

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 20, 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, Kathy Smith, Steve Flohrs, Elliot Belgard (via videoconferencing out of state), and Jaime Bleess (via videoconferencing out of country). Also present were Scott Higgins, Martin County Coordinator, Taylor McGowan, County Attorney, 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 Flohrs, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda for the February 20, 2024 regular Board of Commissioners meeting. Roll Call AYES: Commissioners Bleess, Belgard, Koons, Flohrs, and Smith. NAYS: None. Duly passed.

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the February 6, 2024 regular Board of Commissioners meeting. Roll Call AYES: Commissioners Koons, Bleess, Flohrs, Belgard, and Smith. NAYS: None. Duly passed.

Scott Higgins, Martin County Coordinator, was present and reviewed a Tobacco License Application received in the Auditor/Treasurer's Office from Town Center Inc. in Trimont, MN. Higgins noted all required documentation and fees have been received and recommends approval.

Motion by Commissioner Koons, seconded by Commissioner Flohrs,

R-#15/'24

RESOLUTION

ISSUANCE OF TOBACCO LICENSES FOR 2024

WHEREAS, the County of Martin, MN (County) has established a Tobacco Ordinance (Ordinance) relating to the sale, possession, and use of tobacco in Martin County and to reduce the illegal sale, possession, and use of such items to and by minors, along with compliance with Minnesota Statutes and Rules; and

WHEREAS, applications for a tobacco license to sell tobacco shall be made through the County and its required forms as established by the Ordinance; and

WHEREAS, the Martin County Board of Commissioners (Board) may either approve or deny the license, or delay it for such reasonable period of time as necessary to complete any investigation

of the application or the applicant it deems necessary. If the Board approves the application, the County Coordinator shall issue the license. If the application is denied, notice of the denial shall be given to the applicant along with notice of the applicants right to appeal the Board's decision; and,

WHEREAS, all licenses shall be valid under the Ordinance for one calendar year from the date of issuance; and,

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approve and authorize tobacco license for the following Retail Establishment, effective April 3, 2024 through April 2, 2025:

- Town Center Inc., d/b/a Town Center Market located at 500 Hwy 4 South in Trimont, MN 56176

Upon this motion made by Commissioner Koons, seconded by Commissioner Flohrs, was duly made and passed this 20th day of February, 2024.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Kathy Smith, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Bleess, Belgard, Flohrs, Koons, and Smith. NAYS: None. Resolution duly passed and adopted this 20th day of February, 2024.

Higgins noted Commissioner Koons recommends the appointment of John Theobald to serve and represent Commissioner District #4 on the Martin County Planning Commission.

Motion by Commissioner Koons, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and appoint John Theobald to serve as Commissioner District #4 Representative on the Martin County Planning Commission, effective February 20, 2024 through December 31, 2026. Roll Call AYES: Commissioners Flohrs, Bleess, Belgard, Koons, and Smith. NAYS: None. Duly passed.

Higgins noted that Commissioner Flohrs and Commissioner Smith were appointed to serve on the Martin County Canvassing Board for the March 5, 2024 Presidential Nomination Primary. Higgins went on to note Commissioner Flohrs is unable to meet on the date and time recommended of Thursday, March 7, 2024 at 10:00 a.m. and therefore is unable to serve. The Board is requested to appoint a new commissioner to serve with Commissioner Smith on the Martin County Canvassing Board.

After discussion,

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, having the authority to appoint the Martin County Canvassing Board to include two members of the County Board, hereby approve and appoint Commissioner Jaime Bleess to the 2024 Martin County Canvassing Board for the March 5, 2024 Presidential Nomination Primary. Canvassing Board will meet at 10:00 a.m. on Thursday, March 7, 2024. Roll Call AYES: Commissioners Belgard, Bleess, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

Tammie Hested, Family Resource Coordinator with Minnesota Valley Action Council (MVAC), was present to update the Board on the 2024 Martin County Summer Internship Program. Hested noted applications started coming in before Christmas and to date she's had 21 which is by far the most she's ever had. Hested met with the majority of the applicants over the holiday break to explain the program and start recruiting businesses. Hested went on to note during that time three dropped out due to various reasons, one noting low wage.

Hested continued her plan is to work with the first fourteen applicants and the remaining applicants will go on a waiting list. Hested noted some of the placements that she has been working with include Fairmont Area Schools, Becker Financial Group, Easy Automation, Avery Weigh-Tronix, Martin County Soil and Water Conservation District, Martin County Historical Society, Lakes FM, Gemini Studios, NuWay out of Trimont, UHD, Center for Specialty Care, Integrated Tax Services, and is waiting to hear back on a couple of other sites.

Margy Hendrickson, Community Services Director with MVAC, was present and noted other youth work experience programs through MVAC have raised wages from \$12.00 to \$13.00 per hour up to 200 hours and have the opportunity to get \$1.00 per hour raise to \$14.00 per hour for 201 to 400 hours worked. Hendrickson went on to note we're requesting the Martin County Internship Program to match that \$14.00 per hour wage.

Heather Gleason, South Central WorkForce Council, was present to note another change that was implemented this year in January is the Earned Safe and Sick Time (ESST) and our youth participants are also impacted by that and across all the programs we had to arrange for and plan for additional funding needs based on the ESST. Gleason also noted because of the ESST changes and wage increases we are recommending changes to the 2024 Martin County Summer Internship Program contract.

Chairwoman Smith inquired why the contract was just being brought up for approval now as the County's budget was already approved at \$55,000 for this program.

Commissioner Koons noted the goal of this program is to bring people back to the County and feels the per hour raise is warranted.

After discussion,

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign

the Administrative Agreement with MVAC for the 2024 Martin County Summer Internship Program and includes a \$5,000 wage increase and \$1,700 increase for ESST to serve 14 interns. Roll Call AYES: Commissioners Belgard, Flohrs, Koons, and Smith. NAYS: None. ABSTAIN: Commissioner Bleess. Duly passed.

Tam Plumhoff, Wellness Committee Chair, was present and reviewed the Martin County CY2024 County Wellness Program noting the South Central Service Cooperative (SCSC) Regional Wellness Program provides wellness dollars to improve the physical, mental, and social wellbeing of all individuals to its members. Martin County is again a member of the SCSC and is eligible for \$9,600 for 2024 to be used toward a variety of program goals to promote healthier and happier employees with improved self-esteem, increased job performance, a decrease in sick leave days and lower health plan utilizations. Plumhoff noted we do have a couple new Wellness Committee members which have brought fresh ideas and enthusiasm; and in 2023 we had 59% of our employees participate in one or more Martin County Wellness events.

Motion by Commissioner Flohrs, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, having already established the Martin County Wellness Program, and supports the programming of the Wellness Committee, hereby approve the CY2024 SCSC Wellness Program Guide and Budget in the amount of \$9,600; and to approve and authorize Tam Plumhoff, Chair of the Martin County Wellness Committee, to sign the required agreements pertaining to the Wellness Program through the South Central Service Cooperative for FY2024. Roll Call AYES: Commissioners Belgard, Bleess, Koons, Flohrs, and Smith. NAYS: None. Duly passed.

Pam Flitter, Planning and Zoning Director, was present and presented the CY2023 Martin County Feedlot Program Year-End Review. Flitter noted on January 26, 2024, the Minnesota Pollution Control Agency (MPCA) completed an in-person year-end review of the Martin County delegated feedlot program for the period of January 1, 2023 through December 31, 2023. Flitter went on to note based upon the review, the MPCA determined that Martin County satisfactorily met 10 out of 10 or 100 percent of program requirements; and that the County also satisfactorily conducted 64 inspections of the 502 feedlots required to be registered.

After review,

Motion by Commissioner Belgard, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign and receive and file the 2023 Martin County Feedlot Program Year-End Review. Roll Call AYES: Commissioners Koons, Bleess, Flohrs, Belgard, and Smith. NAYS: None. Duly passed.

Kevin Peyman, County Engineer, was present and reported on the final contract for S.A.P. 046-599-076 Cedar Township Box Culvert and S.A.P. 046-599-081 Waverly Township Box Culvert Projects, with Jensen Excavating and Trucking out of Albert Lea, MN. Peyman noted final examination has been made, contract has been completed, and the entire amount of work has been performed. Peyman recommends approval in the amount of \$1,305,417.05.

Motion by Commissioner Flohrs, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Engineer, hereby approve the final contract payment for S.A.P. 046-599-076 Cedar Township Box Culvert Project and S.A.P. 046-599-081 Waverly Township Box Culvert Project, to Jensen Excavating and Trucking in the amount of \$1,305,417.05. Roll Call AYES: Commissioners Bleess, Belgard, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

Peyman next presented and reported on the final contract for C.P. 23:05 Grading and Bridge Replacement on County Road 125 Project, with Jensen Excavating and Trucking out of Albert Lea, MN. Peyman noted final examination has been made, contract has been completed, and the entire amount of work has been performed. Peyman recommends approval in the amount of \$253,533.59.

Motion by Commissioner Koons, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Engineer, hereby approve the final contract payment for C.P. 23:05 Grading and Bridge Replacement on County Road 125, to Jensen Excavating and Trucking in the amount of \$253,533.59. Roll Call AYES: Commissioners Flohrs, Bleess, Belgard, Koons, and Smith. NAYS: None. Duly passed.

Peyman next provided a PowerPoint Presentation on Pavement Rehabilitation/Construction Alternatives Overview including: Bituminous Surface Treatments (Chip Seal/Fog Seal); Overlay/Mill and Overlay; Hot In-Place Recycling (H.I.R.); Cold In-Place Recycling (C.I.R.); Full Depth Reclamation (F.D.R.); Complete Reconstruction; and Rumble Strip vs. Rumble Stripe.

The Board thanked Peyman for the Martin County Pavement Construction Alternatives presentation.

Tanya Rathman, Martin County Jail Administrator, was present and reviewed Amendment #2 to the food service agreement with Summit Food Service, LLC, which includes a rate increase on the food contract in the amount of \$143.96 per meal period (\$136.71 in 2023) and \$1.15 per meal ordered and served (\$1.09 in 2023), whichever is greater, effective February 8, 2024. Rathman recommends approval.

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign Amendment #2 to the Food Service Partnership Agreement with Summit Food Service, LLC. Roll Call AYES: Commissioners Belgard, Bleess, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

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 and have met all the requirements of the application including the required Notice of Processing Time for Abatement Application Approval. Minnesota Statutes required 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, March 19, 2024, beginning at 10:00 a.m.

- Brandon and Shannon Klug, 1516 105th St, Fairmont, MN – Parcel No. 15.016.0400, looking to build a single-family residence (replacing a home built in the 1880's). Estimated total amount of taxes is \$21,102.
- Levi Ekstrom, 2447 70th Ave, Odin, MN – Parcel No. 01.001.0475, looking to build a single-family residence (replacing a home built in the 1886). Estimated total amount of taxes is \$19,184.

After review,

Motion by Commissioner Koons, 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 Brandon and Sharon Klug, Fairmont, MN. Public Hearing will be held on Tuesday, March 19, 2024, beginning at 10:00 a.m. in the Commissioners Meeting Room – Martin County Courthouse; and set a public hearing date and time to consider single-family housing tax abatement to Levi Ekstrom, Odin, MN. Public Hearing will be held on Tuesday, March 19, 2024, beginning at 10:05 a.m. in the Commissioners Meeting Room – Martin County Courthouse. Roll Call AYES: Commissioners Belgard, Bleess, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

Sheplee next reviewed a Martin County Residential Housing Abatement Report noting this program currently has had 33 new homes built around the County since March 2020, with an average new construction value of over \$400,000 per home. Sheplee went on to note in the 10 year period the County will be refunding \$540,000 of taxes under this program and then after that there will be no refunds so that will be money that the County collects and keeps and uses. During that same time period, while the city and the township are not refunding any of this money, they'll be collecting an extra \$261,000 and the schools during that same time period will collect almost \$460,000. Sheplee also noted there are a lot of wins with this program and it has been going smoothly from an administrative perspective. Sheplee noted this inaugural five-year program will expire March 17, 2025; and, the County Board may wish to discuss renewal of the program in the upcoming months.

Leigha Johnson, Human Resources Director, was present and recommends the Board accept a resignation notice received from Deb Baldus, Library Circulation Technician at the Martin County Library, effective February 16, 2024. Johnson noted recruitment to fill the vacancy will be considered at a later date.

Motion by Commissioner Belgard, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, upon the review and recommendation of the Human Resources Director, hereby accept the resignation of Deb Baldus, Library Circulation Technician with the Martin County Library, effective February 16, 2024. Roll Call AYES: Commissioners Koons, Flohrs, Bleess, Belgard, and Smith. NAYS: None. Duly passed.

Lucas Cyphers, Building Maintenance Supervisor, was present and noted the County has received a request for use of the courthouse on April 27, 2024, for Fairmont High School Prom attendees and chaperones. Cyphers noted last years' Prom event at the courthouse was a huge success with the courthouse serving as a healthy, safe environment for the kids that came. Cyphers noted he will help with the set-up and tear-down again this year along with monitoring the courthouse during this event and recommends use of the courthouse from 2-4 p.m. on Saturday, April 27, 2024, for a Fairmont High School Prom Reception.

Motion by Commissioner Flohrs, seconded by Commissioner Bleess, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize use of the Martin County Courthouse for a Fairmont High School Prom Reception on Saturday, April 27, 2024, from 2-4 p.m. Roll Call AYES: Commissioners Koons, Belgard, Bleess, Flohrs, and Smith. NAYS: None. Duly passed.

Tyler Utesch, Drainage Systems Manager, was present to recommend setting a final acceptance and closeout hearing date and time for Bid Package #2 on the JD #99 Improvement Project. Recommended dates are March 12, March 26, and April 2, 2024.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Koons, 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 Final Closeout for Bid Package #2 on the JD #99 Improvement Project. Public Hearing will be held on Tuesday, April 2, 2024, beginning at 11:00 a.m. in the Commissioners Meeting Room – Martin County Courthouse. Roll Call AYES: Commissioners Bleess, Flohrs, Koons, Belgard, and Smith. NAYS: None. Duly passed.

The Board reviewed Warrants, Auditor Warrants, and EFT Transactions to be paid February 20, 2024.

Motion by Commissioner Koons, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve Warrants, Auditor Warrants, and EFT Transactions to be paid February 20, 2024, and includes the Highway Department bills and Drainage bills as presented. Roll Call AYES: Commissioners Bleess, Belgard, Flohrs, Koons, and Smith. NAYS: None. Duly passed.

Warrants received and paid February 20, 2024, are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved February 20, 2024	\$125,824.51
Enhanced 9-1-1 Fund	\$ 69.65
Martin Co. Economic Development Fund	\$ 490.10
Solid Waste Management Fund	\$ 32,965.87
Recorder's Compliance Fund	\$ 13,782.00
Human Service Building Fund	\$ 4,077.27
Deed Tax Fund	<u>\$ 30,726.20</u>

Total \$207,935.60

Road and Bridge Funds Totaled	\$102,787.39
Martin County Ditch Funds Totaled	\$ 93,371.14

Commissioners reviewed their calendars of previous and upcoming meetings and activities: February 6, 2024 – Ditch Hearings in Blue Earth, MN, Commissioner Belgard attended an HRA virtual budget meeting in the afternoon; February 7, 2024 – Commissioner Koons attended a Martin County Veterans Memorial Committee meeting, Commissioner Bleess attended a Prairie Lakes Transit Executive Board meeting, Commissioner Flohrs attended a F-M Human Services Executive Board meeting; February 8, 2024 – Commissioner Smith attended a Martin County Substance Abuse Prevention Committee meeting; February 9, 2024 – Commissioner Bleess attended a Public Safety Aid Committee meeting; February 12, 2024 – Justice Center Core Committee members attended the Fairmont City Council meeting; February 13, 2024 – Commissioner Flohrs attended a Library Board meeting, Commissioner Bleess attended a Martin County Parks/Trail Committee meeting; February 14, 2024 – Commissioner Flohrs attended a Soil and Water Committee meeting; February 15, 2024 – Commissioner Koons attended a Des Moines River Watershed One Watershed One Plan meeting in Windom, MN; February 16, 2024 – Prairieland meeting; February 21-22, 2024 – Commissioners Smith and Flohrs will be attending the AMC Legislative Conference in St. Paul, MN; February 22, 2024 – Commissioner Flohrs will attend an AMC Extension Committee meeting at 8:00 a.m.; February 23, 2024 – Commissioner Smith will be attending a Stronger Together meeting; February 26, 2024 – Commissioner Flohrs will attend a Blue Earth River Watershed One Watershed One Plan meeting; February 27, 2024 – Prairie Lakes Transit Full Board meeting in Fairmont, MN; February 28, 2024 – F-M Human Services Full Board meeting in Blue Earth, MN, Commissioner Koons will be attending a Broadband Committee meeting; March 4, 2024 – Martin County EDA Board meeting at 5:15 p.m.; March 5, 2024 – regular Martin County Board of Commissioners meeting at 9:00 a.m. – Commissioners Meeting Room – Martin County Courthouse.

Shane Fett, Drainage Inspector, was present to review a Joint Powers Agreement with MnDOT for repair of JD #37. Fett noted that John Kolb, legal counsel for Drainage Matters to the County Board, has been working with MnDOT representatives to provide for the \$330,000 for the County to perform repair works that are necessary on JD #37. The Auditor/Treasurer's Office has received the proposed cost share agreement and recommends Board approval.

Fett reviewed that MnDOT has an upcoming road project TH 4 and as part of the project, MnDOT desires to mitigate potential future flooding of TH 4 by re-grading the overflow outlet and provide funds for JD #37 repairs that exceed MnDOT's financial obligation under Minnesota Statutes Chapter 103E, to replace the crossing by trenchless methods. Fett noted Martin County, in its capacity as the drainage authority, is willing to replace the JD #37 tile crossing where it crosses the TH 4 right-of-way. The total amount that the state agrees to pay for the drainage repairs is \$330,000.

Taylor McGowan, County Attorney, was present and noted he has reviewed the Agreement as to form and content and made a few small suggestions which have been changed. McGowan went on to note this is not really a Joint Powers Agreement; but, an Agreement where Martin County

says we're going to fix the drainage that crosses over Highway 4 and the state will kick in \$330,000 to cover the cost.

After discussion,

Motion by Commissioner Flohrs, seconded by Commissioner Koons, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby approve and authorize the Board Chair and Auditor/Treasurer to sign the State of Minnesota Joint Powers Agreement Contract #1054370 to provide for the \$330,000 for Martin County to perform the repair works that are necessary on JD #37. Roll Call AYES: Commissioners Belgard, Bleess, Koons, Flohrs, and Smith. NAYS: None. Duly passed.

Ben Madsen, Martin County Surveyor, was present and recommends the Martin County Board sign a Letter of Intent for application to the Public Land Survey System (PLSS) Monumentation Grant for proposed County Monument Corners Project.

Madsen noted he is intending to initiate a section corner re-monumentation project utilizing grant funds for the purpose of finding and certifying the PLSS corners within the County. Martin County completed a PLSS corner re-monumentation project in 2001, but the primary focus of the project was on the monuments themselves and corner certificates were not made part of that project. Madsen went on to note including meander corners, Martin County has 2,307 PLSS corners, 900 of which (39%) have corner certificates and only 313 (13.6%) of the corners have a corresponding certificate containing GPS coordinate data. Madsen noted he intends to get corner certificates made for all of the corners in Martin County and to make them publicly available via Beacon. Madsen continued the 2024 project will focus on two townships, Jay and Lake Fremont. Every corner in these townships will be visited in the field to observe, verify, and or check the existing monument, refurbish any damaged or destroyed monument, and new reference ties will be taken. Corner certificates will then be made for each corner and they will be recorded, uploaded to a database, and made available via Beacon. Madsen also noted to complete the re-monumentation of the entire County it is anticipated that it will take nine (9) years at a rate of two townships per year at an estimated cost of \$115,000 - \$130,000 per year. Initial grant fund request will be for \$118,000.

Discussion ensued pertaining to what is involved in finding the true corner, if the County Assessor, County Recorder, and MIS Director have been involved in discussions; and future grant funding to complete the re-monumentation project.

After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Flohrs, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Letter of Intent for the Public Land Survey System (PLSS) Monumentation Grant application through the Minnesota IT Services-Geospatial Information Office in the amount of \$118,000 for the first phase of the County re-monumentation project. Roll Call AYES: Commissioners Koons, Bleess, Flohrs, Belgard, 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 10:27 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Kathy Smith, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator