

Martin County Board of Commissioner
December 1, 2009
Board Room

Donnelly called the meeting to order at 4:30 p.m., with the following Board members present: Schmidtke, Boler, Potter, and Pierce. County staff present was Scott Higgins, County Coordinator, Terry Viesselman, County Attorney, James Forshee, Kevin Peyman, County Engineer Others present, Warren Knudson, Director, Faribault/Martin Human Services, Deb Mosloski, Drainage Specialist, Kathy Smith, Director Martin County Soil and Water District, Jennifer Brookens, Sentinel Reporter, and Rod Halverson, KFMC/KSUM Radio.

Motion by Pierce, seconded by Boler to approve the agenda with the following additions: Consider Approval of the Blue Cross/Blue Shield Group Medicare Blue/Medicare Advantage Master Contract, Consider Purchase of Server Back Up Systems, Consider Resolution Order Fixing Ditch Repair and Maintenance Levies and Assessments on County, Joint Ditch and Judicial Ditches of Martin County, Consider Ad Display and Classified Advertising Contract with Sentinel, Delete Consider Martin County Standing Committee Assignments. Carried unanimously.

Motion by Pierce, seconded by Boler to approve the minutes of the November 3, 2009 and November 17, 2009 regular board meetings. Carried unanimously.

Smith presented the Natural Resources Block Grant (NRGB) agreement, effective July 1, 2009 to June 30, 2011. After review and consideration,

Motion by Schmidtke, seconded by Potter,

R-#62/'09

RESOLUTION

BOARD OF WATER AND SOIL RESOURCES NATURAL RESOURCES BLOCK
GRANT FOR FY2010:

WHEREAS, Martin County has a State approved comprehensive local water plan, which has been locally adopted pursuant to Minnesota Statutes Chapter 103B; and

WHEREAS, Martin County may assess a levy under its general levy authority to match such grants by BWSR pursuant to Minnesota Statutes 103B.335;

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approves of Martin County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its comprehensive local water plans in the amount of \$18,754; the administration of the wetland conservation act in the amount of \$10,000; administration of the DNR shoreland program in the amount of \$3,445; MPCA ISTS program N/A; and MPCA feedlot permit program

in the amount of \$57,173; total grant amount of \$89,372 under the terms of the Grant Agreement and all statutory requirements; and

THAT THE Martin County Board of Commissioners authorizes the expenditure of cash and in-kind contributions to match the Natural Resources Block Grant as specified in Laws of Minnesota and the Grant Agreement.

BE IT FURTHER RESOLVED THAT, the Chairperson of the Martin County Board of Commissioners and the County Auditor or County Coordinator is authorized to execute the Grant Agreement together with all related documents.

Motion was made by Commissioner Potter, seconded by Commissioner Boler, and was duly passed and adopted this 1st day of December, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Chair

ATTEST: _____
Scott Higgins, County Coordinator

AYES: Boler, Pierce, Potter, Schmidtke, Donnelly. NAYS: None Approved and passed this 1st day of December 2009.

Viesselman reviewed the recent court decision regarding the AFSCME unfair labor practices claim against the county. Viesselman stated that the motion was denied by the courts. Viesselman further stated that the decertification vote of the AFSCME Highway union was 12-5 in favor of no representation.

Knudson was present and requested a letter of support for the Children's Mental Health Initiative. After discussion,

Motion by Pierce, seconded by Boler, to approve and authorize the Board chair to sign a letter of support for the Children's Mental Health Initiative for Martin County. Carried unanimously.

Peyman presented the Final Contract for SAP 46-639-11 (CSAH #39 Overlay) and SAP 46-650-07 (CSAH #50 Overlay) for approval.

Motion by Schmidtke, seconded by Boler, 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 SAP 46-636-11 CSAH #39 Overlay and SAP 46-650-07 CSAH #50 Overlay to Southern Minnesota Construction (Mankato, MN) in the amount of \$1,377,303.13; and that the project is complete.

Peyman presented request for approval of the annual step increases for Greg Rabbe, Highway Maintenance Superintendent from Grade 16 Step 8, \$28.37 per hour to Grade 16 Step 9 at \$29.05 per hour, and Mike Hannaman, Shop Mechanic at Grade 13 Step 1 \$18.56 per hour to Grade 13 Step 2 at \$19.10 per hour due to satisfactory performance evaluations and per the County Classification and Compensation plan and their respective union contracts.

Motion by Pierce, seconded by Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the annual step increase for Greg Rabbe, Road Maintenance Superintendent from Grade 16 Step 8, \$28.37 per hour to Grade 16 Step 9 at \$29.05 per hour, effective December 8, 2009; and Mike Hannaman, Shop Mechanic at Grade 13 Step 1 \$18.56 per hour to Grade 13 Step 2 at \$19.10 per hour, effective December 29, 2009, due to satisfactory performance evaluations and per the County Classification and Compensation plan and their respective union contracts. All voting in favor. Motion carried.

Peyman asked for the Board's thoughts and input on putting out for bids the fuel purchased by the Highway Department. Stating that with recent issues with the fuel it may be time to go out for bid.

Schmidtke stated that it would be good to bid. Potter concurred. By consensus, the Board was in agreement with putting the fuel purchase for the Highway Department out for bid and that the County Engineer is directed to prepare and advertise for bids purchase of fuel.

The Board reviewed the Sheriff's Office update.

McDonald, MIS Director was present and requested approval for purchase of a Server backup system stating the need for a new system and that there are funds within the MIS departmental budget to cover the expense. Pierce inquired of whether "backups" are kept offsite. McDonald stated in the affirmative and described how backups are done and where they are kept. After further discussion,

Motion by Pierce, seconded by Potter, Be It Resolved that the Martin County Board of Commissioners, approve and authorize the purchase of a Server backup system by the MIS Director as needed for the County. Carried unanimously.

Mosloski was present to request approval for the Resolution to Order Fixing Ditch Repair and Maintenance Levies and Assessment on County, Joint Ditch and Judicial Ditches of Martin County. After further discussion,

Motion by Schmidtke, seconded by Boler,

R-#63/'09

RESOLUTION

ORDER FIXING DITCH REPAIR AND MAINTENANCE LEVIES AND ASSESSMENTS ON COUNTY, JOINT COUNTY, AND JUDICIAL DITCHES OF MARTIN COUNTY, MN:

WHEREAS, ditch repair and maintenance expenditures having been made, or to be made, on various County, Joint County, and Judicial Ditches located wholly or partly within Martin County, MN and it appearing that there are not sufficient funds to the credit of the ditches to finance said repairs and maintenance expenditures; therefore the Martin County Board of Commissioners do hereby, by resolution; levy and assess the following ditch fund accounts to pay for current expenditures for repairs and maintenance or to reimburse other funds where monies have been or will be loaned to the ditch fund, or for the designated purpose of payments on future repair and maintenance expenditures, and

WHEREAS, the various drainage system levy and assessments hereby made by the County Board of Commissioners shall be apportioned and assessed pro rata upon all lands, corporations, and municipalities which have participated in the total benefits theretofore determined; and such levy and assessments for repairs and maintenance of any one ditch system be limited in any one calendar year based upon pro rata percentage of the original calendar year based upon pro rata percentage of the original benefits of that particular drainage system thereof in Martin County, MN under the provisions of Minnesota Statutes Annotated 103-E.

THEREFORE, BE IT RESOLVED, by the Martin County Board of Commissioners of Martin County, MN that the following County, Joint County, and Judicial ditches hereby levied and assessed in the amounts so indicated as sufficient to take care of their obligations for repairs and maintenance heretofore made, or to be made, and equal installments be spread and made payable where necessary, with and made payable where necessary, with and as apart of the Real Estate Taxes in the indicated as follows, to-wit:

DITCHES LEVIED FOR ONE YEAR PAYABLE 2010:

NUMBER	DITCH	AMOUNT
1015	CD #19	\$ 1,000.00
1019	CD #24	\$ 1,000.00
1023	CD #27	\$ 1,000.00
1025	CD #29	\$ 1,000.00
1035	CD #36	\$ 4,000.00
1048	CD #53	\$ 2,000.00
9025	JD #15 M & J (IMP)	\$ 5,000.00
9041	JD #27	\$ 1,000.00
9143	JD #34 Imp	\$10,000.00
9057	JD #38 Imp	\$ 1,000.00
9071	JD #48	\$ 1,000.00
9075	JD #51	\$ 1,000.00
9079	JD #59	\$ 5,000.00
9088	JD #70	\$ 5,000.00
9091	JD #73	\$ 1,000.00

Upon motion by Commissioner Schmidtke, seconded by Commissioner Boler, and carried, said resolution was duly passed and adopted this 1st day of December, 2009

BOARD OF COMMISSIONERS

Steve Donnelly, Chairman

ATTEST: _____

James Forshee
Martin County Auditor/Treasurer

DITCHES LEVIED FOR MORE THAN ONE YEAR

<u>Ditch #</u>	<u>Name of Ditch</u>	<u>Year Ending</u>
9026-1	Judicial Ditch #15 M & J	2017
1009	County Ditch #11	2013 (\$ 45,000)
9036	Judicial Ditch #25	2013 (\$ 35,000)
9054	Judicial Ditch #367	2013 (\$ 45,000)
1001	County Ditch #1 (5 years) (2006)	2010 (\$ 40,000)
9143	Judicial Ditch #34 (5 years) (2006)	2010 (\$ 20,000)
9103	Judicial Ditch #85 (5 years) (2006)	2010 (\$100,000)
1024	County Ditch #28 (5 years) (2007)	2011 (\$ 20,000)
9143	Judicial Ditch #34 (5 years) (2007)	2011 (\$ 30,000)
1032	County Ditch #33 (3 years) (2008)	2010 (\$ 10,000)
9004	Judicial Ditch #2 (5 years) (2008)	2012 (\$ 6,000)
9009	Judicial Ditch #7 M & F (3 years) (2008)	2010 (\$20,000)
9015	Judicial Ditch #10 (10 years) (2008)	2017 (\$40,000)
9021	Judicial Ditch #12 (3 years) (2008)	2010 (\$ 7,000)
9028	Judicial Ditch #18 (3 years) (2008)	2010 (\$20,000)
9049	Judicial Ditch #32 (5 years) (2008)	2012 (\$10,000)
9094	Judicial Ditch #76 (5 years) (2008)	2012 (\$10,000)
9103	Judicial Ditch #85 (5 year) (2008)	2012 (\$35,000)
9054	Judicial Ditch #367 (5 years) (2008)	2012 (\$25,000)
1043	County Ditch #46 (5 years)	2013 (\$ 2,000)
1054-1	County Ditch #58 (3 years) 2009	2011 (\$ 1,000)
1069-1	County Ditch #74 (3 years) 2009	2011 (\$ 1,500)
9001-1	Judicial Ditch #1 (15 years) 2009	2023 (\$ 75,000)
9005-1	Judicial Ditch #3 (12 years) 2009	2020(\$120,000)
9009-3	Judicial Ditch #7 M & F (3 years) 2009	2011(\$ 10,000)
9011-1	Judicial Ditch #8 M & F (3 years) 2009	2011(\$ 3,000)
9012-1	Judicial Ditch #8 (12 years) 2009	2020(\$ 65,000)
9015-4	Judicial Ditch #10 (5 years) 2009	2013(\$ 40,000)
9032-2	Judicial Ditch #22 (10 years) 2009	2018(\$ 30,000)
9036-2	Judicial Ditch #25 (12 years) 2009	2020(\$ 20,000)
9063-1	Judicial Ditch #41 (12 years) 2009	2020(\$ 27,000)
9067-1	Judicial Ditch #44 (3 years) 2009	2011(\$ 14,390)

9071-3	Judicial Ditch #48 (3 years) 2009	2011(\$ 3,500)
9085-1	Judicial Ditch #67 (12 years) 2009	2020(\$ 15,000)
9094-2	Judicial Ditch #76 (5 years) 2009	2013(\$ 2,000)
9095-2	Judicial Ditch #77 (12 years)2009	2020(\$ 5,000)
9097-1	Judicial Ditch #79 (12 years)2009	2020(\$ 5,000)
9111-1	Judicial Ditch #95 (5 years) 2009	2013(\$ 5,000)
9127-1	Judicial Ditch #115(2 years)2009	2010(\$ 3,000)
9150-1	Judicial Ditch #214(N System)(5years)2009	2013(\$ 50,000)
9152-1	Judicial Ditch #414(S System)(12 years)2009	2020(\$ 90,000)
1005-1	County Ditch #1 (3 years) 2010	2012(\$5,000)
1051-1	County Ditch #55 (3 years) 2010	2012(\$,5000)
1064-1	County Ditch #69 (3 years) 2010	2012(\$10,000)
9002-1	Judicial Ditch #2 M&F 2010	2012(10,000)
9069 & 9070	Judicial Ditch #47 2010	2029 (\$695,250.40)

***** The following drainage systems have borrowed from another ditch fund*****

9001 (701) Judicial Ditch #1 borrowed \$30,000.00 from 9135 (839) JD 204 Hugoson Petition

9012 (713) Judicial Ditch # 8 borrowed \$8,000.00 from 9135 (839) JD 204 Hugoson Petition

9063 (769) Judicial Ditch # 41 borrowed \$25,000.00 from 9142 (840) JD #204 Br A-38 Petition

9099 (803) Judicial Ditch # 81 borrowed \$500.00 from 9045 (750) JD 29

1009 (869) County Ditch #11 borrowed \$15,000.00 from 1070 (928) CD #75

This money must be paid back at 6% per annum interest from January 1, 2008 until paid back.

9036-2(739) Judicial Ditch #25 borrowed \$25,000 from Revenue Fund in 2002. Paid back \$15,000.00 in 2009

This money must be paid back at 6% per annum interest from January 1, 2010 until paid back.

AYES: Pierce, Potter, Boler, Schmidtke, and Donnelly, NAYES: None. Passed and Approved this 1st day of December 2009.

Mosloski presented the need for approval for Auditor/Treasurer's staff to determine at their discretion to pay back money borrowed by various ditch systems from the Revenue Fund and/or other ditch funds. After further discussion,

Motion by Schmidtke, seconded by Potter, Be It Resolved that the Martin County Board of Commissioners acting as the Martin County Drainage Authority, approves and authorizes the Auditor/Treasurer to expedite, at the Auditor/Treasurer's discretion, loan repayments from County Ditch (Drainage) Systems which have borrowed funds from either Revenue Fund and/or other Ditch systems (funds) in an effort not only to get these two funds paid back, but also to save money on interest being paid by the Ditch Systems that borrow money from the Revenue Fund and/or Ditch Fund. Carried unanimously

Higgins presented a resolution to approve the Elected Official salaries for CY2010. Higgins stated that based on the Board's previous action on no increases in general wage adjustments and steps, the elected official's salaries also reflect no change for the year 2010.

Motion by Pierce, seconded by Potter,

R-#54/09

RESOLUTION ESTABLISHING MARTIN COUNTY ELECTED OFFICIALS SALARIES FOR CY2010

Motion by Pierce, seconded by Potter, to approve and authorize the Chair and to sign resolution this Resolution (R-#54/09) setting the salaries for Martin County Elected officials for 2010:

WHEREAS, the Martin County Board of Commissioners is responsible for setting the salaries of all elected officials in the county including the County Board, County Board Chair, County Auditor/Treasurer, County Sheriff, County Recorder and County Attorney; and

WHEREAS, the Martin County Personnel Committee has met with the Auditor/Treasurer, Recorder, and Sheriff for their annual review; and

WHEREAS, the Martin County Board of Commissioners appreciates the work performed by all of the elected officials in Martin County.

WHEREAS, due to the overall unknown economic uncertainty and a drastic reduction in revenue received from the State of Minnesota, which has a negative impact on the County Budget; and the County facing further unallotments from the State for CY2009 and CY2010; and

WHEREAS, the County Board has already taken previous action for no general wage or step (merit) increases for non-union employees for the CY2010,

NOW THEREFORE BE IT RESOLVED, that the annual salaries of elected officials in Martin County for the year CY2010 are set as follows (any rounding will be governed by payroll):

County Attorney-	\$67,372.30
County Auditor/Treasurer-	\$73,091.20
County Sheriff -	\$81,681.60
County Recorder-	\$61,172.80

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____

Scott Higgins, County Coordinator

AYES: Schmidtke, Boler, Potter, Pierce, and Donnelly. NAYES: None Passed and approved this 1st Day of December 2009.

Higgins presented the out-of-state travel request for Doug Landsteiner, Martin County CVSO to serve on the re-integration team to assist 1,037 returning soldiers from the 34th Division in Ft. Lewis, WA, February 1-6, 2010 with veteran benefits available to them. Higgins further stated that this re-integration is under the order of the National Guard and therefore will cover the cost for travel and lodging, with the cost to travel to the destination to where the Re-integration team will fly out of has yet to be determined.

Motion by Potter, seconded by Schmidtke, Be It Resolved that the Martin County Board of Commissioners, that the Minnesota Department of Veterans Affairs is requesting assistance from County Veterans Service Officers to be a part of a Re-integration team for the purpose of assisting returning soldiers of the 34th Division with their VA benefits at Ft. Lewis, WA, February 1-6, 2010, hereby approve and authorize the out-of-state travel for Doug Landsteiner, VSO for Martin County; with the understanding that this is under National Guard Orders; and travel cost and lodging to be paid for by the National Guard; and that the cost for the travel to the location where the Re-integration team is to fly out of, is yet to be determined. Carried unanimously.

Forshee requested approval for hire of Jeanne Runge as Account Technician I for the Martin County Auditor/Treasurer's Office. This hire is a replacement hire to fill a vacancy due Joyce Schultz's retirement.

Motion by Pierce, seconded by Boler, Be It Resolved that the Martin County Board of Commissioners approve the hire of Jeanne Runge as Account Technician I for the Auditor/Treasurer's Office; and at Grade 10 Step 1 at \$14.89/hour, and eligible for benefits and per the AFSCME Courthouse Union contract; and contingent upon satisfactory reference and criminal background checks (BCA), effective December 21, 2009. Carried unanimously

Higgins presented and reviewed the appointments to various Citizen Advisory Boards and Committees. Higgins stated that two individuals currently serving on the Planning and Zoning Commission/Board of Adjustment wish to continue to serve and be reappointed. They are Gary Schaub and Rodney Erickson.

Motion by Schmidtke, seconded by Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the re-appointments of Gary Schaub and Rodney Erickson to the Martin County Planning and Zoning Commission for a three year term to commence January 1, 2010. Carried unanimously

Higgins stated that Nancy Olson's term on the County Extension Committee is due to expire on December 31, 2009 and according to the Committee's by laws is not eligible for reappointment. It is recommended that an appointment come from Commissioner Boler's district, since the other four Commissioner Districts are represented on the Committee.

The Board members concurred and Commissioner Boler will present a name for appointment at the next regular Board meeting.

Higgins presented a resolution setting the CY2010 County Commissioner Compensation, per diems and expenses. Higgins stated that the proposed resolution includes no increase in Commissioner's salary, \$75 per diems, reimbursement for mileage and other actual expenses allowed by the resolution and county policy.

Motion by Schmidtke, seconded by Boler, Be It Resolved that the Martin County Board of Commissioners approve the following resolution:

R-#53/'09

R E S O L U T I O N

COUNTY COMMISSIONERS COMPENSATION, PER DIEM & EXPENSES:

WHEREAS, Chapter 301 of the Session Laws 1975 provides a method for determining County Commissioners' compensation, per diem pay, and expense allowances, and

WHEREAS, resolution of the County Board establishing the salary, schedule of per diem payments, and expense allowance must be made before January first of each year so as to become effective January first of the next year, and

WHEREAS, the Board of County Commissioners of Martin County after due deliberation and discussion, have determined the annual salary, schedule of per diem payments, and expense allowances that will be effective January 1, 2010 and thereafter, until changed by resolution of the Board in a manner provided by law.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Martin County as follows:

1. That the annual salary of each County Commissioner of Martin County shall be the sum of \$20,567.00 plus an additional \$1,000 per year for the Chairman; and \$500 per year for Commissioners appointed to the Personnel Committee with the exception of the Board Chair, payable bi-weekly, less such deductions as are authorized or required by law, and shall be paid to such Commissioner during such interval as he or she is qualified by law to hold such office.
2. That each individual County Commissioner shall be paid one per diem of \$75.00 each day spent in performing the official duties connected with the

office. The per diem pay may be paid to any individual County Commissioner making application therefore, who, by proper designation or authorization, has served or is an alternate on any board, committee, or commission of County government, including committees of the Board or for the performance of service for any of the following work, service or activity.

Region Nine Delegate	Workforce Council
F/M. Human Services Board	County Planning Commission
Prairieland Joint Powers	County Water Plan Committee
Delegate to M.V.A.C.	GBERBA
Building Committee	A.M.C. Delegate
Personnel Committee	County Park Board
MN Extension Service	Community Corrections
Region Nine E.M.S.	R.I.M. & Soil Conservation
County Highway Liaison	Minnesota River Basin JPB
3 Rivers RC & D	Law Library Board
SouthCentral HRA Board	MAAH
Economic Development Committee	County Insurance Committee
Transit Advisory Comm. (TAC)	County GASB Committee
Dist. 1, 2,3,4,5, Ditch Insp.	Soil & Water Conservation Dist.
South Central Finance Committee	Library Board
New Law Enforcement Ctr. Comm.	Public Relations Campaign Comm.
Investment in Current/Future Emp.	Centennial Committee
Martin Co. Recreational Trails Comm.	S.W. Rural Energy Task Force
Labor Management Committee	Highway 15 Coalition
GIS Committee	Fox Lake Improvement Dist. Board (non-active)
Library Board Alternate	MCIT Delegate
Drug Court Representative	Tax (CAMA) Study Committee
Red Rock Rural Water	Iowa Lakes Regional Water
Bureau 14 (Chamber of Commerce)	

Activities relating to Ditches under the Jurisdiction of the County Board, or under Jurisdiction of a Joint County Ditch Authority.

For such committee, board, or commissioner work or meetings which may be required by law or which is authorized by the Board of County Commissioners, providing that such work, service or activity is authorized by Board action prior to the performance of such work, service or activity.

3. No Commissioner may receive an amount greater than one full per diem payment on any one day. A Commissioner may accept or claim less than the full per diem. If a per diem is paid by another entity or authority for work, service, or activity permitted by this resolution, Martin County shall not pay a per diem for the same work, service or activity.

4. That in addition to the salary and per diems set forth herein, each individual County Commissioner may be paid his or her actual and necessary expenses and the County mileage allowance, according to County Policy when traveling on official business authorized by Board action.

Motion was made by Commissioner Schmidtke, seconded by Commissioner Boler, and unanimously carried, for the adoption of said resolution.

Dated this 1st day of December, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Chair

ATTEST: _____
Scott Higgins, County Coordinator

AYES: Pierce, Potter, Boler, Schmidtke, Donnelly. NAYS: None. Passed and approved this 1st day of December 2009.

Higgins presented for consideration and approval the Blue Cross/Blue Shield Group Medicare Blue/Medicare Advantage Master Contract for the year 2010. Higgins stated that the premium is \$300 per month for those that are eligible and wish to purchase the insurance coverage.

Motion by Potter, seconded by Schmidtke, Be It Resolved that the Martin County Board of Commissioners, approve and authorize the Board Chair to sign the Blue Cross/Blue Shield Group Medicare Blue/Medicare Advantage Master Contract for the year 2010; which includes a premium of \$300 per month for those individuals that are eligible and wish to purchase the coverage. Carried unanimously.

Higgins presented the Advertising contract with the Sentinel for the year 2010, stating that the new display advertising contract for 750 inches is at the rate of \$10.70 per column inch and that the classified advertising for 100 inches is at the rate of \$7.65 per column inch. Otherwise, without a contract the rates would be \$19.05 per column inch and \$13.05 per column inch respectively. After discussion,

Motion by Potter, seconded by Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the Advertising contract with the Fairmont Sentinel at the following rates for display advertising contract for 750 inches at a rate of \$10.70 per column inch and that the classified advertising for 100 inches is at a rate of \$7.65 per column inch for the year 2010. Carried unanimously.

Higgins reviewed the Maintenance of Effort (MOE) for the County Library system stating that a recertification of the MOE was received by the Department of Education in the amount of \$578,711. This is the minimum level of financial support required by the County to the Martin County Library System. Higgins stated that it was his understanding, after talking with the Library Development and Services Specialist with the Minnesota Department of Education that this would be the minimum financial support the county would need to provide the Library System for CY2010. It was of the understanding that the Board could levy this amount, which would allow some flexibility to the Board in budgeting for the library to help reduce expenses (if needed) and was a way to help counties deal with the loss of revenue received from the state.

Pierce stated if there was a real need to make the reduction to the library budget since there was not a great amount of difference between the original MOE certified and the recertified MOE. Higgins stated that it was an option for the Board to consider. After further discussion,

Motion by Schmidtke, seconded by Pierce to approve adjusting the CY2010 Library levy amount from \$620,247 to \$578,711 and to levy the difference in the amount of requested expenditures for the Library in the Revenue Fund of \$41,536. Carried unanimously.

The Chair Donnelly introduced Nick Nelson, CEO of Midwest Biogas, LLC for a project update.

Mr. Nelson gave an update on the proposed biogas facility project in Martin County. Nelson informed the board that the MPCA permitting limits have been identified and the business plan adjusted to accommodate the current restrictions; the company continues to build its professional management team; there are new investors approaching the company; will need JobZ acres and is working with ED Tschida and would like the county's help in obtaining this designation as well; would ask the county for assistance in road improvements near the proposed site when that is needed; they are working with the City of Welcome to extend City sewer and water to the proposed location and plan to meet with City officials on December 14, 2009. Nelson stated that they hope to be breaking ground for the project mid to late summer 2010; they are working with the landowner on purchase of the land needed-approximately a total of 115 acres. Nelson stated that the company is finished with the conceptual design and are now working on the detailed design; soil borings will need to be done. The actual size of the proposed project is 40 million gallons digestion space, which equates to 20 tanks at two million gallons per tank; and will run five (5) parallel processing systems. Nelson further stated that the company is applying for grant funding through the Minnesota Department of Commerce in the amount of one million dollars and is requesting a letter of support from the County Board to be included with the grant application.

Schmidtke stated that this is great news in a down economy and would be in support of providing the letter of support to the company for their application to the Minnesota Department of Commerce.

Pierce stated that how can we provide a letter of support when we have not seen written plans or financials and other documents of where this proposed project is really at. Nelson stated some of it we cannot share and provided a one page design schematic for the board to review.

Donnelly inquired what the company is requesting from the county if this project comes to fruition. Nelson responded that they would like to have the county help in putting in a turn lane to the facility-similar to the turn lane into Valero. After further discussion,

Motion by Schmidtke, seconded by Potter Be It Resolved that the Martin County Board of Commissioners approve and authorize the Board chair to sign a letter of support, for board review and final approval during the next regular board meeting scheduled on December 15, 2009. AYES: Boler, Potter, Schmidtke and Donnelly. NAYES: Pierce. Motion carried.

The Board gave reports of previous and upcoming meetings and activities. The Board reviewed the STS third quarter report for 2009; and the letter from the Department of Revenue of the Recertification of the CY2009 Library MOE.

With no further business to wit,

Chairman Donnelly declared the regular meeting of the Board adjourned at 5:54pm. The Board recessed in preparation of the Truth In Taxation Hearing to start at 6:00pm.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Chair

ATTEST: _____
Scott Higgins, County Coordinator