

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 15, 2008
@ 9:00 A.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 8:58 a.m. by Chairman Pierce.

Those present were Commissioners Potter, Donnelly, Schmidtke, and Boler. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Highway Engineer, Terry Viesselman, Martin County Attorney, Julie Walters, Administrative Assistant, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, and members of staff and public.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be it Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: Appoint members to the Board of Equalization. Carried unanimously.

Kevin Peyman, representing the Labor Management Committee as Co-Chair, presented service plaques to Jack Potter and James Forshee for making a difference and in appreciation of their commitment to Martin County as inaugural members of the Labor Management Committee. Both Potter and Forshee were members from the committee's inception in 2004 through 2007.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the January 2, 2008 regular Board of Commissioners meeting as presented. Carried unanimously.

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

Commissioner Donnelly stated he is recommending the appointment of Diane Gerhardt (Fairmont) to serve on the Extension Committee for Commissioner District 3.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approves the appointment of Diane Gerhardt (Fairmont) to the Martin County Extension Committee for a three (3) year term effective January 1, 2008 to December 31, 2010. Carried unanimously.

Peyman presented a Highway Department update that included: a tentative agreement has been reached with Silver Lake Township for the trade of a used 2002 motorgrader with 2400 hours on it for the county's 1998 model with 14,000 hours with anticipated transaction taking place by the end of February, 2008; discussion on Governor Tim Pawlenty's 2008 session capital bonding recommendations including \$225 million for the

local bridge program; the Federal Governments possible \$.40 cent/gallon gas tax; and a copy of the national publication of Governmental Solutions featuring an article about Martin County and its Cat 257B Multi Terrain Loader.

Scott Higgins, Martin County Coordinator, presented a draft copy of the Memorandum of Agreement between Martin County and Law Enforcement Labor Services, Inc. (LELS Local No. 136 Deputies/Sergeants) Union for the newly formed Investigator Position for the Sheriff's Office. Higgins stated the Sheriff is recommending that the position be a "promotion" and not an "assignment." The difference between the two is that an "assignment" allows for the greater flexibility in allowing the Sheriff to change personnel in the position at his discretion versus a "promoted" position which would not allow such flexibility.

Discussion ensued regarding "promotion" vs. "assignment," with commissioners questioning what happens if the selected person promoted to the position does not meet satisfactory requirements of the position.

Captain Brad Hady, Sheriff's Office, was present, and stated the language of "assignment" sounds more temporary and LELS had some issue with that. Hady continued that an "assignment" is considered to be more of a duty assignment rather than a promotion or a rank. Hady went on to state "assignments" can be more temporary for instance we have a deputy that is assigned to take care of the Boat and Water Program, another one is assigned to the ATV and Snowmobile Programs, another deputy is assigned to the Safe & Sober Program. Hady stated that the position would be a Deputy Sheriff/Investigator and recommended that it be a promoted position rather than an assignment. Hady concluded that the six (6) month probationary period should allow sufficient time to tell whether this promoted person is making satisfactory performance. If this person would not work out in the position, the selection process would begin again. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the Memorandum of Agreement between Martin County and the Law Enforcement Labor Services (LELS) Local No. 136 Deputies Union to include the Investigator Position into the Collective Bargaining Agreement 2007-2009. Carried unanimously.

Julie Grunewald, Senior Probation Agent, presented a resolution authorizing execution of a new two-year Youth Intervention Program Grant Funding in the amount of \$83,202 with in-kind match of \$182,366.80 (at no cost to Martin County) for the purpose of providing an ongoing stable funding source to community-based early intervention programs for youth. The contract period begins January 1, 2008 through December 31, 2009.

Motion by Commissioner Donnelly, seconded by Commissioner Boler

RESOLUTION

AUTHORIZING EXECUTION OF GRANT AGREEMENT
WITH OFFICE OF JUSTICE PROGRAMS

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

Julie Grunewald is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of the Martin County Probation Department.

I certify that the above resolution was adopted by the Board of Commissioners of Martin County on 01-15-08.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Schmidtke, Boler, Donnelly, and Pierce.
NAYS: None. Duly passed and adopted this 15th day of January, 2008.

Autumn Larsen, Youth Intervention and Prevention Program Coordinator, distributed brochures outlining the current programs available including: Community Work Service, Stop Thief Program, Cognitive Skills – Thinking for a Change, Truancy Diversion Program, Teen Court, and new Tobacco Awareness Program (TAP).

Higgins stated the Board is being asked to formally ratify the adjustment of VSO Administrative Assistant position's regular work week schedule from 37 ½ hours per week to 40 hours per week effective January 1, 2008 due to the work load in the VSO Office. Higgins went on to state this increase was included and approved in the CY2008 budget and the Personnel Committee reviewed the request and recommended approval.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, after careful consideration and review of the request to increase VSO support staff hours from 37 ½ to 40 hours per week; upon the recommendation of Doug Landsteiner, Martin County Veterans Service Officer; and due to the increased workload in the Veterans Service Office, hereby approve the

increase in the support staff hours from 37 ½ to 40 hours per week, effective January 1, 2008. Carried unanimously.

Higgins stated Tim Maschoff of Rutland Township, leases 10.8 farmable acres in a 15.88 acre parcel of county owned land at \$100 per acre, and this lease is up for renewal February 28, 2008. Higgins noted that the rent per acre has not been increased and the Board should look at adjusting the rental amount per acre.

Discussion ensued with commissioners discussing current farm land rental rates and the fact that several interested parties have already contacted the county regarding the purchase of this land parcel. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve investigating the possible sale of 15.88 total acres (10.8 farmable) of county owned property described as a tract of land in Government Lot 7 of Section 6, Township n103 North, Range 30 West in Martin County, Minnesota. Carried unanimously.

Higgins stated that the Martin County Library Board and the Traverse des Sioux Library System Board of Trustees is asking for support in adopting a resolution endorsing efforts to seek an increased state appropriation for Regional Library Basic System Support during the 2008 Legislative sessions.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly,

R-#6/08

RESOLUTION

Increase in the Regional Public Library System Basic Support Appropriation during the 2008 Legislative Sessions

WHEREAS, the regional public library systems in Minnesota have contributed to both improvements in library operations and efficiencies in providing services to the entire population of the State of Minnesota; and

WHEREAS, the State's contribution to Regional Library Basic System Support has not increased for more than a decade; and

WHEREAS, the funding for regional public library systems has increasingly fallen on local property tax dollars;

BE IT RESOLVED, that the Traverse des Sioux Library Board of Trustees hereby requests its legislative representatives and the Governor to place a high priority on a substantial increase in the Regional Public Library System Basic Support appropriation during the 2008 legislative sessions.

BE IT FURTHER RESOLVED, that the Traverse des Sioux Library System Board of Trustees requests that the Association of Minnesota Counties and the league of Minnesota Cities join the Minnesota Library Association (MLA) in lobbying the Legislature for this increase during the 2008 legislative session.

Upon this motion made by Commissioner Schmidtke, seconded by Commissioner Boler, was duly passed and adopted this 15th day of January, 2008.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

NAYS: None. Duly passed and adopted this 15th day of January, 2008.

James Forshee, Martin County Auditor/Treasurer, presented his recommendation to purchase a Capital Asset (fixed assets record keeping) software package from Computer Professionals Unlimited, Inc. (CPUI) in the amount \$1,995 which includes installation and training of County personnel. Forshee noted that travel time will be charged outside of the fee quoted at the hourly rate of \$95 per hour for travel time to and from the County. Forshee continued that CPUI shall be entitled to reimbursement for out-of-pocket expenses including mileage, meals, and/or lodging. This agreement is made effective as of January 1, 2008 through April 30, 2008. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign Computer Professionals Unlimited, Inc. Services Contract for Capital Asset software package, installation, and training of County personnel in the amount of \$1,995; and includes out-of-pocket expenses for mileage, meals, and/or lodging, billed at actual cost, effective as of January 1, 2008 through April 30, 2008. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and set the meeting date of June 16, 2008 at 9:00 a.m. for County Board of Appeal and Equalization to be held in the Martin County Courthouse, 201 Lake Avenue, Fairmont, MN, First Floor – Commissioners Meeting Room. Carried unanimously.

Higgins stated that in addition to the five commissioners, the following individuals have consented to be appointed to the County Board of Appeal and Equalization: Steve McDonald, Martin County MIS Director, James Forshee, Martin County Auditor/Treasurer, Chuck Omvig, Don Feuerhake, and Russ Luedtke.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and appoint the following individuals to serve on the Martin County Board of Equalization: Steve McDonald, Martin County MIS Director, James Forshee, Martin County Auditor/Treasurer, Chuck Omvig, Don Feuerhake, and Russ Luedtke. Carried unanimously.

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 January, 2008 as presented; including Martin County Highway Department claims as presented. Carried unanimously.

Warrants received and paid January 15, 2008 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved January 15, 2008	\$219,118.57
Enhanced 9-1-1 Fund	\$ 8.08
Recreation & Safety Fund	\$ 249.90
Solid Waste Management Fund	\$ 282.39
Law Library Fund	\$ 8,853.15
Martin County Transit Fund	\$ 42,829.53
Building-CIP-Fund	\$ 67.04
Bank Building Fund	\$ 2,622.52
Debt Service Fund	\$147,791.25
Forfeited Tax Fund	<u>\$ 838.00</u>
Grand Total	\$422,660.43

Martin County Ditch Fund – Warrants Totaled	\$ 96,281.91
Road and Bridge Fund – Warrants Totaled	\$ 10,834.97

Forshee presented the Findings of Fact and Order regarding Redetermination of Benefits, Division of Drainage System, and Partial Abandonment of Drainage System for Joint County Ditch #14.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Chair of the Martin and Faribault County Joint County Ditch #14 Board of Commissioners, sign the Findings of Fact and Order regarding Redetermination of Benefits, Division of Drainage System, and Partial Abandonment of Drainage System for Joint County Ditch #14. Carried unanimously.

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

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize per diems and

expenses for Commissioners to attend, if they so choose, the Legislative Process 101 training to be held January 31, 2008 in Mankato, MN. Carried unanimously.

The Board recessed at 9:51 a.m.
The Board reconvened at 9:59 a.m.

Val Berhow, citizen, was present to voice her concerns about the increased semi-trailer traffic on County Road 20 (Lake Aires Road) in Fairmont. Berhow stated the semis are causing a safety hazard and believes they are running over load limits. Berhow continued there is a bike route that isn't safe now and there have been several near accidents because the semis are speeding through. Berhow went on to state she believes many of the trucks are carrying 10 ton loads and county roads are only 9 ton roads. Berhow noted the semi traffic has increased to all ours of the day and night and the sound of the engine brakes (jake braking) is terrible.

After much discussion, Peyman noted that only State Highways and some small stretches, such as entrances to the soybean and ethanol facilities are approved for 10 ton trucks. All county roads are 9 ton unless otherwise posted. Peyman also noted that the Sheriff's Office and Highway Patrol may have to increase efforts to enforce the weight issue.

Peyman and Martin County Sheriff Captain Brad Hady stated that while they would not be able to put in a weigh station for the trucks, they could address the safety and jake braking issues by posting signs and enforcing the City of Fairmont's Noise Ordinance.

The Commissioners thanked Berhow for the informative discussion.

With no further business to wit, Board Chair declared the meeting adjourned at 10:21 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, Martin County Coordinator