

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 7, 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, Julie Walters, Administrative Assistant, Jennifer Brookens, Sentinel Newspaper, and members of staff and public.

Motion by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: Consider Recommendation from The County EDA for grant application to the Department of Employment and Economic Development (DEED). Carried unanimously.

Lori Pomerence, 4-H Program Coordinator, was present and introduced 4-H Ambassadors Blake Potthoff and Mary Faber. Potthoff thanked the Commissioners for their support of the Martin County 4-H Program during the past year and in an effort to show their appreciation, Potthoff extended an invitation to the Commissioners to join them for a thank you breakfast to be held at 9:30 a.m. on Saturday, August 18th, at the 4-H Food Stand.

Kevin Peyman, Martin County Highway Engineer, presented his recommendation for step increases according to union contract for two (2) Maintenance Worker II positions and one (1) Shop Mechanic.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Highway Engineer, hereby approve and authorize step increase for: Paul Betts, Maintenance Worker II, from Grade 11 Step 10 at \$18.74/hour to Grade 11 Step 11 at \$19.16/hour, effective August 1, 2007; and for Jeff Hall, Maintenance Worker II, from Grade 11 Step 6 at \$17.03/hour to Grade 11 Step 7 at \$17.45/hour, effective August 1, 2007; and for Randy Martin, Shop Mechanic, from Grade 13 Step 3 at \$18.50/hour to Grade 13 Step 4 at \$19.00/hour, effective August 30, 2007. Carried unanimously.

Peyman reported on final contract for C.P. 07:07 Maintenance Gravel Production out of Rose Lake Pit. Peyman stated final examination has been made, contract has been completed, and the entire amount of work has been performed. Peyman recommends approval of the final contract for B. McNamara, Inc. of Litchfield, MN in the amount of \$109,200.00.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Highway Engineer, hereby approve the final contract payment for C.P. 07:07 Maintenance Gravel Production (Rose Lake Pit) with B. McNamara, Inc. of Litchfield, MN in the amount of \$109,200.00. Carried unanimously.

Peyman continued with an update on CSAH 37 noting actual road work is complete and the fog line, edge line stripe will be done within a week or two; CSAH 39 will be completed by the end of the week and will be open for the Martin County Fair; and concluded with information regarding the 173 bridges in Martin County, the county's bridge inspection schedule, the current funding shortage for repair and maintenance of structurally deficient bridges, and that the recent tragedy in Minneapolis is opening the awareness to what is happening to our infrastructure and the need for more funding.

Brad Gerhardt, Martin County Sheriff, stated the Sheriff's Office has submitted the annual Emergency Management Performance Grant for Federal Fiscal Year 2007 and has received notification of approval in the amount of \$11,903. Grant dollars received go toward expenses for Emergency Management in the Sheriff's Office.

Motion by Commissioner Pierce, seconded by Commissioner Boler,

R-#38/'07

RESOLUTION AUTHORIZING EXECUTION OF
EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM
AGREEMENT

Be It Resolved, that Martin County, MN enters into a Grant Agreement with the State of Minnesota, acting through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management for the program entitled Emergency Management Performance Grant (EMPG) in the amount of \$11,903.00 effective October 1, 2006 through September 30, 2007 for the Federal Fiscal Year 2007.

Brad Gerhardt, Martin County Sheriff, along with Board Chair, is hereby authorized to execute and sign such Grant Agreements and amendments as are necessary to implement the project on behalf of Martin County, MN.

Motion by Commissioner Pierce, seconded by Commissioner Boler, and was duly made and adopted this 7th day of August, 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chairman

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Schmidtke, Boler, Pierce, and Potter.
NAYS: None. Duly passed and adopted this 7th day of August, 2007.

Gerhardt continued with the monthly Sheriff's Office Update that included: additional requirements of Emergency Management from the Minnesota Department of Homeland Security; attended funeral of David Frerichs, father of part-time Deputy Paul Frerichs; timeline on the upgrade Mobile Data Terminals; preparations for the Martin County Fair; recent "10 Disciplines" Emergency Management meeting; jail population continues to be high – 8 out of county inmates as of this date; Justice Council Core Planning meeting held last week with members going over final draft of study results; and all community celebrations are now over with the exception of the fair, Cornstalk 2007 and Power Boat Races.

Gerhardt stated that Deputy Petschke has received \$3,750 in grants to purchase new Tasers for the Sheriff's Office. Gerhardt concluded that with the Republican National Convention taking place next year, the City of St. Paul has estimated needing between 3,000 and 4,000 licensed police officers and has asked for interest from law enforcement agencies across the state. Gerhardt stated the Sheriff's Office's tactical team as well as Captain Hady and I have shown interest in being assigned some type of detail.

