

**PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 19, 2004
@ 9:00 A.M.**

The meeting was called to order at 9:00 a.m. by Jack Potter, Chairman. Commissioners present were Steve Pierce, Steve Donnelly, Dan Schmidtke and Gerald Boler. Also present were Terry Viesselman, County Attorney, Jim Forshee, Auditor/Treasurer, Scott Higgins, County Coordinator, Kevin Peyman, County Engineer, Faye O'Sell, Administrative Assistant, Sheriff Gerhardt, Jerry Voyles, SWCD Director, Darrin Newville, SWCD Technician, Bill Cahalan, Sentinel, and Rod Halverson, KSUM/KFMC Radio.

Motion was made by Commissioner Schmidtke, seconded by Commissioner Donnelly to approve the Agenda with the following additions: (12 j.) Consider Bids for Security Building Garage Door Replacement (12 k.) Consider Vehicle Lease for Sheriff's Office (12 l.) Ron Ringquist, Ditch Issues (Information) (12.m.) Consider Re-Appointment of County Assessor-Jim Hallstrom (12n.) Consider Non-Intoxicating Malt Liquor License for SkinnyMinnow, Inc. (dba 1-90 Expo). Carried unanimously.

Motion was made by Commissioner Donnelly, seconded by Commissioner Boler to approve the minutes of the October 5, 2004 regular Board of Commissioners Meeting. Carried unanimously.

Scott Higgins stated to the Board that the language in the September 21, 2004 Board minutes regarding Appraiser John (Pal) Eisenmenger should be amended to read as Land Service Unlimited. Motion was made by Commissioner Schmidtke, seconded by Commissioner Boler to correct the September 21, 2004 minutes replacing the wording of Appraiser John (Pal) Eisenmenger to read Land Services Unlimited. Carried unanimously.

Jerry Voyles, SWCD Director, and Darrin Newville, SWCD Technician, were present to give an agency update to the Board.

Voyles updated the Board on several activities:

- September 22nd Water Testing for Nitrates. All tests reported good.
- Cedar Park Environmental Day for 5th graders. This day will now be called Harry Stewart (Bee Keeper) Environmental Day in his memory for all his time and talents that he gave in making this day a success.
- Feedlot Schedule-18 feedlots completed will work on the rest till December 31st.

Darrin Newville presented the Clean Water Partnership Grant Agreement to 2006 and requested approval. Newville stated due to the availability of funding the SWCD is recommending the extension of the CWP program to 2006. The original expiration of the program was slated for May 2005.

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve the extension of the Clean Water Partnership Program (CWP),

R-#45/'04

R E S O L U T I O N

BE IT RESOLVED, by the Martin County Board of Commissioners that Martin County enter into the attached **Grant Agreement Amendment** with the Minnesota Pollution Control Agency (MPCA) to amend the existing Grant Agreement between Martin County and the MPCA for the following Project: **Clean Water Partnership (CWP)**

BE IT FURTHER RESOLVED by the Martin County Board of Commissioners that the Chairman, Jack Potter be authorized to execute the attached Grant Agreement Amendment for the above-mentioned Project on behalf of Martin County.

WHEREUPON the above resolution was adopted at the regular Martin County Board of Commissioners meeting this 19th day of October 2004.

Jack Potter, Chairman

10-19-04
Date

**STATE OF MINNESOTA
MARTIN COUNTY, MN**

I, Scott Higgins, do hereby certify that I am the custodian of the minutes of all proceedings had and held by the Martin County Board of Commissioners of said Martin County, that I have compared the above resolution with the original passed and adopted by the Martin County Board of Commissioners of said Martin County at a regular Board of Commissioners meeting thereof held on the 19th day of October at 9:00 a.m., that the above constitutes a true and correct copy thereof, that the same has not been amended or rescinded and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this 19th day of October, and have hereunto affixed the seal of Martin County.

Scott Higgins, County

Roll call taken: AYES: Commissioners Potter, Boler, Donnelly, Pierce, and Schmidtke
NAYS: None. Resolution was unanimously adopted this 19th day of October 2004.

Kevin Peyman, County Engineer, was present and requested approval for Final Contracts C.P. 04:07 Maintenance Gravel Production and C.P. 04:04 Pavement Striping.

Motion was made by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved, that the Martin County Board of Commissioners upon the final recommendation of the County Engineer, hereby approve the Final Contract Voucher for Project C.P. 04:07, total contract amount \$60,840; certified to date in the amount of \$42,552.43 (69.90 percent) for Maintenance Gravel Production, County and CSAH Roads, to Fadness Bros. Gravel 1388 St. Hwy 19, Lynd, MN and that the work certified has been completed and that the entire amount of work shown in the final voucher has been performed accordance with the terms of the contract. Carried unanimously.

Motion was made by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners upon the Final recommendation of the County Engineer, hereby approves the Final Contract Voucher for Project C.P. 04:04 certified to date in the amount of \$28,275.86 for Pavement Striping, by Traffic Marking Service Inc., 3361 County Road 12 N., Buffalo, MN and that the work certified has been completed and that the entire amount of work shown in the final voucher has been performed accordance with the terms of the contract. Carried unanimously.

Peyman reported to the Board of an upcoming Trunk Highway 15 Coalition meeting on Monday, November 8, 2004 at 2:00 p.m., City of Hutchinson. After discussion, Commissioner Boler stated he would represent the County at this meeting.

Peyman updated the Board on the product (corn de-icing) used for maintenance of roads during inclement winter weather and signs placed by the State of Minnesota near county bridges regarding weight restrictions to Timber Haulers.

Chairman Potter thanked Peyman for his report.

Rick Goodemann, Executive Director of Southwest Minnesota Housing Partnership (SWMHP) was present to report to the Board his concern of a statement made at the September 21, 2004 Board of Commissioners meeting that he had attended to consider a resolution in Support of a Southwest Minnesota Housing Partnership Rehabilitation Project. Goodemann wanted to make sure there was a clear understanding of what was said regarding Minnesota Valley Action Council (MVAC) being involved in with the program and expressed that he did not want to mislead the Board regarding who he attended to work with.

The Board thanked Mr. Goodemann for his words of concern.

Sheriff Gerhardt was present and reported to the Board good news about the flood damage to the county. Gerhardt had talked to Sharon Kelly from Minnesota Homeland Security and Emergency Management. Gerhardt stated a FEMA representative will be coming to Martin County Friday, October 22nd to meet with officials from the City of Fairmont and the County for a spot check on flood damages due to excessive rains that the county received.

Sheriff Gerhardt discussed the proposal for a Jail Transport Vehicle to the Board. The proposal was to lease a 2005 Ford Econoline E250 standard length cargo van at a monthly rate of \$802.15. Gerhardt further stated that it was cheaper to lease a van than a squad car. After discussion,

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners hereby approve a three year lease agreement (100,000 mile) for a 2005 Ford Econoline E250 standard length cargo van at monthly rate \$802.15 through the Minnesota Department of Administration, Travel Management Division for use to transport inmates; and to approve the purchase of a VanCell inmate transportation system Model NE-9 at a purchase price of \$6,195. Carried unanimously.

Starann Miller, Executive Director of Fairmont Convention Visitors Bureau (CVB) was present to update the Board with an agency report. Miller introduced herself and gave a brief background where she had worked and what her vision on tourism was for Martin County. Higgins also informed the Board that in the past the Director of the CVB has been appointed as the county representative to the Southern Minnesota Tourism Association advisory board. Higgins stated that there is a vacancy on the board due to the resignation of Kathy Silverthorn from the CVB that the Board and that the Board could appoint Starann Miller to replace Silverthorn. After discussion,

Motion was made by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners hereby approves appointment of Starann Miller to the Southern Minnesota Tourism Association as the Martin County representative effective immediately. Carried unanimously.

Don Reffer, Manager of Lawn Manicurists Inc., was present to update the Board on Maintenance of Open Drainage Ditches in Martin County. Also present was Deb Mosloski, Martin County Drainage Administrator.

Reffer stated that Martin County was one of his oldest customers and that since 1982 Lawn Manicurists have been working on cleanup projects keeping tree and brush in control, along open county ditches in Martin County. Reffer also stated that he has been

in contact with Deb Mosloski, Drainage Administrator for Martin County, to inform her of the work being done and providing inspection maps, and other information to the Board. Reffer provided a quoted to the Board for continued maintenance a various Ditch systems. After discussion,

Motion was made by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners hereby approve the Lawn Manicurists quotes for tree and brush control along the listed open ditches in Martin County for 2004, the quotes are total maximum as follows:

<u>Ditch#</u>	<u>Cost</u>
JD 116	\$3500.00
CD 14	1500.00
CD 64	2500.00
CD 71	2500.00
CD 54 and 76	1000.00
CD 2	4500.00
JD 38	2500.00
JD 20	750.00
JD 14-204 Imp south	5000.00
CD 28	1000.00
CD 11	8500.00
CD 53	2500.00
JD 105	75.00
JD 34	1000.00

Carried unanimously.

Terry Viesselman was present and reported to the Board on various hearing dates coming up and also a new computer system being put in place by the State of Minnesota and that his office will have access to the program and will need to update the computers in his office.

Viesselman updated the Board on the model Transient Merchant Ordinance stating the terms of purchasing a Transient Merchant License from the County.

Chairman Potter opened the Hearing to the Public on the Adoption of the proposed "Transient Merchant License; Exemption" Ordinance.

After County Attorney review of the proposed Ordinance and staff review, Chairman Potter asked for public input. There was no public input.

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly to close the Public portion of the Hearing. Carried unanimously.

Chairman Potter asked for Board discussion. After discussion by the Board,

Commissioner Pierce moved and Commissioner Boler seconded, Be It Resolved that the Martin County Board of Commissioners approve the Adoption of the proposed "Transient Merchant License Ordinance, Exemption" Ordinance,

R-#42/04

**RESOLUTION
ORDINANCE 2004-09**

**ADOPTION AND THE ENACTMENT OF THE TRANSIENT MERCHANT
LICENSE; EXEMPTION ORDINANCE FOR MARTIN COUNTY, MN**

WHEREAS, the Martin County Board of Commissioners desire to establish an Ordinance to set forth the procedures for obtaining a license to do business as a transient merchant in Martin County, MN, and

WHEREAS, notice of the public hearing to be held by the Martin County Board of Commissioners on the Transient Merchant License; Exemption Ordinance was published as required by law, and

WHEREAS, the Martin County Board of Commissioners has held a public hearing and took testimony from the public with respect to the **TRANSIENT MERCHANT LICENSE; EXEMPTION** for Martin County during the Board of Commissioners regular meeting on October 19, 2004, and

WHEREAS, the Martin County Board of Commissioners have determined that the proposed Transient Merchant License; Exemption serves the best interest of the County.

NOW THEREFORE, upon on a motion by Commissioner Steve Pierce, seconded by Commissioner Gerald Boler, that the Martin County Board of Commissioners does hereby ordain the following the **TRANSIENT MERCHANT LICENSE; EXEMPTION ORDINANCE** and that this Ordinance shall be in effect after its passage an approval and publication as required by law.

Passed and Approved the 19th day of October 2004.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

Attest: _____
Scott Higgins, County Coordinator

Roll call taken: AYES: Commissioners Potter, Schmidtke, Donnelly, Boler and Pierce
Nays: none. Said Resolution was passed and the Ordinance was adopted this 19th day of October 2004.

Viesselman stated to the Board that he had reviewed the Administrative Agreements for the Select 105 Medical Expense Reimbursement Plan and Non-Erisa Basic Plan with H and A Administrators, Inc. and stated his concerns of the indemnification clauses in the agreement that the language was unusual and should be deleted from the agreement.

Jim Hallstrom, Martin County Assessor, was present to request approval for his re-appointment for four-year term as Martin County Assessor.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke. Be It Resolved that the Martin County Board of Commissioners hereby approves the re-appointment of Jim Hallstrom, for a four-year term, as Martin County Assessor per Minnesota Statutes, effective January 1, 2005. Carried unanimously.

Kathi Eull and Bill Munsinger, Hanratty and Associates Inc., were present. Hanratty and Associates Inc. were present to review health plans with the Board.

Kathi Eull handed insurance packets to the Board and presented a recap of the benefits with comparisons of Blue Cross/Blue Shield and the new health plan from the Medica Insurance Company, (MEDICA). Eull stated that there are enhancements to the county's health plan compared to the county's current plan from Blue Cross/Blue Shield. Eull stated that Blue Cross and Blue Shield has provided the county with a 13.3% renewal increase in premiums for CY2005. Eull stated that MEDICA has provided a slight decrease in premium rates for 2005. After discussion,

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved, that the Martin County Board of Commissioners hereby approve the MEDICA Group Health Plan Coverage for CY2005 for all eligible employees as follows,

R-#44/'04

**Resolution Approving MEDICA Group Health Plan Coverage for
CY2005**

WHEREAS, Martin County, MN has established and maintains certain benefit plans, particularly group health plans; and

WHEREAS, Martin County, MN has established and maintained a group health plan; and

WHEREAS, from time to time the County may change group health plan coverage's as it is necessary and may choose to bid out group health coverage under applicable laws; and

WHEREAS, the Martin County Board believes that it is in the best interest of the county and its employees to review and seek other potential health insurance providers; and

WHEREAS, as a result of the renewal premium increases from Blue Cross and Blue Shield (health insurance provider) of 13.3% for \$1,000 CMM Plan for CY2005, the County has for its group coverage, and after careful consideration have determined to change Health Insurance Provider to the MEDICA Insurance Company.

NOW THEREFORE BE IT RESOLVED, upon a motion by Commissioner Pierce, seconded by Commissioner Donnelly, that the Martin County Board of Commissioners approve and authorize the Chair and/or the County Coordinator to sign and execute the necessary documents for Group Select 105 Health Insurance Coverage to purchase from Medica Insurance Company (MEDICA) the \$1,000 CMM (Deductible) health coverage for all eligible employees for CY2005. Dated this 19th day of October 2004.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call taken: AYES: Commissioners Potter, Schmidtke, Boler, Donnelly, and Pierce
NAYS: None. Said Resolution and MEDICA Group Health Plan Coverage for CY2005 was adopted this 19th day of October 2004.

Ron Ringquist, Ditch Viewer and Deb Mosloski, Drainage Administrator were present to discuss ditch issues.

Ringquist explained to the Board the Redetermination of J.D. #85 and the need for an immediate repair that has occurred regarding this Ditch. Ringquist further stated that he has discussed this issue with Kurt Deter, Attorney for Rinke-Noonan and members of the Blue Earth Joint County Ditch Authority Board. After discussion,

Motion was made by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved by the Martin County Board of Commissioners as the Martin County Drainage Authority, that due to the pressing need for the Re- determination of Judicial Ditch (JD) #85 and because Ron Ringquist has been appointed as the Ditch Viewer for both JD #85

and County Ditch (CD) #1, JD #85 will take precedence over CD#1 for re-determination. Carried unanimously.

Chairman Potter thanked Ringquist for his report.

Scott Higgins, County Coordinator, stated to the Board that there were two estimates received to construct a new transit garage facility and reviewed the option that the County Building and Purchasing Committee as follows:

- To purchase a portion of the MNDOT property located on Marcus Street in Fairmont and to construct a new facility on the property.
- To purchase the Aerospace/Teledyne building on 10th St. in Fairmont and to retrofit to transit facility needs
- Currently working with an existing builder and business to purchase a new facility and constructed to the needs of the transit system
- Also the Building/Purchasing Committee has looked at five other existing facilities in Fairmont and determined not conducive to the needs of the county

After discussion, it was the consensus of the Board to schedule a meeting with the County Building and Purchasing Committee for further review and return with a recommendation for the November 16, 2004 Board of Commissioners meeting.

Scott Higgins, County Coordinator, asked for consideration on the bid for the disposal of County Surplus Property-1998 Ford Champion County Transit Bus. A bid was received by Alan Helmers, Dunnell, MN for \$555.00 at the previous Board of Commissioners meeting October 5, 2004. At that time, it was the consensus of the Board to look at other options.

Higgins stated that per the Board's direction he had contacted MRCI and STEP for use of the bus and stated that STEP could not use the bus and that MRCI had an interest in obtaining the bus. After discussion,

Motion by Commissioner Pierce to accept and award the bid to Allan Helmers, Dannel, Minnesota for \$555.00. Motion died for lack of second.

Scott Higgins reported to the Board the Economic Development Administration (EDA) provides the Region Development Commission an annual planning grant to provide Economic Development Planning and technical assistance for local units of government in the Region 9 area. Each year Region 9 asks that local governments approve Region 9's Comprehensive Economic Development strategies for 2003-2008 and recommended approval.

Motion was made by Commissioner Boler, seconded by Commissioner Schmidtke,

R-#43

RESOLUTION

Region Nine Comprehensive Economic Development Strategies for 2003-2008

WHEREAS, The Economic Development Administration (EDA), U.S. Department of Commerce, has designated the Region Nine Area as an Economic Development District; and,

WHEREAS, The EDA provides the Region Nine Development Commission with an annual planning grant to provide economic development planning and technical assistance to local units of government and business within the Region Nine area; and,

WHEREAS, THE EDA requires the submittal of a Comprehensive Economic Development Strategy (CEDS) as part of the grant making process, and asks that the CEDS be approved by member counties.

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners hereby approves the Region Nine Development Commission's Comprehensive Economic Development Strategies for 2003-2008, which will be reviewed and updated annually. Dated this 19th day of October 2004.

BY: _____
Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll call: AYES: Commissioners Potter, Pierce, Donnelly, Schmidtke, and Boler
NAYS: None. Said Resolution was adopted this 19th day of October 2004.

Higgins reviewed quotes received for the garage door replacement on the Security Building Sally Port. Quotes were received as follows:

- Midwest Garage, Fairmont, MN- Rich Wolf \$1,303.38
- Hertzke Construction, Fairmont, MN-Joe Rosol \$2,150.00
- Christensen Lumber, Fairmont, MN -Mark Jentz \$2, 539.00

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved, that the Martin County Board of Commissioners hereby approve and award the bid for Garage Door Replacement for the Security Building Sally Port Midwest Garage, Fairmont, MN in the amount of \$1,303.38. All voting in favor. Carried unanimously.

Higgins presented that application from SkinnyMinnow (d.b.a. I-90 Expo) for a Non-intoxicating Malt Liquor License. Higgins stated that in order to receive a license for Non-intoxicating Malt Liquor several Forms needed to be filled out and signed by the County attorney, Sheriff and Township officials and that the applicant has not yet provided proof of insurance. Higgins gave the option to the Board to approve the application contingent upon receiving the required documents.

Motion was made by Commissioner Pierce, seconded by Commissioner Boler to approve the application from SkinnyMinnow (d.b.a. I-90 Expo) for a Non-intoxicating Malt Liquor License, contingent upon the county receiving the required documents particularly the certificate of insurance. Carried unanimously.

Higgins asked the Board to consider employee contributions to the health insurance premiums for Non-Union Employees. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, determine on an annual basis, employee and county contributions to health insurance premiums for non-union staff; and approve a 50/50 split in any increases or decreases in the insurance premiums received from the Medica Insurance Company (MEDICA) for CY2005. Carried unanimously.

Higgins reviewed the "Five Bold Steps" (priority areas) established during the Visioning and Strategic Planning Session held in July. The five priority areas are:

- 1) Investment in Current/Future Employees
 - 2) Technology
 - 3) Public Relations Campaign
 - 4) New Law Enforcement
 - 5) Establish Economic Development (EDA)
- Added to the list was:
- 6) Centennial Committee

Higgins stated that various Department Directors were assigned to head the various committees to begin planning and implementation of the objective(s) and that each committee would determine its roles and responsibilities in accomplishing the goal.

Chairman Potter asked for approval of the bills for October.

Motion was made by Commissioner Pierce, seconded by Commissioner Boler to approve the warrants as presented to by paid 10-19-04. Carried unanimously.

Warrants to be Paid 10-19-04	Totaled:
REVENUE FUND-	\$275,797.31
ENHANCED 911 FUND-	\$ 380.12
SOLID WASTE MGT. FUND-	\$ 27,907.68
LAW LIBRARY FUND-	\$ 550.32
MARTIN CO TRANSIT FUND-	\$ 27,915.83
BUILDING C.I.P. FUND-	\$ 39.14
BANK BUILDING FUND-	\$ 6,169.08
REFUNDING FUND-	\$ 5,834.00
RECREATION & SAFETY-	\$ 229.10
IND. SEWAGE TREATMENT-	\$ <u>20,231.12</u>
Grand Total	\$<u>365,053.70</u>
DITCH FUND-	\$ 3,374.00

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

With no further business to wit,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, to adjourn the meeting. Meeting adjourned at 12:28 p.m. Dated this 19th day of October 2004

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator