

PROCEEDINGS OF THE MARTIN  
COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JULY 19, 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, Jack Potter and Gerald Boler. Commissioner Steve Pierce was absent. Also present were Scott Higgins, County Coordinator, James Forshee, County Auditor, Kevin Peyman, County Engineer, Terry Viesselman, County Attorney, Christine Rupp, Fairmont Sentinel, Julie Walters, Administrative Assistant, members of the public.

Motion by Commissioner Potter, seconded by Commissioner Donnelly to approve the Agenda with the following additions: (1) Representative Bob Gunther to present Legislative Update at 10:00 a.m.; (2) Consider Hard Liquor License Application for Skinny Minnows, d/b/a I-90 Expo Bar and Grill; (3) Consider holding the August 16<sup>th</sup>, 2005 Board of Commissioners Meeting at the Martin County Fairgrounds; and (4) Proposed HAVA Assisted Voting Technology Grant Proposal and Plan. Carried unanimously.

Scott Higgins, County Coordinator, presented and reviewed the following consent items to the Board: a. Approve Minutes of the May 26, 2005 Nazca Presentation; June 13, 2005 Board of Equalization Meeting; June 24, 2005 Priority Goal Setting Session; July 5, 2005 Board of Commissioners Meeting; and, b. Receive and File Southern Minnesota Initiative Foundation 2006 Budget Appropriation Request.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the May 26, 2005 Nazca Presentation; June 13, 2005 Board of Equalization Meeting; June 24, 2005 Priority Goal Setting Session; July 5, 2005 Board of Commissioners Meeting; and, Receive and File the CY2006 Budget Appropriation Request from Southern Minnesota Initiative Foundation in the amount of \$4,000. Carried unanimously.

Kevin Peyman, County Highway Engineer, was present to review final contract for C.P. 05:08 Maintenance Gravel Hauling with Weerts Construction of Winnebago, MN. Peyman stated that all work had been completed on the CSAH and county roads and the contract amount certified to date is \$48,780.35 which represents a \$5,000 overrun from the original contract estimate. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Engineer, hereby approve the final contract payment for C.P. 05:08 Maintenance Gravel Hauling with Weerts Construction of Winnebago, MN in the amount of \$48,780.35. Carried unanimously.

Peyman presented the Martin County Highway Department Annual Report for CY2004 to the Board.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby accept the Martin County Highway Department Annual Report for CY2004 as presented. Carried unanimously.

With no further Highway business to report, Schmidtke thanked Peyman for his report.

Terry Viesselman, County Attorney, was present to report the trial for the K-Mart tax appeal case will be on September 13, 2005. Viesselman continued that the tax court cases with Gordy's Properties and Fairmont Townhouses had been resolved with minor adjustments.

Chairman Schmidtke thanked Viesselman for his report.

Don Milbrandt, Martin County Preservation Association (MCPA), gave an update on recent and on-going renovations to the Red Rock Center of the Arts. Milbrandt stated that the dedication ceremony for the Center will take place September 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> with varied activities and cultural events taking place during the weekend celebration. Milbrandt asked that the Commissioners be a part of the dedication services that will take place on Saturday, September 17<sup>th</sup> beginning at 1:00 p.m.

Milbrandt continued that he had received a call from the Minnesota Historical Society stating the legislature gave them \$1 million dollars to give out in grant money for the year 2006. The MCPA will apply for a \$31,000 dollar grant to complete the elevator project and purchase storm windows to cover the stained glass windows. Milbrandt estimates the project to cost approximately \$60,000 and the Association is asking for a \$10,000 match from the County and City of Fairmont toward required match for the grant. After discussion,

R-#40/'05

RESOLUTION OF SUPPORT  
FROM A DESIGNATED AGENCY

BE IT RESOLVED that the Martin County Preservation Association/County of Martin act as a sponsoring agency for the state capital County and Local Preservation project (ML 1998,Ch. 463, Sect. 25, Subd. 3) for the Restoration of the Red Rock Center of the Arts and acknowledges herewith that it is willing to be the project sponsor; knowing full well that such sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to completion, with compliance of all applicable laws, rules, and regulations.

BE IT ALSO RESOLVED that the Martin County Preservation Association/County of Martin has a demonstrated ability and a plan to fund the program(s) intended for the future use of the facility.

BE IT FURTHER RESOLVED that the Board Chair and/or Don Milbrandt is hereby authorized to act on behalf of this applicant.

BE IT FINALLY RESOLVED upon a motion by Commissioner Donnelly, seconded by Commissioner Potter, and unanimously carried;

Said Resolution was adopted this 19<sup>th</sup> day of July, 2005.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Chair

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

Roll Call AYES: Commissioners Boler, Potter, Donnelly, and Schmidtke. NAYS: None. Said Resolution was duly passed and adopted this 19<sup>th</sup> day of July, 2005.

The Board recessed at 10:10 a.m.  
The Board reconvened at 10:17 a.m.

Representative Robert Gunther was present and gave a legislative update to the Board. Gunther publicly apologized for all the State workers that were laid off during the recent partial government shutdown. Gunther on the other hand was very proud of his committee, Jobs and Economic Development, as they got their work done in time and averted 6,247 people from being laid off. Gunther went on to highlight a number of positive things that came out of the session in the areas of Education and Health and Human Services. Discussion then ensued regarding the transportation bill, the area legislators that voted against it, and what greater Minnesota counties would have gained in funding had the gas tax been included.

After much discussion, Chairman Schmidtke thanked Representative Gunther for his report.

Higgins presented an application for a hard liquor license received from Skinny Minnows, d/b/a I-90 Expo Bar and Grill. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the application for a liquor license for Skinny Minnows (d/b/a I-90 Expo Bar and Grill), contingent upon Township Board approval, completion and receipt of the required Certificates of Insurance coverage's, and other required documents needed prior to issuing of license. Carried unanimously.

Higgins next presented a Resolution for Public Transportation Service in Martin County, stating the resolution is needed for the county's annual grant application for CY2006 to MN/DOT Office of Transit for the operation of the Martin County Express transit system. Estimated operational costs for current year are \$398,000 with projected costs for CY2006 of \$410,000 which represents a 2.86% increase. The contract amount is \$340,000 for CY2005. The State covers 85% and the resolution calls for the County to provide for 15% of all operational costs and 20% of all capital costs. The resolution also authorizes the Chairman and/or Coordinator to sign all necessary documents on behalf of the County. After discussion,

R-#41/'05

R E S O L U T I O N

BE IT RESOLVED that Martin County enters into an Agreement with the State of Minnesota to provide public transportation service in Martin County.

BE IT FURTHER RESOLVED that Martin County agrees to provide fifteen percent (15%) of the total operating cost from local funds and 20% of the total capital costs for CY2006.

BE IT FURTHER RESOLVED that Martin County authorizes the Chairman of the Martin County Board of Commissioners, Dan Schmidtke, or the Martin County Coordinator, Scott Higgins, to execute the aforementioned Agreement and any amendments thereto.

BE IT FURTHER RESOLVED that the Chairman, Dan Schmidtke or the County Coordinator, Scott Higgins, hereby authorized to execute requests for reimbursement to the Minnesota Department of Transportation. Dated this 19<sup>th</sup> day of July, 2005.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Chair

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

CERTIFICATION

I hereby certify that the foregoing resolution is a true and correct copy of the resolution presented to and adopted by Martin County Board of Commissioners at a duly authorized meeting thereof held on the 19<sup>th</sup> day of July, 2005 as shown by the minutes of said meeting in my possession.

Notary: \_\_\_\_\_

Roll Call AYES: Commissioners Potter, Boler, Donnelly and Schmidtke. NAYS: None. Said Resolution was duly passed and adopted this 19<sup>th</sup> day of July, 2005.

Commissioner Schmidtke suggested holding the August 16<sup>th</sup>, 2005 Board of Commissioners Meeting at the Martin County Fairgrounds. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve holding the August 16<sup>th</sup>, 2005 Board of Commissioners meeting at 9:00 a.m. at the Martin County Fairgrounds Arena. Carried unanimously.

James Forshee, County Auditor, presented a proposal regarding the Federal Help America Vote Act (HAVA). Forshee stated that the total HAVA AVT grant for Martin County is \$261,197.66; with each of the 37 precincts receiving a little over \$7,000 to purchase voting equipment to be used by voters with disabilities beginning in 2006. Forshee continued that up to \$600 of this money can be used for programming, testing and maintenance of the voting machines. Forshee stated that the proposal for local equipment plan is to be submitted to the Secretary of the State and outlines how the funds are going to be spent on the equipment and who is responsible. Forshee recommends the Board look over the proposed plan and offer any thoughts or comments to him.

Higgins presented for approval and payment the July, 2005 bills.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the bills for July, 2005 as presented by the Auditor/Treasurer. Carried unanimously.

Warrants received and paid 7-19-05 are registered on file in the Auditor/Treasurers office as follows:

Revenue Fund – Warrants Approved 5-17-05	Totaled	\$132,122.62
Enhanced 9-1-1 Fund		\$ 1,418.33
Solid Waste Management Fund		\$ 33,917.83
Law Library Fund		\$ 5,429.03
Martin County Transit Fund		\$ 35,009.96
Building-CIP Fund		\$ 10,704.39
Bank Building Fund		\$ 2,736.20
Debt Service Fund		\$ 5,086.25

Recreation and Safety Fund	\$ 103.84
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 15,205.68

Grand Total \$241,734.13

Martin County Ditch Fund – Warrants Totaled	\$ 10,022.18
Road and Bridge Fund – Warrants Totaled	\$163,058.19

Higgins next presented information pertaining to the Commissioner Preliminary CY2006 Budget, Region 9 Proposed Budget Fiscal Year 2006, the Transit Second Quarter Budget Report, informed the Board that the second quarter county budget reports have been provided to the Board and asked if Board had any questions, and a proposal for consideration with a direct mail advertising campaign for Minnesota Job Opportunity Building Zones (JOBZ). Martin County’s share for the advertising campaign to produce and mail is \$215.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the \$215 to be expended from the Economic Development budget for the direct mail advertising campaign for Job Opportunity Building Zones (JOBZ) that includes Martin County. Carried unanimously.

Commissioner Schmidtke brought before the Board and inquired of the possibility of printing the public notices (that include the Board minutes) in larger print. Schmidtke stated that a few of the citizens have asked if this could be done. Higgins stated that it could be done, although may increase the cost of legal notices. Also it was offered that the Sentinel provides a magnifying device to lay over the newspaper article.

Discussed closing the Courthouse from 3:00 p.m. to 5:00 p.m. on a date yet to be determined in September for the Recognition Day program so all employees may attend. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve closing the Courthouse from 3:00 p.m. to 5:00 p.m., with a date to be determined, so all employees may attend the Recognition Day program. Carried unanimously.

Commissioner Potter reported on the Martin County Water Plan meeting he had attended recently regarding the Okamanpedan Lake Watershed Project. It was discussed at this meeting that Martin County take the lead in initiating this project due to the largest portion of Okamanpedan Lake watershed is in Martin County. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners hereby approves the Three Rivers RC and D Council to provide the necessary assistance for the proposed Okamanpedan Lake Watershed Project; and to authorize the Board Chair to sign the application for assistance to the Three Rivers RC and D Council. Carried unanimously.

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, August 2<sup>nd</sup>, 2005 at 9:00 a.m. in the Martin County Commissioners Room.

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

BOARD OF COMMISSIONERS  
MARTIN COUNTY

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Dan Schmidtke, Chair

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