

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 19, 2006
@ 9:00 A.M.

The Regular meeting of the Martin County Board of Commissioners was called to order at 9:00 a.m. by Chairman Gerald Boler.

Those present were: Commissioners Steve Pierce, Steve Donnelly, Jack Potter, and Dan Schmidtke. Also present were: Terry Viesselman, Martin County Attorney, James Forshee, Martin County Auditor/Treasurer, Scott Higgins, Martin County Coordinator, Kevin Peyman, Martin County Engineer, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff.

It was decided by consensus of the Martin County Board of Commissioners to approve the agenda with the following additions and deletion: Consider Forfeited Land Resolution for Classification, Appraised Value and DNR Approval Request; Consider minutes of Special Meeting-Tax Forfeiture/Road Tour held on September 18, 2006; and delete Consider Approval of Minutes of September 5, 2006 Regular Board Meeting.

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the September 18, 2006 Special Meeting- Tax Forfeiture/Road Tour. Carried unanimously.

Terry Viesselman, Martin County Attorney, stated that Martin County has received grant funding for drug court operation and is hoping to have the program up and running by December, 2006. Viesselman noted that a coordinator has been hired to run the Program and has experience in setting up two other drug court programs.

Viesselman informed the Board that he, along with Sheriff Gerhardt and Chief Brolsma, met with Senator Julie Rosen and Representative Robert Gunther and explained the problems of the law and how a person convicted of selling drugs for profit was almost released early, without any of us knowing about it. Viesselman went on to say that now there is another individual that the State of Minnesota is doing the same thing to us on. Both Rosen and Gunther indicated that they would look into it and were very receptive to the problem. Viesselman also stated that when Governor Pawlenty was in Fairmont, he got a chance to get him aside and talked to him about this situation. The governor was really up on it and said too that he would see what he could do to correct that situation so those things don't happen in the future. Viesselman went on to say that if there are going to be those types of problems, we want the State to notify our Office (County Attorney's Office) and have some criteria so drug dealers can't get into the program.

Viesselman concluded that he has now submitted expenditures incurred for a sex offender's committal charges as presented at the last regular Board meeting.

Higgins stated that Skinny Minnow's d/b/a I-90 Expo Center of Sherburn, MN has applied for an On-Sale Intoxicating Liquor License and an On-Sale 3.2% Malt Liquor License for an event that is scheduled for September 30, 2006. Higgins noted that applicant's Certificate of Insurance has been received.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize On-Sale Intoxicating Liquor License and On-Sale 3.2% Malt Liquor License for Skinny Minnow's d/b/a I-90 Expo Center of Sherburn, MN. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented his recommendations for step increases for three union workers and have reached their employment anniversary dates.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Engineer, hereby approve and authorize step increases according to union contract for Robert Koch, Motorgrader Operator, from Grade 12 Step 9 at \$19.36/hour to Grade 12 Step 10 at \$19.81/hour; Steve McMurtry, Highway Technician, from Grade 13 Step 6 at \$19.52/hour to Grade 13 Step 7 at \$20.01/hour; and James Kain, Maintenance Worker I, from Grade 10 Step 4 at \$14.72/hour to Grade 10 Step 5 at \$15.06/hour; and all three effective September 1, 2006. Carried unanimously.

Peyman requested Board approval to purchase a new a skid loader for the Highway Department to replace Unit #73, a 1985 Model 843 Bobcat with tires, not tracks. Peyman noted state contract pricing was received as follows and recommends purchase of the Cat Skid Loader from Ziegler Equipment of Minneapolis. After discussion,

ASV (State Contract) St. Joseph Equipment:	\$38,904.
Cat (State Contract) Ziegler Equipment:	\$38,915.
Bobcat (State Contract) Yeager Implement:	\$34,602.

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the purchase of a budgeted CAT skid loader with tracks from Ziegler Equipment of Minneapolis for the state contract price of \$38,915. Carried unanimously.

Scott Higgins, County Coordinator, stated that in October of 2005, Martin County entered into a contract with FirstLab for the administration of the Drug and Alcohol Testing Program. The current agreement allows for an annual price review. Higgins went on to state that FirstLab has advised they have completed a six month utilization and cost analysis of the services and have determined that the cost of urine drug screen collections and breath alcohol tests for MCIT participating entities far exceeded the national norm. As a result, the cost for each drug and alcohol test will increase \$2.50 effective October 1, 2006.

<u>Existing Price</u>	<u>New Price</u>
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Drug Tests	\$36.50	\$39.00
Alcohol Test (Breath)	\$30.00	\$32.50

Higgins continued, according to FirstLab the average cost of a urine collection for MCIT members is \$24.04 and the average for a breath alcohol test is \$33.88. The national average for other FirstLab clients is \$16.58 and \$23.68 respectively. Higgins noted that FirstLab is willing to work with the members to identify less expensive collection/testing locations and is in the process of compiling a list of alternative sites available in our area. However, FirstLab has yet to inform us as to an alternative site in our area. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby table the fee increase Amendment to the MCIT Drug and Alcohol Testing Program Participation Agreement. Carried unanimously.

Rebecca Bentele, Victim Witness Coordinator, presented a resolution to the Board for acceptance of continuation funds for the Victims of Crime Act (VOCA) for the purpose of providing supplemental funding to aid in the provision of direct services to victims of crime. State funds for this grant contract are provided for the purpose of providing crime victim services to victims of child abuse, domestic violence, sexual assault, and other crimes. The contract is effective July 1, 2006 through June 30, 2007 and is in the amount of \$81,000.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly,

R-#50/'06

**RESOLUTION AUTHORIZING EXECUTION OF
AGREEMENT**

BE IT RESOLVED that Martin County, Victim Services, will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety; and

BE IT FURTHER RESOLVED that Federal funds for this grant contract are provided under the Victims of Crime Act (VOCA) for the purpose of providing supplemental funding to aid in the provision of direct services to victims of crime. State funds for this grant contract are provided for the purpose of providing crime victim services to victims of child abuse, domestic violence, sexual assault, and other crimes; and

BE IT FURTHER RESOLVED that the State is in need of services to victims of crime; and

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 Schmidtke, seconded by Commissioner Donnelly, and unanimously carried;

Said Resolution was adopted this 19th day of September, 2006.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

NAYS: None. Duly passed and adopted this 19th day of September, 2006.

Bentele continued that she has received notification from the Office of Justice Programs Crime Victim Services that there are Emergency Funds available for the remainder of the fiscal year (through June 30, 2007) in the amount of \$500. Emergency Funds are an additional source of supplemental funding to aid in direct services to victims of crime and asked the Board to accept these funds also.

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 execute Emergency Fund Agreement as is necessary for accepting funds in the amount of \$500 on behalf of Martin County. Carried unanimously.

Higgins stated bids for natural gas heating options at the courthouse were received and opened on Wednesday, September 6th, 2006. Karl Dirksen, TSP Architects and Engineers, was present to review the bids received.

Dirksen stated that four competitive bids were received with the low bidder being Feder Mechanical, Inc. of Madelia, MN. Dirksen noted that he has talked with Feder and while Feder Mechanical, Inc. admitted they had left something out of their bid, they are not walking away from it and told Dirksen they would perform the required work for natural gas heating system replacement at the Courthouse for \$109,820. Dirksen continued that contracts have been prepared for signatures.

Bidder Name	Base Bid	Completion	Bid Security	Addendum Received
Javens Mechanical Contracting Co. Mankato, MN	\$124,180	11-01-06	X	X

Royers, Inc. of Winnebago, MN	\$147,000	11-30-06	X	X
Schwickert, Inc. of Mankato, MN	\$159,100	01-15-07	X	X
Feder Mechanical, Inc. Madelia, MN	\$109,820	11-22-06	X	X

Motion by Commissioner Donnelly, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, after having advertised and reviewed all bids received; hereby approve and award the bid received from Feder Mechanical, Inc. of Madelia, MN as the apparent responsible low bidder in the amount of \$109,820 for the Natural Gas Heating System Replacement in the Courthouse; and to authorize the Board Chair and/or Coordinator to sign all necessary documents to complete the project. Carried unanimously.

Higgins stated Martin County's current contract with Fairlakes Transportation for operation of the Martin County Transit Service will expire on December 31, 2006. Upon current contract reviewed by County Attorney, it has been recommended that Martin County solicit proposals for the operations of the Martin County Transit service for a three-year term commencing January 1, 2007 through December 31, 2009.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize advertisement for bids for operation of Martin County Express Transit Service for a three-year term commencing January 1, 2007 through December 31, 2009. Carried unanimously.

Higgins noted that at the last regular Board of Commissioners meeting, it was the Board's intent to establish an EDA Exploratory Committee consisting of no more than fifteen members consisting of at least one city official, at least one housing and redevelopment official, and at least one township official to be served by the county economic service provider. Business and labor representatives can also be appointed. Political subdivisions representatives must represent at least 50% of the total committee membership; and the Board may appoint no more than two county Commissioners. Higgins provided the Board with a list of EDA Exploratory Committee Nominees received from Commissioners, as well as nominees that had expressed their interest to serve on the committee at the two previous Exploratory EDA meetings. Higgins also stated the Board will need to determine if per diems and expenses will be paid to the appointed members for this exploratory committee. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#45/'06

RESOLUTION ESTABLISHING A MARTIN COUNTY ECONOMIC
DEVELOPMENT (EDA) EXPLORATORY COMMITTEE

WHEREAS, the Minnesota State Legislature has enacted legislation that permits the creation of a County Economic Development Authority that may include Housing Authority Powers.

WHEREAS, the Martin County Board of Commissioners has been considering the means to coordinate and effectively pursue Economic Development, Housing Development and Community Development.

WHEREAS, The County of Martin does not have a formal local economic development organization or housing authority currently in place and the County is desirous of pursuing such efforts as part of an approved county wide program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby appoint an exploratory committee pursuant to M.S. 469.1082 subd. 2 for the purposes as defined in M.S. 469.1082 subd. 3 and subd. 4,

BE IT FURTHER RESOLVED, that the newly formed Exploratory Committee receive per diems and expenses consistent with established rates for all County Advisory Committees and Boards, that the following individuals are hereby appointed to serve on the aforementioned Committee as follows,

City Representatives- Chuck Groth, Mayor of Fairmont (City), Monte Rohman, Truman City Clerk (City) Mike Humpal, Assistant City Administrator /Community Development (Fairmont) (City/FEDA), Randy Grupe, Superintendent, Martin County West Schools, Steve Fosness , HRA Representative (Fairmont), Mark Gaalswyk, Easy Automation (Business), Barry Hilgendorf, Fairmont Economic Development Association (FEDA), Deb Rabbe, Clerk, Galena Township, Lawrence Sukalski, Silver Lake Township, Brian Wannarka, Rolling Green Township, Glen Klug, Lake Belt Township, Kevin Keuhl, Citizen(Trimont), Commissioner Steve Donnelly, and Commissioner Dan Schmidtke.

Adopted this 19th day of September, 2006.

Gerald Boler, Chair, Board of Commissioners

Attest: _____

Scott Higgins, Martin County Coordinator

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

NAYS: None. Duly passed and adopted this 19th day of September, 2006.

Dan Whitman, Martin County Assessor, presented an updated Martin County Assessor's Office Fee Schedule.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, having the authority to approve fees and

other charges; and upon the recommendation of the County Assessor, and having reviewed and determined that the fee schedule for the Assessor's Office is appropriate and reasonable for such services; hereby approve the fee schedule for the Assessor's Office as follows:

Copies	\$0.25
Field Sheet – Report or Copies	\$1.00
Pre-programmed Computer Reports	\$5.00 plus \$0.10/page
Data Download Reports	\$60.00 Set-up Fee plus \$0.05 per parcel
CD Production	\$5.00
Faxing Fee	\$5.00

Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, requested approval from the Minnesota Department of Natural Resources for the sale of said parcels of land that have been forfeited to the State of Minnesota for non-payment of property taxes; with the exception of City of Granada Parcel No. 35.550.0030 which an outside party is interested in purchasing.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

MARTIN COUNTY BOARD RESOLUTION #51'06

WHEREAS, The County Board of Commissioners of the County of Martin, State of Minnesota, desires to offer for sale certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes, and

WHEREAS, Said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED That the Martin County Board of Commissioners hereby certify that all parcels of land on the attached list have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of tax-forfeited lands from sale.

BE IT FURTHER RESOLVED That the Martin County Board of Commissioners hereby request approval from the Minnesota Department of Natural Resources for the sale of said lands.

MOTION WAS MADE by Commissioner Pierce, seconded by Commissioner Potter and carried to adopt said resolution.

Dated the 19th Day of September, 2006.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

Gerald Boler, Chairperson

ATTEST: _____
Scott Higgins
Martin County Coordinator

CLASSIFICATION AND APPRAISED VALUE OF FORFEITED LANDS:

The following list of tax forfeited lands are classified as non-conservation lands in accordance with Minnesota Statutes 282.01, appraised value set as listed and filed with the County Auditor/Treasurer:

ASSMTS SUBDIVISION	SEC/ LOT	TWP OR BLOCK	RANGE	APPRAISED VALUE OF LAND	SPEC. BEFORE FORFEITURE
<u>CENTER CREEK TOWNSHIP</u>					
02.014.0250	14	103	29	\$800.00	
	\$24.50				
2 AC Tract NE ¼ NW ¼					
<u>CITY OF CEYLON</u>					
21.060.0060					
ORIGINAL					
S 35.08' OF N 45'	7	1		\$1.00	\$400.00
<u>CITY OF FAIRMONT</u>					
23.040.0688					
ORIGINAL					
\$45,000.00	6	15		\$100.00	
23.040.0690					
ORIGINAL					
\$45,000.00	7	15		\$100.00	
23.041.0030					
AUDITOR'S PLAT					
W 35' OF E 75' OF AP		2		\$1.00	\$2,316.65

23.165.0280					
LARSEN'S SUBD	18	3	\$1.00	\$1,323.20	

CITY OF GRANADA

35.100.0270			\$5000.00		
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\$261.40

AUDITORS PLAT
AP 28 N 50'

35.180.0010

BECKERS ADDN.	1 & 2	2	\$500.00	\$3,012.25	
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35.550.0030

REYNOLDS ADDN. W ½	3	1	\$1.00	\$0.00	
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CITY OF SHERBURN

38.650.0540

SOUTH SIDE ADDITION	10	2	\$500.00		
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\$8312.63
N 113.4'

CITY OF TRIMONT(M)

39.040.0050

UNPLATTED	1	2	\$7500.00	\$6522.29	
3.30 AC TRACT S OF AIRPORT ADDITION (M)					

39.100.0120

AIRPORT ADDITION (M)	9	2	\$500.00	\$833.95	
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39.100.0130

AIRPORT ADDITION (M)	10	2	\$500.00	\$833.95	
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39.100.0140

AIRPORT ADDITON (M)	11	2	\$1000.00	\$1310.87	
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39.325.0080

JENKIN'S ADDN(M) E 19' OF W 37' OF	4	2	\$1.00	\$ 0.00	
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CITY OF TRIMONT(T)

39.820.0890

ORIGINAL (T) 1 & 2 11 \$500.00 \$170.45

(End of List)

Roll Call AYES: Commissioners Donnelly, Schmidtke, Boler, Potter, and Pierce.
 NAYS: None. Duly passed and adopted this 19th day of September, 2006.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, approve the payment of claims for the month of September, 2006 as presented. Carried unanimously.

Warrants received and paid 09-19-06 are registered on file in the Auditor/Treasurers Office as follows:

Revenue Fund – Warrants Approved 9-19-06	Totaled	\$273,412.10
Park & Recreation Fund		\$ 47,750.88
Enhanced 9-1-1 Fund		\$ 18,883.42
Solid Waste Management Fund		\$ 21,177.74
Law Library Fund		\$ 332.35
Martin County Transit Fund		\$ 41,347.92
Ind. Sewage Treatment Sys. Loan FD (ISTS)		\$ 5,546.00
Building CIP Fund		\$ 11,905.80
Bank Building Fund		<u>\$ 2,260.75</u>
	Grand Total	\$422,616.96
Martin County Ditch Fund – Warrants Totaled		\$ 13,477.45
Road and Bridge Fund – Warrants Totaled		\$ 54,624.07

Higgins presented memorabilia items that will be available for sale for the upcoming Courthouse Centennial Celebration. Items consisted of Christmas Ornament, Paper Weight, and Checkbook Cover.

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

With no further business to wit, Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, to adjourn the meeting. Carried unanimously. Meeting adjourned at 10:21 a.m.

The Board hosted the Annual Employee Recognition ceremony for County Employees at the Martin County Transit Facility.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator