

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 3, 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 Schmidtke, Pierce, Donnelly, and Potter. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, Martin County Attorney, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, to approve the agenda with the following addition: Martin County Highway Department Update. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the September 5, 2006 and September 19, 2006 regular Board of Commissioner meetings as presented. Carried unanimously.

Dan Whitman, Martin County Assessor, introduced newly hired Michael Sheplee, Deputy Assessor/Senior Appraiser with the Martin County Assessor's Office. Sheplee began his duties on September 18, 2006. The Board welcomed Michael to Martin County and wished him well in his new position.

Kevin Peyman, Martin County Engineer, presented the Board with an update of the estimated completion of the County Road 53 overlay project that was approved and included with the 5-Year Road Reconstruction bonding project. This project was due to be completed in 2006 and will be finished within the next couple of weeks.

Peyman went on to note that in conjunction with the overlay project, if funds were left over after final overlay expenditures for County Road #53, it had been previously talked about doing three or four priority bridge decks. Peyman stated that final costs on the overlay project should come in at approximately \$950,000 and that \$1,000,000 is available, therefore Peyman recommends negotiating with SMC to complete those priority bridge decks with funds remaining as follows: Bridge # 46507,46530,46529,46509,46524,46523.

It was decided by consensus of the Board to approve and authorize Martin County Engineer to move forward with bridge deck work as presented.

Scott Higgins, Martin County Coordinator, presented Final Plat request from Jon Schafer within Section 8 of Manyaska Township.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#51/'06

RESOLUTION

ADOPTING THE FINAL PLAT OF "SCHAFFER SHORES"

WHEREAS, the proposed plat is located within Section 8 of Manyaska Township, County of Martin, MN; and that the Martin County Planning and Zoning Ordinance requires any division of a parcel of land that involves improvements to one or more parcels of land for residential structures must be an approved plat; and,

WHEREAS, the proposed final plat would divide approximately 20 acres consisting of eight (8) lots located on shore land; and

WHEREAS, the Martin County Planning Commission conducted a public hearing on the Preliminary Plat of Schaffer Shores on August 22, 2006 and adopted a motion recommending approval by the Martin County Board of Commissioners; and

WHEREAS, the Martin County Planning Commission conducted a public hearing on the Final Plat of Schaffer Shores on September 26, 2006 and adopted a motion recommending approval by the Martin County Board of Commissioners; and

WHEREAS, the Martin County Board of Commissioners is the final plat approval authority for the County of Martin; and

WHEREAS, it is the intent of the Martin County Board of Commissioners to protect the public health, safety and welfare of its residents.

NOW THEREFORE, the Martin County Board of Commissioners, after receiving and considering testimony and recommendations regarding the proposed final plat of Schaffer Shores, and that the proposed plat is consistent with the Martin County Comprehensive Plan, the County's Subdivision Ordinance and Land Use and Zoning Ordinance, hereby approves the final plat for Schaffer Shores located in Section 8 of Manyaska Township, County of Martin, MN for a proposed housing subdivision on property located in an "SL-2" Special Protection District.

Upon this motion made by Commissioner Pierce, seconded by Commissioner Schmidtke, was duly made and passed this 3rd day of October, 2006.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Schmidtke, Donnelly, Pierce, and Boler.
NAYS: None. Duly passed and adopted this 3rd day of October, 2006.

Higgins next presented a Conditional Use Permit request from Mark and Denice Kotewa within Section 6 of Tenhassen Township. The Kotewa's are proposing to expand current hog operation on an existing building site located in an "A" Agricultural District.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke,

R-#52/'06

CONDITIONAL USE PERMIT
FOR MARK & DENICE KOTEWA
WITHIN SECTION 6 OF TENHASSEN TOWNSHIP

Motion by Commissioner Potter, seconded by Commissioner Schmidtke,

WHEREAS, a Conditional Use Permit was requested by Mark and Denice Kotewa, applicants and owners of property; and

On the 26th day of September, 2006 concerning the following described property located in the County of Martin and State of Minnesota to wit:

Southeast Quarter of fractional Northwest Quarter (SE ¼ fr. NW ¼), South 80 acres of West 125.67 acres of fractional Northwest Quarter (fr. NW ¼) all in Section Six (6), Township One Hundred One (101) North, Range Thirty-one (31) West, Martin County, Minnesota. Subject to existing highways, easements and rights of way of record.

WHEREAS, on the 3rd day of October, 2006 the action requested in the foregoing application was recommended for approval to the Board of Commissioners by the Martin County Planning Commission; and

WHEREAS, the said application was approved by the Martin County Board of Commissioners this 3rd day of October, 2006 with the following conditions, to wit:

- New building moved to the South of the original building site.
- Approval all permit (NPDES) by the Minnesota Pollution Control Agency and any other governing agencies.
- Applicant must construct according to the plans that have been submitted in permit application.

NOW THEREFORE, a conditional Use Permit for the above described property is hereby issued pursuant to MS 394.301 and Martin County Ordinance #1, Chapter 6.01 for the following purpose:

Operating hog confinement facility over 1,000 animal units

With respect to the above described property.

This permit shall remain in full force and effect provided that the conditions as described above are met and maintained by the applicant and his/her successors in interest. This permit is binding upon the applicant, the record title holder to the property, and his/her successors in interest.

Notice is further given that this permit may be revoked if the conditions set forth above are maintained as described above.

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

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Pierce, Donnelly, Boler, Schmidtke, and Potter.
NAYS: None. Duly passed and adopted this 3rd day of October, 2006.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners move into a closed session per MN Statute 13D.05(b) to discuss litigation strategy regarding property tax appeal from K-Mart for the store in Fairmont.

Meeting in closed session at 9:13 a.m.

Those present were Commissioners Pierce, Donnelly, Boler, Potter, and Schmidtke, and Scott Higgins, Martin County Coordinator, Terry Viesselman, Martin County Attorney, James Forshee, Martin County Auditor/Treasurer, Dan Whitman, Martin County Assessor, and Mike Sheplee, Martin County Deputy Assessor/Senior Appraiser.

Motion by Commissioner Pierce, seconded by Commissioner Potter, to go back into open session. Carried unanimously.

Meeting returned to open session at 9:45 a.m.

No action taken pertaining to the closed session.

Captain Brad Hady presented the monthly Sheriff's Office Update that included: Sheriff Brad Gerhardt and Communications Officer Luann Smith have both received Professional Certification in Homeland Security and Emergency Management; the Martin County Sheriff's 150 Year Commemorative Calendar is almost finished, at no cost to the county, and will be used as a fundraiser for the Sheriff's Posse/Reserves; Sheriff Gerhardt and Communications Officer Luann Smith are attending a Pandemic Flu meeting today at Fort Snelling; thanked the Board for installing the concrete apron at the Impound Facility; completing wiring and cabinetry on one of the Communications Vehicles and plan to have an open house at our impound facility for all local emergency services to attend; and Martin County's Emergency Operation Plan has passed with the Regional Review Committee and thank Luann Smith for her hard work on this project along with Kathy Peterson and Diane Larson.

Hady continued that the Sheriff's Office has chosen Avtex/CityWatch for their Emergency Notification System, noting that first year expenses are fully funded through Region 5 Homeland Security Emergency Management Grant administered by the City of Arlington, MN. Hady went on to state that in cooperation with the City of Fairmont, it is anticipated that enough funds will be generated to keep the operations costs down considerably. The term of this Agreement shall be 12 months from the effective date commencing on November 15, 2006 and ending on November 15, 2007. The purchase price is \$10,000 for a one year period plus a onetime on-site training fee in the amount of \$800.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby ratify the Avtex/CityWatch Online Service Agreement for Martin County's Emergency Notification System in the amount of \$10,000 effective November 15, 2006 through November 15, 2007; to be funded by the Region 5 Homeland Security Emergency Management Grant administered by the City of Arlington, MN; and authorize Martin County Sheriff to sign all necessary documents. Carried unanimously.

Hady next presented the Board with his recommendation to hire a replacement part-time Communications Officer; and to terminate the employment of one part-time Communications Officer and one part-time Corrections Officer.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize hire of Diane Theobald as part-time Communications Officer for the Martin County Sheriff's Office, effective October 4, 2006 at \$14.56/hour, not eligible for benefits; and contingent upon successful background check. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize

termination of employment of Debra Johnson, part-time Communications Officer for the Martin County Sheriff’s Office, effective September 25, 2006; and approve and authorize termination of employment with Andrew Cartwright, part-time Corrections Officer for the Martin County Sheriff’s Office, effective September 29, 2006. Carried unanimously.

Hady concluded with the announcement that Sheriff Brad Gerhardt, as Emergency Management Director for Martin County, was recently recognized as recipient of this year’s Southwest Region Director of the Year award by the Minnesota Association of Emergency Managers.

Higgins stated that Region Nine Economic Development Commission is requesting a letter of support from the Board to utilize the assistance of the Geographic Information System (GIS) grant funding with the intent on creating and implementing a regional GIS system that will ultimately be of benefit to the entire region. Higgins went on to state that a pre-application has already been submitted; and R9 would like to have county support in the region for this application. After discussion,

Due to lack of a motion, no further action was taken.

Higgins presented quotes received from Rick Van Oel – Van Oel Evans & Company of Des Moines, IA to finish off and “marbleize” certain hallway wainscot in the Courthouse. The areas are listed as follows:

First Floor Entry (South)	\$1,520	Up to the first landing
Second Floor (along Auditor’s Office)	\$1,480	(Approx. \$740/side)
Second Floor (along MIS Hallway)	\$ 840	(Approx. \$420/side)
Third Floor (along Law Library Hallway)	\$1,180	(Approx. \$590/side)

Higgins noted that a sample of Van Oel’s marbling work can be seen in the first floor rotunda area. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the faux marbleizing of the wainscoting in all four areas of the Courthouse as presented, as part of the continued restoration of the Courthouse; and to pursue and obtain local quotes. Carried unanimously.

Higgins stated that Courthouse Centennial memorabilia items have been received and are ready for sale. Higgins went on to state that the Board is required to establish costs as these items will be sold to the public. Proposed sale prices including sales tax (as confirmed with James Forshee, Martin County Auditor/Treasurer) are as follows:

	<u>Sale Cost</u>
Paperweight	\$18.00 /unit
Checkbook Cover	\$18.00/unit
Pewter Ornament	\$16.50/unit

Postcard	\$ 1.00/unit
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After discussion,

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 having reviewed and determined that the sale prices are appropriate and reasonable for the Courthouse Centennial memorabilia items; hereby approve the sale prices for the memorabilia items as follows: Paperweight - \$18.00 each; Checkbook Cover - \$18.00 each; Pewter Ornament - \$16.50 each; and Postcard - \$1.00 each. Carried unanimously.

The Board recessed at 10:15 a.m.
The Board reconvened at 10:25 a.m.

Higgins gave an informational update on the proposed health insurance renewals received from Hanratty & Associates, as will be presented at the October 12, 2006 Insurance Committee Meeting; Open enrollment is scheduled for October 31, 2006; and In-Service Day will be Monday, October 9th, 2006. The day will start at 8:15 a.m. with Ken Betterton (main speaker), who will focus on customer service and how we treat people and each other; a tour of Weigh-Tronix at 10:30 a.m., lunch from 12:00 p.m. to 1:15 p.m., Courthouse Centennial Committee meeting at 1:30 p.m. in the Sisseton Conference Room, and Open Dialogue from 4:00 p.m. to 5:00 p.m.

Higgins stated he has been working on assigning the 1996 Chevrolet Lumina County Car to Martin County Express and has run into an issue with MCIT not wanting to insure the car if it is to be driven by non-county employees (taxi drivers). Higgins went on to state that Martin County Express went out to get a bid on insuring the car and was quoted an additional premium expense of \$2,467 for liability only which would be an additional expense to the County. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize transfer and assignment of 1996 Chevrolet Lumina County Car to Martin County Express for use during the expanded weekend service hours of 6 p.m. to 12 a.m. Friday's and Saturdays, on a trial basis until the end of 2006; and to insure the vehicle at a cost of \$2,467. Carried unanimously.

Commissioner Boler opened discussion regarding a letter received from Public Financial Management, a competitor of Northland Securities, Inc. No action taken.

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 Pierce, seconded by Commissioner Potter, to adjourn the meeting, Carried unanimously. Meeting adjourned at 11:00 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator