

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 15, 2008
@ 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 Steve Pierce.

Those present were Commissioners Boler, Potter, Donnelly, and Schmidtke. 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, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions: Consider Step Increase for Lobby Receptionist – Sheriff’s Office; and delete Review and Approve Minutes of July 1, 2008 regular board meeting. Carried unanimously.

Scott Higgins, Martin County Coordinator, presented Minnesota Valley Action Council’s 2009 Appropriation Request.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file for consideration the 2009 Appropriation Request from Minnesota Valley Action Council. Carried unanimously.

Terry Viesselman, Martin County Attorney, reviewed information received from the Public Defenders Office regarding the cutbacks in the number of public defenders due to budget reductions, effective July 8, 2008. Public defenders would no longer be representing parents in CHIPS (child in need of protection or services) cases or termination of parental rights cases. Viesselman stated that there is no question that the County will be responsible for the costs of attorneys in CHIPS cases and termination of parental rights cases and that the judge will start appointing attorneys from the private bar and the County will be billed at the rate of \$75 per hour. Viesselman went on to state that he had previously indicated to the Board that he would check to see what other counties are going to do and from information gathered, other counties are discussing either contracting with attorneys or paying by the hour. Viesselman continued recommending that Martin County pay by the hour for at least a year to see what the costs are so we can get an idea as to whether it would be economically advantageous to contract with attorneys.

Kevin Peyman, Martin County Highway Engineer, presented and recommended step increases for three Highway Department employees that have met the criteria for step movement per the union contracts.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, 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 Union Contract for: Gary Schaub, Assistant County Engineer, from Grade 18 Step 7 at \$31.47/hour to Grade 18 Step 8 at \$32.40/hour, effective July 9, 2008; for Roger Thayer, Motorgrader Operator, from Grade 12 Step 10 at \$20.91/hour to Grade 12 Step 11 at \$21.39/hour, effective July 23, 2008; and for Kevin Lutterman, Motorgrader Operator, from Grade 12 Step 10 at 20.91/hour to Grade 12 Step 11 at \$21.39/hour, effective July 28, 2008. Carried unanimously.

Peyman next provided a brief department update with reference to the Highway Department starting seal coating projects this week with anticipated completion of the projects next week.

Captain Brad Hady, Martin County Sheriff's Office, stated the Sheriff's Office has accepted the resignation of Zeb Skow from full-time corrections officer status to part-time corrections officer status effective July 21, 2008. Hady stated that Skow's wage will be adjusted accordingly to the part-time corrections officer rate.

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Zeb Skow, with regrets, from full-time corrections officer status with the Martin County Sheriff's Office at a rate of \$20.85/hour to part-time corrections officer status at a rate of \$15.96/hour effective July 21, 2008. Carried unanimously.

Hady continued that due to Skow's stepping down from his full-time corrections officer position, the Sheriff's Office recommends promoting Andrew Boe from his part-time corrections officer position to full-time corrections officer. Hady stated that Boe has been a part-time corrections officer for three and one-half years and recommends starting Boe at the 18 month salary rate rather than the new employee rate.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the promotion of Andrew Boe from part-time to full-time corrections officer for the Martin County Sheriff's Office at a rate of \$18.65/hour effective July 21, 2008; and is eligible for full benefits per LELS Local No. 115 Union Contract. Carried unanimously.

Hady stated that at the last regular Commissioner meeting, it was approved to hire two part-time deputies to fill one position contingent upon successful required background checks. Hady continued that background checks have been successfully completed and that Andrew Noll will begin his part-time deputy status effective July 14, 2008 and that Jacob Ruppert will begin his part-time deputy status effective July 18, 2008.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, having approved recruitment for the position of part time deputy, now hereby approve the hire of Andrew Noll and Jacob

Ruppert to fill available hours in one position, not eligible for benefits; and at the rate of \$17.50/hour, effective July 14, 2008 and July 18, 2008 respectively. Carried unanimously.

Monte Rohman, Truman City Clerk/Treasurer, and Mayor John Sherman, City of Truman were present to request financial assistance to help with demolition of a commercial building structure located in downtown Truman. Rohman reviewed a packet of information that was presented to the Board which included three different bids received to demolish the building. Rohman stated that real estate taxes on the property are delinquent from 2003 to present and the property will be up for tax forfeiture sale in 2009 if taxes are not paid by that time. Rohman continued the City of Truman does have a court order to remove the building, the property has liens against it, and the city attorney said the liens would not affect the city's ability to demo the building. Rohman went on to note that the interior walls in the building are completely gutted and the windows are all gone from the building. The building is leaking water into the Truman Museum building next door causing water damage to the ceiling and basement. Rohman stated three quotes were received for demolition:

| <u>Vendor</u> | <u>Location</u> | <u>Quote</u> |
|--------------------------|-----------------|--------------|
| Beemer Companies | Fairmont, MN | \$18,700 |
| Dulas Excavating | Wells, MN | \$23,500 |
| Blue Earth Environmental | Mankato, MN | \$42,000 |

Rohman stated the City of Truman has budgeted \$6,000 in 2008 for demolition projects and requests financial assistance from the County to help with demolition costs. After discussion,

Commissioner Pierce questioned how the delinquent taxes would affect the tax forfeiture sale in 2009?

James Forshee, Martin County Auditor/Treasurer, stated that back taxes will stay on the property when it comes up for forfeiture in 2009. Forshee questioned if the City of Truman would pay the back taxes on the property or if the City would wait for forfeiture and then purchase the property at the sale?

Rohman stated it is likely the City of Truman would wait until the sale, noting their current concern is not wanting to pay the liens that are on this piece of property.

Commissioner Potter asked of the legalities of being able to demolish a building if someone still owes taxes on it?

Rohman stated the City of Truman had their building inspector conduct a thorough inspection of the property, after which he appeared before the city council with a

resolution for Order to Raze. Rohman continued the council passed the resolution which then gives the property owner 30 (thirty) days to take action to alleviate all the problems; and there was no response from the owners. Rohman went on to state they then filed with the district court for approval to raze the hazardous building and the owners didn't show up for the court case in 2006; so the judge granted the court order. Rohman continued that demolition costs will be assessed against the property and that at the time of sale interested parties will be made aware of the assessments.

Forshee confirmed that it will be noted at the time of sale that there are assessments on the property with the City of Truman for the demolition of the building and will inform interested parties that they will have to negotiate the assessments with the City. Forshee stated that if there is a recovery, it could be worked out that the County receives a portion back.

Much discussion ensued pertaining to granting financial assistance and if so, how much. After more discussion,

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize a \$5,000 allocation to the City of Truman to aid in costs associated with demolition of a commercial building in downtown Truman legally described as Lot 3, Block 5, Original Plat, City of Truman (105 West Ciro Street) to be expended from the Tax Forfeiture Fund; and that Martin County will recover a portion of it's allocation for the demolition of the aforementioned building to be determined after the property is sold due to tax forfeiture. Carried unanimously.

Jim Forshee, Martin County Auditor/Treasurer, presented a resolution authorizing a County Absentee Ballot Board. Forshee stated the State has given counties authorization to appoint an absentee ballot board which would process the absentee ballots when received in the Auditor/Treasurer's Office and would be made up of two staff and myself. Forshee continued this will eliminate the need for election judges to perform this technical and time consuming task on Election Day as the absentee ballot board can begin this process 30 days prior to an election, giving election judges more time for the voters at the polls. Forshee recommends this resolution appointing the Absentee Ballot Board.

