

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 21, 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, Kylie Saari, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC Radio, Julie Walters, Administrative Assistant, Kevin Peyman, Martin County Highway Engineer, 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 additions: Consider Continuation Grant and Resolution – Victim Witness Program; Set special meeting date and time for annual Road and Tax Forfeited Land Tour; and Discuss Emergency Aid to Southeastern Minnesota counties – Assessor’s Office. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the July 17, 2007 and August 7, 2007 regular Board of Commissioners meetings as presented. Carried unanimously.

Scott Higgins, Martin County Coordinator, stated that Bryan McCormick, Library Director, has announced his resignation effective October 20, 2007.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby accept with regret the resignation of Bryan McCormick, Martin County Library Director, from employment with Martin County after 5 years of dedicated service to the county and its citizens, effective October 20, 2007. Carried unanimously.

Terry Viesselman, Martin County Attorney, was present and stated he had nothing to report.

Kevin Peyman, Martin County Highway Engineer, presented a department update regarding the recent rains stating we have survived it decent so far, noting the gravels are in okay shape and only one pipe had to be replaced. Peyman went on to state that he had received a telephone call from a staffer at Congressman Tim Walz’s Office asking if Martin County had any major infrastructure damage from the recent rains, offering assistance if needed.

Peyman next reviewed a letter received from Governor Tim Pawlenty on a potential special session that would focus on the particular issues that are at the forefront of the public discussion in the aftermath of the I-35W Bridge tragedy.

Peyman concluded that the CSAH 39 road project is near completion except for additional tapering to be done near the railroad crossing. Peyman stated Mn/DOT will not issue a permit due to plans they have to replace the railroad crossing in 2008. Peyman noted the crossing on County Road 39 will receive new stop arms and lights and that final tapering work will be delayed until such time as the railroad crossing replacement is in progress or immediately after the crossing is completed.

Captain Hady stated that Sheriff Gerhardt has been asked to represent Minnesota Sheriffs at an Emergency Management Symposium to be held in Omaha, Nebraska beginning September 4th through the 6th, 2007; and is requesting the Board to approve the out-of-state travel request. Hady noted that there would be no travel related costs incurred by Martin County.

Motion by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the out-of-state travel request for Sheriff Brad Gerhardt to represent Minnesota Sheriffs at an Emergency Management Symposium to be held in Omaha, NE on September 4th through 6th, 2007; at no expense to Martin County. Voting AYE: Pierce, Schmidtke, Boler, and Potter. NAYES: Donnelly. Motion carried.

Hady continued that the Sheriff's Office is recommending a step increase for Deb Lutz, part-time Lobby Receptionist. Hady stated that Lutz has been with the county for two years, working part-time at 20 hours per week, so it takes two years to become eligible for an increase.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize step increase for Debra Lutz, Part-Time Lobby Receptionist for the Martin County Sheriff's Office, from Grade 5 Step 1 at \$9.80/hour to Grade 5 Step 2 at \$9.97/hour, effective August 30, 2007. Carried unanimously.

Higgins stated a tentative agreement has been approved with the Law Enforcement Labor Services #136 – Deputies Union, contingent upon final review and agreement of language for the PTO plan as follows:

1. General Wage Adjustments: 2007 – 2.5%, 2008 – 3%, 2009 – 3%.
2. Compressed wage scale from 13 years to 10 years (adding one year step increments 6, 7, and 8 between 5-9 years).
3. Health Insurance – County/Employee contributions same as Non-Union.
4. Holiday – added Christmas Eve – additional pay equal to ½ their scheduled shift on Christmas Eve Day.

5. Converted Vacation to Paid Time Off plan (PTO), effective September 1, 2007 (need to finalize appropriate language in contract).
6. Uniform Allowance – increase \$10 each year from \$590 (2006), to \$600 (2007), \$610 (2008), and \$620 (2009).
7. Meal Allowance and Mileage Reimbursement - \$12 to \$15 max. per meal, \$26 to \$30 per day or as established by County policy.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the Law Enforcement Labor Services #136 – Deputies Union contract effective January 1, 2007 through December 31, 2009; and authorize Board Chair to sign the respective Union agreement for the Law Enforcement Labor Services #136 – Deputies Union, contingent upon final review and mutual agreement of language regarding the PTO plan and other minor proposed language. Carried unanimously.

Higgins presented the Second Amended Joint Powers Agreement and resolution pertaining to said Agreement for the Red Rock Rural Water System 2005 Expansion Bonding, noting that Martin County, along with seven other counties within the rural water system, previously approved the initial Joint Powers Agreement for the initial \$5,000,000 bond. Higgins continued that because of Katrina's effect on the original project, the loan amount increased by \$760,000 and accordingly, Martin County and the other seven county boards approved an Amended Joint Powers Agreement. Higgins stated that now, because of the opportunity to add 60 additional users and to construct a loop around the City of Windom with government funds, an additional \$867,000 has been added to the loan portion of the project with USDA-RUS. Higgins continued the attached resolution is approving the Second Amended Joint Powers Agreement authorizing Cottonwood County to issue the necessary interim financing bonds and long term financing bonds to fund said system expansion and to have said Second Amended Joint Powers Agreement govern the repayment of said bonds; said Second Amended Joint Powers Agreement being executed with the understanding that the Counties of Cottonwood, Jackson, Watonwan, Murray, Martin, Brown, Lyon and Redwood would all be parties to this Agreement. Higgins concluded that Terry Viesselman, Martin County Attorney, has reviewed the agreement and has approved as to form and content. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly,

R-#40/'07

RESOLUTION PERTAINING TO
SECOND AMENDED JOINT POWERS AGREEMENT
RED ROCK RURAL WATER SYSTEM
2005 EXPANSION BONDING

The County Commissioners of the County of Martin, State of Minnesota, at its duly convened meeting and pursuant to discussions had, and pursuant to motion of

Commissioner Pierce, and seconded by Commissioner Donnelly, duly resolved as follows:

Hereby approved Second Amended Joint Powers Agreement among the Counties of Cottonwood, Jackson, Watonwan, Murray, Martin, Brown, Lyon and Redwood and directing the Chairman and/or Clerk/Auditor to execute the Second Amended Joint Powers Agreement relative to the Red Rock Rural Water System expansion, and authorizing Cottonwood County to issue the necessary interim financing bonds and long-term financing bonds to fund said system expansion and to have said Second Amended Joint Powers Agreement govern the repayment of said bonds; said Second Amended Joint Powers Agreement being executed with the understanding that the Counties of Cottonwood, Jackson, Watonwan, Murray, Martin, Brown, Lyon and Redwood would all be parties to this Agreement.

The following commissioners voting in favor and the following commissioners voting against:

FOR: Commissioners Boler, Schmidtke, Donnelly, Pierce, and Potter.

AGAINST: None.

Duly passed and adopted this 21st day of August, 2007.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chairman

ATTEST: _____
James Forshee, County Auditor/Treasurer

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

NAYS: None. Duly passed and adopted this 21st day of August, 2007.

Rebecca Bentele, Victim Witness Coordinator, presented the Continuation Grant and resolution for the Victim Witness Program. Federal funds for this grant contract are provided under the Victims of Crime Act (VOCA) for the purpose of providing supplemental funding to aid in the provision of direct services to victims of crime. State funds for this grant contract are provided for the purpose of providing crime victim services to victims of child abuse, domestic violence, sexual assault, and other crimes. Bentele stated the governor has appropriated additional funds this year resulting in an approximate 5% increase; with total grant funds awarded in the amount of \$85,291 effective July 1, 2007 through June 30, 2008.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

BE IT RESOLVED that Martin County, Victim Services, will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety; and

BE IT FURTHER RESOLVED that Federal funds for this grant contract are provided under the Victims of Crime Act (VOCA) for the purpose of providing supplemental funding to aid in the provision of direct services to victims of crime. State funds for this grant contract are provided for the purpose of providing crime victim services to victims of child abuse, domestic violence, sexual assault, and other crimes; and

BE IT FURTHER RESOLVED that the State is in need of services to victims of crime; and

BE IT FURTHER RESOLVED that Jack Potter, Chair is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of Martin County.

BE IT FINALLY RESOLVED upon a motion by Commissioner Pierce, seconded by Commissioner Schmidtke, and unanimously carried;

Said Resolution was adopted this 21st day of August, 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 21st day of August, 2007.

Bentele next stated she has received notification from the Office of Justice Programs Crime Victim Services that there are Emergency Funds available in the amount of \$2,000; with disbursement of \$1,000 for the period of July 1, 2007 to June 30, 2008 and a \$1,000 disbursement for the period of July 1, 2008 to June 30, 2009. Bentele noted Emergency Funds are an additional source of supplemental funding to aid in direct services to victims of crime.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to execute Emergency Fund Agreement as is necessary for accepting funds in the amount of \$2,000 for Martin County. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, requested that the Board set a date and time for the annual Road and Tax Forfeited Land tour in order to put values on tax forfeited land in the County.

Consensus of the Board is to set the annual Road and Tax Forfeited Land Tour for Monday, September 17, 2007 at 10:30am beginning at the Prairie land Compost Facility in Truman, MN.

Higgins noted that the governor has declared a State of Emergency in six counties in southeastern Minnesota (Winona, Wabasha, Fillmore, Houston, Steele, and Olmstead) and is asking local Assessor's Offices throughout the State to help assess the damages caused by the recent heavy rainfall and flooding in the effected area. Higgins continued that Mike Sheplee, Deputy Assessor/Senior Appraiser, and Dan Whitman, Martin County Assessor, have volunteered to assist in this emergency and will be out of the office up to two days.

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

Warrants received and paid August 21, 2007 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved August 21, 2007	\$174,222.51
Enhanced 9-1-1 Fund	\$ 5.73
Recreation and Safety Fund	\$ 113.07
Solid Waste Management Fund	\$ 24,763.39
Law Library Fund	\$ 2,582.86
Martin County Transit Fund	\$ 38,633.73
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 41,553.21
Bank Building Fund	\$ 3,984.58
Refunding Fund	\$ 90.00
Taxes & Penalties Fund	\$ 348.00
Forfeited Tax Fund	\$ 922.20
	<u>922.20</u>
Grand Total	\$287,219.28
Martin County Ditch Fund – Warrants Totaled	\$149,319.44
Road and Bridge Fund – Warrants Totaled	\$337,606.15

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the July, 2007 bills for Prairieland Compost Facility as presented. Carried unanimously.

Prairieland Solid Waste Mgmt.
Bill Summary
As of July 31, 2007

American Pest Control	\$ 438.40
Bearings & Drives, Inc.	\$ 2,272.64
BEVCOMM	\$ 15.00
BoeKett Building Supply, Inc.	\$ 28.77
Cenex Credit Card	\$ 234.08
CNH Capital	\$ 717.44
Compressed Air Concepts, LLC	\$ 686.70
DeWar Electric, Inc.	\$ 833.50
Fairmont Medical Center-MHS Clinic	\$ 247.20
Free Press, The	\$ 199.00
Frontier Communications	\$ 284.53
G & D Electric, Inc.	\$ 13.48
Gopher Alarms, LLC	\$ 51.12
Grainger	\$ 500.10
Grunig, Kathy	\$ 211.94
Hawkins, Inc.	\$ 3,224.42
Hen-Way Manufacturing, Inc.	\$ 2,686.40
Henry, David	\$ 250.00
Hinrichsen, Dan	\$ 2,346.95
J Hokanson Print, Inc.	\$ 665.73
LJP Enterprises Trucking, LLC	\$ 1,800.00
Marshall & Swift, Inc.	\$ 712.77
Mel Carlson Chevrolet, Inc.	\$ 197.78
Midwest IT Systems, Inc.	\$ 195.00
Minnesota Weights & Measures	\$ 230.00
Motion Industries, Inc.	\$ 84.50
MVTL Laboratories, Inc.	\$ 851.20
NAPA Auto & Truck Parts of Fairmont	\$ 102.87
Nick's Body Shop	\$ 371.11
Rabbe, Billeye	\$ 4,876.70
Reynolds Welding Supply	\$ 7.59
River Bend Business Products	\$ 166.37
Rode Manufacturing Corporation	\$ 1,051.88
Sam's Club	\$ 109.72
Shopko	\$ 31.06
Southern MN Construction Co., Inc.	\$ 1,100.00
Strobic Air Corporation	\$ 32,445.00
Truman Farm & Auto Parts	\$ 48.03

Truman Public Utilities		\$ 15,262.53
Watsonwan Farm Service Company-V		\$ 1,086.91
Watson's Plumbing, Heating & A/C		\$ 3.00
Wiederhoeft, Norman		\$ 1,295.00
WM of Southern Minnesota MA		<u>\$ 34,626.00</u>
	Sub Total	\$112,562.42
7/17	Cenex Credit Card	\$ 57.09
7/17	MN Energy Resources	\$ 5,820.00
7/17	Truman Community Club	\$ 200.00
7/17	Truman Postmaster	\$ 34.00
7/31	Midwest Wireless	\$ 57.52
8/15	CNH Capital	\$ 717.44
8/15	WFS	\$ 1,086.91
8/17	MN Energy Resources Corp.	<u>\$ 5,820.00</u>
	Total	<u>\$126,355.38</u>

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

The Board recessed at 9:50 a.m.
The Board reconvened at 10:00 a.m.

Pam Flitter, Martin County Zoning Official, introduced Leo Getsfried, Area Hydrologist with the Department of Natural Resources. Getsfried presented the first ever 2007 First Annual DNR Waters Outstanding Unit of Government Award to Exemplary Shoreland Management to the Board of Commissioners and Martin County's Planning Commission, in recognition for Martin County's dedication to protect and sustainably manage their shoreland areas for the benefit of present and future generations.

The Board proceeded to review the Preliminary CY2008 Departmental Budget requests. The preliminary expenditures are \$18, 920,929, total revenues \$8, 154,882, needed tax levy \$10, 862,834 (21.16% increase over CY2007). The Board discussed potential reductions. After much discussion, by consensus it was determined to meet with the elected officials regarding their budget requests and set the next budget meeting for August 29, 2007 at 11:30am in the Board Room.

With no further business to wit, Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, to adjourn the meeting. Motion carried. Meeting adjourned at 11:58 a.m. Carried unanimously.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Jack Potter, Chair

ATTEST: _____
Scott Higgins, County Coordinator