

**PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 1, 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. Gerald Boler was absent.

Also present were Scott Higgins, County Coordinator, Jim Forshee, County Auditor/Treasurer, Kevin Peyman, County Highway Engineer, Terry Viesselman, County Attorney, Jim Hallstrom, County Assessor, Sheriff Brad Gerhardt, Faye O'Sell Administrative Assistant, Christine Rupp, Sentinel, Rod Halverson, KSUM/KFMC Radio, members of the public.

Motion by Commissioner Donnelly, seconded by Commissioner Pierce to approve the Agenda with the following additions: 11. (g) Consider Resolution in Support to Re-authorize the Community Service Block Grant (MVAC) 11. (h.) AMC Transportation Legislative Resolution 11. (I) Discuss Proposal for Preparation of County Financial Statement, 11j. Consider Allocation for JOBZ Advertisement. Carried unanimously.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter to approve the minutes of the February 15, 2005 Board of Commissioners meeting. Carried unanimously.

Terry Viesselman, Martin County Attorney, was present to review the purchase agreements for the property being purchased and stated that four copies of the purchase agreement will need to be signed by the Board Chair and the County. Terry stated that he would need to complete the title opinion before the final closing. Viesselman gave his approval of the proposed purchase agreement.

Jim Hallstrom, Martin County Assessor, was present to request that the County do advertising through Southern MN JOBZ Growth Corridor Marketing. The marketing group has been working with Northwest Airlines on placing advertisements in their on-plane travel magazine. Readership is over 2 million people per week. Four months of advertising would get in front of approximately 16 million people. The cost is \$12,000. If six counties participate it would be \$2,000 per county. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve placing advertisements through the Southern MN JOBZ Growth Corridor working through Northwest Airlines with their on-plane travel magazine in the amount of \$2,000 to be expended from the County Economic Development Fund. Carried unanimously.

Kevin Peyman, County Highway Engineer, was present to request that the Board approve the Resolution in support of legislation to increase funding for Minnesota's Transportation System as proposed by the Association of Minnesota Counties. After discussion,

H-#1/'05

R E S O L U T I O N

In Support of Legislation to Increase Funding for Minnesota's Transportation System as Proposed by the Association of Minnesota Counties.

WHEREAS, the Association of Minnesota Counties (AMC), working with the County Engineers of the state, has identified need for massive investment in the farm-to-market and urban highways of Minnesota as well as thoughtful, wise investments in the mass transit systems throughout the state; and

WHEREAS, failure to provide sufficient investments jeopardizes the success of the state's economy and will compromise the safety and convenience of our citizens; and

WHEREAS, Minnesota has made insufficient capital investment in these important infrastructures in part caused by the gradual degradation of the purchasing power of the state's gas tax, which was last adjusted in 1988; and

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners hereby supports the comprehensive transportation package proposed by AMC on December 13, 2004; it is imperative that action occur during the 2005 Legislature to implement this fair and balanced approach to transportation funding;

BE IT FURTHER RESOLVED, that this Board will re-evaluate its support of transportation funding in the event the AMC package proposal is inordinately modified.

Upon motion by Commissioner Potter, seconded by Commissioner Donnelly and carried said resolution was duly passed and adopted this 1st day of March 2005.

BOARD OF COMMISSISONERS
MARTIN COUNTY, MN

Dan Schmidtke, Chair

Attest: _____
Scott Higgins, County Coordinator

Roll call AYES: Commissioners Schmidtke, Pierce, Donnelly, Potter. NAY's none
Said resolution was duly passed and adopted this 1st day of March 2005.

Peyman requested approval to purchase Survey Equipment for the Highway Department and stated that the new GPS equipment will free up much of staff time and whereas it takes 3-4 people to conduct various project surveys. Peyman recommended purchase off the state contract from Frontier Precision, Bloomington, MN. Equipment included is Trimble R8 GPS survey equipment and accessories at cost of \$42, 551.50 plus tax and shipping and handling of \$2,992.41 for a total of \$45,543.90.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners upon the recommendation of the County Engineer approve the purchase Survey Equipment for the Martin County Highway Department; and to include Trimble R8 GPS equipment with accessories from the State Contract, Frontier Precision, Bloomington, M N in the of \$45,543.90. Carried unanimously.

Peyman stated that he received good news on the Federal Aid Application for reconstruction of CSAH #36 (Scheduled for 2008-2009) and that Martin County is scheduled to receive \$1,000,000 for the project. The total cost of the project is estimated at 1.8 million. Peyman stated that this funding would help the County Highway Department get caught up with 4-5 years construction projects.

Peyman stated that the Martin County Road map second draft came in the mail Friday and he would provide copies for the Board and County Coordinator for their review. Peyman asked if there were any question concerning Highway Bills. There were none.

Jerry Voyles, SWCD Director, was present to give a report on the Feedlot Inspections. Voyles stated that he had received 72 inspection files in April of 2004. Forty-Eight of the 72 files were active feedlots and the staff has collected the \$200 fee that was required for the inspection. After discussion on the remaining inspections, Commissioner Schmidtke stated that he would get together with Voyles concerning feedlot permit holders who do not wish to pay the required inspection fee.

Amy Stratton, Coordinator of the Three Rivers Rural Conservation and Development Council (RC and D) was present to update the Board on projects in the County and the 2004 Annual Report. Stratton reported on the Alliance (Greater Blue Earth River Basin Alliance) in the Greater Blue Earth River Watershed Initiative-Phase II, Triple Rivers Producers; project "From the Ground Up". Stratton further stated, that Martin County

Commissioner Gerald Boler was chosen outstanding Council Board Member for Three Rivers RC and D and selected to represent the Three Rivers RC and D in Washington D.C.

Chairman Schmidtke thanked Stratton for her report.

Sheriff Gerhardt was present and reported to the Board on the Minnesota Department of Public Safety Annual Emergency Management Performance Grant (EMPG) for the upcoming Fiscal Year. Gerhardt stated that nine standards are submitted to the regional coordinator regarding this grant and requested approval of Board to authorize the Chair to sign the application for the grant.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve and authorize the chair signature on the application for the MN Department of Public Safety Emergency Management Performance Grant (EMPG) for 2005. Carried unanimously.

Sheriff Gerhardt requested approval from the County to provide a \$500 check toward funding for a program that the Child Abuse Prevention Council to be expended from the Sheriffs' training budget, this money will be matched by the Blandin Foundation and reimbursed back to the county.

At this time Becky Bentele, Victim Witness Coordinator, was present to request that \$1,500 be allocated from the Victim Witness program budget for the purpose of securing a speaker, travel expenses and training for April 7, 2005 Child Abuse Prevention Council Seminar. Mr. Lundy Bancroft, Family Issues Specialist will be speaking to area professionals from 1-4 p.m., regarding Child Abuse Prevention. The \$1,500 will be also matched by the Blandin Foundation and the county would be reimbursed for these funds.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve \$1,500 be allocated for the purpose of securing a speaker, travel expenses, workshop training for Child Abuse Prevention Council regarding Domestic Violence and how it relates to sexual assault and child abuse from the Victim Witness budget; and also approve \$500 from the Martin County Sheriffs training expense budget to be allocated for above said purpose; it is the understanding of the Board that these county funds will be matched and reimbursed by the Blandin Foundation. Carried unanimously.

Sheriff Gerhardt updated the Board on various activities from the Sheriffs Office.

- Boat and Water Grant has been submitted for 2005. Grant monies will be used to upgrade some items like buoys and flat bottom work boat motor.
- Setting up committee for the Emergency Operations Plan
- Justice Council has been actively meeting. Have Mission Statement and committees set up to collect strategic data.
- Southwest Emergency Management Region has awarded Martin County \$11,000 towards a project of our choosing. (City Watch Program)
- Part-time dispatcher and Lobby/Receptionist positions are being processed
- Burning permits, review of an ordinance

Chairman Schmidtke thanked the Sheriff for his report.

The Board recessed at 10:10 a.m

The Board reconvened at 10:20 a.m.

Pam Flitter, Planning and Zoning Official, was present to request approval for the Conditional Use Permit Request from Donald Holtz in Galena Township, Section 31. Donald Holtz is proposing to conduct a "Mr. Fixit Handyman Services" business on property located in an "A" Agricultural District. The Martin County Zoning Ordinance requires a Conditional Use Permit in an "A" Agricultural District.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

CONDITIONAL USE PERMIT

WHEREAS, a Conditional Use Permit was requested by Donald Holtz, applicant/owner on the 22nd day of February 2005, concerning the following described property located in the County of Martin and State of Minnesota to wit:

A tract of land in the Southeast Quarter of Section 31, Township 104 North, Range 32 West of the Fifth Principal Meridian described as follows: Beginning at the East Quarter corner of said Section 31; thence West 94.34 feet on the East and West quarter line through said Section 31 to the West right of way line of Minnesota Trunk Highway No. 4, the point of beginning of the tract to be described; thence continuing West 290.4 feet on said quarter line; thence South o 45'30" East 150 feet; thence East 290.4 feet to the West right of way line of Trunk Highway No. 4; thence North 045'30" West 150 feet to the point of beginning:

Area of tract one acre.

AND WHEREAS, ON THE 1ST DAY OF March, 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 1st day of March, 2005, with the following conditions, to wit:

- Signage on property be approved by the MN/DOT
- If a bathroom is installed in the future, septic system be designed and installed by a licensed septic contractor.

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 operate a "Mr. Fixit Handyman Services" business.

With respect to the above 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 his successors in interest. This permit is binding upon the applicant, the record title holder to the property, and his 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.

Jim Forshee, Auditor/Treasurer, requested approval for Cigarette License for AJ's Bottle Shop, Welcome, MN and Cigarette License and Non- Intoxicating Malt Liquor License for D & D Redneck Place, Imogene, MN.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners hereby approves the Cigarette License and having met the requirements of the County Tobacco Ordinance for Juley Clark (d.b.a.) AJ's Bottle Shop, Welcome, MN. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners hereby approve Cigarette License having met the requirements for application as stated in the County Tobacco Ordinance and Non-intoxicating Malt Liquor License On-Sale and Off-Sale for David Mosely (d.b.a.) D & D Redneck Place. Carried unanimously.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter, to direct staff to set up Joint Ditch Authority Board meeting with the Jackson County Board of Commissioners pertaining to Judicial Ditch (JD)#15. Carried unanimously.

Commissioner Schmidtke stated that he has given a few dates for the county staff to work with.

Consensus of the Board to review further the County Ordinance for Open Burning Restrictions.

Scott Higgins, County Coordinator, requested approval for a Tentative Commercial-Industrial Purchase Agreement to use as a transit garage, the building is located on the Malliet Properties at 1023, 1033, 1043 and 1123 Dewey Street, Fairmont, MN. The plan is to purchase the building for \$375,000, sell part of it to a business and renovate the remaining portion to house the six Martin County Express buses. The State of MN has promised the county \$200,000 or 80 percent of the project cost for the transit portion of the building.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioner approve the Tentative Purchase Agreement for the Malliet warehouse property on 1023 Dewey Street, Fairmont, MN with the purchase price for the building of \$375,000 including all listed contingencies of the purchase agreement. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioner approve the hiring of an Administrative Assistant III Position and to authorize the County Personnel Committee in the final decision and offering of the position to the successful applicant. Carried unanimously.

Scott Higgins, County Coordinator, requested approval of Tentative Agreement for a one Year contract for 2005.

After discussion, motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve the Tentative Agreement with Communications/Corrections LELS, Local #115 union contract for one year period – 2005 as presented; and contingent upon acceptance of the proposed language of the Memorandum of Understanding. Carried unanimously.

Commissioner Steve Pierce reviewed the Resolution whereas the County Board of Commissioners supports actions that would increase state funding through the Community Service Block Grants, and call for action that would secure on-going federal funding through the reauthorization of the Community Services Block Grant (CSBG) to support Minnesota's Community Action Agencies. The hope is that by the County Board such action will help to ensure that adequate resources are in place for Martin County, and all of Minnesota's counties, to promote strengthened economic stability and greater prosperity for our state and for all Minnesotans. After discussion,

RESOLUTION #18-05

WHEREAS: Minnesota Community Action Agencies are celebrating a 40 year history of promoting economic stability within our communities through the provision of leadership, resources, support and advocacy to families and individuals in financial need; and

WHEREAS: Minnesota Community Action Agencies offer opportunities for economic stability, self sufficiency and advancement to thousands of individuals and families in all 87 counties each year through the provision of resources to meet basic needs, welfare-to-work and job skills development services, educational asset development options for long-term economic advancement, home ownership opportunities, and advocacy efforts that ensure Minnesota families and individuals can live with dignity in our communities; and

WHEREAS: Minnesota Community Action Agencies provide leadership in creating and advocating for responsible policy development that addresses the need to eliminate the conditions that keep people in poverty; and

WHEREAS: Minnesota Community Action Agencies collaborate with a broad range of community partners including local government, school districts, human service organizations, non-profit groups, the business community, the faith community, and civic organizations in the development and implementation of the strategies that assist people to leave poverty and to own a stake in their communities; and

WHEREAS: Minnesota Community Action Agencies provide a significant return on investment to Martin County; and to counties throughout the state, as demonstrated through outcome-based measurement research; and

WHEREAS: Minnesota Community Action Agencies rely on the state Community Action Grant and the federal Community Services Block Grant (CSBG) as core funding to provide Martin County with critical safety net services, innovative and cost effective programs, responsible and forward-thinking community development efforts, and millions of additional leveraged dollars through local, state and federal partnerships; and

WHEREAS: Requests for Community Action services has increased over the past two years while significant decreases in our state's Community Action Grant allocation, and potential loss of federal Community Services Block Grant (CSBG), has resulted (or will result) in the loss of Community Action capacity to meet the needs of residents in Martin County, contributing to further destabilization of our local economy; and

WHEREAS: If funding for the Community Action Grant is not restored, and federal Community Services Block Grant (CSGB) is not reauthorized, critical services to Martin County residents will be reduced and will result in placing severe financial stress on our households, communities and county;

THEREFORE, LET IT BE RESOLVED THAT: The County Board of Commissioners supports actions that would increase state funding through the Community Action Grant, and actions that would secure on-going federal funding through the reauthorization of the Community Services Block Grant (CSGB), to support Minnesota's Community Action Agencies. These actions will ensure that adequate resources are in place for Martin County, and all of Minnesota's counties, to promote strengthened economic stability and greater prosperity for our state and for all Minnesotans.

Dan Schmidtke, Chair

Date

Motion by Commissioner Pierce, seconded by Commissioner Potter to approve and authorize the Chair to sign said resolution. Roll Call AYES: Commissioners Schmidtke, Donnelly, Potter, Pierce. NAYS: None. Said resolution was duly passed and adopted this 1st day of March 2005.

Jim Forshee, Auditor/Treasurer, presented a proposal for compilation and accounting services from Larson, Allen, Weishair and Company. , LLP, Brainerd, MN to prepare the necessary financial statements for audit. The proposed amount (includes expenses) is \$8,500. Forshee stated that the Board reviews and considers approval at a future Board meeting. Consensus of the Board to review.

The Board reviewed the County Service Directory, and commented that it will be a great asset advertising our county services for the public.

Motion by Commissioner Potter, seconded by Commissioner Donnelly to authorize per diems and expenses for the Board of Commissioners to attend the March 21, 2005 Annual Drainage Conference in Willmar, MN. Carried unanimously.

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

With no further business to wit, Chairman Schmidtke adjourned the meeting at 11:00 a.m. Dated this 1st day of March 2005.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Chair

ATTEST: _____
Scott Higgins, County Coordinator