Motion by Commissioner Donnelly, seconded by Commissioner Potter,

R-#22/'08

RESOLUTION

AUTHORIZING A COUNTY ABSENTEE BALLOT BOARD

WHEREAS, Martin County is permitted by Minnesota Statute 203B.13, Subd. 1 to authorize a County Absentee Ballot Board effective July 15, 2008; and

WHEREAS, this authorization will bring uniformity in the processing of accepting or rejecting returned absentee ballots to Martin County Elections that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22; and

WHEREAS, this will eliminate the need for election judges to perform this technical and time consuming task on election day wherein the county absentee ballot board can begin this process 30 days prior to an election; and

WHEREAS, this will speed the processing of accepted absentee ballots delivered to the precincts to be incorporated into the vote counts on election day; giving election judges more available time for the voters at the polls; and

NOW THEREFORE BE IT RESOLVED THAT, the Martin County Board of Commissioners hereby authorizes Martin County Elections to implement a County Absentee Ballot Board that would consist of a sufficient number of election judges as provided in the sections 204B.19 to 204B.22 to perform the task.

Motion made by Commissioner Donnelly, seconded by Commissioner Boler, and duly adopted this 15th day of July, 2008.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

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

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

Forshee next stated that he was absent at the July 1, 2008 regular Board of Commissioners meeting and requested that the Board reconsider sending a letter to the State Auditor's Office opting out of future audit services through the State of Minnesota Office of the Sate Auditor. Forshee stated he feels strongly about not having had the opportunity to address discussions on this subject and that Martin County finish the three year audit cycle that we are currently on with the state; and that next year the county could start the process of obtaining quotes with audit firms that have experience performing county audits. Forshee went on to state he agrees that costs from the State were excessive last year; but was told that successive years will be less money than the first year. Forshee recommends the Board reconsider sending an "opt out" letter at this time and to begin that process next year after the CY2008 audit is complete.

Commissioners discussed their concerns over what they feel are excessive costs charged by the State Auditors' Office for their audit services compared to services conducted by local firms. After further discussion,

Consensus of the Board to go ahead with the "opt out" letter as approved in the previous meeting, opting out of future audit services through the State of Minnesota Office of the State Auditor, after the current audit cycle is completed.

Higgins stated that recently the Board received the Arbitration decision regarding step movement for part-time courthouse employees. There are two part-time employees in the courthouse union, Kari Buntjer, Victim/Witness, and Debra Lutz, Sheriff's Office. The arbitrator's decision was that the part-time employees needed to be evaluated annually and considered for step increase in January along with the full-time employees. However, the arbitrator stated that any step movement was to be determined by the County Board. Higgins continued that in reviewing the decision and the status of the two part-time employees, Buntjer did receive a step increase in January. Lutz received an evaluation and increase in August, 2007. The Board should utilize the August evaluation as it considers the January 2008 increase. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, after careful review of the arbitration decision regarding part-time step movement for courthouse employees (dated June 9, 2008), and in consideration of a step increase for Debra Lutz, Lobby Receptionist, having already received a satisfactory evaluation August, 2007 and a step increase, hereby declines a step increase for January, 2008. Carried unanimously.

Mark Bauman, Prairieland Compost Director, presented the June, 2008 warrant list for Prairieland Compost Facility.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the June 30, 2008 bills for Prairieland Compost Facility as presented by Mark Bauman, Prairieland Compost Director. Carried unanimously.

Prairieland Solid Waste Mgmt. Bill Summary
As of June 30, 2008

| | | |
|-------------------------------|----|----------|
| Advanced Weighing Systems | \$ | 311.18 |
| Airgas Safety, Inc. | \$ | 221.67 |
| American Pest Control | \$ | 214.76 |
| AMSCO Cast Productions Canada | \$ | 4,280.00 |
| B&B Sanitation Service – V | \$ | 709.28 |
| B&F Fastener Supply | \$ | 73.70 |
| Bearings & Drives, Inc. | \$ | 14.20 |
| Berhow, Vickie | \$ | 1.07 |
| BoeKett Building Supply, Inc. | \$ | 10.94 |

| | | |
|--|---------------------|------------------|
| Cenex Credit Card | \$ | 264.23 |
| City of Fairmont – V | \$ | 57.74 |
| Donnelly, Steven | \$ | 42.42 |
| Erichsrud, Butch | \$ | 81.81 |
| Fliterpro | \$ | 1,224.00 |
| Frontier Communications | \$ | 296.71 |
| Grainger | \$ | 98.74 |
| Groskreutz, William A., Jr. | \$ | 158.57 |
| Hawkins, Inc. | \$ | 12,827.26 |
| Henry, David | \$ | 6.38 |
| Hinrichsen, Dan | \$ | 3,725.95 |
| LJP Enterprises Trucking, LLC | \$ | 2,767.44 |
| Loveall, Tom | \$ | 23.74 |
| Madelia Sanitation – V | \$ | 242.12 |
| Marshall & Swift, Inc. | \$ | 545.12 |
| Martin’s Flag Company, Inc. | \$ | 207.80 |
| Midwest IT Systems, Inc. | \$ | 555.00 |
| Minnesota Elevator, Inc. | \$ | 156.20 |
| Minnesota Lake Refuse Service – V | \$ | 110.18 |
| Mohwinkel, Jerry | \$ | 250.00 |
| MVTL Laboratories, Inc. | \$ | 892.80 |
| NAPA Fairmont | \$ | 347.96 |
| Pierce, Steven | \$ | 36.36 |
| Potter, Jack | \$ | 40.92 |
| Rabbe, Billeye | \$ | 6,546.18 |
| Resource Recovery Technologies, LLC | \$ | 6,234.92 |
| Rode Manufacturing Corporation | \$ | 7.60 |
| Schmidtke, Dan | \$ | 47.48 |
| Steier, Barb J. | \$ | 106.05 |
| Stoel Rives LLP | \$ | 295.00 |
| Titan Access Account | \$ | 3,218.57 |
| Truman Public Utilities | \$ | 15,729.65 |
| Valley Nat’l Gases – LOC 88 | \$ | 7.35 |
| Veolla ES Technical Solutions | \$ | 4,252.07 |
| Warmka, Tom | \$ | 79.80 |
| Waste Management of Southern Minnesota | \$ | 7,643.20 |
| Watonwan Farm Service Company – V | \$ | 2,860.71 |
| Watson’s Plumbing, Heating & A/C | \$ | 156.96 |
| WM of Southern Minnesota MA | \$ | <u>38,509.01</u> |
| | TOTAL | \$116,490.80 |
| 6/17/08 | Cenex Credit Card | \$ 149.85 |
| 6/17/08 | MN Energy Resources | \$ 3,789.00 |
| 6/18/08 | Menard’s | \$ 203.09 |
| 6/19/08 | Alltel | \$ <u>30.37</u> |
| | GRAND TOTAL | \$120,663.11 |

Pam Flitter, Zoning Official, was present to review and update the Board on the County Septic Loan program year to date which included information on the number of loans that the county has completed from 1997 to present; and the number of loads that have been issued each year out of Martin County funds; as well as the number of loans that have been repaid.

The Board recessed at 9:52 a.m.
The Board reconvened at 9:59 a.m.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve payment of claims for the month of July, 2008 as presented; and includes Martin County Highway Department claims as presented. Carried unanimously.

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

| | |
|--|------------------|
| Revenue Fund – Warrants Approved July 15, 2008 | \$151,421.32 |
| Recreation and Safety Fund | \$ 3,321.58 |
| Martin Co. Economic Development Authority | \$ 3,197.02 |
| Law Library Fund | \$ 7,314.47 |
| Martin County Transit Fund | \$ 46,687.23 |
| Ind. Sewage Treatment Sys. Loan FD (ISTS) | \$ 39,374.29 |
| Building – CIP – Fund | \$ 42.37 |
| Bank Building Fund | \$ 1,311.63 |
| Refunding Fund | \$ 152.00 |
| Taxes and Penalties Even Years | <u>\$ 453.00</u> |
| Grand Total | \$253,274.91 |
| Martin County Ditch Fund – Warrants Totaled | \$ 27,008.80 |
| Road and Bridge Funds Totaled | \$131,540.28 |

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

With no further business to wit, Board Chair declared the meeting adjourned at 10:24 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator