

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 17, 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 Boler, Pierce, Donnelly, and Schmidtke. 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, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: Consider Purchase of Sesquicentennial/Centennial Marker. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the March 30, 2007 and April 3, 2007 regular Board of Commissioners meetings as presented. Carried unanimously.

At this time, Chairman Potter read aloud a resolution Proclaiming 2007 as the Year of the Martin County Sesquicentennial Celebration coinciding with the City of Fairmont Sesquicentennial and the Martin County Courthouse Centennial. Members of the Centennial-Enid Bloedel, Joyce Shultz (also Sesquicentennial), Julie Walters, Scott Higgins, and Sesquicentennial members-Ida Lou Plenge, Phil Hanson, Mike O'Rourke, Angie Scheff were present.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly,

R-#26/'06

RESOLUTION PROCLAIMING 2007 AS THE YEAR OF THE MARTIN COUNTY
SESQUICENTENNIAL CELEBRATION COINCIDING WITH THE CITY OF
FAIRMONT SESQUICENTENNIAL AND THE MARTIN COUNTY COURTHOUSE
CENTENNIAL

WHEREAS, Martin County was named after Henry Martin, an influential individual from Connecticut who had purchased some 2,000 acres of land in Minnesota which included land in Martin County and built a house on a lake which was to become Martin Lake;

WHEREAS, Martin County was established by the Territorial Legislature on May 23, 1857, a year before Minnesota was a State; and

WHEREAS, In addition, it is the Centennial Year for the Martin County Courthouse which was completed November 1, 1907; and

WHEREAS, The Martin County Board of Commissioners supports and will participate in many of the planned events;

WHEREAS, We, as citizens of Martin County, are grateful to the early pioneers and settlers for their important role in the founding of our county and we continue to take pride in our county's natural and historic treasures; and

WHEREAS, This year Martin County is honoring the 150th anniversary of being formed as a county by the Minnesota Territorial government and recognizes the hard work and dedication of those who have preceded us in history so that we may preserve their legacy.

NOW THEREFORE BE IT RESOLVED, That the Board of Martin County Commissioners, of the great state of Minnesota, does hereby proclaim the year 2007 as "The Martin County Sesquicentennial and Martin County Courthouse Centennial Year" and encourages all Martin County Citizens to recognize the many important contributions made by the people and places in Martin County and to the rich history it has contributed to the State of Minnesota.

BE IT FURTHER RESOLVED, That the Martin County Board of Commissioners hereby encourages our citizens to observe this important year with appropriate ceremonies and activities.

The foregoing Proclamation was approved this 17th day of April 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

NAYS: None. Duly passed and adopted this 17th day of April, 2007.

Sesquicentennial Committee members Mike O'Rourke, Phil Hanson, and Angie Scheff, presented information on the upcoming Sesquicentennial Triathlon to be held Sunday, June 17, 2007 beginning at 9:00 a.m. at Gomsrud Park in Fairmont, MN. O'Rourke stated that while this year's Triathlon is part of the Sesquicentennial celebration, it is with

the intention for this to be an annual event. O'Rourke continued that the Sesquicentennial Committee is requesting Board support of this year's Triathlon and also for Martin County Highway Department and Martin County Sheriff's Office support for specific items including: traffic control, traffic control vests, traffic cones, barricades, traffic tape, slow/stop signs, and snow fencing. O'Rourke went on to state the committee is also seeking approval to apply paint to roads and course corners so the triathletes know where to go. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby support the Sesquicentennial Triathlon to be held Sunday, June 17th, 2007 beginning at 9:00 a.m. at Gomsrud Park in Fairmont, MN; and to authorize use of Martin County Highway Department and Martin County Sheriff's Office equipment and services. Carried unanimously.

Terry Viesselman, Martin County Attorney, reviewed a letter he received from the Minnesota Department of Labor and Industry requesting specific information to verify Martin County is in compliance with Worker's Compensation laws. Presented the request letter to the Auditor/Treasurer.

Viesselman concluded that while he has received the proposed Electronic Transaction Processing Agreement between Official Payments Corporation and Martin County, allowing for the use of debit or credit cards for on-line payment transactions for real estate taxes, he has not had the opportunity to review the contract.

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 Credit and Debit Card Transaction Processing Agreement between Official Payments Corporation and Martin County, for on-line real estate tax payment transactions; initial term is for two year term and automatically renew for successive one year periods, unless either party provides written notification to the other party no later than 90 days prior to the end of the current term; a convenience fee of 2.75% for each credit card payment made for tax payment to the Agency, there is a minimum of a \$1.00 convenience fee; contingent upon final review and approval by Martin County Attorney. Carried unanimously.

Commissioner Pierce stated he would like to nominate Christopher Pierce to represent Commissioner District #2 on the newly formed EDA Commission. Pierce is a commercial lender with First Farmers & Merchants Bank of Fairmont and has expressed an interest in serving on the commission.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and appoint Christopher Pierce of Fairmont, MN to fill the Commissioner District #2 position on the Martin County Economic Development Authority (MCEDA) with two year term expiring December 31, 2009. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, stated at the March 20, 2007 regular Board of Commissioners meeting, the 2007 camping fees were approved at \$15 per night for electrical camping sites and \$5 for primitive sites. Peyman continued that it was the recommendation of the Parks Commission that the 2007 camping fees apply to all county parks, not just Cedar-Hanson Park. Peyman went on to state that park stickers are available from the park caretaker, Cenex in Trimont, or the Martin County Auditor/Treasurer's Office.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, upon review and recommendation of the Martin County Parks Commission, hereby approves the countywide primitive park site (without water or electrical hook-ups) fee of \$5 per unit per night, in addition to the seasonal \$20 sticker fee. Carried unanimously.

Peyman concluded with a brief update regarding the Martin County Highway Department's decision to pull plows off the county's gravel roads during the snow on Wednesday, April 11, 2007.

Scott Higgins, Martin County Coordinator, presented a proposal to amend the Drug and Alcohol policy for the Martin County Express public transit system, stating that effective in 2007, the minimum random pool drug testing rate has been reduced for safety sensitive drivers of transit programs. Higgins noted the Federal Transit Administration (FTA) and the Federal Motor Carrier Safety Administration (FMCSA) concluded their annual evaluation of required minimum testing rates and 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% for 2007. Higgins stated the FTA alcohol random test rate remains at 10%. Higgins concluded the amendment deletes the 50% and changing that to read "The number of employees randomly selected for drug/alcohol testing during the calendar year shall not be less than the percentage rates established by Federal Regulations for those safety sensitive employees subject to random testing will be tested no less than the Federal minimum rate in 49 CFR, Part 655.45 (b), effective for the year 2007."

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, having a Drug and Alcohol Testing Policy for the County's public transit system and to comply with the FTA requirements in testing programs, hereby approve to amend the Martin County Drug and Alcohol Testing Policy adopted June 18, 2002 to delete the following provision in Section 13, part B as follows, "The current testing rate for drugs established by the FTA equals fifty percent of the number of covered employees in the pool and the random testing rate for alcohol established by FTA equals ten percent of the number of covered employees in the pool." And to amend Section 13, part B as follows, "The number of employees randomly selected for drug/alcohol testing during the calendar year shall not be less than the percentage rates established by Federal Regulations for those safety sensitive employees subject to random testing will be tested no less than the Federal Minimum rate in 49 CFR, Part 655.45 (b), effective for the year 2007." Carried unanimously.

Higgins stated the Rural Minnesota Energy Board (RMEB) is requesting county support of the 25 by 25 Initiative, whereby agriculture will provide 25% of the total energy consumed in the United States by the year 2025, while continuing to produce abundant, safe, and affordable food and fiber. In addition, the RMEB requests Martin County endorse the goal of producing 25% of America's energy from renewable resources by the year 2025 and commits to work collaboratively with renewable energy.

Commissioner Pierce stated he is uncomfortable supporting the 25 by 25 Initiative as he has talked about the issue with officials at Federated Rural Electric and Southern Minnesota Municipal Power Association and was told there are bigger issues looming, such as an initiative to prevent the building of more coal plants and restrictions on transmission lines. Pierce continued that this could result in power failures and increased rates, and could expect our electricity rates to triple. Pierce concluded that he is not aware of what the 25 by 25 Initiative entails in total and believes it needs to be examined more closely before giving his full support.

Commissioner Boler pointed out that the initiative of the 25 by 25 is a "goal," and with Martin County adding two ethanol plants and having one of the biggest wind farms in the area, it would be our responsibility to support the resolution.

Motion by Commissioner Donnelly, seconded by Commissioner Pierce,

R-#28/'07

IN THE MATTER OF SUPPORT FOR THE
"25 BY 25" INITIATIVE

WHEREAS, the County of Martin, MN supports the "25 by 25" initiative and, in connection therewith, promoting the increased production of renewable energy by the agricultural community; and

WHEREAS, having an affordable, reliable, and plentiful energy supply is critical to our economy, as well as our national and international food supply; and

WHEREAS, current and future risks to U.S. energy security are mounting while domestic and global energy demands are growing exponentially; and

WHEREAS, the County of Martin, MN has tremendous renewable energy resources; and

WHEREAS, the development of a broad spectrum of renewable energy sources, including wind power, biodiesel, biomass, methane digesters, ethanol, and solar, benefits the environment and will have a direct economic benefit to agricultural landowners and rural communities; and

WHEREAS, rural communities and agriculture sectors will experience multiple benefits, including establishing additional markets for agricultural commodities; increasing farm income; creating added-value uses for crops, livestock, and their byproducts; more

productive use of marginal lands; the resolution of air, water, and soil quality problems that may arise from agricultural operations; improving wildlife habitat; and creating many new job opportunities; and

WHEREAS, solar and wind energy can be captured on the vast land areas managed by U.S. agriculture, and technology and production capabilities allow America's farmers and ranchers to play a major role in ensuring a fully sustainable U.S. energy system; and

WHEREAS, American agriculture is well positioned to play an expanded role in the development and implementation of new energy solutions and with appropriate technological innovation incentives, and investments, America's farms and ranches can become the factories that produce a new generation of fuels to help meet the nation's energy needs; and

WHEREAS, "25 by 25" is an agriculturally led initiative that envisions America producing 25% of its energy from agriculture by the year 2025 while continuing to produce abundant, safe, and affordable food and fiber; and

WHEREAS, agriculture's role as an energy producer will have a positive effect on national security and trade imbalances, and will serve as a catalyst for rural development in Cascade County;

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, support the vision of "25 by 25" whereby agriculture will provide 25 % of the total energy consumed in the United States by the year 2025, while continuing to produce abundant, safe, and affordable food and fiber.

Motion by Commissioner Donnelly, seconded by Commissioner Pierce, was duly passed and adopted this 17th day of April, 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Boler, and Potter. NAYS: Commissioners Pierce, and Donnelly. Duly passed and adopted this 17th day of April, 2007.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the 25 by 25 Partner Endorsement supporting the goal of producing 25% of America's energy from renewable resources by the year 2025. Carried unanimously.

Don Reffer, B&W Control Specialists of Algona, IA presented an update of maximum costs for continued tree and brush maintenance of various county drainage ditch systems in 2007. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, as the Drainage Authority for Martin County, hereby approve the B&W Control Specialists, Inc. quote for tree and brush control along the listed open drainage ditches in Martin County for 2007; the quotes being a total maximum as follows:

<u>Ditch No.</u>	<u>Cost</u>
JD #48	\$ 1,000.00
CD #1	\$ 3,000.00
JD #50	\$ 3,500.00
JD #59	\$ 1,500.00
CD #47	\$ 250.00
JD #98	\$ 3,500.00
JD #9	\$ 1,500.00
JD #85	\$ 3,500.00
JD #82	\$ 4,500.00
JD #3	\$ 3,500.00
JD #8	\$ 2,500.00
JD #1	\$ 2,000.00
JD #28	\$ 7,500.00 (Includes 4 add-on ditches that have had no previous treatment)
TOTAL MAXIMUM COST	\$37,750.00

Carried unanimously.

Deb Mosloski, Drainage Specialist, Kevin Bittner, Engineer-Bolton & Menk, John Sherman, Mayor-City of Truman, and Monte Rohman, Clerk-City of Truman, were present to request a public hearing date be set for the improvement of JD #47. Rohman stated he would like the meeting set in the Truman area but after planting season so all farmers can attend. Rohman stated that the public hearing be set in June rather than May.

Bittner presented a brief overview of the proposed improvement project stating that JD #47 is basically a 5,000 acre watershed and the ditch is essentially a tile line with about 24" tile. What the petitioners have petitioned for is an improvement to construct an open ditch from the current outlet of JD #47 which is up a mile east of the City of Truman and a mile east of Hwy 15, an open ditch proceeding from that outlet going west underneath Trunk Highway 15 and then terminating about 400 feet west of Hwy 15 kind of in the John Deere Dealership area, and that ditch could provide improvements for drainage both

for agricultural and municipal interests. Bittner noted the total preliminary estimated cost of the project is \$862,000.

Additional discussion ensued regarding City of Truman's storm sewer problems and the proposed project.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby table setting a public hearing date for the preliminary engineers report on JD #47 until the May 15, 2007 regular Board of Commissioners meeting. Carried unanimously.

Greg Gellert, Blizzard Snowmobile Club, was present to give an update and also to request Board approval for the grant application to the Minnesota Department of Natural Resources (DNR) – Minnesota Snowmobile Trails Assistance Program. Gellert stated this is a performance based, preliminary application and once the DNR has reviewed and awarded a grant dollar amount, it will be brought before the Board for acceptance and final approval.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly,

R-#27/'07

RESOLUTION

Application from the Blizzard Snowmobile Club for Maintenance Funding for the Existing GIA Trail System:

WHEREAS, Martin County, Minnesota desires to apply for maintenance funding for an existing GIA Trail System and,

WHEREAS, by Law of 1975, Chapter 204, Sections 51 and 95, there was appropriated to the Commissioner of Natural Resources, as a grants-in-aid to Local units of government, funds for said purposes, and

WHEREAS, said Martin County will contract with the Blizzard Snowmobile Club, Inc. to apply for this funding to maintain said GIA Trail System.

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approve of the application for maintenance funding for the existing GIA Trail, and that the Chairperson and/or the County Auditor/Treasurer be authorized to sign all documents relating to the program year.

Motion was made by Commissioner Pierce, seconded by Commissioner Donnelly, and carried this 17th day of April, 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Boler, Schmidtke, Donnelly, Pierce, and Potter.
NAYS: None. Duly passed and adopted this 17th day of April, 2007.

Motion by Commissioner Donnelly, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims for the month of April, 2007 as presented; including Martin County Highway Department claims as presented. Carried unanimously.

Warrants received and paid April 17, 2007 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved 04-17-07	Totaled	\$191,499.30
Enhanced 9-1-1 Fund		\$ 20,818.46
Solid Waste Management Fund		\$ 15,739.03
Law Library Fund		\$ 1,055.25
Martin County Transit Fund		\$ 38,291.01
Ind. Sewage Treatment Sys. Loan FD (ISTS)		\$ 10,146.00
Building CIP Fund		\$ 6,073.88
Bank Building Fund		\$ 3,776.14
	Grand Total	\$287,399.07
Martin County Ditch Fund – Warrants Totaled		\$ 43,219.83
Road and Bridge Fund – Warrants Totaled		\$213,247.81

Higgins stated the Rural Minnesota Energy Board is requesting the Martin County Board of Commissioners support expansion of Section 9006 of the 2002 Farm Bill, the Renewable Energy and Energy Efficiency program, with an authorized appropriation of at least \$250 million per year by 2012.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Chair to send a letter of support to Congressional Delegates to support expansion of Section 9006 of the 2002 Farm Bill – the Renewable Energy and Energy Efficiency program. Carried unanimously.

The Board recessed at 10:23 a.m.
The Board reconvened at 10:33 a.m.

Higgins stated that with the upcoming Sesquicentennial/Centennial, the Building Committee has discussed the purchase of a monument to mark this historic celebration. Higgins noted two (2) quotes have been received on the following specifications for the Board to consider: 48" x 8" x 48" (die) and 60" x 14" x 8" (base). The County will pour the concrete base and Monument Company will set the stone. (1) Fosness Monuments range from \$4,799 - \$5,506 (4 designs) and includes time capsule (9x13x10). (2) Fairmont Monuments range from \$6,764.80 - \$16,320 (2 main designs) and includes time capsule. Higgins noted an additional option is a 48" x 14" x 4" bench at a cost of \$634 per bench, plus \$2.00 per letter, with one representing the Sesquicentennial and one representing the Centennial. Higgins continued that depending on the Board's action and the cost, the City of Fairmont had indicated that they may be willing to share the cost of the monument. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve moving forward with the purchase of two (2) Sesquicentennial/Centennial commemorative granite monument benches from Fosness Monument Company of Fairmont, MN at the base purchase price of \$634 each, plus \$2,00 per letter. Carried unanimously.

Higgins presented three different mock up designs for the clock tower photo display from Carlson Photography of Fairmont. The photo display will be 40" x 60" with individual 8 x 10's mounted around the main tower display or cut out in the shape of the dome with individual 8 x 10's surrounding the cut out.

It was decided by consensus of the Board to proceed with the cut-out version of Courthouse Clock Tower photo display by Carlson Photography of Fairmont, MN.

Higgins stated there has been an issue over the parking stall by the sally port next to the Security Building. When this parking stall is used, vehicles tend to park over the sidewalk and public is unable to use the sidewalk. Higgins went on to state it has been suggested to either allow no parking in this area or reserve the use of this parking stall for the Maintenance truck only. After discussion,

It was decided by consensus of the Board to reserve the parking space between the courthouse and security building, next to the sally port, for the Maintenance Department truck only, effective immediately.

Higgins stated The Martin County Historical Society, in partnership with The Donning Company Publishers, is pleased to offer a new volume in the history of Minnesota: Chain of Lakes County: An Illustrated History of Martin County. Higgins noted the books cost \$29.95 each until July 1, 2007 at which time the book price is increased to \$34.95 each; however, an order of 10 or more books will receive a 5% discount until July 1, 2007. Higgins recommends the County purchase at least one commemorative book.

It was decided by consensus of the Board, to approve and authorize the purchase of one (1) commemorative book entitled Chain of Lakes County: An Illustrated History of Martin County, celebrating Martin County and Fairmont Minnesota's Sesquicentennial.

At this time, the Board welcomed and presented county government information to the 2007 Boy and Girl County participants.

Doug Landsteiner, Veterans Service Officer, was present to request Board approval for out-of-state travel to: (1) The National Convention in Milwaukee, WI beginning June 2 – 9, 2007 to attend the convention and accreditation training offered during the convention. Estimated cost to attend is \$1,200 - \$1,400; and (2) meet the Minnesota Veterans returning from Iraq at Fort McCoy, WI beginning July or August, 2007 assisting the Minnesota Department of Veterans Affairs and the Minnesota Association of County Veteran Service Officers in providing reintegration counseling on benefits to the returning soldiers. Estimated cost is \$0 (all expenses reimbursable through State of Minnesota grant).

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the out-of-state travel request for Doug Landsteiner, County Veterans Service Officer, to attend the National Convention in Milwaukee, WI beginning June 2 – 9, 2007 at an estimated cost of \$1,200 - \$1,400; and to Meet the Minnesota Veterans returning from Iraq at Fort McCoy, WI to be held in July or August, 2007; and any reimbursement for travel expenses will be reimbursed per the County Policy. Carried unanimously.

Landsteiner stated in addition, he is requesting the use of Veterans Office vehicles and/or Martin County Express to transport veterans to the World War II Memorial dedication to be held on Saturday, June 9th, 2007 in St. Paul, MN.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the use of Martin County Veterans Service Office vehicles as well as Martin County Express for transporting veterans to attend the World War II Memorial dedication to be held on Saturday, June 9th, 2007 in St. Paul, MN. Carried unanimously.

Higgins reviewed the CY2006 Year End Transit Budget Report.

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 11:47 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chairman

ATTEST: _____
Scott Higgins, County Coordinator