

**MARTIN COUNTY BOARD
OF COMMISSIONERS
TUESDAY, FEBRUARY 15, 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, Jim Forshee, County Auditor/Treasurer, Kevin Peyman, County Highway Engineer, Terry Viesselman, County Attorney, Doug Landsteiner, Veterans Service Officer, Sheriff Brad Gerhardt, Faye O'Sell, Administrative Assistant, Christine Rupp, Sentinel, Rod Halverson, KSUM/KFMC Radio, members of staff and the public.

Motion by Commissioner Potter, seconded by Commissioner Donnelly to approve the Agenda with the following additions: (4.c) Pat Stumme, Regional Extension Educator - Nutrition Education Program, (11.i) Resignation of Heidi Holmes, (11.j.) Union Negotiation Strategy Session (Closed Session) (11.k.) Revision of Prairieland Bond Resolution. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Boler to approve the minutes of the February 1, 2005 regular Board of Commissioners meeting and set meeting date for March 8, 2005 AMC County Day at the Capitol. Carried unanimously.

Kevin Peyman, County Engineer, was present to request approval to purchase an Front End Loader. Peyman informed the Board that \$135,000 was budgeted for the purchase. Peyman stated that bids were taken from the State Bid Contract and was narrowed down to two quotes. Peyman stated that both bids were reviewed by staff and recommended purchase of the CAT model due to long-term value and fleet consistency.

<u>New Loader</u>		<u>Total</u>
Ziegler Cat of Minneapolis, MN	\$171,000, with trade (\$44,575)	\$126,425
<u>New Loader w/counterweights</u>		
RDO John Deere, N. Mankato, MN	\$154,594, with trade (\$41,000)	\$113,594

A representative from RDO Implement of Mankato (and bidder) was present and presented the qualities of the John Deere End Loader, stating that the bid was lower than the CAT and was a very competitive bid. After discussion,

Motion was made by Commissioner Donnelly, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners after careful consideration and review of the bids for the End Loader between CAT and the John Deere models, to approve the purchase of a the End Loader from RDO John Deere, North Mankato, MN in the amount of \$113,594. Those voting AYE: Schmidtke, Boler, Pierce, Donnelly, NAY: Commissioner Potter. Motion carried.

Peyman reported of a membership fee notice that he had received regarding the Trunk Highway #15 Coalition. A fee of \$200 is required from each county to be a member of the Coalition. Peyman further stated that Jim Swanson, District Engineer, has offered to be available to meet with any of the counties in the District on any concerns or issues they may have regarding current and future road and highway projects.

Peyman also reported that gravel stockpiles are getting low and that there is a need to conduct further exploration for gravel in the County and the Department will continue to explore the options. Peyman asked if there were any questions regarding the Highway Bills. There were none.

Terry Viesselman presented the Board with information regarding the bids received for the proposed construction of the transit facility, stating that case law addresses that if the negotiated reductions in sealed bids are drastic and the overall scope of the original project changes that it would be best to re-bid the project.

Motion was made by Commissioner Boler, seconded by Commissioner Donnelly to go into closed session to develop offers for the purchase of real property in Fairmont. (MN Statutes 13D.05, Subd. 3). Carried unanimously. Meeting went into closed session at 9:25 a.m. Those present were Commissioners Schmidtke, Potter, Boler, Donnelly, Pierce, Terry Viesselman, James Forshee, Faye O'Sell, Scott Higgins.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter to go back to the open meeting. Carried unanimously. Meeting re-opened at 9:40 a.m.

By consensus, the Board directed that the County Building and Purchasing Committee negotiate a purchase agreement for property located in Fairmont to be used as a transit facility.

Pat Stumme, REE, for the University of Minnesota Extension Nutrition Education Program, addressed the Board to encourage that the Nutrition Education Program (NEP) be reinstated in Martin County. Stumme informed the Board that the Program provides nutrition education to eligible residents of the County. Stumme presented and reviewed the Memorandum of Intent (MOI) between Martin County and the University of Minnesota Extension Service Nutrition Education Program. The MOI outlines the needed in-kind match for the Program. Stumme stated that the County would share a .25FTE Nutrition Education Assistant with Jackson County, provide office space and other miscellaneous office, and travel expenses.

Carmen Reckard, Martin/Faribault County Human Services, was present and stated that there was a need for the Nutrition Education Program. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners hereby approve the Memorandum of Intent (MOI) between Martin County and University of Minnesota Extension Service Nutrition Education Program (NEP) to provide a .25 FTE Nutrition Education Assistant, consisting of lessons in accordance with the guidelines of the NEP to eligible county residents in the promoting of healthy diets, food safety, wise consumerism; for period to end September 30, 2005; with an option to renew the MOI. Carried unanimously.

Chairman Schmidtke thanked Stumme and Reckard for their presentation.

Deb Mosloski, Drainage Administrator, presented information for the Re-determination of JD #92, JD#65, JD#32, JD#15 and CD#23 and recommended Transfer of Funds from the General Fund to the Ditch Fund for deficit on JD #31, until collection of assessment for those who are receiving benefits from the System and general fund are refunded. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners as the Drainage Authority for Martin County and having the authority to re-determine benefits for county drainage systems hereby appoint Ron Ringquist as the Ditch Viewer for the Re-determination of the original construction and subsequent improvements to be assessed for JD#92, JD#65, JD#32, JD#15, and to leave CD#23 optional. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners hereby approve and authorize transfer of funds in the amount of \$3,000 from the general Revenue Fund to the Ditch Fund to pay the deficit on JD#31, until collection of assessments are collected and monies are refunded back to the General Fund.

Pam Flitter, Zoning Official, presented for Board consideration a Conditional Use Permit application for Gerald Lorenz of Elm Creek Twp. Section 11 Applicant, for the extraction and processing of gravel for construction purposes in an "SL-1" Special Protection District with conditions. The Planning Commission approved the CUP request during their January 25, 2005 meeting and is recommending approval of the Conditional Use Permits.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

WHEREAS, a Conditional Use Permit was requested by Gerald Lorenz, applicant/owner. On the 25th day of January 2005, concerning the following described property located in the County of Martin and State of Minnesota to wit:

The South Half of the Southwest Quarter (S1/2 of SW1/4) and the Southwest Half of the Northwest Quarter of the Southwest Quarter (SW1/2 of NW1/4 of SW1/4), and Government Lots Five and Six (5 and 6) all in Section Eleven; Also Government Lot Twelve (12) in Section twelve (12), all in township One Hundred Three (103) North of Range thirty Three (33) West of the 5th P.M., containing 163.97 acres more or less according to the government survey of said land.

And WHEREAS, on the 15th day of February, 2005 the action requested in the foregoing application was recommended for approval to the Board of Commissioners by the Martin County Planning Commission.

AND WHEREAS, the said application was approved by the Martin County Board of Commissioners this 15th day of February, 2005, with the following conditions, to wit:

- A site use, development and restoration plan be submitted that addresses dust, noise, hours of operation, erosion control and anticipated vegetation and topographic alterations.
- No mining or processing within 33' from the centerline of the road.
- Submit a schedule for rehabilitation as mining is completed at various locations.

NOW, THEREFORE, A CONDITIONAL USE PERMIT for the above described property is hereby issued pursuant MS 394.301 and Martin County Ordinance #1, chapter 6.01 for the following purpose: To extract gravel from site with respect to the above described property. This permit shall remain in full force and effect provided that the conditions as described above are met and maintained by the applicant and hi/her successors in interest. This permit is binding upon the applicant, the record titleholder to the property, and his/her successors in interest. Notice is hereby given that this permit may be revoked if the conditions set forth above are not maintained as described above. Said resolution, unanimously carried and adopted this 15th day of February 2005.

Rebecca Bentele, Victim Witness Coordinator, was present and requested approval of Amendment #1 to FY05 Grant Agreement and Memorandum of Understanding with Southern Minnesota Regional Legal Services (SMRLS).

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners approve and authorize the Chair to sign to amend grant agreement between martin County Victim Services and the State of Minnesota, Office of Justice Program, Crime Victim Services-Amendment No. 1 to grant contract #9900-1073/2005-CVS-00067 for the amount of \$70,146 (an increase of \$5,346) for FY 2005. Carried unanimously

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be it Resolved that the Martin County Board of Commissioners approve and authorize the Chair to sign the Memorandum of Agreement between the Martin County Victim Services Program and the Southern Minnesota Regional Legal Services (SMRLS) a legal aid organization with full range of civil legal services to low-income people in Southern Minnesota; and the county agrees to pay \$75/hour up to maximum of \$5,346 for legal service delivered during the period of January 1, 2005-June 30, 2005, effective upon approval and signing of the Memorandum of Agreement. Carried unanimously.

Higgins presented for approval the job description for Administrative Secretary II-Victim Witness Program.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners approve and ratify the job description

for Administrative Secretary II for the Victim Witness Office as presented. Carried unanimously.

Jane Hennagir, CIC, Minnesota Counties Insurance Trust (MCIT) Account Executive, was present to review the Annual MCIT 2005 Member Report for Martin County. Hennagir also presented to the Board a plaque from MCIT in recognizing Martin County's continuing commitment and loyalty to MCIT.

Chairman Schmidtke thanked Hennagir for her report.

The Board recessed at 10:30 a.m.
The Board reconvened at 10:45 a.m.

Sheriff Brad Gerhardt was present and stated that the new agreement for law enforcement services to the City of Ceylon was signed by all agencies. As part of the agreement, Gerhardt stated that the City of Ceylon presented a \$2,000 check to the county to go toward the purchase of a squad car that will be used for law enforcement services in the City of Ceylon.

Gerhardt further stated the Personnel Committee has reviewed the Departments request for a Lobby receptionist position and job description and recommended approval for recruitment of part-time position at 20 hours per week. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Potter,
Be It Resolved, that the Martin County Board of Commissioners hereby upon the recommendation of the County Personnel Committee, approves the recruitment of a Lobby Receptionist for the Sheriff's Office, at 20 hours per week and to approve the job description for the position to include duties for record entry into Shared Records System with the option of going to 30 hours per week if the city of Fairmont is willing to pay for the extra hours. Carried unanimously.

Doug Landsteiner, Veteran Service Officer, was present and informed the Board of an out-reach initiative for the Veterans of Martin County. Landsteiner stated he will hold office hours at Truman in the morning only every 3rd Friday and at Sherburn in the morning every 4th Friday at the County Branch Libraries. Landsteiner stated this is an effort to enhance service to our veterans and to get out and talk to veterans about benefits and other related issues.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve the Martin County Veterans Services Outreach Initiative as presented. Carried unanimously.

Tim Auringer, Project Manager I & S Architects/Engineers, was present to review the low bid from United Builders of Blue Earth, Inc., base bid of \$461,000 for the construction of the transit facility. Auringer stated that he had met with United Builders of Blue Earth, Inc. and asked them to provide possible reductions to the project in an effort to provide a building that would meet the county budget \$325,000. Deductions from the bid \$461,000 totaled approximately \$114,000. This would require a budget of \$346,000 for the construction of the Transit Facility. Auringer stated that the Board has four options to explore.

- Award the contract to the low bidder
- Award the contract to the United Builders, Blue Earth, MN and accept reductions
- Reject the bids and rebid the project with a smaller floor plan
- Reject the bids and explore other options.

After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolve that the Martin County Board of Commissioners, after consideration and due deliberation on the bids received for the construction of a transit garage facility for the Martin County

Express public transit system and due to the low bid received was above project estimates by approximately 37% and that making reductions to the project would change the original scope of the project drastically hereby reject all bids for the project, and explore other options. Carried unanimously.

The Board thanked Auringer for all his work on the project.

Scott Higgins, County Coordinator, stated to the Board that back in July the county held a Visioning and Strategic Planning session. At that time, there were two draft statements prepared, the Martin County Vision Statement and the Mission Statement. The Mission Statement is to be part of the foundation of how Martin County government delivers services to its taxpayers and customers.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, as a result of Visioning and Strategic Planning Session and after receiving all county staff input hereby adopts the County Mission Statement as follows, **“The Mission of the Martin County Government is to provide efficient and quality service to taxpayers and customers, utilizing partnerships, communication, and cooperation.”** Carried unanimously.

Jim Forshee, Auditor/Treasurer, requested approval to purchase a new postage meter machine to replace the existing machine. Forshee presented information and quotes received to replace the existing machine stating that soon the existing machine will not be supported due to obsolesce. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler Be It Resolved that the Martin County Board of Commissioners having received quotes for purchase of postage meter machine and upon the recommendation of James Forshee, auditor/Treasurer, approve the purchase from Mantronics Mailing Systems, Mankato, MN for \$5,499 less trade in \$993 for total of \$4,506 for Model WJS10 Hasler 10lb Postal Scale. Carried unanimously.

Scott Higgins, County Coordinator, stated there has been discussion regarding the possibility of staff from the Faribault/ Martin Human Services to use the county cars for business travel. The county cars are available on a first come first serve basis. Higgins further stated that he would recommend that Human Services be set up with a gas account with the Highway Department and that Human Services staff follow the procedures established in the use of the county cars. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that that the Martin County Board of Commissioners authorize the use of the county cars for business travel use and that the Faribault/Martin Human Services follow the established policies and procedures for use of county cars. Carried unanimously.

Scott Higgins, County Coordinator, reported to the Board that he had received request from Bill Fahey of Northland Securities and Financial Consultant for the County that a revised resolution Awarding the Sale of \$1, 545,000 General obligation Solid Waste Revenue Refunding Bonds, Series 2005A; Fixing their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment would need to be approved with two modifications. The first is in the award paragraph-the effect is the same only language change and the second is in 5.01 which describes the flow of funds and permits Martin County to retain all funds collected for the payment of bonds and any other revenues for Martin County only projects, such as recycling or any other program that is not being carried on by Prairieland. After discussion,

Motion was made by Commissioner Potter, seconded by Commissioner Donnelly, to approve Resolution Awarding the Sale of \$1, 545,000 General obligation Solid Waste Revenue Refunding Bonds, Series 2005A; Fixing their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment;

of the Board of Commissioners of
Martin County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the Board of Commissioners of Martin County, Minnesota, was duly held at the County Courthouse in said County of Fairmont, Minnesota on Tuesday, February 15, 2005, commencing at 9:00 o'clock A.M.

The following members were present: Chairman, Dan Schmidtke, Commissioners Steve Donnelly, Steve Pierce, Jack Potter and Gerald Boler, Also present were Jim Forshee, Auditor/Treasurer, and Scott Higgins, County Coordinator.

and the following were absent: N/A

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The Chair of the Board of Commissioners announced that the next order of business was consideration of the proposals which had been received for the purchase of the County's \$1,545,000 General Obligation Solid Waste Revenue Refunding Bonds, Series 2005A.

The County Auditor-Treasurer presented a tabulation of the proposals which had been received in the manner specified in the Terms of Proposal of the Bonds. The proposals were as follows.

After due consideration of the proposals, Member Jack Potter then introduced the following resolution and moved its adoption:

In accordance with the official Terms of Proposal the following adjustments were made:

Principal Amount:	\$1,545,000
Maturities:	2006, 2007, 2008, 2009, & 2010
Minimum Purchase Price:	\$1,520,280

RESOLUTION NO. 17-05 (Revised R-14-05)

A RESOLUTION AWARDED THE SALE OF \$1,545,000 GENERAL
OBLIGATION SOLID WASTE REVENUE REFUNDING BONDS, SERIES 2005A;

FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT

BE IT RESOLVED By the Board of Commissioners of Martin County, Minnesota (the "County") as follows:

Section 1. Sale of Bonds.

1.01. It is hereby determined that:

(a) the County is authorized by the provisions of Minnesota Statutes, Chapter 475 (the "Act") and Section 475.67, Subdivision 13 of the Act to issue and sell its general obligation bonds to refund outstanding bonds when determined by the County Board of Commissioners to be necessary and desirable;

(b) it is necessary and desirable that the County issue approximately \$1,545,000 General Obligation Solid Waste Revenue Refunding Bonds, Series 2005 (the "Bonds") to refund in advance of maturity and at their redemption date, certain outstanding general obligations of the County;

(c) the outstanding bonds to be refunded consist of the County's General Obligation Advance Refunding Bonds of 1996, issued in the original aggregate principal amount of \$3,975,000, dated January 15, 1996 (the "Refunded Bonds"), of which \$1,795,000 in principal amount is callable on June 1, 2005.

1.02. To provide moneys to refund the Refunded Bond in advance of its maturity, the County will therefore issue and sell Bonds in the amount of \$1,545,000. The County is authorized by Section 475.60, Subdivision 2(9) of the Act to negotiate the sale of the Bonds, because it has retained Sound Capital Management, Inc., as an independent financial advisor. Sound Capital Management, Inc. has opined that the proposed sale of the Bonds at the interest rates set out below in Section 2.01 hereof are reasonable. The actions of the County or its agents in soliciting proposals for the Bonds are ratified and confirmed in all respects.

Section 2. Sale of Bonds.

2.01. The offer of Northland Securities, Inc., Minnesota (the "Purchaser") to purchase the Bonds is found and determined to be a reasonable offer and is accepted, the offer being to purchase the Bonds at a price of \$1,545,000, plus accrued interest to date of delivery for Bonds bearing interest as follows:

<u>Year of Maturity</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Interest Rate</u>
2006	2.20%	2009	2.70%
2007	2.35%	2010	2.90%
2008	2.55%		

True interest cost: 3.167

2.02. The Chair and County Auditor-Treasurer are directed to execute a contract with the Purchaser on behalf of the County.

2.03. The County will forthwith issue and sell the Bonds pursuant to the Act in the total principal amount of \$1,545,000 originally dated March 1, 2005, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1 upward, bearing interest as above set forth and which Bonds will mature serially, without option of prior payment, on June 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2006	\$285,000	2009	\$320,000
2007	305,000	2010	325,000
2008	310,000		

Section 3. Registration and Payment.

3.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

3.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on June 1 and December 1 of each year, commencing December 1, 2005, to the registered owners of record as of the close of business on the fifteenth day of the immediately preceding month, whether or not that day is a business day.

3.03. Registration. The County will appoint, and will maintain, a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the County and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the County.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The County and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond

and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the County and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the County. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

3.04. Appointment of Initial Registrar. The County appoints Northland Trust Services, Inc. Minneapolis, Minnesota, as the initial Registrar. The Chair and the County Auditor-Treasurer are authorized to execute and deliver, on behalf of the County, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The County agrees to pay the reasonable and customary charges of the Registrar for the services performed. The County reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Board, the County Auditor-Treasurer must transmit to the Registrar monies sufficient for the payment of all principal and interest then due.

3.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the County Auditor-Treasurer and executed on behalf of the County by the signatures of the Chair and the County Auditor-Treasurer, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of any Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the County Auditor-Treasurer will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

3.06. Temporary Bonds. The County may elect to deliver in lieu of printed definitive Bonds one or more typewritten temporary Bonds in substantially the form set forth in Section 4 with such changes as may be necessary to reflect more than one

maturity in a single temporary bond. Upon the execution and delivery of definitive Bonds the temporary Bonds will be exchanged therefor and cancelled.

Section 4. Form of Bond.

4.01. The Bonds will be printed or typewritten in substantially the following form:

No. R-#17__ UNITED STATES OF AMERICA \$_____
STATE OF MINNESOTA
COUNTY OF MARTIN

GENERAL OBLIGATION SOLID WASTE REVENUE REFUNDING BOND, SERIES
2005A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	June 1, 20__	March 1, 2005	

Registered Owner: Cede & Co.

Martin County, Minnesota, a duly organized and existing municipal corporation in Martin County, Minnesota (the "County"), acknowledges itself to be indebted and for value received promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$_____ on the maturity date specified above without option of prior payment, with interest thereon from the date hereof at the annual rate specified above, payable June 1 and December 1 in each year, commencing December 1, 2005, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Northland Trust Services, Inc., Minneapolis, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the County have been and are hereby irrevocably pledged.

The Board of Commissioners has designated the issue of Bonds of which this Bond forms a part as "qualified tax exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the Code) relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

This Bond is one of an issue in the aggregate principal amount of \$1,545,000 all of like original issue date and tenor, except as to number, maturity date, and interest rate, all issued pursuant to a resolution adopted by the Board of Commissioners on February 1, 2005 (the "Resolution"), for the purpose of providing money to refund the outstanding principal amount of certain general obligation bonds of the County, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Section 475.67, Subdivision 4 through 12 and Section 400.101 and the principal hereof and interest hereon are payable primarily from net revenues of the Prairieland solid waste processing facility operated jointly by the County and Faribault County and other revenues of the County's solid waste management system deposited in a special debt service fund of the County, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the County are irrevocably pledged for payment of this Bond and the Board of

Commissioners has obligated itself to levy ad valorem taxes on all taxable property in the County in the event of any deficiency in net revenues of the solid waste system, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

IT IS HEREBY CERTIFIED AND RECITED That in and by the Resolution, the County has covenanted and agreed that it will continue to own and operate the solid waste system free from competition by other like utilities; that adequate insurance on said plant and system and suitable fidelity bonds on employees will be carried; that proper and adequate books of account will be kept showing all receipts and disbursements relating to the Solid Waste Management Fund, into which it will pay its share of the gross revenues from the solid waste system; that it will also create and maintain a General Obligation Solid Waste Revenue Refunding Bonds, Series 2005A Debt Service Fund, into which it will pay, out of the net revenues from the solid waste system a sum sufficient to pay principal hereof and interest hereon when due; and that it will provide, by ad valorem tax levies, for any deficiency in required net solid waste system revenues.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the County at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the County will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The County and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the County nor the Bond Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the County to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, Martin County, Minnesota, by its Board of Commissioners, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Chair and County Auditor-Treasurer and has caused this Bond to be dated as of the date set forth below.

Dated: 2-15-05

MARTIN COUNTY, MINNESOTA

James Forshee, County Auditor-Treasurer

Dan Schmidtke, Chair

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

NORTHLAND TRUST SERVICES, INC.

By _____ Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

- TEN COM -- as tenants _____ in common (Minor) UNIF GIFT MIN ACT _____ Custodian (Cust)
- TEN ENT -- as tenants by entireties JT TEN -- as joint tenants with right of survivorship and not as tenants in common under Uniform Gifts or Transfers to Minors Act

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Bond Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Officer of Registrar</u>
_____	Cede & Co. Federal ID #13-2555119	_____

4.02. The County Auditor-Treasurer is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or accompany each Bond.

Section 5. Payment; Security; Pledges and Covenants.

5.01. The County will continue to operate its Solid Waste Management Fund pursuant to Minnesota Statutes, Section 400.13, to which will be credited any revenues transferred from the Prairieland solid waste facility, receipts from the rates and charges authorized by Minnesota Statutes, Section 400.08, and other revenues of the County's solid waste management system and out of which funds will be transferred to the Prairieland Solid Waste Board to pay all of the County's share of normal and reasonable expenses of current operations of the Prairieland solid waste facility. Any balance therein will be deemed net revenues and will be transferred from time to time to a General Obligation Solid Waste Revenue Refunding Bonds, Series 2005A Debt Service Fund (the "Debt Service Fund") hereby created in the Solid Waste Management Fund, which fund will be used only to pay principal of and interest on the Bonds and any other bonds similarly authorized. The Solid Waste Management Fund Accounts established in the resolution awarding the sale of the Refunded Bonds are continued and will be maintained as therein provided.

There will always be retained in the Debt Service Fund a sufficient amount to pay principal of and interest on all the Bonds then due, and the County Auditor-Treasurer will report any current or anticipated deficiency in the Debt Service Fund to the Board of County Commissioners. If any payment of principal or interest on the Bonds will become due when there is not sufficient money in the Debt Service Fund to pay the same, the County will pay such principal or interest from the general fund of the County, and the general fund will be reimbursed for such advances out of the proceeds of taxes that may be levied by this resolution, and solid waste revenues when collected.

5.02. It is determined that estimated collection of net revenues of the solid waste management system for the payment of principal and interest on the Bonds will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds and that no tax levy is needed at this time.

5.03. The County Auditor-Treasurer is directed to file a certified copy of this resolution with the County Auditor-Treasurer of Martin County and to obtain the certificate required by Section 475.63 of the Act.

5.04. The Board of Commissioners covenants and agrees with the holders of the Bonds that so long as any of the Bonds remain outstanding and unpaid, it will keep and enforce the following covenants and agreements:

(a) The Prairieland Solid Waste Board, on behalf of the County, will continue to maintain and efficiently operate the solid waste system as public utilities and conveniences free from competition of other like utilities and will cause all revenues there from to be deposited in bank accounts and credited to the solid waste system accounts as hereinabove provided, and will make no expenditures from said accounts except for a duly authorized purpose and in accordance with this resolution.

(b) The County will also maintain the Debt Service Fund as a separate account in the Solid Waste Management Fund and will cause money to be credited thereto from time to time, out of net revenues from the solid waste system ("Revenues"), in sums sufficient to pay principal of and interest on the Bonds when due.

(c) The County will keep and maintain proper and adequate books of records and accounts separate from all other records of the County in which will be complete and correct entries as to all transactions relating to the solid waste system and which will be open to inspection and copying by any bondholder, the bondholder's agent or attorney, at any reasonable time, and it will furnish certified transcripts there from upon request and upon payment of a reasonable fee there for, and said account will be audited at least annually by a qualified public accountant and statements of such audit and report will be furnished to all bondholders upon request.

(d) The Board of Commissioners will cause all persons handling revenues of the solid waste system to be bonded in reasonable amounts for the protection of the County and the bondholders and will cause the funds collected on account of the operations of the solid waste system to be deposited in a bank whose deposits are guaranteed under the Federal Deposit Insurance Law.

(e) The Board will keep the solid waste system insured at all times against loss by fire, tornado and other risks customarily insured against with an insurer or insurers in good standing, in such amounts as are customary for like plants, to protect the holders, from time to time, of the Bonds and the County from any loss due to any such casualty and will apply the proceeds of such insurance to make good any such loss.

(f) The County and each and all of its officers will punctually perform all duties with reference to the solid waste system as required by the laws of the State of Minnesota.

(g) The County will impose and collect charges of the nature authorized by Minnesota Statutes, Section 115.46 at the times and in the amounts required to produce net revenues adequate to pay all principal and interest when due on the Bonds and to create and maintain such reserves securing said payments as may be provided in this resolution.

(h) The Board of Commissioners will levy general ad valorem taxes on all taxable property in the County when required to meet any deficiency in net revenues pledged for payment of the Bonds.

Section 6. Refunding; Findings; Redemption of Refunded Bonds.

6.01. It is hereby found and determined that based upon information presently available from the County's financial advisers, the issuance of the Bonds is consistent with covenants made with the holders of the Refunded Bonds and is necessary and desirable for the reduction of debt service cost to the municipality.

6.02. It is hereby found and determined that the proceeds of the Bonds will be sufficient to prepay all of the principal of the Refunded Bonds to be called for redemption on June 1, 2005.

6.03. The Refunded Bonds maturing on June 1, 2006 and thereafter will be redeemed and prepaid on June 1, 2005. The Refunded Bonds will be redeemed and prepaid in accordance with their terms and in accordance with the terms and conditions set forth in the forms of Notice of Call for Redemption attached hereto as Attachment B which terms and conditions are hereby approved and incorporated herein by reference. The Registrar for the Refunded Bonds is authorized and directed to send a copy of the Notice of Redemption to each registered holder of the Refunded Bonds.

Section 7. Authentication of Transcript.

7.01. The officers of the County are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the County relating to the Bonds and to the financial condition and affairs of the County, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds and such instruments, including any heretofore furnished, will be deemed representations of the County as to the facts stated therein.

7.02. The Chair and County Auditor-Treasurer are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

Section 8. Tax Covenant.

8.01. The County covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated there under, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

8.02. (a) The County will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States if the Bonds (together with other obligations reasonably expected to be issued in calendar year 2005) exceed the small-issuer exception amount of \$5,000,000.

(b) For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements, the County finds, determines and declares that the

aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the County (and all subordinate entities of the County) during the calendar year in which the Bonds are issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(C) of the Code.

Furthermore:

- (i) each of the Refunded Bonds was issued as part of an issue which was treated as meeting the rebate requirements by reason of the exception for governmental units issuing \$5,000,000 or less of bonds;
- (ii) the average maturity of the Bonds does not exceed the remaining average maturity of the Refunded Bonds; and
- (iii) no maturity of the Bonds has a maturity date which is later than the date which is 30 years after the date the original bonds (refunded by the Refunded Bonds) were issued.

8.03. The County further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

8.04. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the County makes the following factual statements and representations:

- (a) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;
- (b) the County hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;
- (c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, that are not qualified 501(c)(3) bonds) which will be issued by the County (and all subordinate entities of the County) during calendar year 2005 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of obligations issued by the County during calendar year 2005 have been designated for purposes of Section 265(b)(3) of the Code.

8.05. The County will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 9. Book-Entry System; Limited Obligation of County.

9.01. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 2.03 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Bond Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns ("DTC"). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Bond Registrar in the name of Cede & Co., as nominee of DTC.

9.02. With respect to Bonds registered in the registration books kept by the Bond Registrar in the name of Cede & Co., as nominee of DTC, the County, the Bond Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as

securities depository (“Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Bond Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The County, the Bond Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Bond Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Bond Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the County’s obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Bond Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the County Auditor-Treasurer of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co.," will refer to such new nominee of DTC; and upon receipt of such a notice, the County Auditor-Treasurer will promptly deliver a copy of the same to the Bond Registrar and Paying Agent.

9.03. Representation Letter. The County has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the “Representation Letter”) which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Bond Registrar subsequently appointed by the County with respect to the Bonds will agree to take all action necessary for all representations of the County in the Representation letter with respect to the Bond Registrar and Paying Agent, respectively, to be complied with at all times.

9.04. Transfers Outside Book-Entry System. In the event the County, by resolution of the Board of Commissioners, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the County will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the County will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the County will issue and the Bond Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

9.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements as set forth in the Representation Letter.

Section 10. Continuing Disclosure.

10.01. In order to qualify the Bonds for limited continuing disclosure under paragraph (d)(2) of Securities and Exchange Commission Rules, Section 15c2-12 (the “SEC Rule”), the County makes the following factual statement and representation: As of the date of delivery of the Bonds, the County will not be an obligated person (as defined in paragraph (f) of the SEC Rule) with respect to more than \$10,000,000 in

aggregate amount of outstanding municipal securities, including the Bonds and excluding municipal securities that were exempt from the SEC Rule pursuant to paragraph (d)(1) thereof.

10.02. The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the County to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this section.

10.03. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Chair and County Auditor-Treasurer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

Section 11. Defeasance.

11.01. When all Bonds and all interest thereon, have been discharged as provided in this section, all pledges, covenants, and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the County for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The County may discharge all Bonds (or relevant portion thereof) which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

The motion for the adoption of the foregoing resolution was duly seconded by Member Steve Donnelly, and upon vote being taken thereon, the following voted in favor thereof: Commissioners Schmidtke, Pierce, Boler, Donnelly and Potter

and the following voted against the same:N/A

whereupon said resolution was declared duly passed and adopted

STATE OF MINNESOTA)
)
COUNTY OF MARTIN) SS.

I, the undersigned, being the duly qualified and acting County Auditor-Treasurer of Martin County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the Board of Commissioners of the County held on February 1, 2005 with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of \$1,545,000 General Obligation Solid Waste Revenue Refunding Bonds, Series 2005A of the County.

WITNESS My hand officially as such County Auditor-Treasurer and the corporate seal of the County this 15th day of February, 2005.

James Forshee, County Auditor-Treasurer
Martin County, Minnesota

(SEAL)

STATE OF MINNESOTA

COUNTY OF MARTIN

COUNTY AUDITOR'S
CERTIFICATE AS TO
REGISTRATION
WHERE NO AD
VALOREM TAX LEVY

I, the undersigned County Auditor-Treasurer of Martin County, Minnesota, hereby certify that a certified copy of a resolution adopted by the governing body of Martin County, Minnesota, on February 1, 2005, levying taxes for the payment of \$1,545,000 General Obligation Solid Waste Revenue Refunding Bonds, Series 2005A, of said municipality dated March 1, 2005, has been filed in my office and said bonds have been entered on the register of obligations in my office.

WITNESS My hand and official seal this 15 day of February, 2005.

James Forshee

County Auditor-Treasurer
Martin County, Minnesota

Dan Schmidtke

Chairman of Martin County Board

(SEAL)

ATTACHMENT B

NOTICE OF CALL FOR REDEMPTION

**\$3,975,000
GENERAL OBLIGATION REFUNDING BONDS OF 1996
MARTIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that, by order of the Board of Commissioners of Martin County, Minnesota, there have been called for redemption and prepayment on

June 1, 2005

all outstanding bonds of the County designated as General Obligation Refunding Bonds of 1996, dated January 15, 1996, having stated maturity dates of June 1 in the years 2006 through 2011, both inclusive, totaling \$1,795,000 in principal amount, and with the following CUSIP numbers:

<u>Year</u>	<u>Amount</u>	<u>CUSIP</u>
2006	\$265,000	
2007	280,000	
2008	290,000	
2009	305,000	
2010	320,000	
2011	335,000	

The bonds are being called at a price of par plus accrued interest to June 1, 2005, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, in the City of Minneapolis, Minnesota (successor by merger to Norwest Bank Minnesota, National Association), on or before June 1, 2005, at the following address:

Wells Fargo Bank, National Association
Attention: Corporate Trust Operations
255 Second Avenue South
Minneapolis, MN 55479-0113

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2001, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

The Registrar will not be responsible for the selection or use of the CUSIP number, nor is any representation made as to the correctness indicated in the Redemption Notice or on any Bond. It is included solely for convenience of the Holders.

Dated: February 15, 2005.

BY ORDER OF THE BOARD OF
COMMISSIONERS

By _____

James Forshee, County Auditor-Treasurer
Martin County, Minnesota

Roll call: AYES: Commissioners Schmidtke, Pierce, Boler, Donnelly, and Potter. NAYS: None. Said Resolution was unanimously carried and adopted this 15th day of February, 2005.

Higgins presented a letter of resignation from Heidi Holmes, Family Preservation Social Worker with the Probation Department effective February 14, 2005.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners accept the resignation of Heidi Holmes, Family Preservation Social Worker for Martin County Probation Department, effective February 14, 2005. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Boler to approve the warrants to be paid as presented including the Highway Department claims and include claim from the Martin County Fair Board for \$30,000. Carried unanimously.

REVENUE FUND- Warrants to be paid 2-15-05	Totaled	177,500.46
Solid Waste Mang't-Warrants to be paid 2-15-05	Totaled	29,086.54
Law Library Fund- Warrants to be paid 2-15-05	Totaled	2,362.68
Martin County Transit fund-Warrants to be paid	Totaled	24,174.76
Bank Building Fund-Warrants to be paid	Totaled	2,062.47
Recreation & Safety Fund-Warrants to be paid	Totaled	166.27
Forfeited Tax Fund-Warrants to be paid	Totaled	250.00
Ind. Sewage Treatment System Loan-	Totaled	<u>5,207.95</u>
Grand Total		\$245,811.13
Fair Appropriation	Totaled	\$ 30,000
Ditch Fund- Warrants to be paid	Totaled	\$9,821.43

The Board re-considered the tentative agreement with the Courthouse Union AFSCME Local 1204 (2005-2006). After discussion,

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners approve and authorize the Chair to sign the tentative agreement between Martin County and the AFSCME Courthouse Union 1204, with the exception that there are no additional adjustments to Steps beyond Step 12; and to approve a one time adjustment for the Administrative Assistant II position for \$437. Carried unanimously

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 Potter, seconded by Commissioner Boler to adjourn. Meeting adjourned at 11:53 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Chair

ATTEST: _____
Scott Higgins, County Coordinator