

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 15, 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 Schmidtke, Boler, Pierce, and Donnelly. Also present were Scott Higgins, Martin County Coordinator, Terry Viesselman, Martin County Attorney, Jennifer Brookens, Sentinel Newspaper, Kevin Peyman, Martin County Engineer, Rod Halvorsen, KSUM/KFMC, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following: Business items deleted were 8.2, Consider Award of Contract C.P. 07:01 Supplying Bituminous Material for Seal Coating – Highway Department. 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 May 1, 2007 regular Board of Commissioners meeting as presented. Carried unanimously.

Terry Viesselman, Martin County Attorney, was present and stated an invoice has been submitted for payment to the Auditor/Treasurer's Office for fees incurred in the amount of \$2,900 for special order transcript preparation of a recent grand jury case. Viesselman noted these costs are not covered by the State and the Judge in this case has ordered the county to pay.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize payment of special order transcript preparation fees in the amount of \$2,900. Carried unanimously.

Viesselman continued that the K-Mart property tax appeal trial is scheduled for July, 2007; and briefly discussed variance application issues pertaining to the Red Rock Rural Water System.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the CY2008 Budget Allocation Request received from Minnesota Senior Federation –South Central Region in the amount of \$1,300. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented a written draft of the proposed Martin County Mailbox Support Policy for New Construction Projects. Peyman

stated the proposed policy includes Minnesota Statutes that declare certain mailbox supports to be a public hazard and authorizes local road authorities to remove those mailbox supports and replace them at the resident/owners expense; along with Minnesota Rules relating to standards for mailbox supports and installations. Peyman continued the proposed policy states that on any new construction project that is considered to be a re-grading project with a speed limit of over 40 miles per hour, Martin County will provide and install Mn/DOT approved mailbox supports for all of the mailbox locations along the construction project at no cost to the owner/renter. Peyman went on to note that the proposed policy states that for any owner/renter who chooses not to utilize the county provided support along one of these projects, the county will strictly enforce Minnesota Rule. Peyman concluded with his recommendation to adopt the Martin County Mailbox Support Policy for New Construction Projects, retroactive to include the recent County Road 37 reconstruction project.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Martin County Highway Engineer, hereby approve and adopt the Martin County Mailbox Support Policy for New Construction Projects effective May, 2007 retroactive to include the recent County Road 37 reconstruction project. Carried unanimously.

Peyman stated the Bid Letting for C.P. 07:04 Highway Pavement Marking was held on Friday, May 11th, 2007 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN. Two bids were received:

Martin County Project C.P. 07:04
HIGHWAY PAVEMENT MARKING

Bid Results:

Traffic Marking Services, Inc. 621 Division St. East Maple Lake, MN 55358	\$73,514.00
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AAA Striping Service Co. P.O. Box 339 Rogers, MN 55374	\$73,740.00
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Peyman recommends approval to award low bid contract for C.P. 07:04 Highway Pavement Marking to Traffic Marking Services, Inc. of Maple Lake, MN.

Motion by Commissioner Boler, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids; and upon receiving bids for C.P. 07:04; and upon the recommendation of the Martin County Highway Engineer, hereby approve and award the low bid for the Highway Pavement Marking project to Traffic Marking Services, Inc. of Maple Lake, MN in the

amount of \$73,514; and to authorize the Chair and appropriate County staff to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman continued that the Bid Letting for the CSAH 39 Construction was held on Friday, May 11th, 2007 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN. Peyman reviewed the project that will consist of expanding the current portion of road just north of the railroad tracks to where the current four lane ends and tapers into a two lane, into a super highway consisting of four lanes and a center turn lane. Peyman went on to note that the plan is to keep the road open to two lane traffic and to get started on the project soon allowing for an approximate two week break during fair time. Peyman stated that engineers at Bolton and Menk have estimated the cost of the improvements at \$1.3 million. Peyman continued that three estimates were received with Southern Minnesota Construction Company submitting the lowest bid of \$1,162,145.76 and is within the budget established for this project. Peyman recommends awarding the contract to Southern Minnesota Construction. After discussion,

Bidder	Bid Amount
Southern Minn. Construction Co., Mankato, MN	\$1,162,145.76
Duininck Brothers, Prinsburg, MN	\$1,277,911.10
Mathiowetz Constructions, Sleepy Eye, MN	\$1,377.915,35

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids; and upon receiving bids for CSAH 39 Construction; and upon the recommendation of the Martin County Highway Engineer, hereby approve and award the low bid for the CSAH 39 Construction project to Southern Minnesota Construction Company of Mankato, MN in the amount of \$1,162,145.76; and to authorize the Chair and appropriate County staff to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman briefly discussed the transportation bill voted on Monday to raise the state gas tax by a nickel; and addressed “soft spots” due to the recent rains on County Road 37.

Higgins introduced Chad Lutterman of Chad Lutterman Construction, Inc. of Fairmont, MN. Higgins stated Lutterman is looking to purchase two lots located at the corner of 3rd Street and North Main (lots formerly occupied by Peerless Cleaners and Laundry) in Fairmont, with assessments totaling \$45,000. Lutterman is proposing to construct a professional office building at this site and is requesting the Board waive the \$45,000 assessment fee. Higgins went on to note that Lutterman will be responsible for any other fees deemed necessary in purchasing this property including, but not limited to, purchase price of property at \$100 per each lot, state assurance account, state deed issuance, recording of state deed, and state deed tax fees. Higgins continued that the City of Fairmont did take action on Monday, May 14th, 2007 in the council meeting to approve Lutterman’s building request, contingent upon building completion by December 31, 2007. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, that Martin County has shared assessments totaling \$45,000 resulting from demolition costs for the former Peerless Cleaners building with the City of Fairmont; and in conjunction with the action taken by the Fairmont City Council on May 14, 2007; hereby approve that the County will not reassess the delinquent assessments against parcel #23.040.0688 and 23.040.0690; and that the buyer is responsible for the purchase price and the “Extra Fees and Cost” per M.S. Section 284.28, Subd. 8; and contingent upon a new office buildings constructed on the property by December 31, 2007. Carried unanimously.

At this time Higgins briefly reviewed a list of potential speakers for the Martin County Courthouse Rededication Ceremony that will take place on June 10, 2007 beginning at 1:30 p.m.

Deb Mosloski, Drainage Specialist, was present to recommend the date and time to hold a public hearing for proposed drainage system improvements to Judicial Ditch #47.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for the County of Martin, hereby approves setting a public hearing date of Tuesday, June 12, 2007 at 7:30 p.m. to be held at the Truman Community Building in Truman, MN for the preliminary engineer’s report allowing for proposed drainage system improvements along Judicial Ditch #47. Carried unanimously.

Mark Bauman, Prairieland Compost Director, presented the April, 2007 warrant list for Prairieland Compost Facility, and stated the next Prairieland Board Meeting is scheduled to be held on June 15th, 2007 beginning at 8:30 a.m.

Prairieland Solid Waste Mgmt.
Bill Summary
As of April 30, 2007

Acrotech, Inc.	\$ 840.00
Ad Pros, The	\$ 42.00
Airgas Safety, Inc.	\$ 361.19
American Pest Control	\$ 394.00
Bearings & Drives, Inc.	\$ 256.77
BEVCOMM	\$ 15.00
BoeKett Building Supply, Inc.	\$ 36.43
Building Fasteners	\$ 46.31
C & H Distributors, LLC	\$ 415.64
CNH Capital	\$ 131.36
Cole Papers, Inc.	\$ 4.26
Fleet & Farm Supply, Inc.	\$ 31.90
Frontier Communications	\$ 414.09
G & D Electric, Inc.	\$ 10.60

Gopher Alarms, LLC	\$ 51.12
Grainger	\$ 1,047.28
Grunig, Kathy	\$ 12.95
Hawkins, Inc.	\$ 7,533.76
Hinrichsen, Dan	\$ 2,397.35
HSBC Business Solutions	\$ 90.54
Kinship	\$ 65.00
Lindquist & Vennum P.L.L.P.	\$ 993.75
LJP Engerprises Trucking, LLC	\$ 1,650.00
Maintenance Engineering, LTD	\$ 1,602.80
Mankato/Fairmont Fire & Safety	\$ 170.00
Marshall & Swift, Inc.	\$ 581.06
Midwest IT Systems, Inc.	\$ 195.00
Minnesota Elevator, Inc.	\$ 143.18
MVTL Laboratories, Inc.	\$ 851.20
Rabbe, Billeye	\$ 4,434.07
Resource Recovery Technologies, LLC	\$ 6,129.27
Reynolds Welding Supply	\$ 5.75
River Bend Business Products	\$ 541.75
Rode Manufacturing Corporation	\$ 438.72
Sam's Club	\$ 105.00
Steve's Parts Supply, Inc.	\$ 209.38
Truman Public Utilities	\$18,353.42
Uhl Company, Inc.	\$ 296.88
Watonwan Farm Service Company-V	\$ 779.70
Watson's Plumbing, Heating & A/C	\$ 4.25
WM of Southern Minnesota MA	<u>\$34,005.85</u>
TOTAL	\$85,688.58
4/16 Pooley's Scrap Iron & Metal	\$ 147.23
4/20 MN Energy Resources	\$ 4,622.00
4/30 Midwest Wireless	\$ 56.72
5/04 Motor Vehicle Division	\$ 25.50
5/11 Reynolds Welding	\$ 191.93
5/11 Wiederhoeft Welding & Machine	<u>\$ 2,671.20</u>
GRAND TOTAL	\$93,403.16
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Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the April, 2007 bills for Prairieland Compost Facility as presented by Mark Bauman, Prairieland Compost Director. Carried unanimously.

Bauman briefly reviewed an article referencing the ruling by the U.S. Supreme Court which restores the ability of governmental units to direct the flow of garbage to a publicly owned disposal facility. Bauman noted that for the Prairieland Board, this means that we

will have more options to control the incoming garbage as well as the disposal of the residual materials.

At this time, Higgins and the Board continued with an extensive review of the draft Martin County Courthouse Centennial Rededication Program.

It was decided by consensus of the Board to strike the presentation of citizen's plaque from the Rededication Program.

Higgins stated a County Employee photo will be taken by Silker Photography of Fairmont on the Courthouse lawn on Monday, May 21st, 2007 at 3:00 p.m. with a rain date of Tuesday, May 22nd, 2007. Higgins recommended closing all Courthouse offices for one half hour beginning at 3:00 p.m. to ensure that all county employees are present. Higgins noted the photo is to include all county and state employees, Human Services, Prairieland, Highway, and Library.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the closing of all County, Highway Department, and Library from 3:00 p.m. to 3:30 p.m. on Monday, May 21st, 2007 for employee group picture on the front lawn of the Courthouse. Carried unanimously.

The Board recessed at 10:34 a.m.
The Board reconvened at 10:43 a.m.

Higgins and the Board continued with a review of the proposed draft of the Martin County Courthouse Centennial Rededication Program. After much discussion,

It was decided by consensus of the Board to keep at least one person on each floor of the courthouse for security purposes on Sunday, June 10th, 2007 during the Courthouse Rededication Ceremony.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims for the month of May, 2007 as presented; including Martin County Highway Department claims as presented; and to withhold final payment to Feder Mechanical and Randy Nelson until work is completed. Carried unanimously.

Warrants received and paid May 15, 2007 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved 05-15-07	Totaled	\$105,745.39
Enhanced 9-1-1 Fund		\$ 5.01
Recreation and Safety Fund		\$ 13.82
Solid Waste Management Fund		\$ 27,938.01
Law Library Fund		\$ 571.95

Martin County Transit Fund	\$ 39,774.32
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 14,025.87
Building-CIP-Fund	\$ 16,637.44
Bank Building Fund	\$ 2,643.53
Debt Service-Prairieland Fund	<u>\$321,568.75</u>
Grand Total	\$528,924.09

Martin County Ditch Fund – Warrants Totaled	\$ 33,156.08
Road and Bridge Fund – Warrants Totaled	\$ 12,631.41

Commissioner Pierce opened discussion regarding retainer of attorneys in county drainage matters.

Higgins reviewed information received from South Central Service Cooperative’s meeting summary of May 2, 2007; Minnesota Service Cooperative Contacts; 2007 Spring SCORE Funds Distribution; Minnesota Rural Health Conference to be held June 18 & 19th, 2007 in Duluth, MN; and the CY2008 Preliminary Department Budget Request Forms.

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 Boler, seconded by Commissioner Donnelly, to adjourn the meeting. Carried unanimously. Meeting adjourned at 11:22 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator