

**PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 20, 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: Steve Donnelly, Steve Pierce, Dan Schmidtke, and Gerald Boler. Also present were Terry Viesselman, County Attorney, Kevin Peyman, County Engineer, Scott Higgins, County Coordinator, Jim Forshee, County Auditor/Treasurer, Faye O'Sell, Administrative Assistant, Christine Rupp, Sentinel, Rod Halverson, KSUM/KFMC Radio and members of the Public.

Motion was made by Commissioner Donnelly, seconded by Commissioner Boler to approve the Agenda with the following additions: (1)10.a Set hearing date for County Ditch #10, (12)g. Consider Amending Fairlakes Taxi, Inc. Purchase of Service Agreement (12) h. Consider Fair Board Budget Request Allocation for CY2005 (5) d. SWCD Monthly Update- Jerry Voyles, Director SWCD, (7) Delete- Sheriff's Office Update. Carried unanimously.

Terry Viesselman, County Attorney, was present to report on upcoming tax appeals for K-Mart, Fairmont Townhouses and Gordy's Foods. Viesselman stated that Homier Distributing Company, Inc. of Indiana litigation was on hold.

Viesselman updated the Board of Commissioners on two sex offenders that were to be released from prison and reside in Martin County. Viesselman stated that he had received information from the Attorney Generals Office regarding one of the sex offenders. One individual was evaluated and was determined that he should be committed. Viesselman further stated that he wanted the Board to be informed of the legal process regarding funding for this commitment and that the county may have to pay \$300 a day for this particular case. Viesselman stated he will get back to the Board on this matter.

Chairman Potter asked the Board if they had any further questions for the County Attorney. There was none.

Kevin Peyman, County Engineer, was present and reported to the Board the Bid Letting for S.P. 46-636-01 was held on July 16, 2004 at 10:00 a.m. with James Forshee, Martin County Auditor/Treasurer present.

Peyman reviewed the bid openings as follows:

<u>SP 46-636-01 Bridge Replacement & Approach Grading</u>	
M & K Bridge Construction, Walnut Grove, MN	\$498,652.00
Structural Specialties, Hutchinson, MN	\$505,301.01
Minnowa Construction, Harmony, MN	\$543,941.90

After Board discussion and consideration,

Motion was made by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved, that the Martin County Board of Commissioners after review of sealed bids and having met the specifications for the project, and upon the recommendation by the County Engineer, hereby award the bid for S.P. 46-636-01 to M & K Bridge Construction, Walnut Grove, MN in the amount of \$498,652.00. Carried unanimously.

Peyman reported that County Road #130 is now confirmed as a 10 ton road.

Peyman stated that Mark Bauman, Prairieland Director, called him regarding the Prairieland Compost Facility parking lot in need of repair in Truman, MN. The south side of the Prairieland Facility parking lot needs to be replaced and will require a substantial amount of work.

Commissioner Pierce stated that Faribault County Board should be notified of this parking lot issue and that the two boards work on a plan to share in the cost of the repair.

Peyman stated that he would inform Mark Bauman that it was the consensus of the Martin County Board to pursue this request.

Peyman recommended approval for merit increases for Kevin Lutterman and Gary Schaub as result of performance evaluations and per their respective union contracts.

Motion was made by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners upon the recommendation of the County Engineer to approve merit increases for Kevin Lutterman, Heavy Equipment Operator, from Grade 12 Step 8 at \$18.17/hr to Grade 12, Step 9 at \$18.61/hr and Gary Schaub, Assistant Engineer, from Grade 18, Step 3 at \$25.28/hr to Grade 18, Step 4 at \$26.12/hr per the Highway Union Contract effective July 1, 2004. Carried unanimously.

Peyman presented the Martin County Highway Department Annual Report for CY2003 to the Board.

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly to receive and file the Martin County Highway Department Annual Report for CY2003. All voting in favor. Carried unanimously.

Chairman Potter thanked Peyman for his report.

Randy Studier, University of Minnesota Regional Extension Director, was present to introduce himself and provide an update to the Board on his position and the counties that he will serve as a Regional Director. Studier further stated that his role was to help counties understand the services available to the counties and citizens through the Extension Service.

Chairman Potter thanked Randy Studier for his report.

Chairman Potter recognized Reggie Edwards, Region Nine Executive Director. Edwards stated that he was visiting various Commissioners meetings in the area and glad to be present.

Deb Mosloski, Drainage Specialist for Martin County, was present to report to the Board that Ron Ringquist has completed the re-determination of J.D. #10 and a meeting date needed to be set for a Public Hearing on the Re-determination of JD #10.

Motion was made by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners acting as the Drainage Authority for Martin County, hereby sets a public hearing regarding the results of the Re-determination of Judicial Ditch (J.D.) #10 for September 7, 2004 at 10:00 a.m. Carried unanimously.

Scott Higgins, County Coordinator, presented the Professional Services Agreement (Maintenance Agreement) between GeoComm, Inc and Martin County. Higgins stated that the previous agreement has expired and that the monthly fee is \$360 for maintenance of the 911 mapping system, GeoCell portion of the County's 911 system and recommended approval.

Commissioner Pierce stated that he would like to have GeoComm present to the Board its services and inquired to determine in cell phones (GeoCell) portion of the agreement and updating of addresses is being completed per the agreement. After discussion,

Motion was made by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve and authorize the Chair to sign the Professional Service agreement between State of MN and GeoComm Inc., contingent upon the receipt of a report from GeoComm Inc. providing more details about the services being provided by GeoComm. All voting in favor. Carried unanimously.

Lenny Tvedten, Martin County Historical Society Executive Director, Glen Personius, President, John Edman, Treasurer and Kay Wrucke, Board Member were present to update the Board on the programs of the Historical Society and request a budget allocation for CY2005 Martin County Historical Society in the amount of \$20,000 for operations.

Glen Personius, thanked the Board for their support and asked for their continued support for the Martin County Historical Society. Personius further stated that many improvements have been made and a major expense regarding the research room and proposed elevator construction has exhausted the general fund, additional funding is needed for the installation of an elevator. Personius stated that the Historical Society is requesting that the County contribute what they can toward the elevator project. After discussion,

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly to receive and file the Budget Allocation Request for CY2005 from the Martin County Historical Society for \$20,000. All voting in favor. Motion carried.

It was the consensus of the Board that the Historical Society Board send a letter of a specific dollar amount for the additional request for the installation of the elevator for the Board to consider during the CY2005 budget process.

John Edman, Treasurer for the Historical Society, expressed the need for this allocation and will be happy to send a letter to the Board regarding the listed items.

Chairman Potter thanked the members for coming to the meeting.

The Board recessed at 10:16 a.m.

The Board reconvened at 10:30 a.m.

Billeye Rabbe, Solid Waste Consultant for Prairieland, was present to ask the Board to consider the Resolution and for the Board Chair to sign a letter for a 5-Year Extension on the Martin County Solid Waste Management Plan. Rabbe stated that because of a statutory change, solid waste plans can be approved for a 10 year period instead of a five-year period.

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 Chair to sign the Resolution for a 5-Year Extension on the Martin County Solid Waste Management Plan and submit a letter to the Minnesota Office of Environmental Assistance requesting that the office give its approval to the county's plan, which was adopted in 2002, for five more years, extending its expiration date from 2007 to 2012.

R-#26

R E S O L U T I O N

5-YEAR EXTENSION ON MARTIN COUNTY SOLID WASTE PLAN

WHEREAS, the legislature of the State of Minnesota requires that Minnesota's counties develop a Solid Waste Management Plan in accordance with Minn. Statutes 115A.46: 115A.417; Minn. Statutes 115A.551 subds. 6-7; 115A.552, 115.557, subd. 2-3, 115A.63; Minn Statute 115A.84; Minn. Statute 115A.914, Minn. Statute 115A.96, subd 6-7; Minn. Statute 115A.97, and all applicable statutes and rules; and

WHEREAS, Minnesota counties recognize the need to plan for and practice environmentally sound methods of managing solid waste;

WHEREAS, in 2002, the legislature of the State of Minnesota enacted legislation to allow Solid Waste Management Plans to be approved for (10) ten year period, and

WHEREAS, Martin County received approval for their updated Solid Waste Management Plan from the Minnesota Office of Environmental Assistance on June 20, 2002, and

NOW THEREFORE, BE IT RESOLVED that the Martin County Board of Commissioners hereby requests from the Minnesota Office of Environmental Assistance extend their approval of this plan from the approved (5) five years to the (10) ten year period, through 2012, and

BE IT THEREFORE FURTHER RESOLVED, that Martin County agrees to maintain and implement the Plan Update as required by Minn. Rules and

BE IT THEREFORE FURTHER RESOLVED, that the Martin County Board submits this request to the Director of the Minnesota Office of Environmental Assistance for approval pursuant to applicable Minnesota laws and rules.

Adopted this 20th day of July, 2004 by the Martin County Board of Commissioners.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter

ATTEST: _____

Scott Higgins
County Coordinator

Roll call: AYES: Commissioners Potter, Boler, Schmidtke, Pierce and Donnelly. NAYES: None. Adopted this 20th day of July 2004.

Jerry Voyles, SWCD Director, was present to update the Board on the Soil and Water Conservation District activities. Voyles stated that the staff has been working all month on the Conservation Security Program (CSP). Voyles reminded the Board of the joint meeting today with the Commissioners and SWCD Supervisors at 12:00 noon. at the Holiday Inn, Fairmont, MN. Darren Newville will have an in-depth presentation on the Clean Water Partnership Program and Impaired Waters in Minnesota.

Chairman Potter asked for a motion on the Budget Allocation Request from Southeastern Minnesota Initiative Foundation for CY2005 and the Martin County Fair Board.

Motion was made by Commissioner Schmidtke, seconded by Commissioner Donnelly to receive and file for consideration for the CY2005 Budget the budget allocation Request from Southeastern Minnesota Initiative Foundation for \$4,000. All voting in favor. Carried unanimously.

Motion was made by Commissioner Donnelly, seconded by Commissioner Boler to receive and file for consideration for the CY2005 budget the budget Allocation Request from the Martin County Fair Board for \$30,000. All voting in favor. Carried unanimously.

Higgins presented the warrants to be paid as presented with the deletion of the \$293.00 expense for “Yellow pages Publishers.” After discussion,

Motion was made by Commissioner Schmidtke, seconded by Commissioner Pierce to approve the bills with the deletion of payment to the “Yellow Pages Publishers in the amount of \$293.00. All voting in favor. Carried unanimously.

**ROAD & BRIDGE- Warrants to be approved 7-20-04 Totaled:
\$46,052.17**

REVENUE FUND- Warrants to be approved 7-20-04 Total \$229,480.82

Enhanced 911 Fund- Warrants to be approved 7-20-04 Totaled: \$1.14

Solid Waste Management-	Totaled: 31,148.13
Law Library-	Totaled: \$1,934.74
Martin County Transit-	Totaled: \$26,162.96
Building CIP-	Totaled: \$1,905.65
Bank Building-	Totaled: \$4,475.98
Debt Service-	Totaled: \$7,686.25
Taxes and Penalties	Totaled: \$ 35.00
Individual Sewage Systems ((ISTS)	Totaled: \$33,591.92

GRAND TOTAL OF ABOVE FUNDS (REVENUE-ISTS)

Totaled: \$336,422.59

DITCH FUND- Warrants to be approved 7-20-04- \$12,965.98

Higgins stated that the proposed Years of Service Recognition Program “Chamber Bucks” is not considered taxable income because they are given as part of a recognition program. After further discussion,

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve the Employee Recognition Awards Program for Employee Years of Service Recognition and the issuing “Chamber Bucks” as follows

FIVE YEAR INCREMENT AWARDS

5 Year	Certificate
10 Year	Certificate and \$25.00 Chamber Bucks
15 Year	\$35.00 Chamber Bucks
20 Year	\$50.00 Chamber Bucks
25 Year	\$75.00 Chamber bucks
30 Year	\$100.00

All voting in favor. Motion carried.

Scott Higgins, County Coordinator, updated the Board of the proposed Martin County Transit Facility plans to house the county transit buses and stressed that the county should move forward with the project. Higgins stated that the preliminary estimate for the construction of the facility is for \$349,000. Higgins stated that this estimate was received several weeks ago and recommended that the County move forward with Design and Specifications for the project and to proceed to have the project sent out for bids. Higgins further stated that the county has received a state-bonding grant from the Minnesota Department of Transportation for 80 percent of the project, up to \$200,000. Higgins informed the Board that a site for the facility needed to be decided by the Board. Higgins indicated that the MNDOT site located next to the County Highway Shop has completed the required environmental assessment and is clear. If the Board is considering construction of the facility on the Martin County Highway Dept. lot, an environmental assessment will need to be completed and is estimated to cost approximately \$1,700. Higgins stated the importance of moving ahead with this project and that the State Bonding money would need to be encumbered before year-end. After much discussion,

Motion was made by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners proceed with the environmental assessment with I & S Architects and Engineers, Inc, Mankato, MN on a proposed site located on the County Highway Department yard in Fairmont. All voting in favor. Motion carried.

Higgins presented the Emergency Grant for Martin County Victim Services and recommended approval.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners approve and authorize the Chair to sign the grant agreement between Martin County and the Minnesota Center for Crime Victim Services for the County's Victim Services Department for \$1,000, with no required match. All voting in favor. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners hereby approve to amend the Purchase of Service Agreement with Fairlakes Taxi's, Inc to Expire December 31, 2006 for an increase in payment up to \$20,000 due to the unexpected increase in the Property and Liability Insurance to the third party contractor for the operation of the Martin County Express public transit system for the year 2004. All voting in favor. Carried unanimously.

The Martin County Board of Commissioner by consensus directed the Coordinator to formulate a resolution for Board consideration at it's next regular meeting, supporting for the extension of State of Minnesota House of Representatives terms from two (2) to four (4) years and that half of the members of both the Senate and House be up for election in equal staggered terms.

Motion was made by Commissioner Donnelly, seconded by Commissioner Boler to authorize the Chair to send a letter on behalf of the Board of Commissioners to Governor Pawlenty stating the County's disappointment

with the replacements of Char Kahler and Jack Frost on the State Board of Soil and Water Resources. Carried unanimously.

Reports and calendars were reviewed of previous and upcoming week's activities.

The next regular Board of Commissioners meeting will be August 3, 2004 at 9:00 a.m. in the Martin County Board meeting room.

With no further business to wit and upon a motion by Commissioner Pierce, seconded by Commissioner Boler to adjourn. Carried unanimously.
Meeting adjourned at 11:45 a.m.

The Martin County Board of Commissioners joined the SWCD Supervisors at the Holiday Inn, Fairmont, MN for a noon meeting. All Commissioners present and Scott Higgins, Coordinator.

A presentation was made by Darren Newville, SWCD Technician on Impaired Waters in Minnesota and in Martin County. A video was viewed from AMC concerning Impaired Waters in Minnesota.

Newville presented to the two Boards proposed changes in the Clean Water Partnership work plan for Martin County. Newville stated that these changes do not increase needed dollars. The proposal is to add the Blue Earth River Basin and staff to the CWP program.

Higgins invited Board members to attend the County Visioning and Strategic Planning Session to be held on July 23, 2004 at Rose Lake Golf Course.

Jerry Voyles presented Commissioner Donnelly with a recognition award for his leadership in establishing the Blue Earth River Basin Initiative Alliance.

Meeting adjourned.

**BOARD OF COMMISSIONERS
MARTIN COUNTY, MN**

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator