

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 20, 2007
@ 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 Potter.

Those present were Commissioners Pierce, Donnelly, Schmidtke, and Boler. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, Martin County Attorney, Kevin Peyman, Martin County Highway Engineer, Bill Cahalan, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions: Consider Per Diems for Two Additional Computer Aided Mass Appraisal (CAMA) Committee members; and Consider Adding to the County Employee Health Benefits program "First Help" Nurse Line through BlueCross BlueShield. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the February 6, 2007 regular Board of Commissioners meeting as presented with noted correction. Carried unanimously.

Terry Viesselman, Martin County Attorney, presented an update that included receipt of two complaints; one of which was served to Human Services of Faribault & Martin Counties and the second of which was filed from an inmate at the Martin County Jail. Viesselman noted that copies of the complaints will be forwarded to the Martin County Coordinator as well as Minnesota Counties Insurance Trust (MCIT).

Rich Perrine, Martin Soil & Water Conservation District Technician, presented information on a possible proposal for the addition to the County Park System of approximately 15 acres of native prairie land in the County. Perrine stated this is one of the best prairie parcels he has come across in the county and understands this land will soon be up for sale. Perrine stated at least eight (8) of the fifteen (15) acres is good quality native prairie and recommends setting aside and preserving those native prairie acres as a natural area and include it as part of our County's park's system.

Kevin Peyman, Martin County Highway Engineer, stated that if this parcel of land is donated to the County, the Martin County Park Board is willing to maintain as park property. Peyman went on to state that it has also been proposed that 4-H or perhaps a school group could make a walking trail in this section with plaques identifying some of the native plants. Peyman noted that maintenance fees on this parcel will be minimal and that the Park Board has met regarding this possibility and unanimously felt that the

addition of the native prairie land to the park's system is something the County should do. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approves and accepts the a parcel of land located in Cedar Township, Section 36 of approximately 15 Acres contingent upon that the parcel of land is donated to the County; and that the parcel having native prairie on be included into Martin County Park's System. Carried unanimously.

Peyman presented a resolution requesting comprehensive road and transit funding in 2007. Peyman stated the County has passed resolutions supporting something similar to this in the past. However, unfortunately it doesn't seem to do much good as no matter how much we talk about it, I don't think Representative Gunther or Senator Rosen will support it since Governor Pawlenty won't support a gas tax increase. Peyman noted it is interesting that the Association of Minnesota Counties (AMC) is taking a different angle to it this year. Peyman continued that since property tax relief is such a hot topic they (AMC) are incorporating it with that. Peyman noted the two are related through, especially with counties like Martin County that resorted to General Obligation Bonding for road projects. Peyman concluded noting several of the resolutions' funding options along with requesting the Board to support this resolution.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly,

R-#17/'07

A RESOLUTION REQUESTING
COMPREHENSIVE ROAD AND TRANSIT FUNDING IN 2007

WHEREAS, all Minnesota counties benefit from an efficient and adequately funded transportation system that offers diverse modes of travel; and

WHEREAS, due to budget constraints, counties are increasingly deferring maintenance on their 30,000 miles of county state aid highways, 15,000 miles of county roads, and over 7,000 bridges; and

WHEREAS, local cost participation requirements for trunk highway projects are putting undue pressure on county highway budgets; and

WHEREAS, the main source of funding, County State Aid Highway Funding is declining and property taxes, and local bonding are having to shoulder more of the burden; and

WHEREAS, the recently approved constitutional amendment that phases in dedication of 100 percent of the motor vehicle sales tax (MVST) for transportation purposes will address only a fraction of the transportation funding needs in Minnesota, and total MVST revenues are not meeting projections; and

WHEREAS, transportation analysts in consultation with the Minnesota Department of Transportation (MnDOT) estimate Minnesota will have to invest an additional \$1.5 billion per year in transportation infrastructure for the next ten years in order to meet identified needs; and

WHEREAS, transportation infrastructure maintenance and improvement costs significantly contribute to rising property taxes; and

WHEREAS, lack of state funding has delayed regionally significant road construction and reconstruction projects across Minnesota; and

WHEREAS, Minnesota's transportation system is failing to meet the capacity needs necessary to sustain population growth and promote economic development; and

WHEREAS, congestion, inefficient transportation systems and lack of transportation choices lead to greater dependence on foreign oil, increased environmental degradation, and economic disadvantages for Minnesota's businesses and residents; and

WHEREAS, many rural roads are not built to modern safety standards and are not meeting the needs of industries that depend on the ability to transport heavy loads; and

WHEREAS, current funding for roads and transit systems across all government levels in Minnesota is inadequate, and this under-investment hinders Minnesota's economic competitiveness.

NOW, THEREFORE, BE IT RESOLVED BY THE MARTIN COUNTY BOARD OF COMMISSIONERS that this COUNTY requests that in 2007 the Minnesota Legislature pass a comprehensive transportation funding package that permanently increases dedicated funding for transportation; and

BE IT FURTHER RESOLVED BY THE MARTIN COUNTY BOARD OF COMMISSIONERS that this COUNTY requests that in 2007 Governor Tim Pawlenty allow a comprehensive transportation funding package that permanently increases dedicated funding for transportation that is passed by the Legislature to become law; and

BE IT FURTHER RESOLVED BY THE MARTIN COUNTY BOARD OF COMMISSIONERS, THE COUNTY OF MARTIN supports funding options including, but not limited to, the following:

- An increase in the gas tax of 10 cents phased in over a two year period.
- Indexing of the gas tax;
- Increases in vehicle registration taxes;
- Trunk highway bonding of \$100 million per year over a 10-year period;
- General obligation bonding for local roads and bridge;
- Authority for counties to levy up to a ½ percent increase in the state sales tax dedicated for transportation purposes; and

- Authority for counties to levy up to \$20.00 wheelage fee; and
- Authority for counties to impose a transportation impact fee; and

BE IT FURTHER RESOLVED BY THE MARTIN COUNTY BOARD OF COMMISSIONERS that this COUNTY defines a comprehensive transportation funding package as an initiative that permanently increases dedicated funding for state and local road and transit systems in Greater Minnesota and the Metropolitan Area.

Upon motion by Commissioner Boler, seconded by Commissioner Donnelly, and carried said resolution was duly passed and adopted this 20th day of February, 2007

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

By: _____
Chairman, Martin County
Board of Commissioners

Attest: _____
Scott Higgins
County Coordinator

Roll Call AYES: Commissioners Pierce, Schmidtke, Donnelly, Boler, and Potter.
NAYS: None. Duly passed and adopted this 20th day of February, 2007.

Chairman Potter recognized Nedra Connelly, private citizen, who commented on the proposed resolution.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#18/'07

RESOLUTION

ISSUANCE OF TOBACCO LICENSE FOR 2007

WHEREAS, the County of Martin, MN (County) has established a Tobacco Ordinance (Ordinance) relating to the sale, possession, and use of tobacco in Martin County and to reduce the illegal sale, possession, and use of such items to and by minors, along with compliance with Minnesota Statutes and Rules; and,

WHEREAS, applications for a tobacco license to sell tobacco shall be made through the County and its required forms as established by the Ordinance; and,

WHEREAS, the Martin County Board of Commissioners (Board) may either approve or deny the license, or delay it for such reasonable period of time as necessary to complete

any investigation of the application or the applicant it deems necessary. If the Board approves the application, the County Coordinator shall issue the license. If the application is denied, notice of the denial shall be given to the applicant along with notice of the applicants right to appeal the Board's decision; and,

WHEREAS, all licenses shall be valid under the Ordinance for one calendar year from the date of issuance; and,

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approve and authorize tobacco license for the following Retail Establishments, and valid for the year 2007; contingent upon receiving required documents:

License Approved for:

- David Mosely, d/b/a D&D's Redneck Place – Imogene, MN
- Juley Clark, d/b/a AJ's Bottle Shop – Welcome, MN

Upon this motion made by Commissioner Pierce, seconded by Commissioner Schmidtke, was duly made and passed this 20th day of February, 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

NAYS: None. Duly passed and adopted this 20th day of February, 2007.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize 3.2% On-Sale and Off-Sale Liquor License for David Mosely, d/b/a D&D's Redneck Place in Imogene, MN. Carried unanimously.

Scott Higgins, Martin County Coordinator, stated that members of the County Technology Committee are present to make their recommendation regarding a web portal system.

Technology Committee members present were Steve McDonald, MIS Director, Dan Whitman, Martin County Assessor, and Kevin Peyman, Martin County Highway Engineer. The Technology Committee, after having met with The Sidwell Company to follow up on their proposal and demonstration, presented the committee's

recommendation to approve The Schneider Corporation's – beacon Web Portal Presence Proposal, including Official Payments Corp's option allowing online payment of property taxes. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and accept proposal from the Schneider Corporation's – Beacon Web Portal product as presented by the County's Technology Committee, to include: Beacon Core Website set up of \$8,000, yearly hosting fee at \$655/month(approximately \$7,860 annually), and to approve the required computer hardware at approximate cost of \$1,700 ; BE IT FURTHER RESOLVED, to authorize Board Chair to sign The Schneider Corporation's Professional Services Agreement dated January 31, 2007; and to include service option of online payment of property taxes with Official Payments Corporations (OPC) at cost of \$50 per month (approximately \$600 annually), with the initial expenditures to be expended from the Recorders' Compliance Fund and hereafter provide allocation to the web portal system. Carried unanimously.

Tanya Skow, Corrections Officer, gave an update regarding services provided by Midwest Monitoring & Surveillance, Inc. of Fairmont. Skow reviewed that Midwest Monitoring took over the county's Electronic Home Monitoring (EHM) services on January 1, 2007 and there has been some concern over the services provided and expectations of the monitoring center. Both Skow and Captain Brad Hady of the Martin County Sheriff's Department have met with Midwest Monitoring's staff and have concluded that Martin County is stricter with their accountability of clients on EHM and now feel that Midwest Monitoring now understands what is expected. Issues have been addressed and while the Sheriff's Office will continue through the monitoring transition, additional meetings have been set to make sure the monitoring services run as smooth as possible.

Nancy Johnson, Martin County Probation Officer, was present and stated that the transition of EHM services with Midwest Monitoring & Surveillance, Inc. has not been a smooth one and feels there is a lack of accountability now with the program.

Gary Bengtson, Midwest Monitoring & Surveillance, Inc. of Fairmont stated the bottom line is client protocol. Bengtson continued now that Midwest Monitoring has met with Martin County, the monitoring center now has a clear direction of what is expected and will conduct services in line with what the county requires. Bengtson stated the monitoring center is able to perform hook ups 24/7; however, a phone call is required to make sure required staff is available. Bengtson noted the \$10.50/day service fee not only covers monitoring but also includes all the maintenance, repairs, lost or damaged equipment, consumables, caps, straps, and insurance. Bengtson stated he is confident services will run smoothly now and confirmed that additional meetings will be held between the Monitoring center and Martin County. Bengtson concluded that Martin County may make any language additions or deletions to the current services contract with Midwest Monitoring and that there is a 60 day out stipulation included in the contract if it is found the center is not performing as expected. After discussion,

It was decided by consensus of the Board to work toward finalization of Electronic Home Monitoring (EHM) Services Contract with Midwest Monitoring & Surveillance, Inc. of Fairmont, MN; and to continue monthly meetings between Martin County and Midwest Monitoring & Surveillance, Inc. of Fairmont, MN; and request Martin County Sheriff's Department to provide EHM service updates to the Board.

Higgins introduced a request from the Sheriff's Office to approve that Daniel Owens be classified as regular part-time employment status and regularly scheduled at 20 hours per week. Higgins stated that currently the part-time Corrections staff are on an as needed basis and considered non-union positions, which adds flexibility in scheduling and wages paid. Higgins went on to note that according to Minnesota Statutes (PELRA) those who are regularly scheduled at 14 hours or more per week would be allowed union representation. This regularly scheduled part-time status would allow accrual of vacation and sick time as well as other benefits under the union contract.

Captain Hady, Sheriff's Office, stated that both of the department's part-time Corrections Officers have been getting a lot of time due primarily to our jail population levels. Hady continued we had a female part-time corrections officer who resigned after leaving her residency in the area so it has put our department potentially in a bind with requirements of Department of Correction (DOC). Hady noted the Sheriff's Office has had to shuffle the schedule so that female corrections staff are on duty and that has left some holes in the schedule that have been filled with part-time personnel as a cost cutting alternative to overtime. Hady noted their plan was once the corrections officers or part-time people were trained, to use them as needed to keep staffing levels up to Department of Corrections (DOC) specifications. Hady stated that plan was supposed to go into affect; but our jail population keeps going up and down so you never know where you are at. Hady continued the Jail has also had a lot of transports where we have to pull people out from their shift and send them out on the road, yet we are also required to have staff run the jai. Hady concluded it is one of those things that aren't planned; but felt we needed part-time personnel on a more regular basis and by doing so would save the County considerably over hiring a full time person. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby table the request for regular part-time status change for Daniel Owens, Corrections Officer for Sheriff's Office; and direct that the matter be reviewed by the County's Personnel Committee for a recommendation to the full Board. Carried unanimously.

Kay Wrucke, Martin County Recorder, was present to recommend additional counter space for customer and staff use in the Recorder's Office. Wrucke went on to note that moving the counter back to the original location is due to the lack of security in the main office and easy access to confidential records. Wrucke concluded the Recorder's Technology Fund will cover the estimated cost of \$2,789.20.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize additional, counter space in the Martin County Recorder's Office in the amount of \$2,789.20 to be expended from the Recorder's Technology Fund. Carried unanimously.

Bryan McCormick, Martin County Library Director, presented a resolution supporting increasing the Regional Public Library System Basic Support Appropriation during the 2007 Legislative Session. McCormick stated the Travers De Sioux- the regional library system, is the County's Library support agency, which covers the nine county region, and brought us our automation. The regional library system is asking for an increase from Legislature for funding which has not been increased in approximately 10 years. McCormick concluded it is good news that the governor did include it in his proposed budget and the regional system is asking for county and city support.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler,

R-#12/'07

RESOLUTION

Increase in the Regional Public Library System Basic Support Appropriation during the 2007 Legislative Sessions

WHEREAS, the regional public library systems in Minnesota have contributed to both improvements in library operations and efficiencies in providing services to the entire population of the State of Minnesota; and

WHEREAS, the State's contribution to Regional Library Basic System Support has not increased for more than a decade; and

WHEREAS, the funding for regional public library systems has increasingly fallen on local property tax dollars;

BE IT RESOLVED, that the Traverse des Sioux Library Board of Trustees hereby requests its legislative representatives and the Governor to place a high priority on a substantial increase in the Regional Public Library System Basic Support appropriation during the 2007 legislative sessions.

BE IT FURTHER RESOLVED, that the Traverse des Sioux Library System Board of Trustees requests that the Association of Minnesota Counties and the league of Minnesota Cities join the Minnesota Library Association (MLA) in lobbying the Legislature for this increase during the 2007 Legislative session.

Upon this motion made by Commissioner Schmidtke, seconded by Commissioner Boler, was duly passed and adopted this 20th day of February, 2007.

BOARD OF COMMISSIONERS

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Pierce, Boler, Schmidtke, and Potter.
NAYS: None. Duly passed and adopted this 20th day of February, 2007.

Higgins presented a resolution supporting Legislative Action to Reinstate Funding for the Minnesota River Basin Joint Powers Board. Higgins noted that Commissioners Donnelly and Potter serve on that Board.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke,

R-#19/'07

R E S O L U T I O N

SUPPORTING LEGISLATIVE ACTION TO
REINSTATE FUNDING FOR THE
MINNESOTA RIVER BASIN JOINT POWERS BOARD

WHEREAS, the Minnesota River Basin Joint Powers Board was formed out of the Minnesota River Citizen Advisory Committee's recommendations and implemented by the State of Minnesota under former Governor Arne Carlson July 12, 1995; and

WHEREAS, the Minnesota River Basin Joint Powers Board has a state statute 103F.378, Section 471.59 governing the joint powers board; and

WHEREAS, the Minnesota River Basin Joint Powers Board received state funding during the years 1995-2001 and our county continues to pay dues and raise funds; and

WHEREAS, the Minnesota River Basin Joint Powers Board was established to coordinate efforts to improve water quality; not to compete for the same monies as non-profit organizations, government agencies and watershed groups; and

WHEREAS, the Minnesota River Basin Joint Powers Board will continue to request dues from its member counties for the purpose of supplementing administration and coordination of projects; and

WHEREAS, the Minnesota River Basin Joint Powers Board has made great strides in promoting and coordinating CREP in the Minnesota River Basin, nutrient trading coordination, Clean Water Legacy Act funding, development of local and regional partnerships, integrated watershed model support, recommendations to the drainage task

force, projects communications coordination through the Minnesota River Watershed Alliance and the Water Resources Center, and communications through a new website (<http://www.minnesotariver.org/>) and newsletter; and

WHEREAS, with additional funding the Minnesota River Basin Joint Powers Board will expand programs on educating the public and watershed staff about water related issues and assist partners in obtaining additional funding for projects on the ground; and

WHEREAS, this County is a member in good standing of the Minnesota River Basin Joint Powers Board and contributes to the mission; and

THEREFORE BE IT RESOLVED, that this County affirms our belief in the mission of the Minnesota River Basin Joint Powers Board, our desire to continue supporting the Board and its mission, and recognizes the value of this Board's actions; and

THEREFORE BE IT FURTHER RESOLVED, we support legislative action to reinstate funding for the Minnesota River Basin Joint Powers Board, aka Minnesota River Board (MRB) to further enhance its Mission and Results.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, was duly passed and adopted this 20th day of February, 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

NAYS: None. Duly passed and adopted this 20th day of February, 2007.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby appoint Bruce Goraczkowski to the Martin County Parks Commission and will represent Commissioner District #2, for the effective term beginning on January 1, 2007. Carried unanimously.

Nedra Connelly, private citizen, stated she is interested in the At Large position and has applied twice, and indicated that over the years she has attended many of the Park Board meetings.

Chairman Potter stated the Board will take that into consideration.

Higgins reviewed the Martin County Water Plan Advisory Committee openings and asked for input from the Commissioners. The proposed meeting schedule is the third Thursday of the month in March, June, September, and December. A time of day/evening for meetings will also need to be established. Higgins noted there are four new areas of representation added to the Committee that will need to be filled by the Board.

By consensus of the Board, no action was taken on appointments to the Martin County Water Plan Advisory Committee.

Higgins stated that effective in 2007, the minimum random pool drug testing rate has been reduced for safety “sensitive drivers” of all transit programs. The Federal Transit Administration (FTA) and the Federal Motor Carrier Safety Administration (FMCSA) concluded their annual evaluation of required minimum testing rates. Higgins went on to note that based upon their review the FTA has determined that the minimum random pool drug testing rate for safety sensitive drivers of transit programs can be reduced from 50% to 25%. Higgins also noted the FTA alcohol random test rate remains at 10%. Higgins continued that Minnesota Counties Insurance Trust (MCIT) has issued an Addendum to the MCIT Drug & Alcohol Testing Participation Agreement noting the change in drug testing rates. This addendum does not specifically identify the required percentages; but rather indicates that the program will comply with federal testing requirements.

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 the amendment to the 2007 Minnesota Counties Insurance Trust (MCIT) Drug & Alcohol Testing Program Participation Agreement noting the change in drug testing rates for safety sensitive drivers of transit program can be reduced from 50% to 25%. Carried unanimously.

Chairman Potter opened the public hearing for consideration of the county’s intent to establish a County Economic Development Authority (EDA). Scott Higgins stated the Economic Development Exploratory Committee has met and studied the matter for the establishment of a County EDA. Higgins continued that the committee’s final recommendation is to establish a County EDA with all the authority given by Minnesota Statutes Chapter 469, with the exception of the powers of Housing Authority and authorizing a tax levy or issuance of GO Bonds without County Board of Commissioners approval. Higgins then reviewed the limits of powers as outlined in the proposed Enabling Resolution Establishing an Economic Development Authority in and for Martin County. Higgins went on to note that each city and township will have the option to be in favor of or not to be in favor of participation in the Martin County Economic Development Authority. Higgins stated that establishment of a County EDA will aid in preserving and creating jobs, enhance its tax base, and promote the general welfare of the people of the county.

Chairman Potter asked if there were questions from the Board before proceeding to public input. There was none.

Chairman Potter asked for input from the public.

Citizens in attendance were Clarence Anderson, Fox Lake Township, Robert Roesler, City of Sherburn, Dale Knuth, Lake Fremont Township, and Eric Anderson, City of Welcome. Those present inquired if there will be fees associated with EDA services; and what the differences will be between the previous County EDA and this newly formed committee.

The Board defined that the original Martin County Area Economic Development, Inc. (MCAEDI) was very specific in terms of setting up an organization, which included funding a county position with an office in the courthouse. At this time, it is being proposed that the newly established County EDA would not have a dedicated staff position. One of the reasons for establishing a County EDA is to become a financial resource in economic development for the county and which would allow access to various State revolving loans funds, which is not available to the county now without a county EDA. Other advantages of a county EDA includes responding more quickly to economic development opportunities; providing a unified voice for the county on economic development issues, marketing the county, facilitating city-township discussions in reference to economic development, supporting and coordinating infrastructure growth of cities and townships, and providing a one-stop source for county data.

Chairman Potter asked for further input. After seeing none, asked for motion to close the public portion of the hearing.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly to close the public portion of the meeting. Carried unanimously.

After discussion and consideration of the intent to establish a County Economic Development Authority (EDA),

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and adopt the enabling resolution Establishing an Economic Development Authority in and for Martin County.

RESOLUTION NO. R-#16/'07
ENABLING RESOLUTION ESTABLISHING AN
ECONOMIC DEVELOPMENT AUTHORITY
IN AND FOR MARTIN COUNTY

WHEREAS, Minnesota Statutes Section 469.1082 authorized Martin County to establish an economic development authority ("Authority"), pursuant to the provisions of Minnesota Statutes Section 469.090 to 469.1082, with specified powers and obligations to promote and provide incentives for economic development within the boundaries of Martin County ("County");

WHEREAS, On September 19, 2006, in accordance with MN Statute Chapter 469, the county created a committee to explore and recommend options for a county economic development service provider. The Exploratory Committee recommendation was to establish a county economic development authority excluding the powers of housing and redevelopment authority. The EDA shall only make recommendations to the County Board for projects for approval that require a tax levy and/or Bonding; and

WHEREAS, the Martin County Board of Commissioners has determined that it is in the best interest of the County to establish the Authority in order to preserve and create jobs, enhance its tax base, and to promote the general welfare of the people of the County; and

WHEREAS, it is further found and determined that the economic development of the county may be best accomplished by establishment of an EDA, and

WHEREAS, the County has provided public notice and conducted a public hearing on the proposed adoption of this enabling resolution on February 20, 2007 and has fulfilled all other legal requirements for the establishment of the Authority.

NOW, THEREFORE, BE IT RSOLVED, by the Martin County Board of Commissioners:

1. Pursuant to Minnesota Statutes Section 469.1082, an economic development authority, to be known as the “Martin County Economic Development Authority,” is hereby established in and for the County.
2. The Martin County Economic Development Authority shall have the power to advise and recommend for action to the Martin County Board of Commissioners, any action, decision or expenditure authorized by duties and obligations as set forth in Minnesota Statutes Sections 469.090 to 469.1082 and any other law hereby established in and for the County.
3. In addition to the limitation specified in paragraph 2 above, that pursuant to Minnesota Statutes Section 469.092, the Martin County Board of Commissioners hereby imposes the limitations upon action specified in Minnesota Statutes Section 469.092, subdivisions 1 through 8 upon the Authority.
4. The Authority shall be governed by a board of seven (7) commissioners, two (2) of which shall members of the Martin County Board of Commissioners. The remaining members shall be comprised of one (1) member each from the five (5) commissioner districts within the County. The commissioners shall be appointed by the Chair of the Martin County Board of Commissioners and confirmed by a majority of the members of the Martin County Board of Commissioners.
5. Those initially appointed shall be appointed for terms of one, two, and two members for three years, respectively. Thereafter all commissioners shall be appointed for three year terms. A vacancy is created in the membership

- of the commission when a County Commissioner member of Authority leaves his/her County Commissioner position.
6. LIMITS OF POWERS-The following limits shall apply to the Martin County Economic Development Authority and its operation:
 - a. The EDA shall follow the budget process established for County Departments as provided by the County and in accordance with County policies
 - b. The sale of General Obligation Bonds will not be done without prior approval of the Martin County Board of Commissioners.
 - c. The EDA shall not have a tax levy authority unless granted by the County Board of Commissioners.
 - d. Condemnation authority may only be used with the approval of the County Board of Commissioners
 - e. The EDA must submit to the County Commissioners a detailed annual report on or before April 1 of each calendar year outlining its activities, receipts and expenditures during the preceding calendar year, and shall include a description of current and proposed projects as well as general development goals for the County.
 - f. Area of operation of the County EDA shall include all incorporated areas which agree to participate and all unincorporated areas within Martin County. There shall be no urban service area limitations as provided in MS 469.1082 subd. 5
 - g. As provided in MN Statutes MN Statute Chapter. 469 it is the intention of Martin County Commissioners that nothing in this Resolution nor any activities of the EDA shall be construed to impair the obligations of the County under any of its contracts or to effect in any detrimental manner the rights and privileges of a holder of a bond or other obligations heretofore issued by the County. The County Commissioners shall not modify any limit in effect at the time of any bonds or obligations are issued or contract executed to the detriment of the holder of the bonds or obligations or any contracting party.
 7. The County Commissioners may from time to time and at the appropriate time adopt such ordinances and resolutions as are required and permitted by MN Statute Chapter 469 to give full effect to this resolution.
 8. Nothing shall prevent the Martin County Board of Commissioners from modifying this enabling resolution to impose limits on the powers of the Authority or for providing for other matters as authorized by Minnesota Statutes Sections 469.090 to 469.1082 or any other law.

Upon this Motion by Commissioner Pierce, the foregoing Resolution No. 16/'07 was duly seconded by Commissioner Boler that thereupon being put to a vote, all of the Martin County Board of Commissioners voted for its adoption.

Date: February 20, 2007

Chair, Martin County Board

Date: February 20, 2007

Attest: Martin County Coordinator

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

NAYS: None. Duly passed and adopted this 20th day of February, 2007.

The Board recessed at 10:30 a.m.

The Board reconvened at 10:40 a.m.

Deb Mosloski, Drainage Administration, stated there have been numerous questions recently regarding beaver dam removal in public waters that is not part of any county drainage system. Mosloski went on to state that the issue is whether the cost of removal of the beaver dam can be assessed against the ditch systems when such removal is not within one-half mile of a ditch system. Mosloski noted that currently there is a \$725 invoice from Beemer Companies of Fairmont for beaver dam removal in South Creek; an invoice from Closs Septic Systems in the amount of \$240 for beaver dam removal in Elm Creek; and there will be an additional invoice from Thate's for work performed with Closs Septic Systems for beaver dam removal in Elm Creek. Mosloski went on to state that none of the beaver dams qualify payment from the Ditch Fund. After much discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize payment for beaver dam removal in South Creek to Beemer Companies of Fairmont, MN in the amount of \$725 to be expended from the Ditch Administration General Fund; and to deny payment in the amount of \$240 to Closs Septic Systems for beaver dam removal in a township; and to draft county policy pertaining to beaver dam removal in county drainage systems and beaver dam removal within one-half mile of county drainage systems. Carried unanimously.

Commissioner Donnelly recommended the appointment of Vance Scott and Chuck Omvig to serve on the county's Computer Aided Mass Appraisal (CAMA) Citizen Advisory Committee. Donnelly stated these two individuals are present at the meetings and have taken a lead roll.

Motion by Commissioner Donnelly, Seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve and appoint Vance Scott and Chuck Omvig (both of Fairmont) as additional members to the Computer Aided Mass Appraisal (CAMA) Committee; and are eligible for per diems in the amount of \$30 plus mileage. Carried unanimously.

Commissioner Pierce stated our previous insurance provider included the benefit of a 24 hour nurse line for members to call before or in lieu of an office call to the doctor or emergency room. BlueCross BlueShield also offers this benefit at a cost of \$0.35 per single contract per month and \$1.05 per family contract; and due to an administrative

error within the South Central Service Coop, our current plan does not include this service.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize addition of FirstHelp, 24-hour nurse-advise line through BlueCross BlueShield of Minnesota for 2007 at a cost to the County of \$73.15 per month or \$731.50 for March through December, 2007. Carried unanimously.

The Board directed the County Coordinator to check to make sure whether this was included with the County's health insurance plan.

Rex Oberhelman of rural Ceylon presented information suggesting that Martin and Faribault counties build and operate an ethanol plant that would produce 55 million gallons of cellulosic ethanol per year. It would process locally grown switchgrass and convert it into ethanol for consumer consumption.

James Forshee, Martin County Auditor/Treasurer, stated he has an \$18,800 bill for a squad car that was actually received last month; however the bill did not reach the Auditor/Treasurer's Office in time for February's bill run and recommends including the bill in an additional bill run the end of this week. Forshee continued there is a beaver dam removal bill received from Closs Septic System in the amount of \$240 that will be deducted from this February's bill run. Higgins stated the bill from Van Oel Evans & Company for faux marbling was paid out of the bill cycle and recommends the Board's ratification for that bill in the amount of \$2,510.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims for the month of February, 2007 as presented; and includes Martin County Highway Department claims as presented; and to include payments outside of the regular bill cycle in the amount of \$18,800 for squad car lease; faux marbling in the amount of \$2,510.; and take out Closs Septic System Invoice for Beaver Dam Removal in the amount of \$240. Carried unanimously.

Warrants received and paid February 20, 2007 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue fund – Warrants Approved 02-20-07	Totaled	\$136,847.71
Park & Recreation Fund		\$ 2,569.77
Enhanced 9-1-1 Fund		\$ 178.28
Recreation and Safety Fund		\$ 5,758.32
Solid Waste Management Fund		\$ 39,098.24
Law Library Fund		\$ 3,130.08
Martin County Transit Fund		\$ 38,490.41
Building - CIP - Fund		\$ 11,858.12
Bank Building Fund		\$ 2,501.67

Forfeited Tax Fund	\$ <u>350.00</u>
Grand Total	\$240,782.60

Martin County Ditch Fund – Warrants Totaled	\$118,913.87
Road and Bridge Fund – Warrants Totaled	\$127,932.70

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 Donnelly, to adjourn the meeting. Carried unanimously. Meeting adjourned at 11:45 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator