

PROCEEDINGS OF THE MARTIN  
COUNTY BOARD OF COMMISSIONERS  
TUESDAY, DECEMBER 18, 2007  
@ 9:00 A.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 9:02 a.m. by Chairman Potter.

Those present were Commissioners Pierce, Donnelly, Schmidtke, and Boler. Also present were Scott Higgins, Martin County Coordinator, Terry Viesselman, Martin County Attorney, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Highway Engineer, Bill Cahalan, Sentinel Newspaper, Julie Walters, Administrative Assistant, Rod Halvorsen, KSUM/KFMC Radio, 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: Discuss Order for Increased Court Appointed Attorney fees; Review minutes of the December 6, 2007 Truth in Taxation Public Hearing; and Review minutes of the December 6, 2007 Joint Meeting with Martin County Soil & Water Conservation District. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the November 20, 2007 and December 6, 2007 regular Board of Commissioners meetings as presented. Carried unanimously.

Terry Viesselman, Martin County Attorney, reported on a recent trial in which it was very difficult to get the current County Medical Examiner, who is based out of Mankato, to come testify at the trial. Viesselman inquired as to the length of the current Medical Examiner Contract and suggests inclusion of language in future contracts that testimony by the County Medical Examiner is mandatory at certain trials.

Scott Higgins, Martin County Coordinator, stated that it is the intent of one of Fairmont's Medical Doctors to assume responsibilities of County Medical Examiner; however, at this time the person has yet to confirm that he will take the Medical Examiner. The issue for the individual is to find a back up Medical Examiner. Higgins noted that he will continue working with the individual.

Kevin Peyman, Martin County Highway Engineer, presented his recommendation for step increase according to Supervisor's Contract for Road Foreman.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Engineer, hereby approve and authorize step increase according to Supervisor's Union

Contract for Greg Rabbe, Road Foreman, from Grade 16 Step 6 at \$25.47/hour to Grade 16 Step 7 at \$26.11/hour, effective December 8, 2007. Carried unanimously.

Peyman next reported on final contract for S.A.P. 46-637-03 CSAH 37 Bituminous Surface. Peyman stated final examination has been made, contract has been completed, and the entire amount of work has been performed. Peyman noted the contract amount was \$3,287,867.76 and the final certified amount was \$3,194,798.64 (2.9% under run). Peyman recommends approval of the final contract to Duininck Bros., Inc. of Prinsburg, MN.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Engineer, hereby approve the final contract payment for S.A.P. 46-637-03 CSAH 37 Bituminous Surface with Duininck Bros., Inc. of Prinsburg, MN in the amount of \$3,194,798.64. Carried unanimously.

Peyman next recommended the purchase of a 2008 budgeted Sterling Chassis Tandem Truck with Mercedes Engine at the 2007 State Contract price of \$86,925 for the truck, cab, and chassis only from Boyer Ford Trucks, Inc. of Lauderdale, MN. Peyman continued that current State Contract pricing runs out the end of December and this would be our last chance to purchase a 2008 model at 2007 pricing. Peyman noted that 2008 State Contract prices will increase approximately 10% after the first of the year. Peyman went on to state the new tandem would replace Unit #21, a 2000 Sterling that currently has 160,000 miles. Peyman also noted by the time the new Tandem is in their fleet; Unit #21 will have an estimated 175,000 miles and will plan to take bids for the sale of the 2000 model. Peyman went on to note that depending on the condition of the Unit #21 Tandem at time of sale, bids should range between \$15,000 to \$30,000. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Engineer, hereby approve and authorize the purchase of a 2008 Sterling LT9500 Chassis, Mercedes Engine Tandem Truck from Boyer Ford Trucks, Inc. of Lauderdale, MN at the state contract price of \$86,925 to replace Unit #21. Carried unanimously.

Peyman concluded with discussion regarding the possible purchase of a used motorgrader from Silver Lake Township.