Steve Hubbard, CEO/President of Sheriff's Youth Program, presented a program update and overview of the After School Program. Hubbard stated the Sheriff's Youth Fairmont After School Program was a pilot program designed to serve boys and girls between the ages of 13-18, who were experiencing difficulty within their family setting, educational system, or the court system and in need of intervention to minimize the risk of out of home placement were qualified to attend. Hubbard went on to state the children could be referred to the program by parents/guardians, schools, Human Services and/or Court Services. Hubbard continued the program began the second week of January, 2006 with the plan to run at least through the completion of that summer of 2006. Hubbard went on to state that enough funding was available to carry the program through Thanksgiving of 2006, about three (3) months longer than what was planned and served a total of 47 different students from start to end. Hubbard concluded that the Fairmont After School Program was a success based on criteria of the goal set forth for the Program: Establishing relationships with the teens and is assumed the program has reduced out-of-home placements for the county.

Chairman Potter thanked Hubbard for his report.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, move into a closed session per MN Statute 13D.05 Subd. 3 to discuss acquisition of real property. Carried unanimously.

Meeting in closed session at 9:36 a.m.

Those present were Commissioners Pierce, Donnelly, Potter, Schmidtke and Boler, Scott Higgins, Martin County Coordinator, Terry Viesselman, Martin County Attorney, James Forshee, Martin County Auditor/Treasurer, and Julie Walters, Administrative Assistant.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, move back into open session. Carried unanimously.

Meeting returned to open session at 10:06 a.m.
No action taken pertaining to the closed session.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the CY2008 Martin County Fair Board allocation request and special project request in the amount of \$35,000.00. Carried unanimously.

Viesselman presented the Faribault, Martin, & Jackson Drug Court Coordinator's request for support in submitting a funding application to the Minnesota Judicial Branch to seek funding for the Faribault, Martin, & Jackson Adult Drug Court Program.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly,

R-#39/'07

RESOLUTION TO SUPPORT
THE FARIBAULT, MARTIN, AND JACKSON
ADULT DRUG COURT GRANT APPLICATION

WHEREAS, The Counties of Faribault, Martin, and Jackson have signed a Memorandum of Understanding to develop a multi-county adult drug court program; and

WHEREAS, the multi-county drug court is fully operational in the three counties; and

WHEREAS, the Minnesota Judicial Branch has announced the availability of up to \$2.89 million to support existing drug court programs;

NOW THEREFORE BE IT RESOLVED, that the County Board is in support of submitting an application to the Minnesota Judicial Branch to seek funding for the Faribault, Martin, and Jackson Adult Drug Court Program.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, was duly passed and adopted this 7th day of August, 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Boler, Donnelly, Pierce, and Potter.
NAYS: None. Duly passed and adopted this 7th day of August, 2007.

Forshee stated a tobacco license application has been received from Kathie's Bottle Shop of Welcome, MN and recommends approval for issuance of tobacco license.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce,

R-#37/'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:

- Kathie's Bottle Shop of Welcome, MN

Upon this motion made by Commissioner Schmidtke, seconded by Commissioner Pierce, was duly made and passed this 7th day of August, 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Schmidtke, Boler, Pierce, and Potter.
NAYS: None. Duly passed and adopted this 7th day of August, 2007.

Steve McDonald, MIS Director, was present to recommend the purchase of a disaster recovery system from CPS Technology Solutions. McDonald stated that this hardware appliance made by Unitrends Corporation will be used to back up our AS400 and county servers. McDonald went on to state that in the event of a server malfunction or disaster, this device will help speed up the time to rebuild the servers and get us back up and running. This device will not replace the tape backups that are currently being done daily; but will be an added function to the overall backups and disaster recovery. The cost for the Unitrends system is \$12,389.15. The recommendation is to purchase a bigger and faster tape back drive to consolidate and speed up our daily server data backups. The County currently has a tape drive in each server and we have to manage all the tapes and purchasing separate tapes for each tape drive is getting very expensive. McDonald went on to state that with a bigger capacity tape drive that can handle backing up more data per tape; we can consolidate the three week rotation of daily backups of the Windows servers to one tape drive. We then can use the tape drive in each server to do weekly or monthly backup and that will give us a larger time frame to restore any data file that was accidentally deleted making it easier to manage the backups and use less tapes. Currently we can only go back three weeks to recover a deleted file and stated the cost for the bigger tape drive system is \$4,437.85. McDonald concluded that at the last Recorder's Compliance Fund meeting, I proposed this disaster recovery system and the tape backup solution and the consensus was to use the Recorder's Compliance Fund money to pay for this since this is backing up the county servers and the Recorder's Image Server with all the legal document images stored on it. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the MIS Director, hereby approve and authorize purchase of the Unitrends Disaster Recovery System from CPS Technology Solutions in the amount of \$12,389.15; and purchase of the Tape Backup System from Venture Computer Systems in the amount of

\$4,437.85 with total cost for these two solutions to be expended from the Recorder's Compliance Fund. Carried unanimously.

Scott Higgins, Martin County Coordinator, introduced City of Truman Mayor John Sherman, and Truman City Clerk/Treasurer Monte Rohman. Higgins stated that prior to this meeting; the Martin County Board of Commissioners had received a letter from City of Truman requesting financial assistance to help with demolition expenses on a commercial building in downtown Truman. Rohman presented the Board with a detailed list of expenses associated with demolition, along with five different bids received to demolish the building. Rohman stated the building is the old Olson Furniture building located on Main Street of Truman and is not only an eyesore but the building has lost a third of its roof, and also is shedding brick and metal. Rohman continued the building is delinquent on taxes and will be turned back over to the county later this year. Rohman noted the deterioration of the Olson building has also affected the empty building on the east side, which has had half of its roof collapse. Sherman and Rohman said the demolition of the smaller building at the same time would be covered by the city. Rohman continued that the city has been working on this since 2000 and has put some money away each year and has saved about \$36,000 to put toward the demolition. Rohman went on to state going with the lowest bid, along with some additional costs such as inspecting for asbestos, preparing bids and hauling waste, the entire project is expected to cost about \$73,000. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize a \$20,000.00 commitment to the City of Truman to aid in costs associated with demolition of the former Olson Furniture commercial building in downtown Truman to be expended from the Tax Forfeiture Fund. Carried unanimously.

Commissioner Pierce conveyed his appreciation for the City of Truman going through the proper channels and the amount of detailed preparation taken by the City of Truman.

Linda Meschke, Rural Advantage, stated she has been working with Rich Perrine, District Technician-Martin Soil and Water Conservation District, presented a proposal to the Legislative Citizen Commission on Minnesota Resources (LCCMR) to establish perennial vegetation along all 189 miles of open drainage ditches in Martin County by 2015 through voluntary methods. Meschke continued Martin SWCD would be the applicant in this proposal and would be the lead on this project along with Martin County Water Plan, Martin County Soybean Growers, Martin County Farm Bureau, Rural Advantage and NRCS, FSA, and Martin County Commissioners as partners. Meschke stated part of this initiative would be for Martin County to be the first county in the state to have their ditches buffered to some degree and help show the LCCMR the proactiveness that Martin County has had on ditch issues. Meschke continued the initiative request is approximately \$500,000 along with technical assistance in the amount of \$37,500 with no match required from Martin County. Meschke noted this Riparian Initiative is over and above the current 1 rod buffer requirement under the drainage law and is intended to be a voluntary program; there is no requirement to participate.

Meschke concluded the application is due September 4th and recommends Board support and approval to proceed with the application process. After discussion,

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 letter of support to the Legislative Citizen Commission on Minnesota Resources (LCCMR) for the Martin County Riparian Initiative as needed. Carried unanimously.

Brenden Babcock, President-Services for Challenging Youth, Inc. (SYC), presented a written letter of support for SYC to submit application for a chemical dependency license in Martin County as requested by the Commissioners at their regular Board meeting on July 17, 2007.

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 letter of support for Services for Challenging Youth, Inc. to submit application for a chemical dependency program license in Martin County. Carried unanimously.

Babcock along with Bob Wallace, President-Fairmont Chamber of Commerce, next presented the proposed 2007/2008 operating budget outlining potential donations, administrative expenses, operating expenses, and program expenses for implementation of the Basic Strategic Family Therapy program. SYC is asking the county for \$30,000 to help fund the program beginning January 1, 2008 until such time as the program begins to generate its own revenue. Babcock and Wallace stated SYC is continuing its search for additional funding sources and the request from the County is a one time only request.

Butch Hanson, Superintendent of Schools, Greg Broolsma, Chief of Police, and Lynn Manzke, Fairmont High School Principal, spoke in support of the Services for Challenging Youth, Inc. and the Brief Strategic Family Therapy program. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the CY2008 Services for Challenging Youth, Inc. allocation request in the amount of \$30,000. Carried unanimously.

Deb Mosloski, Drainage Administration, presented the Findings of Fact and Order regarding preliminary hearing for Improvement of a portion of Judicial Ditch #47.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Findings of Fact and Order Regarding Preliminary Hearing asking for the Improvement of a portion of Judicial Ditch #47. Carried unanimously.

Mosloski next asked the Board to set a public hearing date to hear the revised plan for impoundment of Judicial Ditch #14. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for the County of Martin, hereby sets the date of August 22, 2007 at 1:00 p.m. at a location yet to be determined, to hear the revised plan for impoundment of Judicial Ditch #14. Carried unanimously.

The Board recessed at 11:04 a.m.
The Board reconvened at 11:14 a.m.

Pam Flitter, Martin County Planning Official, stated that the Planning Commission is looking at amending the Martin County Ordinance to include Bed & Breakfasts and Guest Cottages. Flitter noted there have been a couple of requests throughout the years that have inquired about these establishments therefore it was brought before the Planning Commission and they thought it was a good idea to study, so the last few months we've actually been studying it and looking at what other counties have. Flitter went on to state we've discussed it with the Department of Natural Resources and last month I proposed some language to the Planning Commission, and they decided to hold a public hearing which will be at the end of this month. After the Planning Commission holds their public hearing if they should adopt the amendments, then it will come to the Board for your consideration. Flitter concluded that she just wanted to make that the Board was aware of these potential changes.

Higgins presented the annual resolution for public transportation service in Martin County. Higgins stated the projected operational budget for CY2008 is \$493,000. The county is required to provide for 15% of all operational cost and 20% of all capital costs.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly,

R-#36/'07

RESOLUTION
MARTIN COUNTY TRANSIT SYSTEM
CY2008

BE IT RESOLVED that Martin County enters into an Agreement with the State of Minnesota to provide public transportation service in Martin County.

BE IT FUTHER RESOLVED that Martin County agrees to provide fifteen percent (15%) of the total operating cost from local funds and 20% of the total capital costs for CY2008.

BE IT FUTHER RESOLVED that Martin County authorizes the chairman of the Martin County Board of Commissioners Jack Potter or the Martin County

Coordinator, Scott Higgins, to execute the aforementioned Agreement and any amendments thereto.

BE IT FUTHER RESOLVED that the Chairman Jack Potter, or the County Coordinator, Scott Higgins, is hereby authorized to execute requests for reimbursement to the Minnesota Department of Transportation. Dated this 7th day of August 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Boler, Donnelly, Pierce, and Potter.
NAYS: None. Duly passed and adopted this 7th day of August, 2007.

The Board briefly discussed organizational issues at the Transit Facility.

It was decided by consensus of the Board to continue discussion of the Transit Facility at the next regular Board meeting on Tuesday, August 21st, 2007.

Higgins presented a written draft of the proposed Fare Box Collection Policy for the Martin County Express public transportation service. Higgins stated that currently transit drivers handle all collections, counts fares collected, and handles the money bag. Higgins continued the proposed policy states that only correct change or tokens may be placed in the fare boxes and that the drivers will not be required to make change or count the fares at the end of their shift. Higgins noted the Transit Advisory Committee recommends approval. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, after careful review and consideration and upon the recommendation of the Transit Advisory Committee, hereby approve and adopt the Fare Box Collection Policy for the Martin County Express public transportation service effective October 1, 2007. Carried unanimously.

Higgins next stated the Transit Advisory Committee is recommending increasing the Fairmont and Countywide base fares for public transit services by \$0.25 effective October 1, 2007. Higgins noted this increase is due to the increased cost of fuel and other operational costs of the transit system for Martin County. Fares were last increased in June, 2002. Proposed fare increase is as follows:

	Current Fare	Proposed Fare
Base Fare – Fairmont	\$2.25	\$2.50

Base Fare -- Countywide	\$2.75	\$3.00
Subscription (20 Rides) Fairmont	\$35.00	\$40.00
Subscription (10 Rides) Countywide	\$22.50	\$25.00

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, after careful review and consideration and upon the recommendation of the Transit Advisory Committee, and due to the rising cost of fuel and other operational charges, hereby approve and authorize a fare increase of twenty-five cents (\$0.25) for the Martin County Express public transit system for the City of Fairmont and Countywide service effective October 1, 2007; and includes subscription fares. Carried unanimously.

Higgins stated an Economic Development Authority Aid Grant is available through the Department of Employment and Economic Development for a Business and Community Development Division for the Development of Entrepreneurs and Small Businesses in Faribault and Martin Counties. The 2007 legislature appropriated to the department funds for grants to two eligible organizations, one to deliver entrepreneurial and small business development services in Faribault County and one to deliver those same services in Martin County. \$49,000 is available for grants to each organization in each year of the 2008-2009 biennium. Each state grant dollar must be matched with one dollar of non-state funds. The Martin County Economic Development Authority Commission is proposing and recommending that the County Board provide the required match for the grant and approve submitting the Request for Proposal for these funds. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Economic Development Authority Commission to move forward with submitting a Request For Proposal for the Development of Entrepreneurs and Small Businesses in Faribault and Martin Counties through the Minnesota Department of Employment and Economic Development and to include the required matching funds of \$49,000 in the CY2008 budget. Carried unanimously.

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 12:06 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator