

PROCEEDINGS OF THE MARTIN  
COUNTY BOARD OF COMMISSIONERS  
TUESDAY, AUGUST 19, 2008  
@ 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 Pierce.

Those present were Commissioners Boler, Potter, Donnelly, and Schmidtke. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, Martin County Attorney, Kevin Peyman, Martin County Engineer, Rod Halvorsen, KSUM/KFMC Radio, Julie Walters, Administrative Assistant, Jennifer Brookens, Sentinel Newspaper, and members of staff and public.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: Consider Appointment of Alternate to the Regional Radio Board. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the August 5, 2008 regular Board of Commissioners meetings as presented. Carried unanimously.

The Chair introduced Tim Penny, President/CEO of the Southern Minnesota Initiative Foundation (SMIF). Penny provided a folder of information about SMIF and its contributions and assistance to various organizations, businesses in Martin County. Penny stated that the Foundation focus is BioBusiness, BioEnergy and BioMedical for Southern Minnesota. Penny further stated that Easy Energy Systems in Welcome received the BioSeed Fund Award. Bob Wallace, Fairmont Chamber of Commerce was also present. Wallace reviewed the Town Meeting Initiative (TMI) started in the County as a result of a \$20,000 grant and getting the Martin County EDA IGNITE program involved more. This Initiative focuses on engaging elder persons in the opportunities to contribute to the community. After the presentation, the Board thanked Penny and Wallace for their presentation.

Higgins presented the Martin County Fair Board's funding request for CY2009.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It resolved that the Martin County Board of Commissioners hereby receive and file the Martin County Fair Board's funding request for CY2009 for consideration in the CY2009 Budget process. Carried unanimously.

Don Hamphill, Attorney for the Iowa Lakes Regional Water informed the Board that ILRW has received the necessary funding from the USDA to bring water to the southwest corner of Martin County and eastern portion of Jackson County. Funding received was over \$9.1 million dollars of loan money and grants. Hemphill informed the Board the Jackson County Board of Commissioners has accepted the Preliminary Engineering

report for the Jackson/Martin Subsystem for Iowa Lakes Regional Water from Dewild Grant Reckert (DGR) and have retained Dorsey and Whitney as Bond counsel to prepare the necessary assessment proceedings including notifying the land owners affected and required public hearing. Hemphill asked that the Board to consider setting a date for the public hearing for the purpose of assessments to those landowners affected and signing up for the rural water.

Terry Viesselman, Martin County Attorney, advised the Board to go ahead and accept the Engineering report for the DGR as presented and to approve Dorsey and Whitney as Bond Counsel for Martin County for the rural water project and to prepare the necessary notices and documents for the assessment public hearing as presented.

Randy Van Dyke, CEO for the Iowa Lakes Regional Water (ILRW) was present and reviewed the Agreement between ILRW and Martin and Jackson Counties for the construction, assessment, and operations of the rural water system in a portion of Martin County. Van Dyke stated his gratitude for the work and continued work of the Steering Committee for Martin County. After discussion, it was determined that the proposed agreement would be considered at the next regular Board of Commissioners meeting. After further discussion,

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby accept the Preliminary Engineering Report for Jackson/Martin Subsystem for Iowa Lakes Regional Water completed by DeWild Grant Reckert (DGR) for the construction of the rural water system to be installed in Jay and Lake Fremont Townships (south of I-90), Martin County, MN dated March, 2007 (Revised April, 2008); and to retain Dorsey and Whitney as Bond Counsel for the preparation of the required documents and public hearings for the construction of the ILRW rural water project in portions of Martin County. Carried unanimously.

Viesselman reviewed the proposed purchase agreement for property the county has proposed to purchase located 121 North Main (Caring Pregnancy Center) owned by Pete Thoma stating that the purchase offer is for \$29,300 which is the assessed value of the property. Viesselman stated the need for Board approval and to set date for public hearing for the purchase of property.

Boler stated that the time to purchase the property may be too early.

Schmidtke stated that he would not be in favor to purchase the property at this point.

Pierce stated that the Board takes the time to consider it in the near future. No action taken.

Viesselman gave a status of hire of a replacement Assistant County Attorney stating that he will bring to Board for approval at the next regular Board meeting. Viesselman also requested approval for expenditure to purchase dictating equipment stating that the current equipment is obsolete and not able to order the small cassette tapes needed. The

estimated cost to purchase is \$2,000-\$3,000 and would be absorbed in current budget. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly to approve and authorize the County Attorney to purchase the necessary dictation equipment for the County Attorney's office. Carried unanimously.

Kevin Peyman, County Engineer, presented quotes for the construction of a salt storage shed to be located at the Highway Shop in Fairmont and extend 60 feet into northeast lot. The following quotes were received:

1. Cover-All Building Installed by Greystone Construction, Shakopee, MN
  - a) 50' x 60' Titan Building with 8' panels-storage capacity: 941.7 tons (2 bays) - \$71,564.22
  - b) 50' x 60' Titan Building with 10' panels-storage capacity 1,120.9 tons (2 bays) - \$83,400
  - c) 50' x 60' Titan Building with 12' panels-storage capacity 1,300.1 tons (2 bays) - \$91,489.57
  - d) 60' x 60' Titan Building with 8' panels-storage capacity: 1,133 tons (2 bays) - \$78,973.56
  - e) 55' x 64' LBS (round building) with 8' outside and 12' inside panels-storage capacity - approximately 1,100 tons (2 bays) - \$122,287.91

It is estimated that the facility will be completed this year. Peyman stated that the facility would be paid for by approximately \$58,000 from State Aid the county receives and approximately \$21,000 from local (budgeted) funds. Peyman further stated that this does not include quotes for asphalt for the floor of the facility and will be receiving the quotes soon. It is estimated that after the asphalt is put down, it will take approximately one week to build the storage shed. After further consideration,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, after receiving quotes for the construction of a salt storage shed; and upon the recommendation of the County Engineer, hereby approve and accept the quote for a Cover-All Building to be installed by Greystone Construction of Shakopee, MN for a 60' x 60' Titan Building with 8' panels-storage capacity of 1,133 tons (2 bays) at a cost of \$78,973.56; and to approve the location of the storage facility at the Fairmont Highway Department.

Higgins presented a resolution for approval of two newly hired Sheriff's Deputies to be included on the Public Employees Police and Fire Plan.

Motion by Commissioner Donnelly, seconded by Commissioner Potter,

R-#25/'08

RESOLUTION  
POLICE OFFICER DECLARATION

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED, that the Board of Commissioners of Martin County hereby declares that the position of Deputy Sheriff, currently held by Employee #50 and Employee #52 meets all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position’s primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff’s department.

BE IT FURTHER RESOLVED, that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee’s initial Police and Fire Plan salary deduction by the governmental subdivision.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, and was duly passed and adopted this 19<sup>th</sup> day of August, 2008.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Steve Pierce, Board Chair

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

STATE OF MINNESOTA  
COUNTY OF MARTIN

I, Scott Higgins, clerk of Martin County Board of Commissioners, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 19<sup>th</sup> day of August, 2008; the original of which is on file in this office. I further certify that five (5) members voted in favor of this resolution and that five (5) members were present and voting.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Higgins presented the affidavit request from William (Bill) Rosenberg to remove to the grave marker from the re-established German Evangelical Church Cemetery in Tenhassen Township in Martin County to Fairview Memorial Park Cemetery located in Fairmont, MN. After further discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, having received an affidavit from William (Bill) Rosenberg to move the grave marker of his sister Clara Rosenberg from the German Evangelical Church Cemetery to the Fairview Memorial Park Cemetery in Fairmont, MN; after careful review and consideration hereby accepts and approves the request contingent upon the following requirements, that

- the replacement permanent marker must include at least the deceased name, the date of birth and death, and approved by the County Coordinator before installation to ensure that this requirement has been met, and
- that the replacement marker is to be permanently installed simultaneously (when the original is moved to the new location as stated above), and
- at no cost to the county, and
- that the County Coordinator is authorized to assure that all requirements have been met.

Roll Call AYES: Commissioners Donnelly, Potter, Schmidtke, and Pierce. NAYES: Commissioner Boler. Motion Carried.

Forshee requested that mobile home taxes for parcel #16.006.9001 in the amount of \$731.86 be removed from the current list of Mobile Home Tax List due to the taxes being paid up on the aforementioned parcel.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, revise the March 4, 2008 board action approving the Mobile Home Parcel#16.066.9001 be deleted from the Mobile Home Tax list due to the taxes have been paid in the amount of \$731.86. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, as member of the South Central Regional Advisory Board; and allowed to have an alternate representative, hereby appoints Commissioner Jack Potter as the alternate voting representative to the Joint Powers Board. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve payment of claims for the month of August, 2008 as presented; and includes Martin County Highway Department claims as presented.

Warrants received and paid August 19, 2008 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved August 19, 2008	\$186,709.29
Park & Recreation	\$ 25.00
Enhanced 9-1-1 Fund	\$ 9.15
Recreation & Safety Fund	\$ 2,400.00
Martin Co. Economic Development Authority	\$ 131.53
Solid Waste Management Fund	\$ 38,555.72

Law Library Fund	\$ 1,693.02
Martin County Transit Fund	\$ 40,552.56
Ind. Sewage Treatment Sys. Loan Fd (ISTS)	\$ 23,279.14
Building-CIP-Fund	\$ 326.22
Bank Building Fund	\$ 4,247.40
Debt Service Fund	\$ 59,058.75
Forfeited Tax Fund	<u>\$ 518.32</u>
Grand Total	\$357,506.10
Martin County Ditch Fund – Warrants Totaled	\$ 13,380.28
Road and Bridge Funds Totaled	\$ 50,120.07

Carried unanimously.

Chairman Pierce opened for Board discussion the proposed CY2009 preliminary budget. Sheriff Brad Gerhardt was present to review the Sheriff's budget with the Board reductions to the Sheriff's budget request as follows: \$46,000 in Sheriff Admin. Fund; Dispatch - \$20,000; Deputies Fund - \$48, 205; and Civil Defense Fund - \$616.

Higgins introduced the subject of Board meetings to be taped and televised. Discussion included: the extra cost for staff and recording equipment, minutes are published in the newspaper and on the website; representatives from the newspaper and radio station are present during all of the meetings, and meetings are open to the public. No action taken.

The Board gave their reports and reviewed their calendars of previous and upcoming meetings and activities.

By consensus, the next budget workshop was scheduled for September 2, 2008 in the Board Room, immediately following the regular Board of Commissioners meeting.

With no further business to wit, Board Chair declared the meeting adjourned at 12:10 p.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Pierce, Board Chair

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