

**PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 3, 2004
@ 9:00 A.M.**

The meeting was called to order by Chairman, Jack Potter at 9:00 a.m. with the following Commissioners present: Commissioner Steve Donnelly, Commissioner Steve Pierce, Commissioner Gerald Boler and Commissioner Dan Schmidtke.

Also present were Terry Viesselman, County Attorney, Kevin Peyman, County Engineer, Scott Higgins, County Coordinator, Jim Forshee, Auditor/Treasurer, Christine Rupp, Fairmont Sentinel, Rod Halverson KSUM/KFMC Radio, Jerry Voyles, SWCD Director and members of the Public.

On motion by Commissioner Pierce, seconded by Commissioner Donnelly to approve the agenda with the following additions: (1) Discuss Employee "Key" Issue (2) Consider Approval of the AG BMP 2004 Loan Documents. All in favor, motion carried.

On Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly to approve the minutes of the January 20, 2004 Board of Commissioners meeting. All in favor. Carried unanimously.

Terry Viesselman, County Attorney, was present and reported to the Board the upcoming expense pertaining to a pre-trial court appeal for attorney's fees that would need to be paid by the County. Viesselman requested the Boards authorization and payment for this expense.

Motion by Commissioner Pierce, seconded by Commissioner Boler upon the recommendation of the County Attorney to approve payment of legal fees incurred for pre-trial court appeal for \$1,874.30 to be expended from the General Fund. All in favor. Carried unanimously.

Motion was made by Commissioner Donnelly, seconded by Commissioner Boler to approve and authorize the Chair to sign and send a letter to the MCIT Board thanking those MCIT Board members who were instrumental in settling the case against MCIT by the "Amberfield Counties" for payment of legal cost for the Amberfield litigation. All in favor. Carried unanimously.

Kevin Peyman, County Engineer, was present to requested approval of the resignation of Steve Sparks from the Dunnell Maintenance Worker I position. After discussion,

Motion was made by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners hereby accept the resignation of Steve Sparks, Dunnell Maintenance Worker I position in Dunnell, MN. effective February 5, 2004. Carried unanimously

Commissioner Boler inquired if there was there was an eligibility list for the position.

Peyman responded that there was not and that the County would have to advertise for this position and that the position would be working out of the Dunnel Shop.

Motion was made by Commissioner Boler, seconded by Commissioner Pierce to Be It Resolved that the Martin County Board of Commissioners hereby approve and authorize the recruitment of a Highway Maintenance Specialist I for the Martin County Highway Department for the Dunnel Shop. Carried unanimously.

Peyman updated the Board on the snow removal from roads due to several days of snow accumulation. The Highway Maintenance crew is having some problems with the gravel mixed in with the snow and are trying to save as much gravel as possible from being graded off into the ditch.

The Board thanked Peyman for his report.

Jerry Voyles, SWCD Director, requested authorized signatures for the 2004 application of the Agricultural Best Management Practices (Ag BMP) Loan Agreement.

Commissioner Pierce inquired of the balance of this loan and if the Welcome State Bank acts as the local lender.

Voyles, stated that a new work plan will be submitted to the MN Department of Agriculture to help support the program with low interest loan funds for the County and that the money is a revolving loan amount.

Motion was made by Commissioner Pierce, seconded by Commissioner Boler to approve and authorize the Chair to sign the loan applications and other necessary documents for the 2004 Ag BMP Loan Program 2004 on behalf of Martin County. All in favor. Carried unanimously.

Rebecca Bentele, Victim Witness Coordinator, requested to fill the vacancy of the Advocate position left open by a resignation. Bentele stated that the Board approved an increase in funding for Victim Services from \$14,582 per year to \$16,200 for CY2004, which would allow Bentele to hire a part-time employee. Bentele presented three options to the board. Bentele recommended Option #3, which was to hire a part-time advocate that would also require some support staff duties as needed. This position would average 20 hours per week. Bentele further stated that continuation of this position is contingent on the availability of grant funding along with Board approval. Bentele stated that it might be possible the position will become full time if additional grant funds are acquired and approved by the County Board. After discussion,

Motion was made by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved, that the Martin County Board of Commissioners hereby approve and authorize the recruitment and to authorize the County Coordinator to advertise for a part-time Domestic Violence/Sexual Assault Advocate for the Victim Witness Services at approximately 20 hours/week effective. All in favor, motion carried. Carried unanimously.

Motion was made by Commissioner Boler, seconded by Commissioner Donnelly Be IT Resolved that the Martin County Board of Commissioners hereby set a Public Hearing date for consideration of proposed amendments to the Martin County Feedlot Ordinance for February 17, 2004 at 10:00 a.m. All in favor. Carried unanimously.

Commissioner Boler inquired about the language in the Ordinance regarding the immediate cover of manure” Incorporation within 48 hours prior to rain”or Injection. Boler further stated that he did not find this language in the ordinance.

Chairman Potter responded that the language regarding the immediate cover of manure was still in the ordinance Subdivision 3, Setbacks for Manure Application. Chapter 7.

After discussion, it was the consensus of the Board that any changes to the ordinance will be considered during the Public Hearing.

Sheriff Brad Gerhardt, Tanya Skow, Assistant Jail Administrator, and Steve McDonald, MIS Director were on hand for a presentation to the Board of the Global Positioning System (GPS) which was recently added to the County’s Electronic Home Monitoring Program. Sheriff Gerhardt also introduced Tamra Wohlhuter, Corrections Officer to the Board stating that she is also working with the EHM Program.

Skow, introduced the Personal Identification Device (PID) equipment that is used on the client. Skow explained the GPS tracking by using the computer to show how the PID transmits to show the location of the client at all times. Skow further explained how the history of the client is recorded.

After discussion, Chairman Potter thanked Skow for her interesting presentation.

Sheriff Gerhardt updated the Board on the upcoming Minnesota Incident Management System (M.I.M.S.) Training pertaining to natural disasters, major incidents etc. Gerhardt stated that this is a 12 hours training. The training sessions will be conducted on the following nights, Tuesday, February 17th, Monday, February 23rd and Tuesday, February 24th, 6-10p.m. at the Knights of Columbus Hall in Fairmont. Gerhardt encouraged that the County Board and County Coordinator should take this opportunity to attend and participate in the training to see how the system works.

Sheriff Gerhardt stated that Wednesday February 4, 2004 is "Meth Awareness Day" at the State Capitol and the Sheriff and Agent Ginger Peterson will be making a presentation at the Capitol regarding the comprehensive "Meth Bill". This will be a big day and will go a long ways towards convincing our legislator's on whether or not to support the bill.

Sheriff Gerhardt also stated that there will be a Methamphetamine Prevention Seminar February 19, 2004 at 7:00 p.m. at the Fairmont Opera House and encouraged the Board to attend this informative presentation. Deb Durken, MN Department of Health, Agent Ginger Peterson, Sergeant James Kotewa and Detective Eric Tonder will be presenters.

Sheriff Gerhardt updated the Board on concerning the County Emergency Management ID system, Ice Rescue Training, and Cable TV channels broadcasting the Warrant List.

The Board thanked Sheriff Gerhardt for his report.

The Board recessed at 10:33 a.m.

The Board reconvened at 10:42 a.m.

Warren Knudson, Faribault/Martin Human Service Director, requested hiring of a Family Preservation Social Worker Position to be funded totally through Faribault/Martin Human Services Collaborative. Knudson stated the position would be 100 percent federally funded and the position would last as long as the funding does. Knudson further stated that the person who fills the position would work with juveniles that are in the Corrections system and result of this should keep them at home and reduce cost for the out-of-home placements. After discussion,

Motion was made by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved, that the Martin County Board of Commissioners hereby approve and authorize the recruitment and hiring of a Corrections Family Preservation Social Worker for Martin County and the Board Chair be authorized and execute related documents; that the position is to be fully funded by the Faribault and Martin Human Service Collaborative effective February 3, 2004. All voting in favor. Carried unanimously.

Higgins presented the Addendum #2 Lease Agreement between Martin County and Human Services of Faribault/Martin Counties for a change in #3. Rent/Deposits, Section 3.1 of the Lease Agreement of January 1, 2001, effective January 1, 2004. This rent reduction is implemented as a result of a reduction in janitorial services and costs. The reduction would be \$2,573 per year to reflect the reduction in cleaning services by ServiceMaster. After discussion,

Motion was made by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved, that the Martin County Board of Commissioners hereby approve the Addendum to Lease Agreement between Martin County and Human Service of Faribault/Martin Counties that the rent reduction be implemented as a result of a reduction in janitorial service and cost. The reduction would be \$2,573 per year to reflect the reduction in cleaning services by ServiceMaster. All voting in favor. Motion carried.

Billee Rabbe, Regional Extension Educator, was on hand to request approval of Waste Hauler and Recycling Licenses for 2004 for Southland Sanitation, Fairmont, MN and Curry Sanitation of St. James, MN.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners hereby approve the Waste Hauler and Recycling Licenses-2004 for Southland Sanitation, Fairmont, MN and Curry Sanitation of St. James, MN; that the permit applications have met the necessary requirements for licensure by the County. All voting in favor. Motion carried.

Commissioner Donnelly informed the Board of the "Office Moves" proposals considered by the Building Committee for the first floor of the Courthouse involving ESD, County Coordinator, Recorder, 4-H Coordinator, Assessor and Family Mentoring.

Commissioner Donnelly stated that the Building Committee had considered the plans with the staff and by consensus Proposal #2 was the first choice. After further discussion,

Motion was made by Commissioner Donnelly, seconded by Commissioner Pierce, Be It Resolved, after staff consideration and by mutual consensus of the staff involved with the office moves and recommendation of the Building Committee hereby approve the "Office Moves" as presented Per Proposal # 2. All voting in favor. Carried unanimously.

Amy Shogren, Three Rivers RC &D Coordinator, and Lauren Klement, Coordinator for the Greater Blue Earth River Initiative, were present to update the Board on the RC & D Annual Report and 2004 Plan of Work.

Shogren stated that Resource Conservation and Development (RC&D) is a program that assists local people to protect and develop their economic and natural resources in ways that improve the quality of life of the area. Local RC &D Councils provide a way for people to plan and implement projects that will make their community a better place to live. Shogren further stated that the Three Rivers RC&D Council assisted the Greater Blue Earth River Watershed Team to submit a proposal for funding for the Greater Blue Earth River Watershed. This project was one of twenty in the nation chosen for funding. The council has been working with EPA to complete a final work plan and has begun work to restore wetlands, provide incentives for riparian buffers, education, monitor water quality and provide conservation practice cost share.

The Board thanked Shogren and Klement for their presentation.

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly to consider approval for deletion of mobile home taxes deemed to be uncollectible per the Mobile Homes Delinquent Tax list as presented.

Jim Forshee, Auditor/Treasurer, reported on a list of Mobile Home Delinquent Tax parcels. Forshee stated that the necessary documents were sent to be served on the listed parcels with delinquent tax and that Sheriff Deputies found there were no longer mobile homes on the properties. After much discussion, Commissioner Pierce rescinded the motion and Donnelly rescinded his second to the motion, and by consensus requested that the staff determine whether or not the taxes still could be collected from the individuals listed on the Mobile Home Delinquent Tax list and to for consideration at the next regular Board meeting.

Commissioner Pierce inquired about the matter pertaining to the employees and the re-issuance of keys to employees. Pierce further inquired if every employee had keys or just a few in each office.

Higgins reviewed the matter with the Board, stating that the locks have not been changed for nearly ten years and that it is more of a matter of security and the necessity for all staff to have keys to the Courthouse. Higgins further stated that this was reviewed with the Departments Heads and that each Department was to be issued a "check out" key for the Department.

Discussion ensued regarding the inventory of the Courthouse Keys and whether each office upon the discretion of the Department Head should determine who should have keys.

By consensus of the Board, it was determined that the discretion of needed keys for staff is left up to the Department Heads.

Higgins requested approval of a revised job description for Pamela Flitter from Environmental Technologist to Zoning Official and Enid Bloedel from Account Technician II to Accounting Technician/Office Coordinator. Higgins stated that the Personnel Committee has reviewed the job description with Flitter and recommended approval.

Commissioner Pierce stated that he would like to compare the job duties of her current job description to the actual changes that were made to the new job description.

Chairman Potter stated that the job descriptions reflect some of the changes in the Environmental Services Department and that the job description was revised to reflect the upcoming changes.

Higgins stated that this was just a draft of the new position and would like the description to be finalized at the February 17, 2004 Board of Commissioners meeting. Higgins stated that copies of the original job descriptions and revisions would be distributed to the Board members for review before their next regular meeting.

Chairman Potter asked if there were any further business.

The Board was updated on the status of the proposed Transit Facility that the building committee discussed at their last meeting.

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

The next regular Board of Commissioners meeting will be held Tuesday, February 17, 2004 in the Martin county Commissioners meeting room.

With no further business to wit,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, to adjourn.
Carried unanimously.

Meeting adjourned at 11:32 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chairman

Attest: _____
Scott Higgins, County Coordinator

