

PROCEEDS OF THE
MARTIN COUNTY COMMISSIONERS
TUESDAY, OCTOBER 20, 2009
@ 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 Donnelly.

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

Motion by Commissioner Boler, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: Consider step increase for various part-time Courthouse employees. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the October 6, 2009 regular Board of Commissioners meeting as presented. Carried unanimously.

Salvation Army Captain Jeff Carter was present to introduce himself to the Board. Carter stated he began his work in Fairmont July 1, 2009, and looks forward to working with the Martin County Board of Commissioners in preparation of the annual KSUM/KFMC Kamp for Kids collection and food drive this holiday season.

Terry Viesselman, Martin County Attorney, presented a brief update on the county's two sex offender commitments noting that one will be up for trial next week and the second one will be up for trial in November; a recent push for Regional Trial Centers; and a new law that disallows payment of fines for defendants as a condition of their probation.

Sheriff Brad Gerhardt and Sergeant Matt Klages were present to review a resolution adopting a Plan for Public Safety Communication within Martin County. The Federal Communications Commission ruled that by January 1, 2013, all agencies operating radio systems below 512 MHz must modify their systems to a narrowband technology. Tom Johnson, Statewide Interoperability Program Manager for the Minnesota Department of Public Safety, and Dennis Houseman, Federal Engineering, Inc., were present at the October 6, 2009 regular Board of Commissioners meeting to present and review the ARMER 800 MHz system along with Martin County's Radio Systems Needs Assessment and Alternatives Report; and next steps for the County in determining how Martin County can comply with the FCC narrowband mandate. The ARMER system is \$1.79 million for the capital cost and first year maintenance, with about a \$3 million cost over ten years.

Commissioners voiced their concerns over a recent article in the Minneapolis Star Tribune that points out that Minnesota and Wisconsin are taking different approaches in pursuing upgrades of public safety communications to the statewide 800 MHz standard. Minnesota is spending at least \$250 million, while Wisconsin is spending a fraction of that. Commissioners questioned the need for Minnesota's high priced model, as well as if rural Minnesota needs the same technology as downtown Minneapolis.

Commissioner Pierce stated after he read the article, he made some telephone calls and found that in rating the current systems, they give Minnesota's a 5, while Wisconsin ranks about a 2. Wisconsin has a four channel system, and we have better than that right now. The problem is just going to narrowband ends up costing just as much as the 800 MHz system.

Brad Gerhardt, Martin County Sheriff, stated that as of January 1, 2013, our current system is toast; and timing is not on our side. This is not going to be an all at once cost and there is some big money that is being put towards this. Martin County needs to pass this resolution in order to open the door to look for financing; such as annual grants from FEMA and Homeland Security. Gerhardt stated he was not sold on 800 MHz communication when it was first presented in the early 2000s; and that it took him five to six years to understand. Gerhardt went on to state the \$3 million cost presented was the worst case scenario, and that was if we had to replace everything; and that if Martin County can do our own customizing it will cost less. Right now, we could be spending up to a million dollars just maintaining our current system that's going to be obsolete in three years. Gerhardt noted that rural Minnesota does need interoperable capabilities, referencing recent happenings in Dunnell, MN and at Iowa Lake. Also noted by Gerhardt is that Martin County is much closer to Iowa than to Wisconsin and Iowa is moving in the direction of a statewide 700 MHz system.

After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#47/'09

RESOLUTION ADOPTING A PLAN
FOR
PUBLIC SAFETY COMMUNICATION WITHIN MARTIN COUNTY

WHEREAS, it is a basic responsibility of the County to provide for the health and welfare of its citizens; and

WHEREAS, the Federal Communications Commission (FCC) has issued regulations which require the replacement of wideband Land Mobile Radio (LMR) systems operating in the Very High Frequency (VHF) and Ultra High Frequency (UHF) spectrum by 2013; and

WHEREAS, public safety agencies throughout the country, including public safety agencies within Martin County, have relied upon wideband LMR systems to provide vital public safety communications for law enforcement, fire, emergency medical services, public works, disaster response and other vital government services; and

WHEREAS, the County has worked with the South Central Regional Radio Board (SCRRB), of which it is a participating member, to complete a comprehensive assessment of public safety communication within the County; and

WHEREAS, the County has been presented with a public safety communication assessment (hereinafter "Assessment") conducted by Federal Engineering, Incorporated, which included an assessment of the alternatives that exist for the County to replace the public safety communication infrastructure within the County.

NOW, THEREFORE, BE IT RESOLVED the Martin County Board of Commissioners hereby accepts the Assessment as an accurate assessment of public safety communication needs within the County and of the alternatives that reasonably exist to replace the public safety communication infrastructure within the County, and be it further;

RESOLVED, that the Martin County Board of Commissioners adopt the Allied Radio Matrix for Emergency Response (ARMER) participation alternative specified in the Assessment as the most appropriate and best option for the County to replace the public safety communication infrastructure within the county, and be it further;

RESOLVED, that the Martin County Sheriff (hereinafter "Sheriff") is instructed to develop a participation plan (hereinafter "Plan") and all necessary tasks for the migration of and participation of all county and local governments and public safety agencies located and operating within the County to the ARMER public safety communication system, and be it further;

RESOLVED, that the Plan developed by the Sheriff shall include and provide for a proposed budget for the integration of public safety agencies to the ARMER public safety communication systems, for competitive bids documents and proposals for local enhancements or improvements required for county participation and proposed contracts for equipment and services necessary to complete the integration of public safety agencies to the ARMER public safety communication system, and be it further;

RESOLVED, the Assessment providing the basis of this action shall be submitted to the SCRRB with a recommendation that the Assessment be incorporated into the SCRRB regional public safety communication plan and that the Sheriff is authorized to submit the Assessment and the Plan to the SCRRB, to the Minnesota Departments of Transportation and Public Safety and to the Statewide Radio Board, as may be necessary to gain final approval for the County participation in the ARMER public safety communication system as provided for in the Plan.

Upon motion by Commissioner Pierce, seconded by Commissioner Potter, said resolution was duly passed and adopted this 20th day of October, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

CERTIFICATION

I hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Martin at a duly authorized meeting thereof held on the 20th day of October, 2009.

Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Boler, Potter, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 20th day of October, 2009.

Gerhardt stated the Martin County Sheriff's Office has terminated a newly hired part-time corrections officer effective October 12, 2009.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the termination of Irma Correa as part-time Corrections Officer for the Martin County Sheriff's Office effective October 12, 2009; and authorizes the recruitment to fill corrections officer vacancies. Carried unanimously.

Beverly Snow, FJM Multi-County ASAC Coordinator, was present to request contracting with Kari Zehm to complete an evaluation of the Faribault, Martin, & Jackson and Brown, Nicollet, & Watonwan multi-county programs. Snow stated there is no cost to the county and that funds would come from the 5th Judicial District for a one-time payment to Zehm.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize contracting with Kari Zehm, as an independent contractor, for completion of an evaluation of the Faribault, Martin, & Jackson and Brown, Nicollet, & Watonwan multi-county programs; at no cost to the county. Carried unanimously.

Julie Grunewald, Senior Probation Agent, presented a Request For Proposals (RFP) request for reapplication of Youth Intervention Program grant funding for the purpose of providing an ongoing stable funding source to community-based early intervention programs for youth.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the reapplication from the Martin County Youth Intervention Program for Youth Intervention Program grant funding through the Department of Public Safety, the Office of the Justice Programs. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, reported on final contract for C.P. 09:04 Highway Pavement Striping with AAA Striping Service Co. of St. Michael, MN. Peyman stated final examination has been made, contract has been completed, and the entire amount of work has been performed. Peyman stated the striping contract is shared with Faribault County; thus the lesser amount certified to date. Peyman recommends approval of the final contract to AAA Striping Service Co.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, Martin County Highway Engineer, hereby approve the final contract payment for C.P. 09:04 Highway Pavement Striping with AAA Striping Service Co. of St. Michael, MN in the amount of \$65,899.56. Carried unanimously.

Peyman next presented a department update, including recent patching work and gravel maintenance to certain county roads; and that Mn/DOT has been down recently to review signage approaching and at the site of the Minnesota State Highway 263 and County State Aid Highway 26 intersection, and future traffic count study that will include truck traffic counts at this intersection.

Higgins presented a proposed date for a special joint meeting with the Martin County Soil and Water Conservation District. The date to consider is Tuesday, December 1, 2009. It was decided by consensus of the Board to set the date of Tuesday, December 1, 2009 for a special joint meeting with Martin Soil and Water Conservation District. The meeting will begin at noon at a location yet to be determined.

Commissioners reviewed warrants and Highway Bills to be paid. Higgins stated that included with the bills are two separate invoices received from I&S Engineers.

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims for the month of October, 2009 as presented; and includes the Martin County Highway Department claims as presented; and to delete the claim from I&S Engineers pending review. Carried unanimously.

Warrants received and paid October 20, 2009 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved October 20, 2009	\$313,396.80
Enhanced 9-1-1 Fund	\$ 29,259.75
Recreation and Safety Fund	\$ 148.48
Martin Co. Economic Development Authority	\$ 2,714.72
Solid Waste Management Fund	\$ 18,954.49
Law Library Fund	\$ 3,669.85
Martin County Transit Fund	\$103,632.73
M.C. Area Redevelopment Fund	\$ 10,000.00
Ind. Sewage Treatment Sys. Loan Fd (ISTS)	\$ 24,764.43
Building – CIP – Fund	\$ 1,995.94
Bank Building Fund	\$ 3,871.80
Debt Service Fund	\$ 4,712.50
Forfeited Tax Fund	\$ 1.08
Grand Total	\$517,122.57
Road and Bridge Funds Totaled	\$ 54,729.54
Martin County Ditch Fund – Warrants Totaled	\$ 19,764.49

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners move into a closed session per Minnesota Statute 13D.03 to discuss union negotiation strategies with upcoming negotiations next month. Carried unanimously.

Meeting in closed session at 10:00 a.m.

Those present were Commissioners Donnelly, Potter, Pierce, and Boler. Also present were Scott Higgins, Martin County Coordinator, Kevin Peyman, Martin County Highway Engineer, James Forshee, Martin County Auditor/Treasurer, and Julie Walters, Administrative Assistant.

Motion by Commissioner Pierce, seconded by Commissioner Potter, to go back into open session at 11:19 a.m. Carried unanimously.

Meeting returned to open session at 11:19 a.m.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, on an annual basis determines the county contributions to health insurance premiums for non-union staff; approve and authorize Martin County to cover 100% of the premium increase cost for non-union health insurance contributions for the year 2010; and therefore establishes the county contribution (single and family) for the following plans: Plan A (\$20 Co-pay) Single \$172.83, Family \$903.72; Plan B (\$250 Ded.) Single \$96.51, Family \$667.01; Plan C (\$1,000 Ded.) Single \$0.00, Family \$280.00 for CY2010; and to approve and authorize

the Board chair and/or the County Coordinator to sign the necessary documents with BlueCross BlueShield and/or Hanratty & Associates relating to the health insurance plan(s). Carried unanimously.

Higgins presented step increase requests for various part-time courthouse employees that are eligible to receive step increases due to their performance evaluations and required service hours.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize CY2009 step increases for Deb Lutz, Grade 5 Step 2-\$10.58/hour to Grade 5 Step 3-\$10.77/hour and Kari Buntjer, Grade 8 Step 6-\$14.26/hour to Grade 8 Step 7-\$14.57/hour based on performance evaluations. Carried unanimously.

The Board reviewed and discussed a letter received from the Association of Minnesota Counties (AMC) referencing changes to the AMC District meeting format that will take place on October 28, 2009 in St. James, MN.

James Forshee, Martin County Auditor/Treasurer, presented his recommendation to approve Change Order No. 1 received from Hjerpe Contracting, Inc. Forshee stated the City of Truman has requested the construction of a storm sewer outlet in anticipation of future improvements. The work is not part of the JD #47 2009 Improvement Project and is being done as additional work solely at the request of the City of Truman; and as part of their storm water system. The City of Truman shall bear 100 percent of the costs associated with the new contract items in the amount of \$38,257.00. Hjerpe Contracting, Inc. is performing construction work in connection with the JD #47 2009 Improvement Project and the City of Truman would like to take advantage of working with the same contractor in order to receive competitive pricing.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve Change Order No. 1 received from Hjerpe Contracting, Inc. of Hutchinson, MN in the amount of \$38,257.00 for the construction of a storm sewer outlet as part of the City of Truman's storm water system; and that the City of Truman shall bear 100 percent of the costs associated with the new contract item. Carried unanimously.

The Board reviewed reports and information including the October 7, 2009 meeting summary from the South Central Service Cooperative; the Minnesota Department of Transportation Annual Plan Agreement; and the CY2010 Dental and Long Term Disability Renewals.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby accept the 2010 Dental renewal with Humana Dental; Long Term Disability renewal with Assurant; and Minnesota Life Insurance renewal through the Municipal Pool. Carried unanimously.

Higgins stated that the Association of Minnesota Counties (AMC) requests that each county provide voting delegates to the Annual Conference which will be held December 7-9, 2009 in Minneapolis, MN. The 2008 delegates were Commissioners Pierce, Donnelly, Potter, Schmidtke, and Boler; along with James Forshee, Scott Higgins, and Steve McDonald.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby appoint the following individuals as delegates to the Association of Minnesota Counties (AMC) Annual Conference to be held December 7-9, 2009 in Minneapolis, MN: Commissioners Steve Pierce, Steve Donnelly, Jack Potter, Dan Schmidtke, and Gerald Boler; and Kevin Peyman, Martin County Highway Engineer, Scott Higgins, Martin County Coordinator, and Julie Walters, Administrative Assistant. Carried unanimously.

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

Commissioner Potter reviewed research information on cellulosic ethanol.

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

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator