

PROCEEDINGS OF THE  
MARTIN COUNTY COMMISSIONERS  
TUESDAY, MAY 18, 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 Boler, Potter, Pierce, and Donnelly. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Highway Engineer, Brad Gerhardt, Martin County Sheriff, Terry Viesselman, Martin County Attorney, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve agenda with the following additions: 8.10 Consider Resignation of Dennis Thate – Corrections Officer; 8.11 Consider Acceptance of Emergency Management Performance Grant – Sheriff’s Office; and 8.12 Consider Interlaken Heritage Days Funding Request. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the May 4, 2010 regular Board of Commissioners meeting as presented. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, stated the Minnesota Office of Energy has some stimulus funding available for local governments and school districts to help buildings become more energy efficient. The time window is quite short with applications due by May 24, 2010 and project selection no later than June 7, 2010. There is a 50% match, a \$1,000 minimum and \$150,000 maximum award. Eligible categories include energy efficient windows, insulation, weather stripping, caulking, door repair or replacement, interior lighting, and controlled improvements such as heating, ventilation, and air conditioning. If funding is granted work must be complete no later than June 30, 2011. Award requirements include meeting Davis Bacon and Buy American requirements, in addition to providing monthly energy savings reporting with the ability to show a 15 year payback in energy savings from the grant.

Peyman went on to state that the Highway Department is looking into applying for an ARRA grant through the office of Minnesota Office of Economic Security for electrical lighting or replacement of windows throughout the Fairmont shop and office areas. Peyman worked with DeWar Electric for cost estimates to replace old T12 lights (T12 magnetic ballasts commonly used for the lamps’ operation will be prohibited from manufacture by the U.S. Department of Energy as of July 1, 2010) and for the addition of new lights in certain areas. The lighting cost is estimated at \$25,000. Peyman noted that the City of Fairmont Public Utilities stated the county qualifies for approximately \$4,400

through standard rebates alone. Peyman went on to note that currently the Highway Department is using roughly \$4,000 a year in electrical bills just to have the lights on and even with the increase in the number of lights, DeWar estimated the county would see about a 30% cost savings per year, saving about \$12,000 a year in energy costs; plus extending the current 12,000 hours of bulb life to 24,000 hours, saving in material costs. There would also be a gain in the shop area from 50 to 55 foot candles of light level up to 70 foot candles of light; and an increase from 20 foot candles of light to the recommended 55 foot candles of light in the garage area.

Peyman next stated that Hertzke Construction looked at some window replacement options. To replace all windows in the office will be about \$46,000 and in my opinion window replacement would be a bigger project than we would want to take on at this time. Peyman continued that he has accumulated enough preliminary data to complete the funding application for replacement lighting, noting that the anticipated cost is not a budgeted item and that the required match would need to be expended from the Road and Bridge Fund or Capital Improvement Fund.

Commissioners discussed the stimulus funding requirements for replacement and new lighting versus replacement windows; Davis Bacon prevailing wage; and Buy American requirements. After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, approve and authorize County Highway Engineer to proceed with application for American Recovery and Reinvestment Act (ARRA) funding-Minnesota Office of Economic Security, for the installation of replacement and new energy efficient lighting at the Martin County Highway Department Office and Shop areas in Fairmont. Carried unanimously.

Peyman presented a Highway Department update including recent audit following the completion of SP 46-636-03 Bituminous Surfacing for County State Aid Highway (CSAH 36) due to federal aid received for this project, and that despite a few minor findings were told this is probably the cleanest project the audit group had seen; and current condition of county gravel roads, completion of crack filling, and 2010 Construction/Maintenance Projects.

Terry Viesselman, Martin County Attorney, was present to review the procedure for interviewing children 10 years or younger (taped interviews) for use as evidence at trial. Viesselman noted the Minnesota Supreme Court decision that Child Protection workers cannot interview these children at a Law Enforcement Center where an officer may be right outside the interview room. Viesselman went on to note that Child Protection will conduct Cornerhouse "safety interviews" in a suitable room located in the Human Resource Building and that it is necessary to purchase a video recording system along with some interview friendly furniture. Viesselman presented bids received for the video recording system from Gemini Studios in the amount of \$2,380 and from CDW Government in the amount of \$3,500. Viesselman recommends the bid from CDW Government due to the newer technology with their video recording system and that

installation and maintenance of the system will be done in-house by Corey Survis, Information Technology person at the Human Resource Building thereby saving \$1,750 in installation charges. Viesselman also recommends purchasing a couple of covered, self-storage stools for use by the child and interviewee during the safety interviews. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the use of space in the Martin County Human Resource Building to serve as Juvenile Victim Interview Room; and to approve and authorize the purchase of necessary video recording equipment from CDW Government as quoted in the amount of \$3,500.00 with installation and maintenance provided by Information Technology Department at the Human Resource Building; and Be It Further Resolved to approve the purchase of required furniture for the Interview Room. Carried unanimously.

Warren Knudson, Director Martin & Faribault Human Services, stated that the Brown County Evaluation Center New Ulm has been the place for the County to transport juveniles who need to be placed in detention and when they need to be held prior to their court hearing and sometimes after their court hearing. Knudson went on to state that juveniles who need to be in detention can be held anywhere from one day up to three days and beyond depending on circumstances. Knudson went on to state that due to low occupancy rates, the Brown County Evaluation Center financially is struggling to provide detention services and are proposing to change their licensing to an 8 day hold and are requesting the eight counties currently using the facility (Blue Earth, Brown, Faribault, Martin, Nicollet, Watonwan, Sibley, and LeSueur) to provide lump sum payments to the Detention facility based upon the past 18 months of experience. The amount proposed for Martin County for one year is \$35,495 but is subject to change depending on the number of participating counties and whether the proposed overall budget meets the needs to keep the detention part of the facility operating. This lump sum would allow the county to unlimited use the facility for 8 day holds.

Brad Gerhardt, Martin County Sheriff, stated that for Martin County this facility provides convenience to the county when juveniles need to be transported to detention. There are other facilities in Willmar and Rochester; however the closeness of New Ulm keeps our staff cost down and travel costs down. Gerhardt went on to state that the proposed 8 days would take care of the initial arrest, initial court appearance, and then to reappear for Sentencing to Service or meet with Probation Officer. Gerhardt went to state that by June 1, 2010 the staff at Brown County Evaluation Center's will need to know what the intentions of the participating counties will be and by June 30<sup>th</sup>, will need to know the final commitments by each participating county and based on those number expect to implement new operating plan on July 1, 2010.

After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby wish to express its intentions to

continue its use of the Brown County Evaluation Center for juvenile detention, and is in support of the proposed subsidy to the Facility due to convenience and location of the facility to Martin County; however, the county reserves the right to reconsider participation of the subsidy if it goes higher than recent proposal (as of May 10, 2010). Carried unanimously.

Brad Gerhardt, Martin County Sheriff, presented the retirement resignation of Dennis Thate, full-time Corrections Officer, effective May 31, 2010 and asks the Board to do the same.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Dennis Thate as full-time Corrections Officer for the Martin County Sheriff's Office effective May 31, 2010. Carried unanimously.

Gerhardt stated the Sheriff's Office has submitted the annual Emergency Management Performance Grant (EMPG) for Federal Fiscal Year 2010 and has received notification of approval in the amount of \$22,000. This is an increase of approximately \$5,000 from last year. Grant dollars received go toward expenses for Emergency Management in the Sheriff's Office.

Motion by Commissioner Boler, seconded by Commissioner Potter,

R-#26/'10

RESOLUTION AUTHORIZING EXECUTION OF  
EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM  
AGREEMENT

Be It Resolved, that Martin County, MN enters into a Grant Agreement with the State of Minnesota, acting through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management for the program entitled Emergency Management Performance Grant (EMPG) in the amount of \$22,000.00 effective January 1, 2010 through December 31, 2010 for the Federal Fiscal Year 2010.

