't think it just all falls on the County to take care of this. I see your point but I can't really support doing it and especially if the city of Fairmont isn't because I still think it is their jurisdiction and not ours.

Chairwoman Smith noted she does not know if Lakeside Cemetery has approached the city of Fairmont.

Commissioner Bleess inquired how many County burials did we do...that just came out recently at Human Services. Was it 30 some?

Chairwoman Smith noted the number includes Faribault County too.

Commissioner Bleess inquired is Lakeside the cemetery we use for County burials on the Martin County side?

Chairwoman Smith noted I don't know if it's one cemetery or if we use or what they request. I understand your concern, Commissioner Belgard, about the city of Fairmont. If Lakeside Cemetery decides they are done and they dissolve their 501C3 it does revert back to the County, right Taylor (McGowan)?

McGowan noted it would be up to us (the County) whether to take it.

Commissioner Koons noted for ten years it would be up to us to take it if the ten years lapses it becomes ours. Same with the church cemetery...it automatically goes to the township.

Commissioner Flohrs inquired and nobody can be buried in it in those ten years?

Commissioner Koons noted correct. Basically, there's ten years where it's an abandoned cemetery. The County Board would have to make the choice when the cemetery says we're done, we can't do it. The County has to make the choice to take it over then or we'd have to let it grow to weeds for ten years and nothing can happen.

McGowan noted actually the ten years applies to towns, not counties. I have it that a tract of land in a town becomes town property after it has been used as a public burial ground for ten years if the tract is not owned by a cemetery association. As far as maintaining abandoned cemeteries I think that's entirely discretionary on our part. If we do accept responsibility for it we can prohibit further burials.

Commissioner Bleess noted I'm trying to really take into account what Commissioner Belgard is saying about it being in the city (of Fairmont). I understand his thought process and I might even agree with it to some extent. But, like our Martin County Historical Society, that's in the city of Fairmont as well. Does the city of Fairmont contribute to that? I know it says Martin County on the front if it so that's a little bit different. And, how much does the city of Fairmont give to Red Rock Center for the Arts. I didn't read on the Kinship budget that the city of Fairmont kicks in there either. So, whether that's right or wrong, you know its not unprecedented for us to contribute to a 501C3 when they're in need. However, in prior meetings, I've expressed concern about are we getting into the habit of contributing to 501C3's too much. But, with the possibility of this causing problems down the road if nothing is done, I guess I'm leaning toward a one time deal here. I feel like we really walked it back quite a long ways after a lot of discussion and work sessions to try to find something that might help them significantly without putting a huge financial burden on us long term.

McGowan noted under the County Board statutes it says that the County Board may expend public funds under its control to maintain and improve and otherwise permanently care for cemeteries located either wholly or partly in the County. So, it is the option of the Board if it so desires.

Chairwoman Smith noted I understand everyone's concerns about this and I agree with your concerns...but we do have a 501C3 that is struggling and it affects a lot of people and families in our County. If we can help them out this one time I think that the County should do that. I think the citizens of the County would be okay with that. We've been talking about this for a long time.

Commissioner Koons noted this discussion started almost a year ago right now and we went through a lot of work sessions and I thought the Board came to the consensus that we didn't want to take the cemetery over; but, we were willing to help and that's why we left it in the budget and we passed the budget.

After discussion,

Consensus of the Board is to place this subject on the April 2, 2024 regular Board of Commissioners meeting agenda.

Commissioners reviewed their calendars of previous and upcoming meetings and activities: February 20, 2024 – Commissioners Flohrs and Smith left for the AMC Legislative Conference in the afternoon; February 21-22, 2024 – AMC Legislative Conference in St. Paul, MN; February 23, 2024 – Commissioner Smith attended a Stronger Together meeting and went over the SHIP applications for the two counties; February 26, 2024 – Commissioners Smith and Flohrs attended a County Personnel Committee meeting, Commissioner Flohrs attended a Blue Earth River Watershed One Watershed One Plan meeting, Commissioner Bleess attended a Kinship of Martin County Budget meeting; February 27, 2024 – Prairie Lake Transit Full Board meeting; February 28, 2024 – F-M Joint County Human Services meeting, Broadband Committee meeting, Justice Center Core Committee meeting and land negotiations in the afternoon; March 4, 2024 – Martin County EDA meeting at 5:15 p.m.; March 6, 2024 – F-M Joint County Human Services meeting, Commissioner Koons will be attending a Martin County Veterans Memorial Committee meeting; March 7, 2024 – Prairie Lakes Transit Executive Board meeting, Martin County Canvassing Board meeting at 10:00 a.m., Commissioner Smith will be attending a Futures meeting in St. Paul, MN; March 8, 2024 – Commissioners Bleess and Belgard will be attending a Public Safety Aid meeting at 11:00 a.m.; March 11, 2024 – Commissioner Bleess will be attending a Kinship of Martin County meeting; March 12, 2024 – Commissioner Flohrs will be attending a Library Board meeting, Township Annual meetings; March 13, 2024 – Commissioner Flohrs will be attending a Martin Soil and Water Committee meeting and County Extension Committee meeting; March 14, 2024 – Commissioner Bleess will be meeting with Tammie Hested for an Internship Program meeting at the Workforce level; March 15, 2024 – Prairieland meeting, Commissioner Flohrs will be attending a GBERBA meeting, County Insurance Committee meeting at 1:00 p.m.; March 18, 2024 – Commissioner Flohrs will be attending a Blue Earth River Watershed One Watershed One Plan meeting, County Personnel Committee meeting, and an MVAC meeting, Commissioner Bleess will be attending a WorkForce Committee meeting in Mankato, MN, and may need an alternate to attend the Kinship of Martin County meeting; March 19, 2024 – regular Board of Commissioners meeting at 9:00 a.m. – Commissioners Meeting Room – Martin County Courthouse; April 24, 2024 – Bravo Zulu House Groundbreaking at 10:00 a.m.

The Board recessed at 10:19 a.m.

The Board reconvened at 10:24 a.m.

Motion by Commissioner Koons, seconded by Commissioner Flohrs, to move into closed session pursuant to Minnesota Statute 13D.05 Subd. 3(c), purchase of real property for County use. Roll Call AYES: Commissioners Bleess, Belgard, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

Closed session began at 10:26 a.m.

Present were Commissioners Flohrs, Belgard, Koons, Bleess, and Smith. Also present were Scott Higgins, Martin County Coordinator, Mike Fortner, County Auditor/Treasurer, Mike Sheplee, County Assessor, Taylor McGowan, County Attorney, Corey Klanderud, Chief Deputy.

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby move back into open session. Roll Call AYES: Commissioners Bleess, Belgard, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

Back in open session at 10:37 a.m.

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize County Attorney to develop an Option to Purchase of Property Agreement for County use. Roll Call AYES: Commissioners Bleess, Belgard, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

With no further business to wit,

Motion by Commissioner Koons, seconded by Commissioner Flohrs, to adjourn the meeting. Roll Call AYES: Commissioners Bleess, Belgard, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

Meeting adjourned at 10:39 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Kathy Smith, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator