

**PROCEEDINGS OF THE MARTIN  
COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JANUARY 18, 2005  
@ 9:00 A.M.**

The meeting was called to order at 9:00 a.m. by Chairman Dan Schmidtke. Commissioners present were: Steve Donnelly, Steve Pierce, Jack Potter and Gerald Boler. Also present were Scott Higgins, County Coordinator, Gary Schaub, Assistant County Highway Engineer, Terry Viesselman, County Attorney, Faye O'Sell, Administrative Assistant, Rod Halverson, KSUM/KFMC, Christine Rupp, Fairmont Sentinel and members of the public.

Motion by Commissioner Pierce, seconded by Commissioner Potter to approve the Agenda with the following additions; (1) NIC- PONI Study (2) Law Enforcement Services Agreement Between Martin County/City of Ceylon (3) Discuss Overlay of County Highway Parking Lot. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Potter to approve the minutes of the January 4, 2005 Board of Commissioners Proceedings with corrections. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Boler to accept retirement, with regrets of Faye O'Sell from employment with Martin County after 25 years of faithful and dedicated service to the county and its citizens, effective March 25, 2005. Carried unanimously.

Gary Schaub, Assistant County Engineer, requested approval for merit increases for Martin County Highway employees Jill Redenius, Accountant-Office Manager and Jason Steuber, Highway Maintenance Specialist I.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly to approve Highway merit increase for Jill Redenius, Accountant-Office Manager, from Grade 13, Step 3 at \$17.70/hour to Grade 13, Step 4 at \$18.18/hour per the Martin County Highway Supervisors Association Agreement, effective January 1, 2005 and Jason Steuber, Maintenance I Worker, from Grade 10 Step 3 at \$14.10/hour to Grade 10, Step 4 at \$14.43/hour per the AFSCME Martin County Highway Union Contract, effective, January 1, 2005. Carried unanimously.

Schaub reported that the main highway shop parking lot is deteriorating and in bad condition. Schaub requested Board approval to include repair and overlay of the Highway Shop/Office parking lot to be included in this year's overlay projects. The estimated cost is \$50,000. Schaub stated that the Department would take off the existing blacktop with their equipment and have it prepared with county maintenance personnel for the overlay.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter upon the recommendation of the Assistant County Highway Engineer, that the Martin County Board of Commissioners hereby approve repair and overlay of the County Highway Shop/Office parking lot; in conjunction with the other 2005 overlay. Carried unanimously.

Schaub stated that the new county highway map would be printed in the near future and suggested that the Commissioners review before it is printed.

Commissioner Pierce stated his concern with making sure the names of the county lakes are included and accurate.

Chairman Schmidtke thanked Schaub for his report.

Terry Viesselman, County Attorney, was present and forwarded to the Board information on the illegal drug Methamphetamines. Viesselman stated that Meth cases have continued to be on the rise and there has been a large jump in usage and has increasingly

worsen and very much a statewide problem. Viesselman stated that he had finished the recruitment process in hiring a new Assistant County Attorney. Kevin Kane, of St. Paul, MN has been hired, effective January 31, 2005. Viesselman further stated that approximately \$60,000 was included in the budget and the estimated salary (including benefits is \$51,125.

Motion by Commissioner Potter, seconded by Commissioner Donnelly. Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Terry Viesselman, County Attorney for Martin County, approves the appointment of Kevin Kane as an Assistant County Attorney for Martin County; and that it is understood that Kevin Kane is an employee of Viesselman and Barke Law Firm. Carried unanimously.

Chairman Schmidtke thanked Viesselman for his report.

Scott Higgins, County Coordinator reviewed the Citizen Advisory Boards/Commissions for (re) appointments for terms expiring in 2004.

Motion by Commissioner Pierce, seconded by Commissioner Boler, that the Martin County Board of Commissioners hereby approve the appointment of Dave Kumm, Fairmont, MN (replacing James Smith, Fairmont) to serve on the Martin County Planning and Zoning Commission, effective January 1, 2005 – December 31, 2007. Carried unanimously.

Higgins reported that no one has been appointed to the Martin County Water Plan Advisory Committee from the Martin County SWCD and County Planning Commission at this time.

Higgins stated that the county has received the grant agreement for States share of funding the construction of the new transit garage facility. The amount awarded from this particular agreement is \$163,945.00. Higgins further stated, that he has been advised and sent in writing that the remaining \$36,055 will come through on a second agreement and that the State has committed 80% not to exceed \$200,000 for the construction of the Transit Garage Facility.

Motion by Commissioner Donnelly, seconded by Commissioner Bole, Be It Resolved that the Martin County Board of Commissioners approve and authorize the Chair to sign the 2005 Grant Agreement between MNDOT and Martin County in the amount of \$163,945.00 for construction of a Transit Garage Facility. Carried unanimously.

Higgins reported to the Board that the County has received the annual contract agreement for the indirect cost allocation plan to be completed by MAXIMUS for 2004 and recovered in 2006. This audit performed by the MAXIMUS for all county programs that receive federal funding and supported by county support services paid from County appropriated funds. MAXIMUS through the Minnesota Counties Research foundation identifies those county support services performed in 2004 that the federal government will pay a fair share for these support services.

Motion by Commissioner Potter, seconded by Commissioner Boler, that the Martin County Board of Commissioners hereby approve and authorize the Chair to sign the Contract Agreement for the indirect cost allocation plan to be completed by MAXIMUS for 2004 and recovered in 2006. Carried unanimously.

**R-#11/'05**

**Resolution for Professional Consulting Services from Minnesota Counties Research Foundation- Indirect Cost Allocation Agreement**

WHEREAS, the County of Martin operates programs that receive federal funding; and

WHEREAS, Martin County supports these programs with support services paid from County-appropriated funds; and

WHEREAS, the federal government, acting through its cognizant agent the State of Minnesota, Department of Human Services, will pay a fair share of these support costs if documented by an approved allocation plan; and

WHEREAS, the Foundation has retained MAXIMUS, (Consultant), a firm that is knowledgeable and experienced in the requirements of developing and negotiating such cost allocation plans; and

WHEREAS, the County desires to engage the Foundation to assist in developing a cost allocation plan to identify support services performed in fiscal years 2004 and which will result in cost reimbursements during the calendar year 2006 that conforms to federal requirements and will be approved by the State of Minnesota, Department of Humans Services, acting as a federal cognizant agent; and

THEREFORE BE IT RESOLVED, upon a motion by Jack Potter, seconded by Gerald Boler that the Martin County Board of Commissioners approve and authorize the Chair to sign the agreement for Professional Consulting Services between the Minnesota Counties Research Foundation and the County of Martin for 2004.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Chair

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

Higgins reported that the County has received federal disaster assistance for county drainage systems for Commissioner District #4 for \$26,937.07. This financial disaster assistance was due to the heavy rains and flooding that occurred in September 2004. Higgins recommended approval for Chair to sign Agreement.

RESOLUTION  
FEMA

WHEREAS, pursuant to Minnesota Statutes Chapter 12, Executive Orders 04-04, and the FEMA-State agreement designated FEMA 1569-DR-Minnesota and amendments thereto, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 USC 5121 et seq, (“the Stafford Act”) in accordance with 44 CFR 206.44/206.202, the State is empowered to receive, allocate and disburse federal aid monies made available through the Federal Emergency Management Agency (FEMA); and

WHEREAS, the State of Minnesota acting through its Department of Public Safety, Division of Homeland Security and Emergency Management, is the authorized Grantee in the FEMA-State Agreement, FEMA-1569-DR-Minnesota and amendments thereto, which delineates the terms in which federal assistance will be provided to Martin County, MN; and

WHEREAS, Martin County has applied for assistance, and is eligible and authorized to receive such funds, under a grant program as per the eligibility requirements stated in the State of Minnesota Administrative Plan and Procedures for the Public Assistance (infrastructure) Program (PA) 10/04; and

WHEREAS, there has been a presidential disaster declaration based on damage resulting from severe storms and flooding on September 14, 2004 through and including September 27, 2004; except that reasonable expenses which were incurred in anticipation of and immediately preceding such event may be eligible; and

NOW THEREFORE BE IT RESOLVED, upon a motion by Commissioner Boler, seconded by Commissioner Donnelly to approve and authorize the Chair to sign the Sub-Grant Agreement for Federal Assistance under the Public Assistance (Infrastructure) Program; and that Martin County will comply with all aspects of the Public Assistance (Infrastructure) Program; and funds provided by the Agreement is to be used in accordance with the terms of the Agreement.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Chair

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

Higgins stated that the County Personnel Committee has reviewed reclassification of the position of the Veterans Service Officer. After review and study of the position, the recommendation is to reclassify the Veterans Service Officer from Grade 13 to Grade 14 due to the increase and complexity of the major responsibilities of the position.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, after careful review and study and upon the recommendation of the Martin County Personnel Committee, to approve the reclassification of the Veterans Service Officer from Grade 13 to Grade 14 and to adjust the salary of Doug Landsteiner, CVSO for Martin County from Grade 13 Step 4 at \$18.18/hour to Grade 14 Step 2 at \$18.67/hour, effective January 24, 2005. Carried unanimously.

At this time, the Board recognized and presented a framed painting to Kay Wrucke, Martin County Recorder in receiving the Minnesota Recorder of the Year recognition. Higgins stated that Kay is being recognized for her accomplishments not only in her Minnesota Association of County Officers-Recorders Association, but her professional achievements as well. Congratulations to Kay Wrucke.

Scott Higgins, County Coordinator, stated that the Board has been discussing expansion of service hours for the Martin County Express public transit system for a few months now, for expanded service particularly on Friday and Saturday from 7:00 p.m. to 2:00 a.m. Higgins stated that Fairlakes Taxi, Inc., third party operator for the Martin County Express bus transit system, Robert Gunther informed the County that they have a willing driver for the Friday and Saturday expanded bus service hours. Higgins stated that the estimated cost for the expanded service would be approximately \$1,200/month. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners upon careful study and review and approval of the County Transit Advisory Committee (TAC) to approve the expansion of service hours for the Martin County Express public transit system for Friday's 6:00pm – 2:00am and Saturday's from 2:00 p.m. to 2:00 a.m.; and to approve amending the Purchase of Service Agreement with Fairlakes Taxi to reflect the aforementioned increase in service hours; and on a trial basis for three months, effective February 4, 2005. Carried unanimously.

Higgins presented the proposed merit increases for all eligible Courthouse Union staff for CY2005 to the Board and recommended approval of these merit increases to those that were eligible per the County Classification/Compensation Plan. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly to table approving the merit increases for more information. Carried unanimously.

Jerry Voyles was present to give an update on SWCD activities. Voyles stated that the Agency was finishing up their year-end reporting and informed the Board of the following:

- Wetland Restoration had gone well for 2004
- 2005 Conservation update will be in the paper January 26<sup>th</sup>
- Feedlot inspections (2004) were on going with 41 completed out of the 70 that were required to do. Voucher for \$7,300, inspection fees, was collected.
- Office Work to do on PCA form
- Open House January 27, 28, and 29

Voyles stated that an application for Ag BMP will be presented. February 4, 2005 is the deadline. SWCD may not qualify for additional money in 2005 if there is nothing to show the need to receive it.

With no further questions for Voyles, the meeting recessed at 10:11 A.M.

The meeting reconvened at 10:20 A. M.

Rex Oberhelman, Representative for Project Hope Opportunity People Environment (H.O.P.E) and Blue Ribbon Foundation stated as 501 (c-3) non-profit organization established in 1987 was present to report to the Board information Project H.O.P.E. and economic development in Martin County and the surrounding area. Oberhelman stated that the purpose of the project initiative is to revitalize and sustain economic development in rural communities and their trade areas. The initial pilot area includes the City of Ceylon, MN. Project HOPE in its initial phase is expected to create 59 jobs. Ceylon is in dire need of revitalization of its community with a comprehensive approach.

Mr. Oberhelman requested from the Board a letter of endorsement to support Project H.O.P.E. After discussion, it was determined to take the request under review and possible action at the next Board meeting regarding the letter of support

Chairman Schmidtke thanked Oberhelman for his presentation.

Motion by Commissioner Donnelly, seconded by Commissioner Boler to approve the warrants to be paid with the exception of the Martin County Fair Board allocation to be held until next month until financial statements are received by the County for the Martin County Fair Board; and to adjust the Martin County Historical Society 2005 allocation from the requested \$22,500 to \$7,500 for payment per previous Board action; and that the full detail listing is on record in the Auditor/Treasurer Office. Carried unanimously.

Warrants approved to be paid 1-18-05:

Revenue Fund:	\$166,835.32
Enhanced 911:	\$ 65.43
Solid Waste Management	\$ 13,976.31
Law Library Fund	\$ 2,984.93
Martin Co Transit Fund	\$ 28,262.43
Building-CIP Fund	\$ 200.69
Bank Building Fund	\$ 2,907.21
Debt Service Fund	\$132,686.25
Recreation & Safety Fund	\$ 383.03
Forfeited Tax Fund	<u>\$ 267.09</u>
	\$348,568.69

Martin County Ditch Fund- \$69,188.42

Motion was made by Commissioner Pierce, seconded by Commissioner Potter to approve Resolution regarding Planning On New Institutions Phase II (PONI II) Study,

**RESOLUTION**

Resolution regarding LEC and Jail

WHEREAS, Martin County continues to be consistently short of Jail bed space, has received Jail inspections from MN Department of Correction's indicating serious limitations of the current jail, and where Jail bed space needs are not expected to decrease, and:

WHEREAS, the Martin County Board of Commissioners recognizes the need for Professional Justice master planning to evaluate Jail options in the Context of a long-range plan for the justice system of the County, Recognizing that the existing Jail site: restricted by Lake Sisseton, The "Chubb House" and the Martin County Courthouse, both on the National Registry of Historic Buildings, each limit efficient Jail Expansion options, and:

WHEREAS, In the interest of fiscal responsibility, Martin County Board hereby States the intent to proceed with a Detention Space Planning Process in 2005, to obtain budgeting input for 2006 Capital Improvement Plan on or before October 1, 2005.

THEREFORE, the Jail Administrator shall request Martin County participate in the NIC - PONI Program with a minimum of (4) County representatives, To include designated County Commissioners, a member of the Fairmont City Council, Jail Administration, and County Sheriff, to assist Martin County in understanding the Planning of new institutions. The Martin County Board of Commissioners hereby authorizes time and expenses associated with attending the National Institute of Corrections "PONI" Program, to be held in Fergus Falls, MN, for approximate costs as Defined by Jail Administration on this date.

Motion was made by Commissioner Steve Pierce, seconded by Commissioner Potter and adopted this 18<sup>th</sup> day of January 2005.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Chair

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

AYES: Commissioners Schmidtke, Donnelly, Boler, Potter and Pierce.  
NAYS: None. Said Resolution was adopted this 18<sup>th</sup> day of January 2005.

Higgins presented a renewal of the law enforcement service agreement between Martin County and the City of Ceylon, stating that the agreement is being renewed for one year and the amount of charges for service is \$11,000. Higgins stated that the Sheriff has reviewed the agreement and recommended approval. Higgins further stated that there are discussions going on for the City of Ceylon to provide financial assistance for a used Sheriff squad car to replace the current unit.

Whereas, the City of Ceylon is desirous of contracting with the County and the Sheriff for the performance of the hereinafter described law enforcement functions within the City boundaries, said function to be performed by the Sheriff;

Whereas, such contract are authorized and provided for by the provisions of Minn. Statue. 471.59,625.76 and 629.40. This agreement made and entered this 18<sup>th</sup> day of January 2005.

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 to sign the law enforcement services agreement between Martin County and the City of Ceylon for \$11,000, effective January 1, 2005 for law enforcement services to be provided by the Martin County Sheriff's Office. Carried unanimously.

Further discussion ensued regarding the merit increases for those eligible Courthouse Union staff for CY2005. After discussion,

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly to approve merit increases for eligible Courthouse Union employees per the County Classification/Compensation Plan. Carried unanimously.

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

Motion by Commissioner Pierce, seconded by Commissioner Potter to adjourn the meeting. Carried unanimously.

With no further business to wit, meeting adjourned at 12:05 a.m.

The next meeting of the Martin County Board of Commissioners will be held February 1, 2005, at 9:00 a.m. in the Board Room.

BOARD OF COMMISSIONERS  
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Dan Schmidtke, Chair

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