

PROCEEDINGS OF THE MARTIN  
COUNTY BOARD OF COMMISSIONERS  
TUESDAY, MAY 17, 2005  
@ 9:00 A.M.

The meeting was called to order at 9:00 a.m. by Chairman Dan Schmidtke. Commissioners present were Jack Potter, Gerald Boler, Steve Donnelly, and Steve Pierce. Also present were Scott Higgins, County Coordinator, James Forshee, County Auditor/Treasurer, Kevin Peyman, County Highway Engineer, Terry Viesselman, County Attorney, Bill Cahalan, Fairmont Sentinel, Julie Walters, Administrative Assistant, members of the public.

Motion by Commissioner Donnelly, seconded by Commissioner Boler to approve the Agenda with the following additions: (1) Consider Resolution for Labor Hourly Rates in Connection with Judicial and County Ditch Minor Repairs and Maintenance; (2) Consider Petition for Impoundment/Repair/Abandonment Pursuant to Minnesota Statutes 103E.227, 103E.701 and 103E.227 JD#14 and Impoundment and repair for CD #33; (3) Approve Resolution Authorizing Execution of Emergency Management Performance Grant Program Agreement; (4) Dispose of County Surplus Property (telephones) by Auction; and, (5) Consider sending Letter of Support for Proposed Legislative Transportation Bill to Representative Robert Gunther and Senator Julie Rosen.

Motion by Commissioner Potter, seconded by Commissioner Donnelly to approve the minutes of the May 3, 2005 Board of Commissioners meeting with minor corrections. Carried unanimously.

Greg Gellert, Blizzard Snowmobile Club, was present to give an update and also to request board approval of the Resolution and Application for Maintenance Funding for the Existing GIA Trail System. Gellert noted the club has 52 members and meets on the first of each month at 7:30 p.m. The club currently takes care of approximately 100 miles of trails in Martin County. Maintenance includes obtaining permits from landowners to cross over their property, putting up trail signs in the fall, and overall grooming of the snowmobile trails. Blizzard Snowmobile Club members are also members of the Minnesota United Snowmobilers Association, of which Gellert is a director. The Association is proposing a new \$30 trail path fee to legislature this year, in an effort to generate more revenue for the maintenance of the trails in Minnesota. The DNR figures that by the year 2006 there will be a negative budget and hopes the proposed permit fee increase will generate a new influx of money to help cover rising equipment costs. Gellert reviewed the Application from the Blizzard Snowmobile Club for Maintenance Funding for Existing the GIA Trail System. The DNR provides grants to local units of government for maintenance of snowmobile trails and ATV trails. The Martin County Blizzard Snowmobile Club is requesting the county to allow the club to apply for the grant-in-aid funding for the GIA Trail in the amount of \$18,563.75. After discussion,

RESOLUTION

Application from the Blizzard Snowmobile Club for Maintenance Funding for the Existing GIA Trail System:

WHEREAS, Martin County, Minnesota desires to apply for maintenance funding for an existing GIA Trail System and,

WHEREAS, by Law of 1975, Chapter 204, Sections 51 and 95, there was appropriated to the Commissioner of Natural Resources, as a grants-in-aid to Local units of government, funds for said purposes, and

WHEREAS, said Martin County will contract with the Blizzard Snowmobile Club, Inc. to apply for this funding to maintain said GIA Trail System.

NOW, THEREFORE BE IT RESOLVED, on a motion by Commissioner Pierce, seconded by Commissioner Donnelly, that the Martin County Board of Commissioners approve of the application for maintenance funding for the existing GIA Trail, and that the Chairperson and the County Coordinator be authorized to sign all documents relating to the program.

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Dan Schmidtke, Chairman

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

Roll Call AYES: Commissioners Potter, Boler, Donnelly, Pierce, Schmidtke. NAYS: None. Said Resolution was duly passed and adopted this 17<sup>th</sup> day of May, 2005.

Terry Viesselman, County Attorney, was present and had no report.

Kevin Peyman, Martin County Highway Engineer, presented the resignation of the Richard Olson, Park Caretaker for the Highway Department and to approve a step increase for Gary Anderson, Motor Grader Operator per the AFSCME Highway Union Contract. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners hereby accepts the resignation of Richard Olson, Park Caretaker for the Highway Department, effective May 31, 2005 or until a replacement is hired. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners upon the recommendation of the County Engineer, approve a merit increase per the AFSCME Highway Union Contract for Gary Anderson, Motor grader Operator, from Grade 12 Step 3 at \$16.33/hour to Grade 12 Step 4 at \$16.77/hour, effective May 1, 2005. Carried unanimously.

Peyman continued with information regarding the purchase of a new 4x4 pick up truck for the Highway Department. Peyman stated this is a bad time of year to request vehicle bids as dealerships are no longer taking custom orders on 2005 models and state government concessions aren't out yet on 2006 models. Peyman did receive a bid from Mel Carlson Chevrolet; however, the bid is subject to 2005 availability. Peyman suggested waiting two months until the dealerships can go ahead and bid on 2006 models and will present at a future meeting. Peyman stated that the bid he did receive included an option for an E85 (ethanol use) engine at an additional \$980. 2006 models will probably be an additional \$1,000 for the E85 engine.

Peyman reported that due to a fair amount of flooding last week on county roads, a few areas were barricaded and/or closed. Some of the road ditches were full of gravel as a result of the washout on the roads. Peyman further stated that the Highway Department received a number of calls and that crews were able to get the roads back into shape as quickly as they could.

Peyman concluded his report with information regarding the proposed transportation funding package that could generate up to \$11 million dollars over the next 10 years for Martin County. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners hereby approve and authorize Kevin Peyman, Martin County Highway Engineer, to draft a letter on behalf of the Board in support of the proposed Transportation Funding legislation. Carried unanimously.

Chairman Schmidtke thanked Peyman for his report.

Sheriff Gerhardt presented information regarding the proposed annual renewal contract with GeoComm Inc., provider of E-911 System Maintenance Consulting Services for the Sheriff's Dispatch Center. The current contract expires the end of May 2005. The new contract amount is \$4,420 and is a \$100 increase from the previous year, effective June 1, 2005 through May 31, 2006. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners upon the recommendation of Sheriff Gerhardt, hereby approve and authorize Chair and Sheriff Brad Gerhardt to sign the contract between GeoComm Inc. and Martin County, effective June 1, 2005 and continuing through May 31, 2006 in the amount of \$4,420. Carried unanimously.

Gerhardt next requested approval to accept the contract award of the Emergency Management Performance Grant for Federal Fiscal Year 2005. The County has received this grant on an annual basis. The grant dollars received go toward expenses for Emergency Management for the Sheriff's Office.

R-#26/'05

RESOLUTION AUTHORIZING EXECUTION OF  
EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM  
AGREEMENT

Be It Resolved, on a motion by Commissioner Potter, seconded by Commissioner Boler that Martin County, MN, enter into a Grant Agreement with the State of Minnesota, acting through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management for the program entitled Emergency Management Performance Grant (EMPG) in the amount of \$12,257.00 effective October 1, 2004 through September 30, 2005, for the Federal Fiscal Year 2005.

Brad Gerhardt, Martin County Sheriff, along with Board Chair, is hereby authorized to execute and sign such Grant Agreements and amendments as are necessary to implement the project on behalf of Martin County, MN.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Dan Schmidtke, Chairman

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

Roll Call AYES: Commissioners Pierce, Donnelly, Boler, Potter, Schmidtke. NAYS: None. Said Resolution was duly passed and adopted this 17<sup>th</sup> day of May, 2005.

Gerhardt concluded with information pertaining to the slow, no wake restriction on all of the area lakes due to the high water and a discussion ensued about local law enforcement being able to use the proposed Gun Club shooting range for target and gun qualification training.

After nothing further, Chairman Schmidtke thanked Gerhardt for his report.

Scott Higgins, County Coordinator, presented the request for consideration of the Resolution to decrease Law Library fees that are collected on each petty misdemeanor, misdemeanor, gross misdemeanor, and felony conviction in Martin County. The County Law Library Committee has recommended that the fee be reduced from ten dollars (\$10.00) and set at five dollars (\$5.00). The Committee felt that the fund balance for the Law Library was in good shape. This fee is to be assessed for all convictions on or after the date of June 1, 2005. After discussion,

R-#23/'05

### RESOLUTION

On a motion by Commissioner Pierce, seconded by Commissioner Donnelly, It is hereby resolved that the law library fee to be collected on each petty misdemeanor, misdemeanor, gross misdemeanor, and felony conviction in Martin County be set at five dollars (\$5.00). This fee is to be assessed for all convictions on or after the date of June 1, 2005.

The resolution is subject to the approval of the Martin County Board of Commissioners.

Martin County Law Library Board of Trustees

By: \_\_\_\_\_  
Stefanie Skogen, Secretary

The resolution of the Martin County Law Library Board of Trustees, setting the law library fee for all petty misdemeanor, misdemeanor, gross misdemeanor, and felony convictions after June 1, 2005 at five dollars (\$5.00), is approved.

Martin County Board of Commissioners

By: \_\_\_\_\_  
Dan Schmidtke, Chairperson

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

Roll Call AYES: Commissioners Potter, Boler, Donnelly, Pierce, Schmidtke. NAYS: None. Said Resolution was duly passed and adopted this 17<sup>th</sup> day of May, 2005.

Higgins next presented information pertaining to an Addendum to the Lease Agreement with Human Services of Faribault and Martin County at 115 West First Street. Higgins has sent a letter to Warren Knudson, F/M Human Service Director, informing him that the annual lease amount will be increasing from \$142,310.90 to \$145,868.67, effective January 1, 2006. The increase is due to increased utilities and other building maintenance costs. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners upon the recommendation of Scott Higgins, County Coordinator, hereby approve the Addendum to 3. RENT/DEPOSITS, Section 3.1 of the Lease Agreement between Martin County and Human Services of Faribault and Martin Counties, reflecting the new annual increase to an annual rent of \$145,868.64 is payable in monthly installments of \$12,155.72 effective January 1, 2006. Carried unanimously.

Higgins continued with the proposed Addendum to Lease Agreement to the City/County Law Enforcement Center Lease Agreement that also includes an approximate 2.5 percent increase. Higgins sent a letter to Jim Zarling, City Administrator, informing him that the annual rent for 35% occupancy of the law enforcement space will increase from \$38,400 to \$39,360 effective January 1, 2006. The increase is due to increased utilities and other building maintenance costs. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners upon the recommendation of Scott Higgins, County Coordinator, hereby approve the Addendum to Section 1 of the City/County Law Enforcement Center Lease Agreement, reflecting the new annual lease amount that includes a 2.5 percent increase. Total annual rent of \$39,360 is payable in monthly installments of \$3,280 effective January 1, 2006. Carried unanimously.

Higgins next presented bid information for the improvement/upgrade of the HVAC System for the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Martin County Security Building. Bids were received, opened, and reviewed, per the bid advertisement. Higgins recommended Cress Refrigeration as the apparent low bid with a base bid of \$32,472.51 including Bid Alternate #2 in the amount of \$1,889.00 for a total of \$35,361.51. After discussion,

R-#24/'05

**RESOLUTION ACCEPTING BID FOR IMPROVEMENT/UPGRADE OF HVAC SYSTEM-SECURITY BUILDING**

WHEREAS, pursuant to an advertisement for bids for improvement and upgrade of:

The HVAC System for the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Martin County Security Building

Bids were received, opened, and reviewed, and the following bids were received complying with the advertisement:

<u>BIDDER</u>	<u>BASE BID</u>	<u>ALT #1</u>	<u>ALT #2</u>	<u>TOTAL BID</u>
Cress Refrigeration,	\$32,472.51	\$4,996.52	\$1,889.00	\$39,358.03
Feder Mechanical	55,040.00	3,399.00	5,121.00	63,560.00
Total Comfort Systems	39,260.00	650.00	2,445.00	42,355.00

And WHEREAS, it appears that Cress Refrigeration, from Fairmont, MN is the lowest responsible bidder,

NOW THEREFORE BE IT RESOLVED, on a motion by Commissioner Pierce, seconded by Commissioner Donnelly,

1. That the Martin County Board of Commissioners after due considerations of the bids received, approves and authorizes the Chair to sign the necessary contracts with Cress Refrigeration, on behalf of Martin County for the above referenced improvements according to the plans and specifications therefore approved by the County Board of Commissioners and on file in the office of the County Coordinator, including Bid Alternate #2 at a total cost of \$34,361.51.
2. The County Coordinator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

ADOPTED by the Martin County Board of Commissioners this 17th day of May, 2005.

\_\_\_\_\_  
Dan Schmidtke, Chair, Board of Commissioners

ATTEST:

\_\_\_\_\_  
Scott Higgins, Martin County Coordinator

Roll Call AYES: Commissioners Potter, Boler, Donnelly, Pierce, Schmidtke.

NAYS: None. Said Resolution duly passed and adopted this 17<sup>th</sup> day of May, 2005.

Higgins presented for approval and payment of the May 2005 bills.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners approves the bills for May 17, 2005 as presented. Carried unanimously.

Warrants received and paid 5-17-05 are registered on file in the Auditor/Treasurers Office as follows:

Revenue Fund – Warrants Approved 5-17-05	Totaled	\$141,242.20
Solid Waste Management Fund		\$ 33,244.37
Law Library Fund		\$ 577.47
Martin County Transit Fund		\$ 32,510.73
Building – CIP Fund		\$ 4,319.31
Bank Building Fund		\$ 3,750.68
Refunding Fund		\$ 136.00
Recreation and Safety Fund		\$ 122.96
Taxes and Penalties Fund		\$ 1,832.63
Ind. Sewage Treatment Sys. Loan FD (ISTS)		<u>\$ 10,266.14</u>
	Grand Total	\$228,002.49
Martin County Ditch Fund – Warrants Totaled		\$146,908.91
Road and Bridge Fund – Warrants Totaled		\$ 53,901.47

The Board recessed at 9:55 a.m.

The Board reconvened at 10:00 a.m.

Higgins reviewed the proposed Martin County Open Burning Restrictions Ordinance, stating that the overall purpose of the proposed ordinance is to allow the Sheriff to issue burning restrictions and assist in the overall implementation of Minnesota's fire protection statutes in a way that enhances the protection of the citizens of Martin County. Higgins stated that through passage of this ordinance, the County Sheriff will be authorized to issue burning restrictions to aid in the prevention of wildfires.

Chairman Schmidtke asked if there were questions from the Board before proceeding to public input portion of the hearing. Commissioner Potter added if a burning ban is required, it takes too long to get the entire Board of Commissioners together and that the Sheriff's Deputies are out and about throughout the County and makes the recommendation to the Sheriff. Is it just a protection thing and expedience as far as getting the job done.

Chairman Schmidtke opened the public hearing for the consideration of the proposed Martin County Open Burning Restrictions Ordinance.



Dennis Krueger, Martin County resident, questioned Section 3.1 Burning Restriction A, number (2) that states, burning in an approved “burner” only, from 6:00 P.M. to 8:00 A.M. What is an approved burner and are you only allowed to burn at night?

Commissioner Pierce stated that this provision should be changed to 6:00 am to 8:00 pm.

Higgins responded that “approved burners” is not defined and noted that the current proposed time period exempts burning during the evening and early morning hours.

Jim Welchlin, Martin County resident, inquired if a “burn barrel” was an approved burner. Consensus of the Board is that a burn barrel is an approved burner. After discussion,

Schmidtke asked if there was any other public input. There was none. Higgins stated that there were no written comments submitted regarding the proposed ordinance. With no further public input,

Motion by Commissioner Boler, seconded by Commissioner Donnelly to close the public portion of the meeting. Carried unanimously.

After further discussion and consideration,

R-#29/'05

#### ORDINANCE 2005-11

#### ADOPTION AND THE ENACTMENT OF THE OPEN BURNING RESTRICTIONS ORDINANCE FOR MARTIN COUNTY, MN

WHEREAS, the Martin County Board of Commissioners desire to establish an Ordinance to set forth the standards and procedures for open burning restrictions in Martin County, MN, and

WHEREAS, notice of the public hearing to be held by the Martin County Board of Commissioners on the OPEN BURNING RESTRICTIONS ORDINANCE was published as required by law, and

WHEREAS, the Martin County Board of Commissioners has held a public hearing and took testimony from the public with respect to the OPEN BURNING RESTRICTIONS ORDINANCE for Martin County during the Board of Commissioners regular meeting on May 17, 2005, and

WHEREAS, the Martin County Board of Commissioners have determined that the proposed OPEN BURNING RESTRICTIONS ORDINANCE serves the best interest of the County in allowing the Sheriff to issue burning restrictions and assist in the overall implementation of Minnesota's fire protection statutes in a way that enhances the protection of the citizens of Martin County, MN and

NOW THEREFORE BE IT RESOLVED, upon a motion by Commissioner Potter, seconded by Commissioner Pierce, that the Martin County Board of Commissioners after careful consideration and review hereby approve and adopts the Martin County Open Burning Restrictions Ordinance with minor changes as follows:

Page 2, Section 3.1 Burning Restriction A, Number (2) Burning in an enclosed ~~approved~~ burner only, from 6:00 A.M. to 8:00 P.M. ~~6 P.M. to 8:00 A.M.~~, and the addition of *municipalities* to Burning Restriction "A", "B", and Burning Ban, and,

BE IT FURTHER RESOLVED, that the Martin County Board of Commissioners does hereby ordain the OPEN BURNING RESTRICTIONS ORDINANCE and that this Ordinance shall be in effect after its passage and approval and publication as required by law. and to direct county staff to publish and record the Ordinance as required.

Roll Call AYES: Commissioners Boler, Donnelly, Pierce, Potter, Schmidtke. NAYS: None. Said Ordinance passed and adopted this 17<sup>th</sup> day of May, 2005.

Tim Auringer, I & S Engineers and Architects, provided copies of estimates to the Board for the renovations for the Sheriff's Impound and Transit Facility. Auringer reviewed the plans and specifications for the project and stated that the Board would need to approve advertisement for bids for the renovation project. After discussion,

Consensus of the Board to proceed with bid advertising as a "no occupancy" facility on the following items only: overhead doors, floor drains, sprinkler system, air exchanger and site work. An alternate bid will be sought for installing a wash bay.

Auringer reviewed the current timeframe, stating that the bid notice will be advertised in the Fairmont Sentinel beginning on Saturday, May 23<sup>rd</sup>, 2005, Bids will be received early June, Bids will be opened at 2 p.m. on Monday, June 6<sup>th</sup> and anticipate that bids will be awarded during the June 7<sup>th</sup>, 2005 regular Board of Commissioners meeting.

After further discussion,

R-#25/'05

RESOLUTION APPROVING PLAN AND SPECIFICATIONS AND ORDERING  
ANDVERTISEMENT FOR BIDS for RENOVATIONS OF THE MARTIN COUNTY  
TRANSIT FACILITY

WHEREAS, the County Coordinator through I and S Engineers and Architects have arranged for the preparation of Plans and Specifications for the renovation improvements for:

1023 (Transit Facility) and 1033 (Sheriff's Impound) North Dewey Street Facility

And has presented such Plans and Specifications to the County Board for approval:

NOW THEREFORE BE IT RESOLVED, upon a motion by Commissioner Potter, seconded by Commissioner Donnelly,

1. That such Plans and Specification, a copy of which is attached hereto and made a part hereof and hereby are approved.
2. The County Coordinator shall prepare or have prepared and cause to be inserted in the official newspaper, an advertisement for bids upon making of such improvement under such approved Plans and Specifications and other publications as necessary. The advertisement shall be published and shall specify the work to be done and shall state the time and location of where the bids will be opened. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the County Board on the issue of responsibility. No bids will be considered unless sealed and filed with the County Coordinator and or designated party and accompanied by a bid bond certificate check payable to the Martin County Auditor/Treasurer for five (5) percent of the amount of such bid. The bids will be tabulated at the time and will be considered by the County Board of Commissioners at a regular scheduled meeting to be held after review by the County Coordinator and I and S Engineers and Architects, Mankato, MN of the lowest responsible bidder's bid documents.

ADOPTED by the Martin County Board of Commissioners this \_\_\_\_\_ day of \_\_\_\_\_ 2005

\_\_\_\_\_  
Dan Schmidtke, Chair, Board of Commissioners

ATTEST:

\_\_\_\_\_  
Scott Higgins, Martin County Coordinator

Deb Mosloski, Drainage Specialist, presented the Resolution for the Labor Hourly Rates in connection with Judicial and County Ditch Minor Repairs and Maintenance. After discussion,

RESOLUTION FOR LABOR HOURLY RATES IN CONNECTION  
WITH JUDICIAL AND COUNTY DITCH MINOR  
REPAIRS AND MAINTENANCE

BE IT RESOLVED, upon a motion by Commissioner Boler, seconded by Commissioner Potter, that Martin County as drainage authority for Judicial and County ditches receives request from landowners to do minor repairs and maintenance themselves and to be compensated by the drainage system. That such minor repairs and maintenance are often done when time is of the essence and contractors are not readily available. In addition, such minor repairs and maintenance results in repairs being done in a timely manner and often at a reduced cost.

NOW THEREFORE, BE IT RESOLVED that Martin County will pay at a rate of \$12.00 per hour for hand labor done by landowners in connection with minor repairs and maintenance to judicial and county ditch systems for the year 2005 and be it resolved that a maximum of \$20.00 per hour be set for tractor and loader or skid loader and \$15.00 per day and \$7.50 per half day for chainsaw, and be it resolved that such payments are under the following specific conditions:

1. That those conducting the work are not employees of the County;
2. That those workers specifically understand and agree that they are not covered by Worker's Compensation Insurance through the County;
3. That any damage to equipment used is the sole responsibility of the owner, sole-proprietor and/or operator and is not the responsibility of Martin County;
4. That those individuals who conduct any type of work in connection with Judicial or County Ditch Drainage Systems are required to have on file a Certificate of Insurance of all required coverages before work commences including, but not limited to, a Certificate of Insurance for general liability coverage that shall include "products/completed operations" coverage with length of time to be determined by the County, to be signed by the authorized insurer defining coverage, and the Certificate should include a 60 day written Notice to Cancel, Suspend or Reduce; all limits of coverage to be determined by the County.
5. That a Hold Harmless and Indemnification Agreement, along with all their required documents, must be signed by those doing the work before any work commences on the drainage systems. The worker shall hold harmless and indemnify the County for any claims of any nature resulting from work being done on the county or judicial drainage systems.
6. That a W-9 shall be provided;
7. That no work shall be done on county or judicial ditch systems without the above requirements being met and without specific authorization of the Martin County Ditch Authority;
8. That upon completion of any minor repairs or maintenance to the judicial or county ditch system, a specific written description of the work and location of work done shall be submitted to the ditch authority for filing in the proper ditch file. That no payment shall be made until all requirements are met.

9. All necessary documents above described must be filed with the Martin County Auditor/Treasurers Office before any work commences on the county judicial or county drainage systems.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MINNESOTA

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Dan Schmidtke, Board Chairman

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

Roll Call AYES: Commissioners Pierce, Donnelly, Boler, Potter, Schmidtke. NAYS: None.  
Said Resolution duly passed and adopted this 17<sup>th</sup> day of May, 2005.

Mosloski and Rich Perrine (SWCD Technician) continued with a petition for Impoundment/Repair/Abandonment for Judicial Ditch #14. The petitioners are requesting that the Martin County Board of Commissioners, acting as the drainage authority, establish an Impoundment project and to repair a portion of tile on the JD #14 tile system located in the E ½ of Section 11 and the W ½ of Section 12, Township 101 North, Range 29 West, also known as East Chain Township. Mosloski further stated that an Engineer for the project would need to be appointed and recommended Tom Wenzel be appointed as engineer for the proposed project and a public hearing would need to be set. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby accept the petition for the Impoundment/Repair/Abandonment of JD #14 and appoint Tom Wenzel as engineer for the project and as required by Minnesota Statutes hereby establish June 14, 2005 at 11:00 a.m. as the public hearing date for Impoundment/Repair/Abandonment of JD #14, in the Martin County Board of Commissioners Meeting Room, located at the Martin County Courthouse, 201 Lake Avenue, Fairmont, MN. Carried unanimously.

Mosloski and Perrine presented a petition for the Impoundment/Repair of a portion of drainage system waters of County Ditch #33, Martin County, located in the W ½ SW ¼ of Section 2, Township T101N, Range R31W, also known as Tenhassen Township. Mosloski further stated than an Engineer for the project would need to be appointed and recommended Tom Wenzel be appointed as engineer for the proposed project and a public hearing would need to be set. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby accept the petition for the Impoundment/Repair of CD #33 and appoint Tom Wenzel as engineer for the project and as required by Minnesota Statutes hereby establish June 7, 2005 at 11:00 a.m. as the public hearing date for Impoundment/Repair of CD #33, in the Martin County Board of Commissioners Meeting Room, located at the Martin County Courthouse, 201 Lake Avenue, Fairmont, MN. Carried unanimously.

Schmidtke thanked Mosloski and Perrine for their report.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners hereby approve disposing of surplus county property (telephones) by auction. Carried unanimously.

Higgins informed the Board that the supplemental CY2006 Budget Packets were out. All Department Heads have received their budget packets and were asked to have them returned for review by June 13<sup>th</sup>, 2005.

Peyman shared information from an email he had received regarding the proposed transportation funding package he had discussed earlier. The additional information included major features of the Erhardt Amendment to the legislative Transportation Bill. Peyman presented a flow chart of what every county would receive over the next ten years, and myths and facts of what the proposed bill actually does.

Schmidtke thanked Peyman for this additional information.

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

Upon a motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioner approve and authorize per diems and expenses for the Southwest Minnesota Energy Seminar to be held in Woodstock, MN on May 17, 2005. Carried unanimously.

The next regular meeting of the Martin County Board of Commissioners will be Tuesday, June 7<sup>th</sup>, 2005 at 9:00 a.m. in the Martin County Commissioners Room.

With no further business to wit, Motion by Commissioner Pierce, seconded by Commissioner Donnelly to adjourn the meeting. Carried unanimously. Meeting adjourned at 12:05 p.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Chair

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