

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 7, 2005
@ 9:00 A.M.

The meeting was called to order at 9:00 a.m. by Chairman Dan Schmidtke. Commissioners present were Steve Pierce, Steve Donnelly, Jack Potter and Gerald Boler. 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 Potter to approve the Agenda with the following additions: (1) Martin County Transit Expanded Service Report, and (2) Discuss Sending Letter to Representative Gunther, Senator Rosen, Representatives Cornish and Speaker of the House Steve Sviggum Pertaining to the Special Session.

Julie Grunewald, Senior Probation Agent, introduced newly hired Sarah Riess, Family Preservation Social Worker, to the Board. Riess started in the Probation Office Monday, May 16, 2005. The Board welcomed her to Martin County and wished her well in her new position.

Terry Viesselman, County Attorney, was present and informed the Board of the two tax court appeals- Fairmont Townhouses and Gordy's Properties, and are scheduled for trial on June 17th, 2005. With nothing further to report, Schmidtke thanked Viesselman.

Kevin Peyman, County Highway Engineer, reported he had received 18-20 applications for the County Parks Caretaker position. After interviewing four candidates, Peyman recommended the hiring of Scott Drever as the seasonal park caretaker for 2005, effective June 13, 2005 through October, 2005 at \$2,083.33 per month for the seasonal position. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Highway Engineer, hereby approve the hire of Scott Drever for the seasonal position of County Park Caretaker, effective June 13, 2005 and position ending on or about October 2005, at a monthly compensation (with required payroll deductions) of approximately \$2,083.33 per month and is not eligible for county benefits. Carried unanimously.

Peyman continued regarding the new County Maps. When these maps were ordered, it was the intent to give them away. With distribution of the maps to the Coordinator's Office and each department at the courthouse, maps are disappearing faster than anticipated. Peyman suggested to set a limit of one free map per person and to charge a fee of \$1.00 per map if an individual wanted additional maps.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve setting a limit of one free map per person and charging a fee of \$1 each for additional maps. Carried unanimously.

Peyman offered information pertaining to current paving and overlay projects in the county.

Schmidtke stated he had received a phone call last evening regarding the car/motorcycle accident near the Hand's Park corner Monday evening, and inquired if it was possible to make the intersection safer. After discussion, consensus is that Peyman will request an accident report and contact MN/DOT to request previous accident records that have occurred at that intersection. Information gathered will be presented at a future meeting.

After nothing further to report, Schmidtke thanked Peyman.

Motion by Commissioner Pierce, seconded by Commissioner Potter to approve the minutes of the May 17, 2005 Board of Commissioners meeting. Carried unanimously.

Scott Higgins, County Coordinator, presented information for the hire of a part-time Lobby Receptionist – Sheriff's Department. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners hereby approve the hire of Kara Fausch, as a part-time Sheriff's Department Lobby Receptionist; up to 20 hours per week average, effective June 6, 2005 at \$9.37/hour, eligible for pro rated vacation and sick time benefits and other required payroll deductions. Carried unanimously.

Bruce Firkins, Engineer with Bolton & Menk, Inc. was present to give an update on the Water Test Wells project (near Welcome, MN) to determine if there is enough water in the area for a possible ethanol production plant. Firkins provided informational documents from Leggette, Brashears & Graham, Inc. (LGB), Professional Ground-Water and Environmental Engineering Services of St. Paul, MN with whom Bolton & Menk has contracted for work on this project. The objective of the study was to determine if viable groundwater resources are available and to estimate what impact, if any, pumping from a proposed water supply well at the proposed location would have on water levels in the City of Welcome's existing municipal wells. The study was completed on four nearby wells, two in the City and two in a hog confinement development, using only available information and no site specific aquifer test data. To meet the objective of the evaluation, LGB completed the following tasks: (1) reviewed and evaluated existing hydrogeologic data, geologic and well logs, and specific capacity data obtained from the USGS Hydrogeologic Investigation reports, Minnesota Department of Natural Resources (MN DNR) water appropriations database, Minnesota County Well Index (CWI), and Minnesota Geologic Survey Geologic maps; (2) Contacted the Minnesota Department of

Health (MDH) to obtain any site specific aquifer pumping test data that may have been completed as part of the City's wellhead protection program. MDH indicated that the City has not completed its wellhead protection program and no aquifer testing has been completed;

(3) obtained MN DNR water appropriation permit information and contacted B & M personnel to determine current well locations and pumping rates; (4) Estimated the aquifer parameters of the bedrock aquifers of concern from existing specific capacity test results obtained from the MN CSI; and (5) Determined combined well interference in the City wells and the proposed well using available pumping rate information for these wells.

LGB's interpretation conducted this preliminary study using available specific capacity data from nearby wells and from published sources. Although it appears well interference will not be a significant issue at this site, a site specific aquifer pumping test should be conducted to obtain local hydrogeologic parameters. It appears that the proposed well site, located on City property approximately 300 feet southeast of Welcome, MN, may be a viable location for a high capacity water supply well. The next step in the process is to drill the necessary wells.

Firkins then reviewed the following two options for the Board to consider:

(1) Full Test Well Construction and Interference Testing - \$133,200

This option will provide a DNR approved aquifer, well capacity and prolonged well interference study that can be used for final water appropriation permitting when a specific user is identified. Costs are based on 833 gpm test well with 4 week test pump period and 4 observation wells (two new and two existing). Test well costs are from Steffl Well Drilling (as recommended by Beemer). Quotes from Traut were higher.

(2) Monitoring Well for Aquifer Strata Verification Only - \$64,700

This option will determine the specific aquifer geology east of Welcome by drilling only two observation/monitoring wells. These wells will be logged and developed to verify water availability and aquifer viability but will not have capacity for prolonged pumping necessary to verify long-term 1 MGD usage. A 12" test well would be drilled after aquifer geology is verified (by monitoring wells) and after specific user and long-term usage rate is established. After further discussion and consideration,

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners approve Option #2, Monitoring Well for Aquifer Strata Verification Only in the amount of \$64,700 as presented and to authorize the Chair and other county staff necessary to work with the City of Welcome on the proposed water exploration project; and to authorize the Chair to approve additional expenses if necessary for the project. Carried unanimously.

Pam Flitter, Zoning Official, presented to the Board for consideration the following two Conditional Use Permits (CUP's). After discussion,

R-#31/'05

Conditional Use Permit for the Martin County Highway Department for the Extraction and Processing of Gravel for Construction Purposes on a Site located in the Southwest Quarter of the Northwest Quarter of Section 6, Township 101 North, Range 32 West in Martin County, Minnesota (as legally described in application)

Motion by Commissioner Pierce, seconded by Commissioner Boler,

WHEREAS, a Conditional Use Permit requested by the Martin County Highway Department, applicant David Whitehead and Sierra Whitehead, husband and wife, owners of property located in North Tract- a tract of land in the Southwest Quarter of the Northwest Quarter of Section 6, Township 101 North, Range 32 West in Martin County, Minnesota (as legally described in application) for the purpose of extracting and processing gravel for construction purposes on property located in and "A" Agricultural Zoning District, and

WHEREAS, the Martin County Planning and Zoning staff has completed review of the application and made a report pertaining to the request, a copy of said report has been presented to the County Board of Commissioners; and

WHEREAS, the Planning Commission of the County on the 24th day of May 2005, following proper notice, held a public hearing regarding the request and, following the hearing, adopted a recommendation that the request for a Conditional Use Permit be granted; and

WHEREAS, the Martin County Board of Commissioners finds that Conditional Use Permit is to be issued for the following purpose:

Extraction and processing of gravel for construction purposes on a site located in an "A" Agricultural Zoning District, and

WHEREAS, the following conditions have been applied:

- A site use, development and restoration plan submitted that addresses dust, noise, hours of operation, erosion control and anticipated vegetation and topographic alterations as submitted
- Properly dispose of tires and other waste on site

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners and upon the recommendation of the Martin County Planning Commission hereby approves the Conditional Use Permit for the above described property and is hereby issued pursuant to MS. 394.301 and the Martin County Ordinance

#1 Chapter 6.01, and that this permit shall remain in full force and effect provided in the conditions as described above are met and maintained by the applicant and his/or 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.

This resolution shall become effective immediately upon its passage and without publication. Carried unanimously.

Flitter reviewed the CUP request for Christensen Farms, Inc for the expansion of and existing feedlot. After discussion,
R-#30/05

Conditional Use Permit for Christensen Family Farms, Inc. for the Expansion of Animal Units (AU's) in part of the southwest Quarter of Section 32m Township 101 North, Range 33 West in Lake Fremont Township, Martin County, Minnesota,

Motion by Commissioner Potter, seconded by Commissioner Donnelly,

WHEREAS, a Conditional Use Permit requested by Christensen Family Farms, Inc., owner of property located in part of the southwest Quarter of Section 32m Township 101 North, Range 33 West in Lake Fremont Township, Martin County, Minnesota, has applied for a Conditional Use Permit to expand the number of animal units (AU's) from 2, 120 to 2, 607 AU's, and

WHEREAS, the Martin County Planning and Zoning staff has completed review of the application and made a report pertaining to the request, a copy of said report has been presented to the County Board of Commissioners; and

WHEREAS, the Planning Commission of the County on the 24th day of May 2005, following proper notice, held a public hearing regarding the request and, following the hearing, adopted a recommendation that the request for a Conditional Use Permit be granted; and

WHEREAS, the Martin County Board of Commissioners finds that Conditional Use Permit is to be issued for the following purpose:

For the increase in animal units on an existing building site located in an "A" Agricultural Zoning District, and

WHEREAS, the following conditions have been applied:

- Approval of (NPDES) Feedlot Permit by the Minnesota Pollution Control Agency (MPCA)
- Building permit(s) to be obtained after MPCA's/County Board Approval
- Applicant must construct according to the plan(s) which have been submitted

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners and upon the recommendation of the Martin County Planning Commission hereby approves the Conditional Use Permit for the above described property and is hereby issued pursuant to MS. 394.301 and the Martin County Ordinance #1 Chapter 6.01, and that this permit shall remain in full force and effect provided in the conditions as described above are met and maintained by the applicant and his/or 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.

This resolution shall become effective immediately upon its passage and with out publication. Carried unanimously.

Brian Hanson, Martin County SWCD Technician, presented request for the Board to approve extension of the Blue Earth River Clean Water Partnership Project with the Minnesota Pollution Control Agency (MPCA) to conduct the implementation of the Blue Earth River Clean Water Partnership Project. After Board consideration and discussion,

R-#33/'05

RESOLUTION

BE IT RESOLVED by the County of Martin that the County has entered into a Grant Agreement with the Minnesota Pollution Control Agency (MPCA) to conduct the implementation of the following project:

Blue Earth River Clean Water Partnership Project

WHEREAS, the current CWP Project's completion date is due to expire on May 30, 2006,

WHEREAS, it was determined that more time and funds are needed to continue implementation of the program elements which include:

- Ag BMP's
- Technical Assistance
- Monitoring and Evaluation
- GID
- Education
- Septic Loan

WHEREAS, the continuation if accepted would extend the project for three additional years for a completion date of May 30, 2009.

The total cost of the project is expected to be \$962,755. Martin County would be responsible for the total project costs with the assistance from any contributing sponsors

as detailed in the application. A grant if awarded could provide up to \$450,000 of total project costs.

Martin County also agrees to contribute \$13,000 of in-kind support for water quality monitoring and support of the low interest loans for septic system upgrades.

WHEREAS, the Project will still target these program elements, the goal will remain the same in extending the pollution reduction goals and other requirements of the Work Plan.

BE IT FINALLY RESOLVED upon a motion by Commissioner Donnelly, seconded by Commissioner Potter, that the proposed continuation of the Blue Earth River Clean Water Partnership Project be applied to the MPCA is hereby approved.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Chairman

ATTEST: _____
Scott Higgins, County Coordinator

The Board recessed at 10:20 a.m.

The Board reconvened at 10:30 a.m.

Higgins presented the final draft for Board approval of the County's Classification/Compensation Policy. The proposed policy provides general guidelines concerning wage and salary administration, annual review and maintenance of the classification and rate structure, adding new classifications, job reclassification, temporary reclassifications, hiring rates, promotional increases, lateral transfers and demotions. Higgins stated that the proposed policy also establishes a Compensation Advisory Committee (CAC) which will be a five member committee which would include the Coordinator, 2 Commissioners, the Auditor/Treasurer and a Department Director. Higgins stated that the proposed policy does not replace the existing county policy and provides more detail in the administration of the Classification/Compensation Plan than the current policy. After further discussion,

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners table the proposed Policy pertaining to the County Classification/Compensation Policy for further review by Board until the next regularly scheduled Martin County Board of Commissioner Meeting on Tuesday, June 21, 2005. Carried unanimously.

Higgins introduced the proposed Memorandum of Understanding (MOU) between Immanuel St. Joseph's – Mayo Health System (ISJ) and Martin County Sheriff's Office (MSCO). ISJ will provide to the MSCO a fully stocked "disaster trailer" which will

contain emergency medical related supplies. The MCSO will have unlimited use of this trailer. In exchange, the MCSO agrees to transport the trailer to the scene of an emergency for use by other agencies or hospitals in the event of a mass casualty disaster, drill, or special event. Any non-emergency use of the disaster trailer by any agency must be arranged ahead of time with the MCSO. Transportation of the trailer will be limited to the service area and includes the counties of: Meeker, McLeod, Sibley, Nicollet, LeSueur, Brown, Blue Earth, Watonwan, Waseca, Martin, and Faribault. After further consideration,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners hereby approve and authorize Sheriff Gerhardt to sign the Memorandum of Understanding between Immanuel St. Joseph's – Mayo Health System and Martin County Sheriff's Office for Housing a Regional EMS Disaster Trailer. Carried unanimously.

Higgins continued presenting the Department of Corrections (DOC) Grant Agreement pertaining to electronic home monitoring (EHM) program established by the county, which is a reimbursement grant for Electronic Home Monitoring services for eligible participants, effective July 1, 2005 through June 30, 2008. The award amount is \$17,440.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners hereby ratify approval and acceptance of the grant award from the Department of Corrections (DOC) in the amount of \$17,440, to be used for eligible participants on the Electronic Home Monitoring (EHM) system administered by the County; and authorize Captain Hady to sign and execute the DOC Grant Agreement for EHM services and other necessary documents and reporting requirements, for the period July 1, 2005 through June 30, 2005. Carried unanimously.

Higgins next stated that the Martin County Workplace Accident Injury Reduction (AWAIR) Policy has received a review by the County Safety Committee. The Committee has recommended no revisions at this time to the AWAIR Policy and that the policy is being brought before the Board to reaffirm the AWAIR Policy. After Board review,

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, after review by the County Safety Committee, County Staff, and Board for potential needed updating, hereby affirms the County's AWAIR Policy for the year 2005 with no revisions to the policy at this time. Carried unanimously.

Chairman Schmidtke recessed the regular county Board meeting and convened the County Ditch Authority and opened the public hearing for the Impoundment/Repair of portions of CD #33. Those present were Commissioners Jack Potter, Steve Donnelly, Steve Pierce, Dan Schmidtke, and Gerald Boler, Jim Forshee, Auditor Treasurer, Scott Higgins, County Coordinator, Deb Mosloski, Drainage Specialist for Martin County,

Tom Wenzel, Minnesota Board of Water and Soil Resources - Design Engineer for the project, and various landowners in the project.

Mosloski stated that CD #33 is a drainage system located entirely in Martin County. The undersigned petitioners have petitioned the Martin County Board of Commissioners, acting as the drainage authority, to establish an impoundment/repair project that relates to a tile system located in the Southwest Half of the Southwest Quarter of Section 2, Tenhassen Township, Martin County Minnesota, pursuant to Minnesota Statutes 103E.227 and 103E.701.

Mosloski, Drainage Specialist for Martin County, introduced Tom Wenzel, Engineer for the project.

Tom Wenzel, Engineer for the Impoundment/Repair of CD #33, proceeded to explain the project to those attending the hearing with diagrams and maps of each proposed impoundment and tile re-route on the CD #33 tile system. The petitioners propose a feasible alteration and obstruction alternative to the CD #33 drainage system which will restore and preserve both the wetland and habitat on the property. CD #33 will continue to benefit the Landowners property and serve as an outlet for waters being drained to and from the property. Wenzel added that neighboring landowners will have better drainage after restoration.

Commissioner Schmidtke asked for any questions or input from the public.

There was discussion regarding exact location of effected area, distribution of benefits to landowners and how they will be assessed, and the affect on surrounding property.

Chairman Schmidtke asked for any further public input. There was none.

Motion by Commissioner Pierce, seconded by Commissioner Potter to close the public portion of the hearing session at 11:15 a.m. Carried unanimously. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter, Bet It Resolved that the Martin County Board of Commissioners, acting as drainage authority for Martin County and after due consideration and a public hearing held June 7, 2005, hereby approve the Impoundment/Repair of portions of CD #33 as follows,

That the undersigned petitioners have petitioned the Martin County Board of Commissioners, acting as the drainage authority, to establish an impoundment/repair project to abandon and modify portions of CD #33 drainage system and to impound waters on the petitioning landowners property located in the Southwest Half of the Southwest Quarter of Section 2, Tenhassen Township, Martin County, pursuant to Minnesota Statutes 103E.227 and 103E.701.

The drainage authority shall continue to maintain any re-aligned or outletted portions of CD #33 drainage system modified as part of this petition to repair.

With no further Ditch business, Chairman Schmidtke reconvened the regular Board of Commissioners meeting.

Higgins introduced and reviewed data pertaining to the expanded service hours of the Martin County Transit system, noting the specific weekend dates, pick-up hours, number of passengers, and total fares collected for the expanded hours (weekend service) trial run. After Board review and discussion,

Motion by Commissioner Boler, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, per the Board's previous action and after review of data presented pertaining to the expanded service hours (Friday's and Saturday's) have determined that it is in the best interest of the county to reduce the expanded service hours on Friday's and Saturday's from 2:00am to 1:00 am; and to review again in three months; and that fares will remain unchanged. Carried unanimously.

Commissioner Boler initiated discussion and suggested that the Board send a letter to Representative Robert Gunther and Senator Julie Rosen, Speaker of the House Steve Sivvigum, and Representative Cornish and urge them to make sure their work is done by end of June and to avoid a State government shutdown. After further consideration, no action taken.

Higgins presented 2006 budget request from the Minnesota Senior Federation for \$1,250.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners hereby receive and file the Minnesota Senior Federation appropriation request of \$1,250 for budget year 2006. Carried unanimously.

The Board discussed the viability of the Region Nine Development Commission.

Schmidtke stated that the Capitol 2005 Centennial Commission presented the Martin County Board of Commissioners with Centennial Rose Bushes as part of the celebration of the Minnesota State Capitol's Centennial. It was determined to plant the rose bushes in commemoration of the State Capitols Centennial celebration on the east side of the Courthouse.

Higgins informed the Board that the Sheriff's Office Update is included in the Agenda packet.

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

The next regular meeting of the Martin County Board of Commissioners will be Tuesday, June 21st, 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 12:02 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Chair

ATTEST: _____
Scott Higgins, County Coordinator