

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 17, 2006
@ 9:00 A.M.

The meeting was called to order at 9:00 a.m. by Chairman Boler. Commissioners present were Dan Schmidtke, Steve Pierce, Steve Donnelly and Jack Potter.

Also present were Scott Higgins, County Coordinator, James Forshee, County Auditor/Treasurer, Terry Viesselman, County Attorney, Christine Rupp, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC, Julie Walters, Administrative Assistant, members of staff.

Motion by Commissioner Pierce, seconded by Commissioner Potter, to approve the Agenda with two (2) additions: (1) Consider Resolution Designating Prairieland to Administer the Hauler-Collected Service Fee Program; (2) Nazca Solutions (Nazca) Project Update.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the December 20, 2005 Regular Board of Commissioners Meeting; and approve the minutes of the January 3, 2006 Regular Board of Commissioners Meeting with noted correction. Carried unanimously.

Steve McDonald, MIS Director, was present to give a Nazca update. McDonald stated that Minnesota Counties Computer Cooperative (MCCC) members have been meeting to discuss issues they have with Nazca Solutions, Inc., in their failure to deliver and install a viable commercial version of the Property Management Portal software as originally specified and contracted for to the eight counties who have executed MCCC sublicenses. Due to these breaches, MCCC has suspended all further payments to Nazca, pending Nazca's cure.

McDonald continued, Nazca has given repeated assurances to MCCC and its participating county sub licensees that the Software would be completed and installed by various deadlines, all of which have now passed without delivery and installation. MCCC has provided Nazca with a cure period, which will expire on February 28, 2006, in which to effect a cure by delivering and installing the Software as contracted for and in substantially in the form presently being offered to Stearns County. McDonald noted that delivery and installation of the Software in Wright and Carver County, must be in a manner that will allow for a review period of at least ten business days to give MCCC's Nazca Web Portal Committee a reasonable opportunity to review and confirm the operability and performance of the Software by February 28, 2006.

McDonald is concerned in that Nazca will probably meet their February 28, 2006 cure date with a viable software product; which means the County will then need to move forward with purchasing budgeted computer hardware and other equipment in order to run the Nazca software, noting a recent quote received on January 13, 2006 for an AS/400 is now \$25,000 higher than originally quoted.

In conclusion, McDonald stated Terry Viesselman, County Attorney, was in receipt of a copy of the MCCC letter and sublicense and master agreements for review of a possible “opt out” clause.

Viesselman noted he would like to review the contract again prior to advising the county.

Viesselman had nothing further to report.

Scott Higgins, County Coordinator, presented the amended Inmate Nursing Services Contract, noting new language pertaining to on-call services. Mark Geerdes, Jail Administrator, was present to note the new language is on page two, item number two (2) On-call services will be \$90 per month which will include phone call consultations and/or return to jail for further assistance or assessment.

Higgins stated another contract issue was on the conference expenses. Contract states Jail will provide compensation for attending workshops and jail nurse meetings pertinent for providing current and most effective services and suggested the language be written to state that conference expenses be reimbursed with receipts. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign Amended Nursing Services Contract for one year for the period beginning January 1, 2006 through December 31, 2006 with added on-call language to include Sheriff’s Office will pay \$90 per month which will include phone call consultations and/or return to jail for further assistance or assessment with a minimum of 2 hours charged to the county for any emergency callbacks; and, setting a maximum conference reimbursement expense in the amount of \$500 per year for attending workshops and jail nurse meetings as required. Carried unanimously.

Higgins stated Don Mackey, Gambling Manager, St. James Eagles #3420 is requesting the passing of a resolution approving the issuance of a new license effective 4-01-06 by the State of Minnesota for the Eagles Club’s gambling operation at the Knight’s Lounge located at Highway 4 S., Box 537, Ormsby, MN 56162. Current license will expire 3-31-06.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#12/’06

RESOLUTION

Gambling Permit Application Approval (Premises)
For the Eagles Club Gambling Operation
At the Knight's Lounge, Ormsby, MN

BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approve the Minnesota Lawful Gambling Premises Permit Application – Form LG214 for the Eagles Club gambling operation at the Knight's Lounge, Ormsby, MN per the requirements of Minnesota Statutes; and, concurrent with the rest of their premise location permits, to include the following location at Highway #4 S., Box 537, Ormsby, MN 56162; due to expire March 31, 2006.

Motion by Commissioner Pierce, seconded by Commissioner Potter, and declared adopted upon a unanimous vote of all members present:

Duly passed and approved this 17th day of January, 2006.

BOARD OF COMMISSIONERS
MARTIN COUNTY

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Donnelly, Potter, Pierce and Boler.
NAYS: None. Duly passed and adopted this 17th day of January, 2006.

James Forshee, County Auditor/Treasurer, opened discussion regarding federal law requiring FSA Office inspections before any repair work can be done to county tile.

Higgins presented a letter received from James A. Wilson, Attorney, regarding the City of Ceylon. The City has asked for financial help for expenses incurred in tearing down the hazardous building known as the Corner Grocery. The City incurred expenses in the amount of \$101,846; however, Martin County did not receive their expenditure request until after the fact.

Commissioner Schmidtke stated that the City of Ceylon is in his district and would like to help out, but the request should have come before the building was torn down. Schmidtke continued that the Board has helped out other cities and found that the Board had previously helped the City of Welcome and City of Sherburn in the approximate amount of \$14,000 for each demolition.

Commissioner Pierce noted that both of those requests were negotiated prior to taking down the buildings.

Chairman Boler stated there could have been negotiating on the prices spent to save money on the demolition costs. If the county helps with the demolition of the Ceylon building after the work has been done, it could set a precedent.

No action taken to approve the city's request. Therefore the matter died for lack of a motion.

The Board was presented and reviewed the resolution designating Prairieland administer the hauler-collected service fee program.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

MARTIN COUNTY
RESOLUTION NO. R-#13/'06

WHEREAS, Martin County ("County") is a member of the Prairieland Solid Waste Board ("Prairieland"), which was established through a Joint Powers Agreement ("Agreement") with Faribault County; and

WHEREAS, Prairieland owns and operates the Prairieland Compost and Resource Recovery Facility ("Facility") in Truman, Minnesota that composts and otherwise recovers resources from solid waste generated by residences, businesses and institutions in the County and helps reduce reliance on landfills for management of solid waste pursuant to direction to the County under the Minnesota Waste Management Act (Minn. Stat. Chap. 115A); and

WHEREAS, the County amended its Solid Waste Service Fee Ordinance ("Ordinance") in 2005 to implement a hauler-collected service fee on waste generators based upon the amount of solid waste generated by each entity that has solid waste collection service, effective January 1, 2006; and

WHEREAS, Section V.3.B of the Ordinance permits the County to contract with Prairieland to administer the hauler-collected service fee program and the County already has a Solid Waste Services Agreement with Prairieland.

NOW, THEREFORE BE IT RESOLVED, that the County hereby designates that Prairieland shall administer the hauler-collected service fee program pursuant to Section V.3.B of the Ordinance and the Solid Waste Services Agreement.

Dated this 17th day of January, 2006.

BOARD OF COMMISSIONERS

MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Donnelly, Potter, Pierce and Boler.
NAYS: None. Duly passed and adopted this 17th day of January, 2006.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve bills to be paid January 17, 2006 as presented by the Martin County Auditor/Treasurer. Carried unanimously.

Warrants received and paid 01-17-06 are registered on file in the Auditor/Treasurers Office as follows:

Revenue Fund – Warrants Approved 01-17-06	Totaled	\$179,220.48
Enhanced 9-1-1 Fund		\$ 3,127.91
Recreation and Safety Fund		\$ 646.39
Solid Waste Management Fund		\$ 14,877.27
Law Library Fund		\$ 5,138.39
Martin County Transit Fund		\$ 38,578.19
Ind. Sewage Treatment Sys. Loan Fund		\$ 15,180.64
Bank Building Fund		\$ 2,336.10
Debt Service Fund		\$136,267.50
Debt Service-PrairieLand Fund		\$ 375.00
Forfeited Tax Fund		\$ 569.34
	Grand Total	\$396,317.21
Martin County Ditch Fund – Warrants Totaled		\$ 35,580.56
Road and Bridge Fund – Warrants Totaled		\$ 54,182.68

Higgins reviewed the Medicare Eligible Employees and Elected Officials resolution previously presented at the January 3, 2006 Board of Commissioners meeting; and presented a letter received from Waste to Energy Joint Powers Board inviting Commissioners to a meeting to discuss the potential Material Recovery/Waste to Energy Thermal Station by Home Farms Technologies Inc., Brandon, MB, Canada to be hosted in Redwood Falls, MN at the Redwood Area Community Center at 9:30 a.m. on Wednesday, January 18th, 2006.

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

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, to authorize per

diems and expenses for the Board of Commissioners to attend the Regional Housing Academy at the Owatonna Arts Center, Owatonna, MN on Friday, February 3, 2006 from 10:00 a.m. until 12:00 p.m. Carried unanimously.

With no further business to wit, Motion by Commissioner Donnelly, seconded by Commissioner Pierce, to adjourn the meeting. Carried unanimously. Meeting adjourned at 10:09 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator