

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 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 Boler.

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

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: Consider Martin County Commissioners and Martin Soil and Water Conservation District hosting Three Rivers RC&D annual meeting in Fairmont during the month of July, 2007. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented his recommendation for step increase according to union contract for Road Foreman.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, Martin County Highway Engineer, hereby approve and authorize step increase for Greg Rabbe, Road Foreman, from Grade 16 Step 5 at \$24.23/hour to Grade 16 Step 6 at \$24.85/hour per the Highway Supervisors Union Contract, effective December 1, 2006. Carried unanimously.

Peyman next reported on three (3) contract finals: Bituminous Overlay and Shouldering; Highway Pavement Striping; and Bridge Deck Overlays. Peyman stated final examination has been made of the noted contracts, contracts have been completed, and the entire amount of work shown in the final vouchers has been performed and recommends award of final contracts.

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, Martin County Highway Engineer, hereby approve the final contract payment for C.P. 06:10 CSAH Bituminous Overlay and Shouldering with Southern Minnesota Construction of Mankato, MN in the amount of \$880,645.57. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, Martin County Highway Engineer, hereby approve the final contract payment for C.P. 06:04 Highway Pavement Striping with AAA Striping of Rogers, MN in the

amount of \$64,704.29. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, Martin County Highway Engineer, hereby approve the final contract payment for C.P. 06:11 Bridge Deck Overlays with Southern Minnesota Construction of Mankato, MN in the amount of \$75,709.40. Carried unanimously.

Peyman briefly discussed formalizing the structure of the Martin County Park Board.

Scott Higgins, Martin County Coordinator, presented a resolution acknowledging receipt and acceptance of grants and donations to the Martin County Mentoring Network.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#63/06

RESOLUTION OF ACKNOWLEDGING RECEIPT AND ACCEPTANCE OF GRANTS AND DONATIONS TO MARTIN COUNTY

WHEREAS, Martin County receives gifts and donations from time to time and that all gifts and donations to the County shall be accepted by the Board of Commissioners for purpose of record; and

WHEREAS, the Martin County Mentoring Network within Martin County has received donations from the following entities during the months of January, 2006 through August, 2006:

3-07-06	U Care MN	\$ 500.00
5-03-06	Knights of Columbus	\$1,977.06
5-04-06	MC Youth Foundation	\$1,300.00
5-25-06	RadioShack Corp.	\$ 500.00
6-08-06	Great River Energy	\$1,500.00
6-08-06	MC Dairy Assoc.	\$ 17.92
6-23-06	Recipe Book Fundraiser	\$ 50.00
8-21-06	MC Fair Board	\$1,000.00
8-28-06	Alliant Energy	<u>\$1,000.00</u>
	Total	\$7,844.98

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
 Scott Higgins, County Coordinator

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

Higgins stated that Minnesota Statues require that bids be taken for Official County Newspaper for the publication of notices, minutes, etc. Request for Bids have been advertised and bid forms sent to all known newspapers in Martin County. Bids were due Monday, December 18th, 2006. Two sealed bids were opened; one bid was received from the Fairmont Sentinel, and one bid was received from the Fairmont Photo Press.

Fairmont Photo Press		Fairmont Sentinel	
Bid Per Standard Advertising Unit (SAU)	\$6.00	Bid Per Standard Advertising Unit (SAU)	\$6.20
Rate per SAU on printing of second notice	\$3.50	Rate per SAU on printing of second notice	\$3.85
Annual Financial Statement Publication	\$4.00	Annual Financial Statement Publication Plus \$300 for 8,000 overrun	\$3.00+
Second Publication of Annual Financial Statement as an insert to Newspaper	\$.05	Second Publication of Annual Financial Statement as an insert to Newspaper	\$.043
Subscribers residing in Martin County	10,077	Subscribers residing in Martin County Total Distribution (with Sentinel Plus)	5,429 9,005

Higgins stated that the legal newspaper bid is to be awarded during the first Board meeting in January, 2007.

Higgins presented Change Order No. 002 General Construction received from Schwickert, Inc. of Mankato, MN with an ADD in the amount of \$1,111.00 in connection with the Natural Gas Heating System Conversion Project; and Change Order No. 002 General Construction received from Feder Mechanical, Inc. of Madelia, MN with an ADD in the amount of \$340.00 in connection with the Natural Gas Heating System Conversion Project. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve change order received from Schwickert, Inc. of Mankato, MN for an addition to the original contract in the amount of \$1,111.00 for RPZ on make up water line at Security Building and Library; and approve change order received from Feder Mechanical, Inc. of Madelia, MN for an addition to the original contract in the amount of \$340.00 for full lay-in ceiling and build soffits around the ducts in Room 132, in connection with the Courthouse Natural Gas Heating System Conversion Project. Carried unanimously.

Higgins next stated that performance evaluations are completed annually for all Courthouse Union Staff, noting that a spreadsheet is attached with all Courthouse Union Staff and recommends approval of merit increases for those eligible per the County Classification and Compensation Plan. It was noted that there are a couple of employees on Step 12 and that these individuals would not be eligible for movement per Board

action on County Compensation plan.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize merit increases for AFSCME Courthouse Union employees who are eligible for merit increases, with the exception of those who have reached Step 12, per the Courthouse Union Contract for CY2007 and County Compensation Plan, effective January 1, 2007. Carried unanimously.

Tanya Skow, Corrections Officer – Sheriff’s Office, and Gary Bengtson, Midwest Monitoring, presented an overview of a combination of products and services from Midwest Monitoring (Fairmont) for those clients on electronic monitoring. Bengtson stated that in providing full service to Martin County for those clients on electronic monitoring, would in effect give back two jail staff positions virtually eliminating any cell phone costs, laptop expense, overtime costs, and override pay, and would receive 24 hour monitoring. Midwest Monitoring is able to provide client hook-ups right in their office, the Sheriff’s Office, or the client’s homes.

Bengtson continued that while the proposal for the house arrest piece (ankle bracelet) is \$10.50 per day per client, Midwest Monitoring would collect \$15.00 per day for Martin County, thus realizing a \$4.50 per day administrative fee for every person that is just on RF. Alcohol testing is \$10.50 per day per client and a combination of an ankle bracelet and alcohol unit is \$12.50 per client per day with Martin County realizing a \$2.50 per day per client profit. These administrative fees are paid back to the County on a monthly basis.

Discussion ensued regarding increasing the client fee from \$15.00 per day to \$20.00 per day and timeframe in which the program may change. After much discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign contract with Midwest Monitoring (Fairmont) in providing Electronic Monitoring effective January 1, 2007 or as soon as practical; at a rate of 10.50/day for “Radio Frequency” (RF) monitoring, \$10.50/day for Breath alcohol testing only, and \$12.50 day include bracelet monitoring; and for the sale of electronic monitoring equipment to include 9000 FMDs at \$150 each and 9300 unit (sobriator) at \$250 each; and contingent upon final review and approval by the County Attorney. Carried unanimously.

Higgins presented the resolution Establishing the CY2007 Fund Expenditures and Revenues. Higgins reviewed the Truth in Taxation meeting held on December 7, 2006 and stated it was determined that fund expenditures for 2007 are estimated at \$18,559,839 and fund revenues (including County Program Aid and General Tax Levy) are estimated at \$18,752,624. After discussion and consideration,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly,

R-#60/'06

R E S O L U T I O N

ESTABLISHING THE FUND EXPENDITURES AND REVENUES
FOR THE YEAR 2007

WHEREAS, the Martin County Board of Commissioners duly considered fund Expenditures and Revenues for the year 2007.

NOW THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners do hereby order and determine that fund expenditures and revenues for the year 2007, is as follows:

	<u>Expenditures</u>	<u>Revenues</u>
Revenue Fund	\$ 6,840,808	\$ 1,677,906
Parks & Recreation	\$ 67,500	\$ 20,000
Road & Bridge	\$ 6,539,045	\$ 4,890,714
E-911 Fund	\$ 35,300	\$ 90,000
Boat & Water/ATV	\$ 15,700	\$ 9,200
Solid Waste	\$ 245,080	\$ 275,714
Library	\$ 580,087	\$ 25,500
Law Library	\$ 18,000	\$ 18,000
Human Services	\$ 2,193,044	\$ -0-
Building CIP Fund	\$ 250,000	\$ -0-
Human Services Building	\$ 126,500	\$ 149,516
Debt Service	\$ 180,118	\$ -0-
Prairieland Debt Service	\$ 334,554	\$ 334,554
Forfeited Land	\$ 19,000	\$ 4,000
ISTS Loan	\$ 139,100	\$ 185,000
Martin County Express	\$ 576,003	\$ 599,538
Ditch Repairs	\$ 400,000	\$ 400,000
MC Area Redevelopment Agency	\$ -0-	\$ 15,000
County Program Aid	\$ -0-	\$ 1,092,424
General Tax Levy	\$ -0-	\$ 8,965,558
TOTAL	\$18,559,839	\$18,752,624

Upon motion by Commissioner Pierce, seconded by Commissioner Potter and carried, said resolution was duly passed and adopted this 19th day of December, 2006.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

Higgins continued with presentation of resolution Establishing the Tax Levy for Year 2007 Collectible in 2008 in the amount of \$8,965,558.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter,

R-#62/'06

**RESOLUTION ESTABLISHING THE TAX LEVY FOR YEAR 2007
COLLECTIBLE IN 2008:**

WHEREAS, the Martin County Board of Commissioners duly considered budgets to determine the tax levy to be collected in 2008.

NOW THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners do hereby order and determine that taxes to be levied in the year 2007 and collectible in the year 2008 be as follows to-wit:

	<u>Net Levy</u>
Revenue Fund	\$4,070,478
Boat/Snowmobile	\$ 6,500
Park & Recreation	\$ 47,500
Road & Bridge Fund	\$1,648,331
E911 Fund	\$ -0-
Solid Waste Management Fund	\$ -0-
Library Fund	\$ 554,587
Human Service Fund	\$2,193,044
Building CIP Fund	\$ 250,000
Debt Service Fund	\$ 180,118
Tax Forfeited Land	<u>\$ 15,000</u>
	\$8,965,558

BE IT FINALLY RESOLVED, that copies of this resolution be filed with the Martin County Auditor/Treasurer, and

Upon Motion made by Commissioner Schmidtke, seconded by Commissioner Potter, and unanimously carried, said resolution was duly passed and adopted this 19th day of December, 2006.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

Kathy Smith, SWCD Director, was present and stated that Martin County will be receiving the 2007 Natural Block Grant and that money from this grant will provide funding for the following county programs and services: implementation of its comprehensive local water plans in the amount of \$18,033; the administration of the wetland conservation act in the amount of \$10,000; administration of the DNR shoreland program in the amount of \$3,445; MPCA ISTS program in the amount of \$9,885; and MPCA feedlot permit program in the amount of \$64,126; total grant amount of \$105,489. This grant agreement is effective July 1, 2006 to June 30, 2008.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#61/'06

RESOLUTION

BOARD OF WATER AND SOIL RESOURCES NATURAL RESOURCES BLOCK
GRANT FOR CY2007:

WHEREAS, Martin County has a State approved comprehensive local water plan, which has been locally adopted pursuant to Minnesota Statutes Chapter 103B; and

WHEREAS, Martin County may assess a levy under its general levy authority to match such grants by BWSR pursuant to Minnesota Statutes 103B.335;

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approves of Martin County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its comprehensive local water plans in the amount of \$18,033; the administration of the wetland conservation act in the amount of \$10,000; administration of the DNR shoreland program in the amount of \$3,445; MPCA ISTS program in the amount of \$9,885; and MPCA feedlot permit program in the amount of \$64,126; total grant amount of \$105,489 under the terms of the Grant Agreement and all statutory requirements; and

THAT THE Martin County Board of Commissioners authorizes the expenditure of cash and in-kind contributions to match the Natural Resources Block Grant as specified in Laws of Minnesota and the Grant Agreement.

BE IT FURTHER RESOLVED THAT, the Chairperson of the Martin County Board of Commissioners and the County Auditor or County Coordinator is authorized to execute the Grant Agreement together with all related documents.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter, and was duly passed and adopted this 19th day of December, 2006.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve Martin County Commissioners and Martin Soil and Water Conservation District hosting Three Rivers RC&D's Annual Field Day to be held in Fairmont, MN on a date yet to be determined in July, 2007. Carried unanimously.

Higgins stated the county has received the renewal agreement to continue the Sentence to Serve (STS) Program in Martin County. Julie Grunewald, Senior Probation Agent, and Terry Heavirland, STS Crew leader, were present to answer any questions the Board may have regarding the STS contract between the State of Minnesota, acting through its commissioner of corrections, Sentencing to Service Program ("State"), and Martin County ("Purchaser"). Total obligation of the County for all compensation and reimbursements to the State under this contract is \$214,838 as its share of the cost in providing three (3) crew leaders and placing the work crews into service on the STS Program during the term of this agreement. The proposed increase is 3% each year for the two year term and is effective July 1, 2007 to June 30, 2009. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners approve and authorize Board Chair to sign the contract between the State of Minnesota, acting through its commissioner of corrections, Sentencing to Service Program ("State"), and Martin County ("Purchaser"), for three (3) STS Crew Leaders (includes salaries, fringe benefits, and equipment costs) effective July 1, 2007 and will expire June 30, 2009 in the amount

of \$214,838 which represents an increase of 3% each year for the two year period.
AYES: Commissioners Donnelly, Boler, Potter, and Schmidtke. NAYS: Commissioner Pierce. Motion carried.

Higgins stated the County has received the grant award from the Minnesota Department of Transportation, Office of Transit (Mn/DOT) for operations of the Martin County Express public transit system for \$415,000. This is an approximate 12% increase from the 2006 grant award of \$370,600. Martin County originally requested \$473,705. Higgins noted that the County is responsible for 15% of the total operational cost of the public transit system, which equates to \$62,250 with the remaining operational expenses to be paid by Mn/DOT per the Agreement. Higgins stated total projected revenues are \$121,000.

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 the 2007 Public Transit Participation Program Application Grant Agreement for an approved projected operations expense of \$415,000; and that the County of Martin and the Minnesota Department of Transportation (Mn/DOT) will share in the expense in the operations of the Martin County Express public transit system per the agreement at 85% provided by Mn/DOT and 15% provided by the County, effective January 1, 2007. Carried unanimously.

Doug Landsteiner, Martin County Veterans Service Officer, provided the annual Veterans Service Office Report for Martin County.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby receive and accept the FY2006 Annual Summary of Veterans Benefits Received for Martin County as presented. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners and certain other officials, are hereby appointed to serve one-year terms expiring on December 31, 2007 on the 2007 Martin County Board Standing Committee Assignments as presented. Carried unanimously.

The Board recessed at 10:20 a.m.
The Board reconvened at 10:30 a.m.

Jerome Gerdts – CPA with Roessler, Nuss & Company, Inc. presented and reviewed the 2005 County Audit with the Board.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby receive and accept the 2005 County Audit Report as presented by Roessler, Nuss & Company, Inc. of Fairmont, MN. Carried unanimously.

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

Warrants received and paid December 19, 2006 are registered on file in the Auditor/Treasurer’s Office as follows:

Revenue Fund – Warrants Approved 12-19-06	Totaled	\$264,420.07
Enhanced 9-1-1 Fund		\$ 205.62
Recreation and Safety Fund		\$ 394.88
Solid Waste Management Fund		\$ 16,179.07
Law Library Fund		\$ 2,263.78
Martin County Transit Fund		\$ 40,969.11
Ind. Sewage Treatment Sys. Loan FD (ISTS)		\$ 34,139.00
Building – CIP – Fund		\$ 45,155.07
Bank Building Fund		\$ 2,894.69
Forfeited Tax Fund		<u>\$ 1,144.63</u>
	Grand Total	\$407,765.92
Martin County Ditch Fund – Warrants Totaled		\$ 37,634.54
Road and Bridge Fund – Warrants Totaled		\$ 63,406.95

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

Motion by Commissioner Schmidtke, to move into closed session for the performance evaluation of the County Coordinator, seconded by Commissioner Potter at 11:50 a.m. Carried unanimously.

The Board went into closed session at 11:50 a.m. per Minnesota Statute 13 D.05 Subd. 3 for the performance evaluation of the County Coordinator.

Motion by Commissioner Donnelly, to move back into open session, seconded by Commissioner Schmidtke. Carried unanimously. Open session at 12:37 p.m.

With the Coordinator’s evaluation meeting the requirements to receive the merit increase per the County Compensation Plan.

With no further business to wit, Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, to adjourn the meeting. Carried unanimously. Meeting adjourned at 12:38 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Gerald Boler, Chair

ATTEST: _____
Scott Higgins, County Coordinator