

PROCEEDINGS OF THE  
MARTIN COUNTY COMMISSIONERS  
TUESDAY, APRIL 20, 2010  
@ 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 Schmidtke.

Commissioners present were Potter, Pierce, Donnelly, Boler, and Schmidtke. Also present were James Forshee, Martin County Auditor/Treasurer, Jennifer Brookens, Sentinel Newspaper, Kevin Peyman, Martin County Highway Engineer, Terry Viesselman, Martin County Attorney, Rod Halvorsen, KSUM/KFMC Radio, Roberta McDonald, Office Assistant, and members of staff.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: 8.13 Consider Letters to Veterans or Service Personnel. Carried unanimously.

There were no Board minutes to approve.

Terry Viesselman, Martin County Attorney, was present and stated he had nothing new to report.

Billeye Rabbe, Solid Waste Coordinator for Faribault & Martin Counties, presented information for consideration to allow/license a Demolition Material Transfer Facility to be owned and operated by Southern MN Construction Company, Inc. (SMC). Rabbe stated the permit allows SMC to collect up to 120 cubic yards of demolition waste per day. SMC has gone through the permitting process with the Minnesota Pollution Control Agency (MPCA).

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair and Martin County Auditor/Treasurer to sign License for a Demolition Material Transfer Facility to be owned and operated by Southern MN Construction Company, Inc. (SMC) and located at the SMC owned property at 1100 Marcus Street in Fairmont, MN. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, was present to review the 5-Year Construction Plan.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby accept the Martin County Highway Department's 5-Year Construction Plan as presented. Carried unanimously.

Peyman presented a Highway Department update by opening discussion on Highway 15 south of Fairmont to the Iowa border. The state has moved up the date for the reconstruction from 2012 to the fall of 2010. Commissioners appreciated the help from Senator Julie Rosen, and the local Minnesota Department of Transportation (Mn/DOT) for the help of moving the date. The DOT personnel will be in attendance at the next regular Board of Commissioners meeting to talk about future projects in Martin County. Peyman concluded that some gravel roads in the County are still posted at 5 ton.

There was a short discussion on the reappointment of Kevin Peyman as County Engineer for a four year term effective for the period May 1, 2010 through April 30, 2014. The County Engineer is an appointed position per Minnesota Statutes §163.07.

Motion by Commissioner Boler, seconded by Commissioner Donnelly,

R-#22/'10

## RESOLUTION

### REAPPOINTING KEVIN PEYMAN AS MARTIN COUNTY ENGINEER FOR A FOUR-YEAR TERM EFFECTIVE MAY 1, 2010 THROUGH APRIL 30, 2014

WHEREAS, Kevin Peyman was first appointed as the Martin County Engineer effective April 1, 2001 for one year; and then appointed March 19, 2002 to a four-year term ending April 30, 2006; then reappointed May 2, 2006 to a four-year term ending April 30, 2010; and by reappointment of the Board of County Commissioners, will serve through the term expiring April 30, 2010; and

WHEREAS, the County Board of Commissioners has determined that performance objectives have been met and, therefore, recommends reappointment.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Martin, Minnesota, that, in accordance with Minn. Stat. 163.07, that Kevin Peyman be and hereby is reappointed to a four-year term beginning May 1, 2010 and continuing through April 30, 2014.

BE IT FURTHER RESOLVED, that a copy of this resolution be included with the personnel file held by the County Coordinator's Office.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, was duly passed and adopted this 20<sup>th</sup> day of April, 2010.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

---

Dan Schmidtke, Board Chair

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

Roll Call AYES: Commissioners Boler, Donnelly, Schmidtke, Pierce, and Potter.  
NAYS: None. Resolution duly passed and adopted this 20<sup>th</sup> day of April, 2010.

Neil Johnson, MN Department of Corrections District Supervisor, presented a review of the State decision not to cut the Sentencing to Service (STS) completely; but results in reduction that the State would fund 25% and the County would fund 75%. The total cost of a two-year contract with two crew leaders is \$151,978.00 of which Martin County's cost is \$113,983.00.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby consent that it is the Board's intent to continue to contract for Sentencing to Service (STS) services that the county and state share based on the new funding formula of 75% county and 25% state funding; and authorize Board Chair to sign the amendment to the current contract that reflects the new funding level for FY2011 beginning July 1, 2010. Carried unanimously.

Captain Jeff Markquart, Martin County Sheriff's Office, and Mark Geerdes, Martin County Jail Administrator, stated that the Sheriff's Office is anticipating the retirement of one full-time corrections officer that they want to replace the full-time position with a part-time corrections officer and then replace the part-time corrections officer. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the hire of a replacement full-time Corrections Officer and a part-time Corrections Officer for the Martin County Sheriff's Department. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, stated Kay Wrucke is requesting approval for out-of-state travel by the Recorder's Office for two people to attend training for two nights in Rock Island, Illinois.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the out-of-state travel request for Kay Wrucke and Diane Sanders to attend a Fidlar Technologies annual education conference to be held May 18 and 19, 2010 in Rock Island, Illinois; not to exceed \$500.00. Carried unanimously.

Holli Arp, University of Minnesota Extension Regional Director, presented a resignation letter from Lori Pomerence, Martin County 4-H Program Coordinator, effective May 6, 2010.

Commissioner Schmidtke stated that with the cutbacks that the position should be reduced to something less than full-time.

Commissioner Pierce added that the state has made them a state position and taken it away from the county.

Commissioner Boler stated that even with the cutbacks the 4-H Program is needed and offered a motion to approve the replacement of the position at 100% time.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Lori Pomerence, Martin County 4-H Program Coordinator, effective May 6, 2010; and authorize recruitment of a replacement 4-H Program Coordinator. Carried unanimously.

Forshee presented information on authorizing to set up a County Absentee Ballot Board for the upcoming election year. Per state statute the county will be responsible for processing and counting the absentee ballots. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Boler,

R-#18/10

## RESOLUTION

### AUTHORIZING A COUNTY ABSENTEE BALLOT BOARD

WHEREAS, Martin County is permitted by Minnesota Statute 203B.05, Subd. 1 to authorize a County Absentee Ballot Board effective May 2, 2010; and

WHEREAS, this authorization will bring uniformity in the processing of accepting or rejecting returned absentee ballots to Martin County Elections that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22; and

NOW THEREFORE BE IT RESOLVED THAT, the Martin County Board of Commissioners hereby authorizes Martin County Elections to implement a County Absentee Ballot Board that would consist of a sufficient number of election judges as provided in the sections 204B.19 to 204B.22 to perform the task.

Motion made by Commissioner Potter, seconded by Commissioner Boler, and duly adopted this 20<sup>th</sup> day of April, 2010.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

---

Dan Schmidtke, Board Chair

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

Roll Call AYES: Commissioners Boler, Potter, Schmidtke, Donnelly, and Pierce.  
NAYS: None. Resolution duly passed and adopted this 20<sup>th</sup> day of April, 2010.

Forshee stated Martin County is proposing a three-year renewal with Frontier Communications for the county's basic telephone service effective May, 2010 to May, 2013 with no rate increase for the Centrex service.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the proposed three-year agreement with Frontier Communications of Minnesota, Inc. for the county's basic telephone services effective May, 2010 to May, 2013 with no rate increase for the Centrex services. Carried unanimously.

Forshee stated the Board is being asked to approve the Memorandum of Understanding (MOA) for the Martin County Express public transportation system to participate with five (5) other public transit systems in Minnesota, for the collective purchasing of dispatching hardware and software for the systems that are included in the MOA. This software and hardware is being purchased with American Recovery and Reinvestment Act (ARRA) funding through the Minnesota Department of Transportation – Office of Transit. The estimated cost for Martin County would be \$62,600. If not 100% funded by ARRA funds, the approximate cost to the county on the 80/20 split would be \$12,520 to be expended from the transit fund.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the Memorandum of Understanding (MOU) with the following public transit systems: Ecumen DBA Meeker County Transit; Timber Trails Public Transit – Kanabec and Mille Lacs Counties, River Rider – Sherburne and Wright Counties, Pipestone, Pipestone County, Brown County Heartland Express, Brown County for the collective purchasing of transit dispatching hardware and software for a computer web based dispatching system for the Martin County Express public transit system; and to be paid for by funding received from the American Recovery and Reinvestment Act of 2009, through the Minnesota Department of Transportation – Office of Transit. Carried unanimously.

Forshee next stated the Blizzard Snowmobile Club is requesting approval to submit an application on behalf of the county for the Minnesota Department of Natural Resources Minnesota Snowmobile Trails Assistance Program for snowmobile trail maintenance.

Motion by Commissioner Potter, seconded by Commissioner Boler,

R-#21/'10

RESOLUTION

Application from the Blizzard Snowmobile Club for Maintenance Funding for the Existing GIA Trail System:

WHEREAS, Martin County, Minnesota desires to apply for maintenance funding for an existing GIA Trail System and,

WHEREAS, by Law of 1975, Chapter 204, Sections 51 and 95, there was appropriated to the Commissioner of Natural Resources, as a grants-in-aid to Local units of government, funds for said purposes, and

WHEREAS, said Martin County will contract with the Blizzard Snowmobile Club, Inc. to apply for this funding to maintain said GIA Trail System.

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approve of the application for maintenance funding for the existing GIA Trail, and that the Chairperson and/or the County Auditor/Treasurer be authorized to sign all documents relating to the program year.

Motion was made by Commissioner Potter, seconded by Commissioner Boler, and carried this 20<sup>th</sup> day of April, 2010.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Dan Schmidtke, Board Chair

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

Roll Call AYES: Commissioners Boler, Potter, Pierce, Donnelly, and Schmidtke.

NAYS: None. Resolution duly passed and adopted this 20<sup>th</sup> day of April, 2010.

Commissioner Donnelly opened discussion pertaining to sending letters to veterans or service personnel. After discussion,

It was decided by consensus of the Board to contact Doug Landsteiner, County Veterans Service Officer and authorize moving forward with sending letters to veterans and service personnel.

Kurt Deter, Rinke Noonan Attorneys at Law, was present to review some new legislation on the Drainage Laws. Representatives from Martin County Soil and Water Conservation District, Eric Schettler, DNR Conservation Officer, discussed the WCA requirements and the form that the contractors need to have signed when working near wetlands. It seems that a lot of non truths came out of a meeting earlier and these matters were cleared up and all attending felt that what we have in place is working.

The Board recessed at 10:45 a.m.  
 The Board reconvened at 10:55 a.m.

Motion by Commissioner Donnelly, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims for the month of April, 2010 as presented; and includes the Martin County Highway Department as presented.

Warrants received and paid April 20, 2010 are registered on file in the Auditor/Treasurer’s Office as follows:

Revenue Fund – Warrants Approved April 20, 2010	\$157,693.36
Park & Recreation Fund	\$122,897.74
Enhanced 9-1-1 Fund	\$ 934.69
Recreation and Safety Fund	\$ 901.12
Martin Co Economic Development Authority	\$ 11,927.36
Solid Waste Management Fund	\$ 33,915.98
Law Library Fund	\$ 998.76
Martin County Transit Fund	\$ 39,920.36
County Attorney’s Forfeiture	\$ 180.00
Recorder’s Technology	\$ 6,492.66
Recorder’s Compliance	\$ 2,115.00
Bank Building Fund	<u>\$ 3,661.35</u>
Grand Total	\$381,638.38
Road and Bridge Funds Totaled	\$ 95,065.33
Martin County Ditch Fund – Warrants Totaled	\$ 12,317.92

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

With no further business to wit, Board Chair declared the meeting adjourned at 11:10 a.m.

BOARD OF COMMISSIONERS  
 MARTIN COUNTY, MN

---

Dan Schmidtke, Board Chair

ATTEST: \_\_\_\_\_  
James Forshee, County Auditor/Treasurer