

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 4, 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 Schmidtke, Boler, Potter, and Donnelly. 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, Jennifer Brookens, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC Radio, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions and deletions: Consider Approval for 4-H Federation Summer Programming Assistant and Approval of Temporary Summer Help for 4-H Program; Consider Approval of Establishing the Martin County EDA Budget for CY2008 and Transfer of Funds; Consider City of Fairmont's Petition for Impoundment along Branch D of JD #18 for the creation and restoration of a wetland; Consider Setting Date for AMC County Day at the Capital; and delete Consider Hire of Seasonal Parks Caretaker for County Parks; and Consider Memorandum of Agreement for Temporary County Employee. Carried unanimously.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the February 19, 2008 regular Board of Commissioners meeting as presented. Carried unanimously.

Terry Viesselman, Martin County Attorney, was present and stated his office has been very busy with twenty-two hearings on Monday, March 3rd and twenty-nine hearings on Monday, February 25th.

Scott Higgins, Martin County Coordinator, presented a renewal liquor license for D&D's Redneck Place in Granada, MN.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize renewal of On-Sale and Off-Sale 3.2% Liquor License for David Mosley, d/b/a D&D's Redneck Place in Granada, MN; contingent upon receiving all of the required documentation. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented his recommendation for step increases according to union contract for two Maintenance Worker I positions.

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 increases according to AFSCME Union Contract for Chad Winchester, Maintenance Worker I, from Grade 10 Step 4 at \$15.54/hour to Grade 10 Step 5 at \$15.90/hour, effective March 18, 2008; and for Jason Meade, Maintenance Worker I, from Grade 10 Step 1 at \$14.46/hour to Grade 10 Step 2 at \$14.82/hour, effective March 19, 2008. Carried unanimously.

Peyman next presented a 2008 Transportation Bill Summary with information on how the gas tax increase will affect the average Minnesota tax payer through license tab fees, sales tax increase, estimated local revenue from the bill, and myths and facts about the Transportation bill.

Brad Gerhardt, Martin County Sheriff, presented the monthly Sheriff's Office Update that included: ongoing staff training throughout the month of March; the jail remains full; continuing to work on updating our current telephone system; the multiple fish house break-ins on Hall Lake in Fairmont; the upcoming Governor's Conference on Emergency Management to be held March 10-12, 2008; and the introduction of Matt Owens, Sheriff's Deputy/Investigator, and Clinton Cole, Full-Time Sheriff's Deputy.

The Board welcomed and congratulated both Owens and Cole on their recent promotions.

James Forshee, Martin County Auditor/Treasurer, stated he has received a proposal for accounting services by Larson, Allen, Weishair and Company for compiling the county's basic financial statements of Martin County for the year ended 2007. Forshee went on to state the fee for the compilation of the basic financial statements is estimated to be \$13,000.

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign an agreement with Larson, Allen, Weishair and Company for accounting services in the preparation of the necessary financial statements for the 2007 audit in an amount not to exceed \$13,000. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, presented a current list of mobile homes, recommending the mobile home taxes be removed or forgiven due to the mobile homes being either gone or junked. Forshee stated the County Attorney advised his office that the county does not have the authority to make the taxpayer clean up the mobile homes that are junked; only if it is a health or safety hazard can we require clean up or do it ourselves, which requires a court order, and then assess the property for the cost. Forshee has tried to contact people requesting payment. Forshee noted that on the attached list, there is only one mobile home that is junked and the remaining five mobile homes listed are actually gone. Forshee recommends deletions of the current list of mobile homes from the tax rolls.

Motion by Commissioner Boler, seconded by Commission Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve mobile home deletions from the tax rolls in the total amount of \$4,721.19 from the Mobile Home Tax List due to the mobile homes being either gone or junked, effective March 4, 2008: Parcel #15.013.9003 in the amount of \$491.07; Parcel #15.026.9001 in the amount of \$913.00; Parcel #15.026.9002 in the amount of \$1,637.74; Parcel #16.006.9001 in the amount of \$731.86; Parcel #16.006.9002 in the amount of \$379.56; and Parcel #23.037.9527 in the amount of \$567.96 Carried unanimously.

Dan Whitman, County Assessor, stated the Technology Committee is recommending moving forward with a Geographic Information System (GIS) to our website which offers products and services including an option for integrating the existing FSA imagery, or the assistance in acquiring digital orthophotography; base map development; cadastral data conversion; miscellaneous jurisdictional and other data layers; internet project reporting, and GIS web site enhancements; tax/CAMA data interface; software; and other products and services. Whitman stated the County would prefer a GIS that uses Environmental Systems Research Institute, Inc. (ESRI) software and data models which is an industry standard way of mapping and that the project will be done in multiple phases with the intention of selecting one firm to deliver all contracted services. Whitman is requesting approval to submit Request for Qualifications to companies that would like to submit a bid to work on creating a GIS System for Martin County. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Assessor's Office to publish the Request for Qualifications for the creation and implementation of a Geographic Information System (GIS) for Martin County. Carried unanimously.

Kathy Smith, Martin Soil and Water Conservation District Director, presented information on and recommends submitting an application for funding for the development of Cooperative Weed Management Areas (CWMA) and the restoration of natural and conservation lands through invasive species removal and replanting with local species. Smith stated the Board is being asked to provide \$2,000 of in-kind match toward a CWMA Grant Program Proposal, requesting \$70,000 in funding through the Minnesota Board of Water and Soil Resources. Smith went on to note the project will focus on all native plant populations and areas adjacent to them within the county including riparian lands along creeks, rivers, lakes and wetlands, and scattered prairie remnants usually on steep hillsides. Smith also noted that land enrolled in RIM and CREP will receive high priority for invasive species control as well as for planting local ecotype native plants.

Motion by Commissioner Potter, seconded by Commissioner Donnelly,

R-#12/'08

RESOLUTION
FOR APPROVAL TO SUBMIT
A COOPERATIVE WEED MANAGEMENT AREA
GRANT PROGRAM PROPOSAL

WHEREAS, the Martin County Board of Commissioners recognizes the negative impacts Invasive Species have on natural lands; and

WHEREAS, the Martin County Board of Commissioners recognizes the value of native populations of prairie and woodland within the county and the importance of protecting these natural lands; and

WHEREAS, the Martin County Board of Commissioners are committed to establishing partnerships across jurisdictional boundaries to provide leadership in developing a plan to provide education and awareness, prevention, early detection and response, monitoring and integrated pest management for invasive species control; and

WHEREAS, the Martin County Board of Commissioners recognizes the value of establishing a Cooperative Weed Management Area in order to develop a viable approach to implement the control and removal of invasive species and the reestablishment of local ecotype native species in their place;

BE IT RESOLVED, that the Martin County Board of Commissioners hereby agrees to partner with the Martin Soil and Water Conservation District, State, Federal and Local Governmental Units, Local Organizations, Individuals and all other potential partners within and adjacent to Martin County in establishing and organizing a Cooperative Weed Management Area; and

BE IT FURTHER RESOLVED, that the Martin County Board of Commissioners hereby agrees to provide \$2,000 worth of in-kind match toward a Cooperative Weed Management Area Grant Program Proposal, requesting \$70,000 in funding through the Minnesota Board of Water and Soil Resources, being submitted by and in partnership with the Greater Blue Earth River Basin Alliance.

Motion was made by Commissioner Potter, seconded by Commissioner Donnelly, and was duly passed and adopted this 4th day of March, 2008.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Donnelly, Schmidtke, Boler, and Pierce.
NAYS: None. Duly passed and adopted this 4th day of March, 2008.

Smith introduced Tim Peterson, new Clean Water Partnership Technician. Peterson briefly reviewed a budget report on the Lily and Center Creek Clean Water Partnership that included total budgeted dollars, total encumbered dollars, existing projects, new projects, education, and a copy of a letter sent to producers to encourage sign-up of 30' CRP buffer strips.

Lori Pomerence, 4-H Program Coordinator, was present to recommend the hire of Robert Snyder as Temporary Summer Help for the 4-H Program. Pomerence stated Snyder has done the data entry for the County Fair entries for the last two years and would like to hire him again this year. Pomerence next stated that the 4-H Federation sees a need for programming in various towns within Martin County and recommends the hire of a Summer Programming Assistant to carry out various programs in towns within Martin County. Funding for this position has been budgeted by the 4-H Federation in the amount of \$4,000 to \$5,000 with no expense to Martin County. The Programming Assistant will work a 24 hour week assisting with the free-of-charge planned curriculum in Sherburn, Truman, Welcome, Fairmont, and Ceylon. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Lori Pomerence, 4-H Program Coordinator, to move forward with the hire of a 4-H Federation Summer Programming Assistant to provide 4-H curriculum throughout Martin County, to be paid for by the 4-H Federation. Carried unanimously.

No action taken on hire of Robert Snyder as temporary Summer Help for the 4-H Program.

The Board recessed at 9:52 a.m.
The Board reconvened at 9:58 a.m.

Mike Humpal, Assistant City Administrator, presented the City of Fairmont's petition for impoundment along Branch D of JD #18 for the creation and restoration of a wetland. Humpal stated the Fairmont Economic Development Authority and Fairmont Growth Opportunities are working together to create/restore a wetland basin known as Timber Lake Bed in the southwest corner of the Industrial Park on the west side of where the MRCI building is. Humpal went on to state the proposed project will abandon 900 plus feet of Branch D of JD #18. The parcels abandonment from Branch D will require replacing the existing tile main running through the restoration area with larger non-perforated tile. The 8" concrete tile will be replaced with 12" corrugated, plastic non-perforated tile. Humpal noted that this impoundment wetland would remove 17.5 subsurface drainage acres from Branch D of JD #18. Humpal continued that the petitioner will be responsible for the cost of the installation and construction of the project that they shall be responsible for any future repairs, and will obtain all public

water work permits, water use permits, and other permits required. Humpal concluded that the City would like to have this project completed this summer.

Deb Mosloski, Martin County Drainage Specialist, stated she has reviewed the petition with Mr. Humpal and all is in order. Mosloski continued that in order for the City to receive bids from contractors to keep with the plan of completed construction this summer, a date should be set for the public hearing as soon as possible. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby accept the City of Fairmont's Petition for Impoundment to create/restore a wetland basin known as Timber Lake Bed in the NW ¼ of Section 12 of Township 102 North, Range 31 West, also known as Rolling Green Township, whereas this impoundment wetland would remove 17.5 subsurface drainage acres from Branch D of JD #18. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, acting as the Martin County Drainage Authority, hereby approve setting a public hearing date for Tuesday, April 1, 2008 beginning at 10:00 a.m. in the Commissioners Meeting Room – First Floor of the Courthouse - for impoundment of Branch D of JD #18 for the proposed improvements to restore a portion of Timber Lake Bed. Carried unanimously.

Ron Ringquist, Viewer, was present and stated the viewers reports have now been completed for JD #1, JD #3, JD #8, JD #22, JD #41, JD #67, and CD #24. Ringquist continued that today he is requesting the Board receive the Viewers Report on these ditches and set a public hearing date. Ringquist noted that two separate hearing dates should be set as CD #24 involves people from a different area.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, acting as Drainage Authority for Martin County, hereby approve setting a public hearing date of Tuesday, April 8, 2008 beginning at 2:00 p.m. for the re-determination of CD #24; and set a public hearing date of Tuesday, April 8, 2008 beginning at 3:30 p.m. for the redetermination of JD #1, JD #3, JD #8, JD #22, JD #41, and JD #67. Carried unanimously.

Mosloski presented the Findings of Fact and Order concerning installation of Southern Minnesota Municipal Power Agency electric lines near JD #57, stating that to determine any impact of the installation of the transmission line poles on the tile line, Ulteig Engineers has agreed and is ordered to film the tile lines near the construction before and after construction to determine any impact on the tile lines; and that copies of the video tape are to be delivered to and kept in the Martin County Drainage Administration Office.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, acting as Drainage Authority for Martin County, hereby approve and authorize the Findings of Fact and Order concerning installation of Southern Minnesota Municipal Power Agency electric lines near JD #57

and video taping of the tile lines in the area to be disturbed before and after construction to determine whether the project damages the tile lines of JD #57; and that video tapes are to be delivered to and kept in the Martin County Drainage Administration Office. Carried unanimously.

Higgins reviewed the Pay Plan Review Committee's recommended new employee performance evaluation form with three rating standards: N – Needs Improvement (needs to show improvement, barely meets minimum requirements of job); M – Meets Expectations (consistently meets job requirements in a successful manner); and E Exceeds Requirements (frequently exceeds job requirements). Higgins stated he presented the committee's recommended evaluation form to Department Directors at a special meeting on February 21st; and at that meeting it was determined that the majority was in favor of using the proposed evaluation form and to not include a numbering system.

Steve McDonald, MIS Director, and Kevin Peyman, Martin County Highway Engineer, and members of the Pay Plan Review Committee's subcommittee that drafted the new evaluation form, were present to communicate that the rationale of the new evaluation form was to streamline the form, eliminate the number system, and base an employee's increase solely upon the recommendation of the Department Head.

Commissioner Pierce asked what the criterion is, from the Department Director's perspective, as to whether or not to recommend an increase?

Peyman stated that he felt the numbers rating system was misused in that some Department Directors were playing the numbers game to ensure an increase for their employees; therefore, the simpler rating. If the Department Director feels an employee is meeting their essential job functions satisfactorily then they will recommend an increase.

Commissioner Pierce then inquired if we are essentially moving to an automatic step increase situation?

Discussion ensued about how over the years our rating system wasn't always implemented as merit based and that everybody that was recommended for an increase received one unless they were over Step 12.

Commissioner Schmidtke stated the recommended form will streamline the evaluation and keep everyone on the same playing field and should be implemented with this year's employee evaluations. After further discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and accept the Pay Plan Review Committee's recommended Martin County Employee Evaluation form as presented with three rating standards as follows: N – Needs Improvement (needs to show improvement; barely meets minimum requirements of job); M – Meets Expectations (consistently meets job requirements in a successful matter); and E –

Exceeds Requirements (frequently exceeds job requirements); and that step movement is based solely on the recommendation of the Department Head and Board Approval. Carried unanimously.

Higgins stated the Minnesota Department of Transportation (MNDOT) has indicated it's willingness to allocate funding to the County (Martin County Express) to purchase a second replacement bus in 2008 to be used in our transit system at the 20% local share (\$12,400) and 80% State/Federal Share. Higgins stated that due to the System is experiencing problems in meeting the capacity needs of its rider, particularly during the early morning and late afternoon runs. The additional bus will help take up the extra to reduce our mileage on our existing buses particularly within the City of Fairmont. Higgins noted that adding another bus would necessitate the need to hire another bus driver to meet the demand response. The estimated cost for running the extra hours would be \$26,000 per year. MNDOT has yet to give final approval for the additional hours. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter

R-#13/08

RESOLUTION

Authorizing the Procurement of One Transit Bus and Selecting North Central Bus Sales as Specified Vendor

WHEREAS, Martin County operates a transit system; and

WHEREAS, Martin County desires to purchase, through the State of Minnesota Cooperative Procurement Process, a vehicle to be used in the transit system; and

WHEREAS, the vehicle cost is allocated 20% local share and 80% State/Federal share of the "contract amount"; and

WHEREAS, Martin County staff have reviewed the vehicle options offered by approved multiple contracting vendors; and

WHEREAS, the staff recommends purchasing a vehicle from North Central Bus Sales for the reason of improved body of bus; and

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby authorizes the purchase of a new Elkhart Coach Ford 450 SD Diesel transit bus from North Central Bus Sales of Minneapolis, MN in the approximate amount of \$62,000.00.

Motion by Commissioner Boler, seconded by Commissioner Potter, was duly passed and adopted this 4th day of March, 2008.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Donnelly, Schmidtke, Boler, and Pierce.
NAYS: None. Duly passed and adopted this 4th day of March, 2008.

Higgins presented for approval establishing a new Special Fund for the Martin County Economic Development Authority (MCEDA) CY2008 and for the transfer of funds into the new Fund. Higgins proposed transferring \$31,660 from the Revenue EDA Fund 01-651 to the new Special Funds 08-651 Martin County Economic Authority (MCEDA) Fund; and transfer \$49,000 from 21-652-the Martin County Area Redevelopment Fund to 08-651 Special Fund- MCEDA Fund for the required match for the Department of Employment and Economic Development (DEED) Grant. The total proposed budget for the new MCEDA Fund is \$129,660 (\$98,000 of which is the budgeted amount for the DEED grant).

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize establishing a special fund for the Martin County Economic Development Authority, Account No. 08-651 and to: transfer \$31,660 from Revenue EDA Fund 01-651 to the new Martin County Economic Development Authority (MCEDA) Fund; and to transfer \$49,000 from the Special Funds 21-652 Martin County Area Redevelopment Fund to the new MCEDA Fund 08-652 for the required match for the Department of Employment and Economic Development (DEED) Grant. Carried unanimously.

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

Higgins reviewed a letter received from the Minnesota Historical Society stating that the United States Post Office in Fairmont (51-55 Downtown Plaza) will be considered by the State Review Board for nomination to the National Register of Historic Places.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Coordinator's Office to draft a letter supporting the nomination of the United States Post Office to the National Register of Historic Places. Carried unanimously.

The AFSCME Highway Union presented Step 3 Grievance pertaining to termination of Gary Shumski with the Highway Department. Present were Jo Eastvold and Gary Shumski. After careful review and consideration,

Motion by Schmidtke, seconded by Potter, after careful review and consideration of the union's position and facts regarding the termination of Gary Shumski; the grievance is denied. Carried unanimously.

Motion by Schmidtke, seconded by Potter to approve the termination of Gary Shumski, effective February 15, 2008. Carried unanimously

The AFSCME Courthouse union presented Step 3 Grievance pertaining to step movement for part-time employees. Present were Jo Eastvold and Teresa Tieman. After much discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler in consideration of the issues presented by the union pertaining to the Step 3 Grievance pertaining to part-time step movement, the grievance is denied. Carried unanimously.

With no further business to wit, Board Chair declared the meeting adjourned at 12:05 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Board Chair

ATTEST: _____
Scott Higgins, County Coordinator