Martin County Sheriff, along with Board Chair, is hereby authorized to execute and sign such Grant Agreements and amendments as are necessary to implement the project on behalf of Martin County, MN.

Motion by Commissioner Boler, seconded by Commissioner Potter, and was duly made and adopted this 18<sup>th</sup> day of May, 2010.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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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 18<sup>th</sup> day of May, 2010.

Gerhardt presented the Safe and Sober Communities resolution stating the Chief of the Fairmont Police Department will be authorized to execute the grant, be the fiscal agent, and administer this grant on behalf of the Martin County Sheriff's Office. The total grant applied for is \$20,900 for all jurisdictions involved in the Safe & Sober Program in Martin County, with the Martin County Sheriff's Office share of the funds applied for in the amount of \$7,585. The grant will be effective October 1, 2010 through September 30, 2011.

Motion by Commissioner Pierce, seconded by Commissioner Boler,

R-#24/'10

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT  
SAFE & SOBER COMMUNITIES

BE IT RESOLVED, that the Martin County Sheriff's Office enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled Safe & Sober Communities during the period from October 1, 2010 through September 30, 2011. The total grant applied for is \$20,900.00 for all jurisdictions involved in the Safe & Sober Program in Martin County, with the Martin County Sheriff's Office share of the funds applied for in the amount of \$7,585.00.

BE IT FINALLY RESOLVED, that Chief Greg Brolsma, Fairmont Police Department, is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Martin County Sheriff's Office and to be the fiscal agent and administer the grant.

Motion by Commissioner Pierce, seconded by Commissioner Boler, said resolution was duly passed and adopted this 18<sup>th</sup> day of May, 2010.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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

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

Roll Call AYES: Commissioners Potter, Donnelly, Boler, Pierce, and Schmidtke.  
NAYS: None. Resolution duly passed and adopted this 18<sup>th</sup> day of May, 2010.

Gerhardt next presented the monthly Sheriff's Office update including ramping up the Boat & Water enforcement hours this year; the Department of Corrections (DOC) has completed the Martin County Jail's annual inspection; the All Hazard Mitigation review grant is completed and has been turned in. The Sheriff's Office will be meeting with John Consodine from Region 9 on the next steps towards the All Hazard Mitigation update and review in 2013; the Sheriff's Office is in the process of updating the Communications Truck to ARMER system through a grant from Region 5 Radio Board; and letter from Sheriff Gerhardt notifying the Board that he will not be seeking reelection as Martin County Sheriff and will retire when the newly elected Sheriff takes the oath of office on Tuesday, January 4, 2011.

Bev Snow, FMJ Multi-County Problem Solving Courts Coordinator, stated the Middle 9 Fire Association (including the cities of Fairmont, Sherburn, Welcome, Dunnell, Granada, Truman, Trimont, and Ceylon) is combining efforts in applying for a U.S. Department of Homeland Security – Assistance to Firefighters Grant (AFG) to secure funding to purchase the required radios for each entity for interoperability with the Allied Radio Matrix for Emergency Response (ARMER) System. Snow stated she has been asked to help in writing the grant and that the cost to purchase the radios, bases, and pagers for all of the non-departments is approximately \$850,000. Snow went on to state there is a 10% cash match requirement depending on the amount of the grant award. It is expected that each participating entity in the grant application will be responsible for their portion of the cash match based on the amount of the allocation the participating entity receives from the grant. Snow noted that the City of Fairmont has agreed to be the fiscal host for the grant and is requesting a letter of support from the County Board.

Discussion ensued regarding concerns if a community or agency was not able to come up with their portion of the match that the county would not allow the grant to be jeopardized and that the county would follow up with those entities.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby gives its full support for the grant application being submitted by the Middle 9 Fire Fighters Association (which includes: Fairmont, Dunnell, Granada, Trimont, Truman, Ceylon, Northrop, Welcome, Sherburn fire departments and EMS) for the purchase of interoperability radio equipment upgrades for the participating entities as part of the countywide Allied Radio Matrix for Emergency Response (ARMER) System; and the Martin County Board of Commissioners wish to assure the City of Fairmont, as the fiscal agent for the grant, will not be held responsible for those agencies and municipalities outside the jurisdiction of the City of Fairmont who default on their cash match obligation. The County will be responsible for addressing this issue. Carried unanimously.

Adam Sokolski, Business Developer with Iberdrola Renewables, presented a project map and an update on the Elm Creek II Wind Project, a 148.8 MW project that will add 62 new Mitsubishi wind turbines, 17 of which will be in Martin County Elm Creek Township. Sokolski stated that construction will begin late May with June road and foundation construction, July-September turbine erection, and September-December

turbine commissioning and commercial operation. Sokolski reviewed a project layout map depicting turbine layout, changes to road and UG electrical routes, and preliminary underground electrical routes and informed the Board that Iberdrola Renewables is responsible for demolition and clean-up of turbine sites.

Higgins requested consideration of the disposal of a 2003 Ford E450 (diesel) Eldorado (Class 400) transit bus as surplus property. The bus has approximately 231,115 plus miles and it has met its useful mechanical life. Higgins recommends disposal by on-line auction through the State of Minnesota, pending Minnesota Department of Transportation (Mn/DOT) Office of Transit providing a letter of approval and relinquishing the State's interest in the bus.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize disposal of the 2003 Ford E450 (diesel) Eldorado, VIN 1FXE453HB48422, State No. B030111 Class 400 transit bus as surplus property due to having met its useful mechanical life; and to dispose of by on-line auction pending Minnesota Department of Transportation-Office of Transit approval. Carried unanimously.

Higgins stated the Martin County Extension Committee has hired Valerie Jepsen and Jenna Gaalswyk as temporary summer staff for the 4-H Adventures Program and 4-H Office Assistant positions. Higgins went on to state that Rachael Janssen has accepted the interim 4-H Program Coordinator position and will start May 17<sup>th</sup> and remain on staff through the Martin County Fair. The 4-H Program Coordinator position opening will soon be posted with the hopes to offer the position by July 1, 2010 with a tentative start date of mid July.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby ratify the hire of Valerie Jepsen as 4-H Summer Program Assistant with the University of Minnesota Extension/Martin County Office (temporary summer position) effective on or about June 1, 2010 through August 4, 2010 at a rate of \$9.20/hour, up to 40 hours per week, not eligible for full-time benefits, to be reimbursed by the Martin County 4-H Federation; and ratify the hire of Jenna Gaalswyk as 4-H Summer Program Assistant with the County Extension Office (temporary summer position) effective on or about May 27, 2010 through August 31, 2010 at a rate of \$9.20/hour, up to 40 hours per week, not eligible for full-time benefits. Carried unanimously.

Higgins reviewed a letter received from the Interlaken Heritage Days Committee requesting a contribution from Martin County for the 2010 Festival to be held June 11-13, 2010.

After further discussion, there was no action taken on Interlaken Heritage Days funding request.

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

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

Revenue Fund – Warrants Approved May 20, 2010	\$161,207.25
Enhanced 9-1-1 Fund	\$ 3.95
Recreation and Safety Fund	\$ 18.08
Martin County Economic Development Authority	\$ 13,175.21
Solid Waste Management Fund	\$ 30,652.71
Law Library Fund	\$ 1,800.15
Martin County Transit Fund	\$ 42,741.89
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 25,167.47
Bank Building Fund	\$ 2,586.93
Debt Service-Prairieland Fund	<u>\$329,712.50</u>
Total	\$607,066.14
Road and Bridge Funds Totaled	\$141,775.88
Martin County Ditch Fund – Warrants Totaled	\$ 44,013.73

Commissioners reviewed the 2010 Transit Quarterly Report for Martin County Express; the Region Nine Board of Directors Meeting Minutes of March 10, 2010; and a draft copy of the Government Day Agenda for the Martin County Leadership program to be held on December 1, 2010.

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 10:53 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Board Chair

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