Scott Higgins, Martin County Coordinator, presented businesses that have met the criteria to receive a license for collection and transportation of solid waste in Martin County.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, with the listed haulers having met the requirements for licensure in the County of Martin, MN hereby approve and authorize Board Chair and County Auditor/Treasurer to sign the Solid Waste Collection and Recycle Transportation Licenses for the year 2008 for the following haulers:

Collection & Transportation of Solid Waste in Martin County:	B&B Sanitation – Winnebago, MN
	City of Fairmont – Fairmont, MN
	LJP Enterprises, Inc. – St. Peter, MN
	Madelia Sanitation – Madelia, MN
	River View Sanitation – New Ulm, MN
	Waste Management – Fairmont, MN
Collection & Transportation of Recyclables in Martin County:	LJP Enterprises, Inc. – St. Peter, MN
	Waste Management – Fairmont, MN

Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, stated Tobacco License Applications have been received and/or mailed to various establishments throughout the county and requested Board approval of the Tobacco License Applications contingent upon receiving the required documents.

Motion by Commissioner Pierce, seconded by Commissioner Boler,

R-#61/'07

RESOLUTION

ISSUANCE OF TOBACCO LICENSE FOR 2008

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 2008; contingent upon receiving required documents:

License Approved for:

- NuWay Cooperative, d/b/a NuMart/Cenex – Welcome, MN
- NuWay Cooperative, d/b/a NuMart/Cenex – Trimont, MN
- Jerry & Charlene Buchan, d/b/a Buke's Place – Ceylon, MN

Upon this motion made by Commissioner Pierce, seconded by Commissioner Boler, was duly made and passed this 18<sup>th</sup> day of December, 2007.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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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 18<sup>th</sup> day of December, 2007.

Higgins stated that whenever donations to the county are received, the Board must give its approval of acceptance for these donations. Higgins went on to state we have received donations for the Martin County Mentoring Network in the amount of \$9,540.55; for the Veterans Service Office in the amount of \$374.50; from the Martin County Youth Foundation to the Martin County Youth Intervention Prevention Program in the amount of \$500; and from Hy-Vee a gift card to the Victim Witness Program in the amount of \$25.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners hereby approves and accepts the donations received for the Martin County Mentoring Network in the amount of \$9,540.55; Veterans Service Office in the amount of \$374.50; Martin County Youth Intervention Prevention Program in the amount of \$500; and Victim Witness Program in the amount of \$25. Carried unanimously.

Forshee presented the resolution establishing the Tax Levy for 2008 collectible in 2009 in the amount of \$9,791,462.

Motion by Commissioner Donnelly, seconded by Commissioner Boler,

R-#63/'07

RESOLUTION  
ESTABLISHING THE TAX LEVY FOR YEAR 2008 COLLECTIBLE IN 2009:

WHEREAS, the Martin County Board of Commissioners duly considered budgets to determine the tax levy to be collected in 2008.

NOW THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners do hereby order and determine that taxes to be levied in the year 2008 and collectible in the year 2009 be as follows to-wit:

	<u>Net Levy</u>
Revenue Fund	\$ 4,303,661.
Boat/Snowmobile	\$ 7,312.
Park & Recreation	\$ 65,000.
Road & Bridge Fund	\$ 1,949,177.
E911 Fund	\$ -0-
Solid Waste Management Fund	\$ -0-
Library Fund	\$ 581,685.
Human Service Fund	\$ 2,193,044.
Building CIP Fund	\$ 225,000.
Debt Service Fund/Hwy Debt Service	\$ 451,583.
Tax Forfeited Land	<u>\$ 15,000.</u>
	\$ 9,791,462.

BE IT FINALLY RESOLVED, that copies of this resolution be filed with the Martin County Auditor/Treasurer, and

Upon Motion made by Commissioner Donnelly, seconded by Commissioner Boler, and unanimously carried, said resolution was duly passed and adopted this 18<sup>th</sup> day of December, 2007.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Jack Potter, Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Pierce, Boler, Donnelly, and Potter.  
NAYS: None. Duly passed and adopted this 18<sup>th</sup> day of December, 2007.

Forshee next presented the resolution establishing the CY2008 Fund Expenditures and Revenues. Fund expenditures for 2008 are estimated at \$18,126,077 and fund revenues (including County Program Aid and General Tax Levy) are estimated at \$18,222,864. After discussion and consideration,

R-#59/'07

RESOLUTION

ESTABLISHING THE FUND EXPENDITURES AND REVENUES  
FOR THE YEAR 2008

WHEREAS, the Martin County Board of Commissioners duly considered fund Expenditures and Revenues for the year 2008.

NOW THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners do hereby order and determine that fund expenditures and revenues for the year 2008, is as follows:

	<u>Expenditures</u>	<u>Revenues</u>
Revenue Fund	\$ 7,538,507.	\$ 3,234,846.
Parks & Recreation	\$ 91,850.	\$ 26,850.
Road & Bridge	\$ 5,412,035.	\$ 3,462,858.
E-911 Fund	\$ 49,400.	\$ 98,000.
Boat & Water/ATV	\$ 18,929.	\$ 11,617.
Solid Waste	\$ 252,855.	\$ 277,714.
Library	\$ 612,685.	\$ 31,000.
Law Library	\$ 19,000.	\$ 19,000.
Human Services	\$ 2,193,044.	\$ -0-
Building CIP Fund	\$ 225,000.	\$ -0-
Human Services Building	\$ 127,000.	\$ 154,400.
Debt Service	\$ 451,583.	\$ -0-
Prairieland Debt Service	\$ 332,018.	\$ 332,018.
Forfeited Land	\$ 19,000.	\$ 4,000.
ISTS Loan	\$ 208,100.	\$ 158,000.
Martin County Express	\$ 575,071.	\$ 606,099.
Ditch Repairs	\$ -0-	\$ -0-
MC Area Redevelopment Agency	\$ -0-	\$ 15,000.
General Tax Levy	<u>\$ -0-</u>	<u>\$ 9,791,462.</u>
TOTAL	\$18,126,077.	\$18,222,864.

Upon motion by Commissioner Schmidtke, seconded by Commissioner Boler, and carried, said resolution was duly passed and adopted this 18<sup>th</sup> day of December, 2007.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
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 18<sup>th</sup> day of December, 2007.

Higgins stated the County has received the grant award from the Minnesota Department of Transportation, Office of Transit (MN/DOT) for operations of the Martin County Express Public Transit System in the amount of \$456,500. This is an approximate 10% increase from the 2007 grant award of \$415,000. Martin County originally requested \$500,939. Higgins noted that the County is responsible for 15% of the total operational cost of the public transit system, which equates to \$68,475 with the remaining operational expenses to be paid by MN/DOT per the Agreement. Higgins stated total projected revenues are \$134,500.

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 sign the 2008 Public Transit Participation Program Application Grant Agreement for an approved projected operations expense of \$456,500; and that the County of Martin and the Minnesota Department of Transportation (MN/DOT) will share in the expense in the operations of the Martin County Express Public Transit System per the Agreement at 85% provided by MN/DOT and 15% provided by the County, effective January 1, 2008. Carried unanimously.

Higgins stated the County Compensation Advisory Committee (which includes the County Personnel Committee) has reviewed and recommends reclassification of the following two positions:

1. Auditor/Treasurer Office – Account Clerk II to Account Technician I (Grade 9 to Grade 10), due to increased responsibilities of the position which include assisting with the County Drainage Office and preparing budget reports for the State, as well as other duties that warrant a reclassification.
2. Coordinator's Office – Administrative Assistant III to Account Technician II-Coordinator's Office (Grade 10 to Grade 11), due to the complexity and multi-faceted job requirements including increased involvement with Human Resources, increased reporting for such areas as a Transit and other record keeping type functions; and additional administrative work for Countywide committees.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, after careful review and study and upon the recommendation of the Martin County Compensation Advisory Committee, hereby approve the reclassification of Joyce Schultz, Account Clerk II from Grade 9 Step 9 \$15.53/hour to Grade 10 Step 7 at \$16.63/hour; and Julie Walters from Grade 10 Step 3 at \$14.74/hour to Grade 11 Step 2 at \$15.78/hour, both effective January 1, 2008. Carried unanimously.

Forshee presented a resolution for All Season Wheelers. Forshee stated the DNR had contacted All Season Wheelers that they did not have an updated resolution stating that the County still supports the All Season Wheelers club to apply for and administer the

grant money on behalf of the County of Martin, MN for expenses in maintaining the ATV trails within the Martin County and asked if the Board would have a resolution passed continuing the county's support for their organization to apply for the funding.

Motion by Commissioner Boler, seconded by Commissioner Donnelly,

R-#62/'07

RESOLUTION

All Season Wheelers Maintenance Funding for the Existing  
Elm Creek ATV Trail

WHEREAS, Martin County, Minnesota desires to apply for maintenance funding for Elm Creek ATV Trail System; and

WHEREAS, the maintenance of these trails are funded through Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

WHEREAS, the Martin County Board of Commissioners authorize the All Season Wheelers ATV Club to apply for this funding to maintain said GIA Trail System in Martin County, MN.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approves the application for funding for the GIA-ATV Trail, and that the Board Chair and the County Auditor/Treasurer be authorized to sign all documents relating to the program.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, and carried this 18<sup>th</sup> day of December, 2007.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Jack Potter, Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator

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

NAYS: None. Duly passed and adopted this 18<sup>th</sup> day of December, 2007.

Higgins reviewed the list of Martin County Boards and Advisory Committees that have individuals whose terms expire the end of this year (2007), noting that there are three



openings on the Planning & Zoning Commission: Jon Eversman, Jerry Voyles, and David Kumm, and that all three have indicated they are interested in serving another term. The Extension Committee has two openings: Mrs. Joan Andersen and Mrs. Pat Burns. Both have indicated they do not wish to serve another term. Names to consider are Deb Phillip, Aldo or Karen Senne, all three from District Five; leaving an opening for Commissioner Donnelly's District Three. The Martin County Library Board has two openings: Larry Siegler and Joanne Olson. Both are interested in serving another term. The Martin County Economic Development Authority Commissioner has one opening: Jerry Clark, and he has indicated he is interested in serving another term. After consideration and discussion by the Board,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the (re) appointments to the Martin County Citizen Advisory Boards/Commissioners as follows, with the exception of the Extension Committee's District Three opening:

**MARTIN COUNTY BOARDS & ADVISORY COMMITTEES  
APPOINTMENTS – 2008**

**PLANNING & ZONING COMMISSION – THREE YEAR TERM**

Members with Term Ending December 31, 2007

Jon Eversman – Has indicated he is interested in serving another term.

Jerry Voyles – Has indicated he is interested in serving another term.

David Kumm – Has indicated he is interested in serving another term.

**EXTENSION COMMITTEE – THREE YEAR TERM**

Members with Term Ending December 31, 2007:

Mrs. Joan Andersen – District Five Does not wish to serve another term.

Mrs. Pat Burns – District Three Does not wish to serve another term.

Names to consider discussed at the last Extension Committee meeting are:

Deb Phillip – District Five

Aldo or Karen Senne – District Three

**MARTIN COUNTY LIBRARY BOARD – THREE YEAR TERM**

Members with Term Ending December 31, 2007:

Larry Siegler – Has indicated he is interested in serving another term.

Joanne Olson – Has indicated she is interested in serving another term.

**MARTIN COUNTY ECONOMIC DEVELOPMENT AUTHORITY COMMISSION:**

Members with Term Ending December 31, 2007:

Jerry Clark – Has indicated he is interested in serving another term.

JUSTICE COUNCIL / PLANNING SUBCOMMITTEE

Mel Sukalski	Jim Smith
Brad Hady	Greg Brolsma
Matt Klages	Scott Higgins
Steve Pierce	Becky Bentele
Connie Belgard	Mark Geerdes
James Forshee	Julie Grunewald
Gary Andersen	Diane Larson
Del Ellis	Brian Boltjes
Robert Walker	JoRae Determan
Bruce Firkins	Jim Sop
Kevin Peyman	Wold Architects
Brad Gerhardt	Bryan Paulsen
Gerald Boler	Butch Thiel
Lance Wilken	Wendell Rode

Higgins stated the Sheriff's Office is requesting Board Consideration to increase the wage for CY2008 for the positions of Transport Officers, Corrections/Communications Officers, Part-time Licensed Deputies, and Part-time Full-Time Licensed Deputies. The current union contract for full-time Corrections and Communications Officer starting hourly rate for CY2008 is \$16.83. The union contract for full-time Deputies starting hourly rate for CY2008 is \$19.35/hour. Current hourly rates are: Transport Officers \$15.00/hour; Corrections/Communications Officers \$15.50/hour; Part-time Licensed Deputies \$15.50/hour; and Part-time Full-Time Licensed Deputies \$16.50/hour.

Captain Brad Hady, Sheriff's Office, presented his request to narrow the pay gap between part-time deputies who are "full-time licensed" and full-time licensed deputies in the Sheriff's Office. Hady stated that gap was almost \$3.00/hour, with full-time deputies earning \$19.35/hour and the part-time deputies receiving \$16.50/hour.

Hady continued that the post board has two classes of peace officer licenses. Full-time License is a person that has either a two year or four year degree and has passed all requirements for licensure as a peace officer. Hady stated a part-time licensed peace officer does not have a college degree, and is restricted in the amount of hours they can work per year. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, as the governing Board and having authority to determine wages for part-time positions in the Sheriff's Office, that includes Corrections/Communications Officers, Jail Transport Personnel, Deputies (part-time and full-time licensed), hereby approve wage increases for all part-time personnel in these positions for CY2008 as follows effective January 1, 2008.

Part-time Positions/Sheriff's Office	CY2007 Hourly Rates	CY2008 Hourly Rates
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Transport Officers	\$15.00/hour	\$15.45/hour
Corrections/Communications Officers	\$15.50/hour	\$15.96/hour
Part-time Licensed Deputies	\$15.50/hour	\$15.96/hour
Part-time Full-Time Licensed Deputies	\$16.50/hour	\$17.50/hour

Carried unanimously.

Greg Brolsma and Marsha Dawson, Healthy Youth Committee Members, reviewed survey results of Developmental Assets: A Profile of our Youth, in which the Search Institutes framework of developmental assets provides a tool for assessing the health and wellbeing of middle and high school age youth. The asset framework represents a common core of developmental building blocks crucial for all youth, regardless of community size, region of the country, gender, family economics, or race/ethnicity. The report summarizes the extent to which youth in our community experience these assets and how the assets relate to their behavior. Brolsma went on to explain External assets are the networks of support, opportunities, and people that stimulate and nurture positive development in youth; and Internal assets are the young persons own commitments, values, and competencies. Brolsma stated their initiative is about trying to encourage, engage families, and community to make sure our kids have as many of these assets as we can provide.

Brolsma and Dawson continued with a review of the Listening Lunch Program for the 2006-2007 school year outlining the purpose of Listening Lunches, Process of Listening Lunches, Organizations involved as Listeners, Student organizations involved with hosting, Numbers participating, Major concerns expressed by students, Positives expressed by students, Actions related to Listening Lunch comments, as well as Listening Lunch feedback from Senior High and Junior High Student Councils.

Brolsma and Dawson concluded inviting County Commissioners to participate in the January 10<sup>th</sup>, 2008 Listening Lunch session at the Fairmont Junior Senior High School to spend one complete lunch hour from 11:15 a.m. to 1:15 p.m.

The Board recessed at 10:29 a.m.

The Board reconvened at 10:42 a.m.

Higgins presented information pertaining to the Order signed by Judge Robert D. Walker that attorney's fees for court appointed attorneys shall be at the rate of \$75.00 per hour effective January 1, 2008. Previous court appointed attorneys fees were \$50.00 per hour.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the Truth in Taxation Public Hearing on December 6, 2007; and the Joint Meeting with the Martin County Soil & Water Conservation District on December 6, 2007. Carried unanimously.

Motion by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims

for the month of December, 2007 as presented; including Martin County Highway Department claims as presented. Carried unanimously.

Warrants received and paid December 18, 2007 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved December 18, 2007	\$251,731.35
Park & Recreation Fund	\$ 4,457.87
Enhanced 9-1-1 Fund	\$ 5.13
Recreation & Safety Fund	\$ 484.43
Solid Waste Management Fund	\$ 16,747.32
Law Library Fund	\$ 1,071.86
Martin County Transit Fund	\$ 44,448.83
Ind. Sewage Treatment Sys. Loan Fd (ISTS)	\$ 38,385.12
Building-CIP-Fund	\$ 2,551.38
Bank Building Fund	\$ 2,757.14
Forfeited Tax Fund	<u>\$ 1,252.01</u>
Grand Total	\$363,892.44
 Martin County Ditch Fund – Warrants Totaled	 \$ 11,206.86
Road and Bridge Fund – Warrants Totaled	\$ 51,427.60

Higgins stated the Personnel Committee has had final review with the Assessor regarding a merit increase for Tom Mahoney, Appraiser and recommend a merit increase be approved for CY2008. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve a merit increase for Tom Mahoney, Appraiser from Grade 13 Step 9 \$21.51/hour to Grade 13 Step 10 at \$22.67/hour for CY2008. Those voting in favor: Commissioners Donnelly, Schmidtke, Boler, and Potter. Opposed: Commissioner Pierce. Motion carried.

Motion by Commissioner Donnelly, seconded by Commissioner Pierce, Be it Resolved that the Martin County Board of Commissioners, hereby approve and authorize per diems and expenses for Commissioners to attend the Minnesota State Mining Conference February 7<sup>th</sup> & 8<sup>th</sup>, 2008 at the Holiday Inn Hotel & Suites in St. Cloud, MN. Carried unanimously.

Kurt Deter, Drainage Attorney with the Rinke Noonan Law Firm, stated a construction project involving installing a new electric transmission line to meet increasing electrical demand in the area just north of Fairmont, close to or very near to the tile line of JD #57. Discussion of this project ensued with Deter and the Martin County Commissioners, along with representatives from Ulteig Engineers. The engineering firm is working for Southern Minnesota Municipal Power Agency (SMMPA), which provides electricity to Fairmont Public Utilities. The increased electrical demand includes the Buffalo Lake ethanol plant in Fairmont, which will begin operation next spring. A new transmission

line will be installed for SMMPA concurrently with a new electric transmission line installed by Great River Energy. Great River Energy, the electric supplier to Federated Rural Electric in Martin and Jackson counties, plans to construct a new transmission line from Federated's new Buffalo Lake substation to an existing substation in Section 17 of Rutland Township. Property easements will be requested from landowners to have transmission line poles installed on their property. Although there is limited information on drainage tile lines in the installation areas, Martin County drainage specialist Deb Mosloski and Deter said installation of the transmission lines could cause damage to drainage tiles with effects detected immediately or later. Deter, Mosloski, Ulteig Engineers representatives, the County Commissioners and County Highway Engineer, Kevin Peyman, agreed that a business should be hired to videotape the transmission line sites before and after the construction to help determine if the projects damage landowners' drainage tile lines.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Order that before utility poles are installed along a portion of JD #57, that the tile system will be filmed before and after construction; with copies of film to be delivered to and kept in the Martin County Drainage Administration Office; and the applicant/owner responsible for the project (Southern Minnesota Municipal Power Agency) will pay for the cost of filming. Carried unanimously.

Deter continued reviewing a letter received from the US Fish & Wildlife Service that special assessments cannot be made against the US Government without an act of Congress and that the US Fish & Wildlife Service is asking to please remove this property from the Martin County assessment list. Deter noted the property involved was purchased for waterfowl production purposes with the intent that water would be held on the land for waterfowl use.

James Forshee, Martin County Auditor/Treasurer, stated that this land was owned by the Fox Lake Conservation Club and was sold last year to the government. Forshee stated Martin County received a \$30,000 check which was put into a Certificate of Deposit to take care of future assessments and taxes on this property; as well as maintenance of JD #367, and recommends removing this property from the assessment list. After discussion,

Motion by Commissioner Schmidtke, Seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, that in future sales of land to the US Fish and Wildlife Service within Martin County, MN include agreements that address county drainage systems and other necessary issues pertaining to the parcel of land being sold to the US Fish and Wildlife Service; and hereby approve and authorize that portions of money received from the US Fish & Wildlife Service for payment in lieu of taxes, be used towards any repairs and improvements for a portion of JD #367; and to be administered by the Martin County Auditor/Treasurer's Office. Carried unanimously.

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

Motion by Commissioner Donnelly, to move into closed session for the performance evaluation of the Martin County Coordinator, seconded by Commissioner Boler. Carried unanimously. Closed session began at 11:24a.m.

The Board went into closed session at 11:22 a.m. per Minnesota Statute 13D.05 Subd. 3 for the performance evaluation of the Martin County Coordinator.

Motion by Commissioner Pierce, to move back into open session, seconded by Commissioner Donnelly. Carried unanimously. Open session at 11:49 a.m.

The Board recessed at 11:50 a.m.  
The Board reconvened at 1:30 p.m.

Those present were Pierce, Donnelly, Boler, Potter, Schmidtke, James Forshee, Scott Higgins, Brad Gerhardt, Brad Hady, Jeff Wiita (State Auditor's Office) and Barbara Cullen (State Auditor's Office).

The State Auditor staff reviewed the estimated cost of the CY2006 and findings of the pertaining to the year end CY2006 audit. No action taken.

With no further business to wit, Motion by Commissioner Donnelly, seconded by Commissioner Pierce, to adjourn the meeting. Carried unanimously. Meeting adjourned at 3:14p.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, County Coordinator