

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 2, 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, Gerald Boler and Jack Potter. Also present were: James Forshee, County Treasurer, Scott Higgins, County Coordinator, Terry Viesselman, County Attorney, Kevin Peyman, County Engineer, Rod Halversen, KSUM/KFMC, Bill Cahalan, Fairmont Sentinel, Julie Walters, Administrative Assistant, members of the public.

Motion by Commissioner Potter, seconded by Commissioner Pierce, to approve the Agenda with the following additions: (1) Consider Emergency Grant for Martin County Victim Services; (2) Include JD #18 for Appointment of Ditch Viewer for Re-determination; and (3) Bruce Brockman, Private Citizen, Consider Costs Incurred with Removal of beaver dams in Center Creek.

Scott Higgins, County Coordinator, presented and reviewed the following consent items to the Board: a. Approve Minutes of the July 19, 2005 Board of Commissioners Meeting; b. Accept resignation of Youth Intervention Coordinator and Part-time Communications Officer; Consider filling vacancies of Youth Intervention Coordinator and Part-time Communications Officer; and, c. Receive and File 2006 Budget Appropriation Request for Region 9 Small Business Development Center.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the July 19, 2005 Board of Commissioners Meeting; accept the resignations of Amy Yackley, Youth Intervention Coordinator, and Jean Anderson, Part-time Communications Officer, and approve advertising to fill vacancies of same; and, Receive and File Region 9 Small Business Development Center's 2006 Budget Allocation Request in the amount of \$3,000. Carried unanimously.

Terry Viesselman was present and had nothing to report. The Board requested that Viesselman check on legal issues pertaining to the County's responsibility of public water issues or concerns involving removal of beaver dams.

Pam Flitter, Zoning Official, reported the Planning Commission had held a public hearing on July 26, 2006 at 5:45 p.m. in consideration of proposed amendments to the Martin County Zoning Ordinance. The proposed amendments are as follows: Chapter 5. Board of Adjustment. Subdivision 7. Lapse of Variance by Non-Use. (1) A variance shall become void one (1) year after its issuance by the Board of Adjustment unless it has been used or a petition for an extension of one (1) year time limit has been granted; and, Chapter 8. Certificate of Compliance, Fees, Violations and Penalties. Subdivision 2. Fees. (3) Any outside costs for consulting services to aid the Planning Commission/Board of Adjustment in making its decision on an application shall be paid by the applicant. Such

fee shall be as determined by the County Board. The proposed amendments would delete: Chapter 13. Shore land Districts. Subdivision 26. Additional Property Owner Notification. Copies of all notices of any public hearings to consider variances, amendments, conditional uses and subdivision plats must be sent to all property owners known to have land adjoining the water body and postmarked at least ten (10) days before the hearings.

Flitter concluded that the Planning Commission recommends approval of the amendments and requests the Board set a public hearing date and time in consideration of final approval and adoption.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, in consideration of amending the Martin County Zoning Ordinance, hereby approve setting a public hearing on Tuesday, August 16th, 2005 at 10:00 a.m. at the Martin County Fairgrounds Arena, 1300 North Bixby Road, Fairmont. Carried unanimously.

Kevin Peyman, County Engineer, was present to review final contract for C.P. 05:07 Maintenance Gravel Production with E & D Construction of Mankato, MN. Peyman stated that all work had been completed on CSAH and county roads and the contract amount certified to date is \$26,704.29 which represents a \$3,484.29 overrun from the original contract estimate.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, 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. 05:07 Maintenance Gravel Production with E & D Construction of Mankato, MN in the amount of \$26,704.29. Carried unanimously.

Peyman continued, presenting bids received for the purchase of a budgeted 2005 pickup truck. Bids received are:

Mel Carlson Chevrolet – Truman, MN	2006 Chev. Silverado	\$16,652.00
MSRP \$24,710	Less trade-in**:	\$ 2,100.00
	Net Price:	\$14,552.00
	E-85 Engine Add:	\$ 946.00*
Hawkins Chevrolet – Fairmont, MN	2006 Chev. Silverado	\$19,474.53
	Less trade-in**:	\$ 2,800.00
	Net Price:	\$16,674.53
	E-85 Engine Add:	\$ 475.20*
Fairmont Ford – Fairmont, MN	2006 Ford F150	\$18,750.00
	Less trade-in**:	\$ 2,000.00
	Net Price:	\$16,750.00
	E-85 Engine Add:	\$ n/a

Requires Larger 5.3 Ltr V with Flex Fuel Option
**Trade Unit 1 – 1994 F-150 4x4 110,000 Miles

2005 State Contract Price (Chevrolet) - >\$15,588.00

Based upon bids received and reviewed, Peyman recommends purchasing the 2005 budgeted pickup truck with the E-85 Engine from the low bidder, Mel Carlson Chevrolet of Truman, MN. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the purchase of a budgeted 2006 Chevrolet Silverado pickup truck with E-85 Engine from Mel Carlson Chevrolet, Truman, MN with a Net Price of \$14,552.00 plus E-85 Engine Add of \$946.00. Carried unanimously.

Peyman next presented information relating to a Highway Department 2004 pickup truck with 18,000 miles that had recently been involved in an accident. The truck was totaled as determined by the MCIT Insurance Adjuster and the value placed on the truck at the time of the accident was \$17,687. With the cost of a new pickup at \$16,652 it is recommended that a replacement truck be purchased from Mel Carlson Chevrolet of Truman, MN.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve purchasing a replacement 2006 Chevrolet Silverado pickup truck with the E-85 Engine for the Highway Department from Mel Carlson Chevrolet of Truman. Carried unanimously.

Peyman concluded with information he had received from Mn/DOT pertaining to Rail Safety Improvement projects that were approved for funding by our local Area Transportation Partnership (ATP). The notification is for FY2008 projects that include installing gates at the North North Avenue and CSAH 39 railroad crossings. Estimated costs for installation of gates are \$200,000 of which Martin County will be billed for our local match of ten percent or \$20,000. Peyman requests Board approval to provide a written response for acknowledgement and willingness to fund the local participation in the year the project is scheduled.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve written notification of Martin County's acknowledgement and willingness to fund the local participation for installation of gates at the North North Avenue and CSAH 39 railroad crossings in the year the project is scheduled, estimated at \$20,000. Carried unanimously.

Lori Pomerence, 4-H Program Coordinator, introduced 4-H Ambassadors Blake Potthoff, Krissy Lunz and Andrew Nelson. The ambassadors were present to personally thank the Commissioners for their support of the Martin County 4-H Program. In an effort to show their appreciation, Potthoff extended an invitation to the commissioners to join them for a thank you breakfast at the 4-H Stand on Saturday, August 20th, at 9:30 a.m.

Schmidtke thanked Pomerence and the 4-H Ambassadors.

Sheriff Brad Gerhardt presented an office update that included considering possible building designs and sites for a new county jail. Consensus of the Martin County Justice Council that includes Commissioners Pierce and Boler is the current jail is obsolete, overcrowded and inefficient. Gerhardt stated that the Martin County Justice Council has gathered enough information and data to help facilitate a jail planner, construction manager or some other professional to give county officials square footage options and cost estimates to allow the Commissioners to make an informed decision on proposing a jail. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the Martin County Justice Council moving forward to obtain request for proposals (RFP's) for square footage suggestions, parking needs, possible construction costs and other facts to inform the public. Carried unanimously.

Schmidtke thanked Gerhardt for his update.

Becky Bentele, Victim/Witness Coordinator, presented the Emergency Grant and Resolution for Martin County Victim Services and recommended approval.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Chair to sign the grant agreement between Martin County and the Minnesota Dept. of Public Safety, Office of Justice Programs for the County's Victim Services Department for \$1,000, effective July 1, 2005 through June 30, 2006.

R-#42/'05

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

BE IT RESOLVED that Martin County will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety.

BE IT FURTHER RESOLVED that Dan Schmidtke, Chair is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of Martin County.

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

Said Resolution was adopted this 2nd day of August, 2005.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Boler, Potter, Pierce and Schmidtke.
NAYS: None. Said Resolution was duly passed and adopted this 2nd day of August, 2005.

Deb Mosloski, Drainage Specialist, was present to request the appointment of ditch viewers for the re-determination of CD #56, JD #31, JD #26, JD #74, JD #48, JD #42 and JD #18.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, has the authority to re-determine benefits for county drainage systems and hereby appoints Ron Ringquist, Chuck Bowers and Jim Weidemann as the Ditch Viewers for the Re-determination of the original construction and subsequent improvements to be assessed for CD #56, JD #31, JD #26, JD #74, JD #48, JD #42 and JD #18. Carried unanimously.

Bruce Brockmann, private citizen, presented information regarding costs incurred with the removal of a Beaver dam blocking Center Creek this past spring. While the blockage was not on Brockmann's property, he stepped forward to help his neighbors get the problem resolved. After making calls to Commissioners Boler, Pierce, and Schmidtke, information had gotten back to Brockmann that the dam was on public water; therefore, it was not a concern of the county's. Brockmann then talked to the DNR and was told to get the beaver trapped. Brockmann did have someone come out and trapped a couple beaver but the 2 ½ - 3 foot blockage was still there and creating flooding on neighboring property. Brockmann then contracted Pat Beemer to remove the blockage and paid \$1,050 for services. Brockman asked the Board for consideration in the county paying a portion of the bill. After discussion,

Schmidtke stated that the Board has asked Terry Viesselman, County Attorney, to check into what legal rights there are for the County to be involved in a non county ditch public waterway. Once the Board hears from Viesselman, Schmidtke will appoint someone to get back to both Bruce Brockmann and Deb Mosloski and inform them of the decision.

Scott Higgins, County Coordinator, presented amendments to the Prairieland Joint Powers Agreement. Faribault County has voted to contract with Prairieland and specifically Billee Rabbe to run their Solid Waste Program. It is deemed necessary to amend the Joint Powers Agreement with Martin County that established the Prairieland Solid Waste Board so the Prairieland Board has specific powers to run the Solid Waste Program.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign amendments to the Joint Powers Agreement between Martin and Faribault Counties creating the Prairieland Solid Waste Board. Carried unanimously.

Higgins next presented change orders to the Transit Facility and Impound Facility Renovations for the addition of a wash bay on the Transit side and installation of an Overhead Door on the Impound side; reviewed Malliet Building Renovations spreadsheet for keeping track of all bids, grant monies, and expenditures involved in the Transit and Impound renovations; and gave a renovation update. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve change order received from Buhler Construction of Butterfield, MN for cutting of trenches into the concrete for the proposed wash bay on the Transit Facility side in the amount of \$9,155. Carried unanimously.

Higgins then presented bids received from Midwest Garage Doors, Buhler Construction, and Wilcon Construction for the addition of an overhead door on the impound storage side of the facility. After discussion,

Consensus of the Board is to authorize the Building/Planning Committee to award the final bid for installation of the overhead door in the Storage/Impound Facility.

Higgins presented for consideration the Mn/DOT 2005 Section 5311 Operating Amendment. In July, the Minnesota Department of Transportation indicated that an amendment to our grant contract would be necessary to replace insufficient MVST revenues with General Funds. This amendment accounts for the reduction in Greater Minnesota Transit Funds (FROM: \$5,000 TO: \$4,169.26) and the increase in State General Funds (FROM: \$230,250. TO: \$231,080.74).

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign Amendment No. 1 to Mn/DOT Agreement No. 87310 between the State of Minnesota, through its Commissioner of Transportation and Martin County. Carried unanimously.

The Board recessed at 10:20 a.m.

The Board reconvened at 10:30 a.m.

Higgins presented the CY2006 Preliminary Budget Request stating that the proposed expenditures for CY2006 is \$17,104,638 (increase of \$1,530, 053 over CY2005), and total revenue (including levy) is \$17,294,526 (increase of \$1, 492,122 over CY2005). The CY2006 requested levy is \$8,521,622 as compared to current year of \$7,758,087 (2005). This equates to increase in levy of \$763,535 a 9.84% increase for CY2006. The County will receive County Program Aid (CPA) of \$1,129,951 as compared to \$1,109,923 for CY2005. The CPA was increased by \$20,028. Higgins stated that the preliminary departmental budget request is only preliminary and suggests the Board set a date for a budget workshop to go over the budget and to establish a target levy which is to be certified by the Board by September 15th. Higgins also informed the Board that once the levy is certified, the Board cannot increase the levy after September 15th but can reduce it. Higgins stated that the required Truth and Taxation will be held December 7, 2005.

Consensus of the Board is to hold a budget workshop on Thursday, September 1st, at 9:00 a.m. Department Directors may be called down to meet with the Board at this meeting.

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 16th, 2005 at 9:00 a.m. at the Martin County Fairgrounds Arena, 1300 North Bixby Road, Fairmont.

With no further business to wit, Motion by Commissioner Pierce, seconded by Commissioner Donnelly to adjourn the meeting. Carried unanimously. Meeting adjourned at 11:20 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY

Dan Schmidtke

ATTEST: _____
Scott Higgins, County Coordinator