

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, OCTOBER 7, 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 Donnelly, Schmidtke, Boler, and Potter. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Terry Viesselman, Martin County Attorney, Rod Halvorsen, KSUM/KFMC Radio, Julie Walters, Administrative Assistant, Jennifer Brookens, Sentinel Newspaper, 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 as presented. Carried unanimously.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the September 2, 2008 and September 16, 2008 regular Board of Commissioners meetings as presented. Carried unanimously.

At this time chairman Pierce read aloud a resolution proclaiming the 10<sup>th</sup> Anniversary Celebration of CREST (Caregiver Response Effort & Service Team).

Motion by Commissioner Donnelly, seconded by Commissioner Potter,

PROCLAMATION OF  
THE 10<sup>TH</sup> ANNIVERSARY CELEBRATION  
OF CREST

WHEREAS, CREST was established as a non-profit organization on August 3, 1998 in Fairmont, Minnesota to meet the non-professional needs of the citizens of Martin County.

WHEREAS, CREST volunteers have donated more than 17,000 hours of service in the past 10 years in the areas of transportation, respite care, friendly visiting, telephone reassurance, home helper, and minor home repair.

WHEREAS, CREST will be celebrating their 10<sup>th</sup> anniversary of helping others with a celebration on Sunday, October 12<sup>th</sup>, 2008 at the Interlaken Golf Club with a reception and program.

NOW THEREFORE BE IT PROCLAIMED, that we the Board of County Commissioners of Martin County, Minnesota do hereby congratulate CREST on their 10<sup>th</sup> anniversary milestone and wish them well in the years to come. We are also encouraging all Martin County citizens to recognize the important contributions that CREST has made in making life better for those in need.

Proclaimed this 7<sup>th</sup> day of October, 2008.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Pierce, Chair

ATTEST:

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Scott Higgins, County Coordinator

Kay Wrucke, Martin County Recorder, presented an award of excellence for technology for the Minnesota Official Marriage System (MOMS). The Minnesota Official Marriage System is an online service designed for the general public to search and locate official marriage information and to be directed to the county which holds the custodial marriage record. MOMS was created to benefit county offices and licensing centers by using a central system in unifying all county offices in preservation of the record, for internal searching capabilities, and the creation of the marriage record. Wrucke stated this system was developed by herself, a local vital record registrar from Todd County, and a developer from Hennepin County and the three counties are sharing this prestigious award which was received from the MACO (Minnesota Association of County Officers) eCounties Group.

Wrucke continued with a brief update on Property Fraud Alert. Property fraud is defined as when someone illegally uses your property for financial gain. Wrucke stated our County Land Records Office has teamed up to create a notification service called Property Fraud Alert and that whenever a deed of transfer occurs, the system will notify the property owner; and if you haven't transferred anything there could be some potential fraud. Wrucke stated that subscription is free of charge and anyone that owns land in Martin County can sign up for this.

Terry Viesselman, Martin County Attorney, informed the Board that he has reviewed the Iowa Lakes Regional Water documents that will be presented for consideration later in today's agenda, and approves them as to content and form. Viesselman next stated that a discrimination claim has been filed recently against Martin County involving the Martin County Jail and that more information on this claim will be forthcoming.

Viesselman concluded with information concerning a second petition that has been filed proposing that the name of Lake Wilmert be changed to Lake Willmert (additional "l"). Viesselman stated this petition has the proper number of names on it and now according to statute, the County Board must set the time and location for hearing on the petition, publish the notice for at least three weeks in the official newspaper for the county; send notice to the commissioner of natural resources, and the chair of the township. Viesselman went on to state before the notice of the hearing is given, the petitioners must give a bond to be approved by the county attorney of the county where the petition has been filed, that is conditioned on the full payment of the reasonable expenses incurred by the county for the proceeding. Viesselman continued that a name of a lake which has existed for 40 years may not be changed under the provisions of Minnesota Statutes sections 83A.05 to 83A.07 and that it is his understanding that the name of Lake Wilmert has existed for over 40 years. Viesselman noted that if the Board is able to change the name of this lake, we would still need approval of the Department of Natural Resources.

Commissioner Schmidtke inquired how long has the lake been spelled with one "l?" If it has been over 40 years, there is no sense having a hearing.

Fred Zoeller was present and stated the lake name isn't going to change, it's an historic spelling error of the last name of the man that was the first descendent to plant corn in Martin County.

Grant Willmert was present and stated he is a descendent of the founders of the lake and that when August and John Willmert named the lake, they named it Lake Willmert and their name was spelled with two "ll's." Willmert does not know how the spelling with one "l" came about.

Discussion ensued concerning if the lake has been spelled with one "l" for more than 40 years; and if a letter could be drafted to the commissioner of natural resources asking permission to correct what we believe was an error in the spelling of Lake Wilmert.

Viesselman stated again that Minnesota statute says if a petition is filed you must set a public hearing and recommends this as the county's course of action. Viesselman noted that he will offer to draft a letter to the Department of Natural Resources and the Attorney General's Office for a ruling to assist us; however, the county must give notice nonetheless. After further discussion,

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby set the date of December 2, 2008 at 10:00 a.m. to hold a Public Hearing for petition to change the name of Lake Wilmert from Lake Wilmert to Lake Willmert (adding an "l"); and request a \$300 cash bond from the petitioners as required to cover county expenses. Carried unanimously.

Pam Flitter, Martin County Zoning Official, stated the Planning Commission is recommending approval of a Conditional Use Permit request from Geistfeld Bros. Farms, proposing to construct a new hog barn on an existing building site located in an "A"

Agricultural District. Flitter continued the Martin County Zoning Ordinance requires a Conditional Use Permit in an "A" Agricultural District for any animal feedlot new or expanding containing over 1,000 animal units with the following conditions:

- Obtain all necessary permits from the Minnesota Pollution Control Agency (NPDES) and any other state agencies/permits before construction begins.
- Building Permit(s) be obtained.
- Applicant must construct according to the plans that have been submitted.

After discussion and review,

Motion by Commissioner Boler, seconded by Commissioner Schmidtke,

R-#29/'08

CONDITIONAL USE PERMIT  
FOR GEISTFELD BROS. FARMS  
WITHIN SECTION 4 OF WAVERLY TOWNSHIP

Motion by Commissioner Boler, seconded by Commissioner Schmidtke,

WHEREAS, a Conditional Use Permit was requested by Geistfeld Bros. Farms, applicants and owners of property; and

On the 23<sup>rd</sup> day of September, 2008 concerning the following described property located in the County of Martin and State of Minnesota to wit:

The Northeast Fractional Quarter (NE Fr. 1/2) of Section Four (4) in Township One Hundred Four (104) North, Range Thirty-one (31) West of the Fifth Principal Meridian, Martin County, Minnesota.

WHEREAS, on the 7<sup>th</sup> day of October, 2008 the action requested is the foregoing application was recommended for approval to the Board of Commissioners by the Martin County Planning Commission; and

WHEREAS, said application was approved by the Martin County Board of Commissioners on this 7<sup>th</sup> day of October, 2008 with the following condition(s) to wit:

- Obtain all necessary permits from the Minnesota Pollution Control Agency (NPDES) and any other state agencies/permits before construction begins.
- Building Permit(s) be obtained.
- Applicant must construct according to the plans that have been submitted.

NOW THEREFORE, a Conditional Use Permit for the above described property is hereby issued pursuant to MS 394.301 and Martin County Ordinance #1, Chapter 6.01 for the following purpose:

Feedlot over 1,000 animal units

with respect to the above described property.

This permit shall remain in full force and effect provided that the conditions as described above are met and maintained by the applicant and his/her successors in interest.

Notice is hereby given that this permit may be revoked if the conditions set forth above are not maintained as described above.

This resolution shall become effective immediately upon its passage and without publication.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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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 7<sup>th</sup> day of October, 2008.

Randy Quiring, Financial Services Inc., presented a review of Long Term Care Insurance, a proposed new benefit for county employees. Quiring stated Long-term care is different from medical care. Typically, it's not provided by doctors and isn't designed to cure an illness. Instead it's the kind of care that would be necessary when a person is unable to independently perform daily activities such as eating, bathing, and dressing. Many people of all ages need long-term care due to a disabling injury, chronic illness, or cognitive impairment. Quiring continued that for many employers, Long-Term Care Insurance is the cornerstone of a solid benefits package because it offers employees an affordable way to help protect their financial future. Quiring noted a group offering will help county employees obtain coverage through simplified underwriting which makes it easier to obtain coverage versus trying to obtain a policy on their own. Also, there will be an employer discount as well as be eligible for discount rates. Quiring went on to note if the County participates in paying part of the employee's month premium for those employees that elect coverage, there is a 10% employee discount on premiums. Quiring continued if the County does not participate a minimum of 10 lives (which will include spouses) would need to sign up for coverage. If there is participation with the County then there would be a minimum of 3 lives.

Commissioner Pierce stated that there had been talk at the Insurance Committee meeting about including Long-Term Care Insurance in as a benefit for all employees, starting with the non-union group, and then negotiating with the union groups. Pierce also noted that

the Personnel Committee had talked about a county contribution of \$10 per month towards premiums to encourage people to enroll. After further discussion, Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve offering a Long-Term Care Insurance benefit to eligible employees; and approve a \$10 monthly premium contribution toward the Long-Term Care Insurance premium to non-union employees effective January 1, 2009. Carried unanimously.

Sheriff Brad Gerhardt stated Dave Worden, Corrections Officer with the Martin County Sheriff's Office, has submitted his resignation effective November 1, 2008.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby accept the retirement of Dave Worden, Corrections Officer, from employment with Martin County effective November 1, 2008; and approve and authorize the Martin County Sheriff's Office to recruit replacement Corrections Officer. Carried unanimously.

Sheriff Gerhardt continued the Martin County Sheriff's Office has received notification of increased funding provided to Martin County in the amount of \$4,204.00 to cover expenses related to labor (including overtime) and equipment dedicated to off highway vehicle enforcement. Gerhardt stated these funds are shared with the Fairmont Police Department.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Martin County Sheriff and Board Chair to sign the Off Highway Vehicle Enforcement Grant Contract in the amount of \$4,204.00 effective October 1, 2008 through June 30, 2009. Carried unanimously.

John Chabot of Hanratty & Associates Inc., was present to review the county's health insurance plan. Chabot noted that the County Insurance Committee has reviewed the current Health Insurance Plans with BlueCross BlueShield through the South Central Services Coop and the 105 Plan. Chabot continued that the County received a 24.2% renewal premium increase from the Coop; however, after further negotiations it has been reduced by approximately 1%. Chabot next presented a spreadsheet review of 2008 current premium contributions versus 2009 proposed plan contributions based on the purchase of a \$5,000 Deductible Health Plan from BlueCross BlueShield. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, on an annual basis reviews and determines the county health plans and employee contributions to health insurance premiums for non-union staff, and upon the recommendation of the County Employee Insurance Committee, hereby approves the purchase of a \$5,000 Deductible Health Plan from BlueCross BlueShield through the South Central Service Coop; and establishes the non-union employee contributions for single and family plans as follows: Plan A (\$20

Co-pay) Single \$172.83, Family \$903.72; Plan B (\$250 Ded.) Single \$96.51, Family \$667.01; Plan C (1,000 Ded.) Single \$0.00, Family \$280.00 for CY2009; and to approve and authorize the Board Chair and/or the County Coordinator to sign the necessary documents with BlueCross BlueShield and/or Hanratty & Associates relating to the health insurance plan(s). Carried unanimously.

Chairman Pierce opened the public hearing for the consideration of the proposed improvement/repair/abandonment of a portion of CD #11; Martin County Minnesota located in the NW ¼ SW ¼ of Section 14 Township T102N, Range R32W, also known as Manyaska Township at 10:00am. Those present were Donnelly, Potter, Schmidtke, and Boler. Also present were Deb Mosloski, Martin County Drainage Specialist, and Tom Wenzel, Engineer for the project and members of the public

Tom Wenzel, Design Engineer with the Board of Water and Soil Resources, reviewed the Engineer's Report in consideration of the Petition of Mr. Doug Willner and Ms. Angela Willner and the Martin County Soil and Water Conservation District to impound water on and to repair a portion of CD #11 in Manyaska Township. Wenzel reviewed the surveys of the property, plans, and specification of the proposed structures, maps of the affected areas, and other technical data related to the Project on the Property. Wenzel continued that the Project is feasible, that the project is of public benefit and utility and promotes the public welfare considering the environmental and land use criteria, and that the outlet is adequate. Wenzel went on to note evidence presented that the creation of an impoundment and the subsequent re-alignment and/or abandonment of portions of CD #11 Branch K, K-11 and K-12 will be of public and private benefit and will not impair the utility of the ditch or deprive affected landowners of its benefit. Wenzel also noted they are trying to accomplish two things; (1) to protect the public system, and (2) to restore the hydrology on the site and protect the neighboring property owners. Wenzel stated the project consists of the abandonment of approximately 2,930 feet of CD #11 Branch K tile from its point of beginning to the north quarter line of the SW ¼ of section 14. A new re-aligned reach of approximately 1,380 feet of non-perforated tile and outlet ditch will be installed to provide continued drainage benefits to the NW ¼ of the SE ¼ of Section 14. Wenzel went on to state this re-aligned reach will outlet directly into the impoundment area; the abandonment of approximately 1,000 feet of the CD #11 Branch K-11; and the abandonment of approximately 700 feet of CD #11 Branch K-12; and re-aligned with approximately 1,000 feet of new tile and outlet ditch which will direct flows into the impoundment area.

Chairman Pierce asked for input from the public.

Bryon Kittleson, Manyaska Township, was present and questioned the elevation of the proposed basins #1 and #2; and of the tile at station 147 + 70 as no elevation is stated on the map.

Wenzel stated the elevation of the proposed basins the water surface that would result when these areas are full before water would discharge over ground. Wenzel went on to state the elevation of the tile is not known. However, we do know the tile is in the ground anywhere from 3 – 6 feet, certainly low enough to collect this water. Wenzel

continued that final construction plans will include the actual elevation of the tile that is discovered either before or during the course of construction and will be made part of the record.

Kittleson next asked about the elevation of Branch K, K-11, and K-12.

Rich Perrine, District Technician - Martin Soil and Water Conservation District, pointed out on the map and stated that right by the easement line is about 3 ½ foot deep and by this easement line is about 4 foot deep.

Chair Pierce asked if there was any further public comment, there was no further input from the public,

Motion by Commissioner Donnelly, seconded by Commissioner Potter, after having received input from the public concerning the matter; the Martin County Board of Commissioners, hereby close the public portion of the Ditch hearing. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, acting as the Martin County Drainage Authority, hereby approve and authorize the Order Granting Petition to create an impoundment and to repair a portion of the CD #11 tile located in the Northwest Quarter of the Southwest Quarter of Section 14, Manyaska Township, Martin County, MN; contingent upon amended language to the Order. Carried unanimously.

Deb Mosloski, Drainage Administration, presented her recommendation to order the redetermination of and appoint viewers for CD #55. After further discussion by the Drainage Authority,

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County has the authority to Redetermine benefits for county drainage systems and hereby appoints Ron Ringquist, Charles Bowers, and Jerry Rollings as the Ditch Viewer(s) for the Redetermination of the original construction and subsequent improvements to be assessed for CD #55. Carried unanimously.

Mosloski next presented the Order regarding the Establishment of the Improvement to JD #47; and the Order regarding Redetermination of Benefits for JD #47.

Motion by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County has the authority to redetermine benefits for county drainage systems; and hereby approve and authorize Board Chair to sign the Order for the Establishment of JD #47 Project and approve the Viewer's final determination in the Improvement project; and accepts the Order for the Viewer's Final Redetermination for JD #47. Carried unanimously.

Rich Perrine, Martin Soil and Water Conservation District, presented an update on the implementation of the Cooperative Weed Management Area grant program for the Board's information. No action needed.

The Board recessed at 10:17 a.m.

The Board reconvened at 10:23 a.m.

Chairman Pierce opened the public hearing for the acquisition and construction of certain rural water system improvements to benefit properties within Lake Fremont Township and that part of Jay Township that is south of I-90. Representative from Iowa Lakes Regional Water (ILRW) were present as well as members of the public including those who are affected by the proposed project.

Scott Higgins, Martin County Coordinator, stated the county has received the affidavit of publication as well as the list of those the notice was mailed out to; the proposed resolution ordering the rural water system improvements for consideration, and the Joint Powers Agreement for the construction, maintenance, and operation of Jackson/Martin Rural Water System.

Randy Van Dyke, Chief Executive Officer of Iowa Lakes Regional Water (ILRW), presented a review of the proposed acquisition and construction of certain rural water system improvements to benefit properties within Lake Fremont Township and that part of Jay Township that is south of I-90. Van Dyke stated the impact of the rural water system improvements is to provide necessary and desirable facilities for public use. The impact of the assessments for the improvements is to make benefited properties and their owners, rather than the public at large, responsible for paying the costs of the improvements. Van Dyke went on to state a reasonable estimate of the total amount assessed by the County is \$1,560,000.00. This estimate is approximately 34% of the costs of the improvements. Van Dyke noted the methodology the County intends to use to calculate individual assessments for affected parcels is each benefited property served will be assessed an equal amount. Using this methodology, the assessment will be about \$12,000.00 per affected parcel and that the County intends to levy the assessments in 2009. Van Dyke went on to note the project is strictly voluntary and that landowners can opt out if they do not have the need for water and this is not a mandatory assessment process. Van Dyke stated the hook up fee is \$450.00 and with that fee not only do you get the water but you then also become a member and get to vote on issues at an annual meeting, and elect a Board of Directors that sets the rates and decides what the monthly cost will be. Van Dyke concluded that ILRW is launching the project at a monthly minimum of \$32.00 with the flat rate of \$2.50 per thousand for the amount of water you need.

Chairman Pierce asked for input from the public.

Diana Schafer, Maynard Jagodzinske, Don Hoffmeister, George Garlick, Jon Walters, and Tim Holm were present to voice their concerns and ask the following questions which Van Dyke addressed.

Q. Will property be assessed even if the property owners do not want to connect to the project?

A. No. The assessment is fixed at \$12,000.00 and is based upon a voluntary participation or an opting out.

Q. Is there a sign up period and would future property purchasers have an opportunity to sign up at a later time?

A. At this time, there is not a moratorium or a time period that the door will be closed.

Q. If there are additional miles that need to be installed to connect somebody, is that then assessed over the entire system?

A. By keeping the assessment at the \$12,000.00 rate, we're confident that at that level, we can absorb costs associated with minor improvements to the distribution system.

Q. Do you have the right to eminent domain to the extent that if your well in Iowa went bad and you decide to build in Minnesota, could you come onto my property and put in a big production well?

A. No. As an entity we wouldn't have the right of eminent domain in Minnesota. The County has all those particular rights but would not exercise them because you are a member. Our Board of Directors in Iowa has the right of eminent domain but they choose not to use it.

Q. What is the average water usage per household and what will an average water bill be per month?

A. Generally what you're going to see is about 5-6,000 gallons a month but that will vary depending on the number of people in your household and your water usage habits. You would multiply \$2.50 per thousand based on what your usage is going to be and the monthly minimum is \$32.00.

Q. Could that amount go up?

A. Typically you could see an inflationary increase of between 2 and 3%.

Q. What monies have been put aside for depreciation costs on the system and if things get really tough, who takes over the system?

A. The Joint Powers Agreement for the construction, maintenance, and operation of the proposed water system is perpetual so that not only the County, but the residents have a perpetual organization and take responsibility not only to the federal government but to maintain the system indefinitely and to keep the integrity and the liability of the system inevitably.

- Q. How much of the \$12,000.00 is payable each year and for how many years?
- A. The assessment process set up and proposed by the Steering Committee is a 29 year assessment and the interest rate on that assessment is 4.625% payable twice a year at \$445 every six months.
- Q. What is the water quality/hardness of the water?
- A. The RO (Reverse Osmosis) treatment process that we are using right now is at the very top in terms of water quality standards. In terms of hardness, we're looking at or below 7 grains per gallon.
- Q. What is the water source?
- A. An alluvial aquifer deep well source. Very good quality.
- Q. What are the nitrate and arsenic rates?
- A. There is no arsenic or nitrates at this point in time. If levels were found, the RO treatment would remove them from the water.
- Q. If a person were to hook up to the proposed system, would they be required to cap wells on their property?
- A. No. At this time, we are not aware of any requirements to cap off or seal wells.
- Q. Does every connection become a check valve; is there a pressure regulator on each property, what will the pressure be, what is the size of pipe and size of the main?
- A. Every service installation has shut off valves on one side and a check valve on the other, and in between those, there's always a pressure regulator valve. Each property will have a pressure regulator set to whatever you want, as they are adjustable. A general rule of thumb is an average rural water system has around 70 pounds of pressure in the lines and will be the standard connection, which takes care of about 95-99% of the users at 20 and 25 gallons per minute. The main varies depending upon where you are on the distribution system. You could be on a 10" main or you could be on a 2" main
- Q. What are the associated costs to landowners for installation?
- A. The way the system is designed is that we bring it to the point of use on the property for each person.
- Q. What do you consider point of use?
- A. Either the house or if you have a well pit. Typically our construction crew uses structural boring where we tunnel under county roads, railroad track, other utilities and it is our responsibility to protect all the utilities that are ahead of us.
- Q. When you come down the road are you in the field or are you in the road ditch?
- A. It will be preferable to put as much of the pipeline on private right-of-way as possible; however, it may be necessary to ask property owners for a voluntary easement.

- Q. What about the underground boring and tiles?
- A. Most of the time when we're in the field where tiles are encountered, we're using a trencher so if we go through the tile, then we go back on undisturbed property and make the type of repair that we do take responsibility to the property and that repair.
- Q. How many system miles are using RO water through a system like this?
- A. This is cutting edge technology. We don't have an RO plan like this in use.
- Q. How many customers do you have that are now buying RO water?
- A. We're looking at starting off with about 2 million gallons per day capacity.
- Q. How many are buying water already?
- A. None. The plant is not built yet.
- Q. How long can you take the RO water test without it etching the copper pipes in these homes?
- A. This RO technology doesn't change the pH level of the water; therefore, it will not become corrosive.
- Q. What pH level are you achieving? I ask this because I know a family where all four members found they had health problems due to copper poisoning from running high quality water through copper water tubing.
- A. The pH level at our other water treatment plant is about 8 to 8.2. That could happen by water that is softened by Ion Exchange, not by the RO methodology. The RO is the softening process.
- Q. What is the TDS going to be on the water coming out of the RO?
- A. Very, very low at 25 parts per billion or less.
- Q. I work in the car wash market where we have a lot of RO water and RO water is hard on fittings.
- A. The only way that could possibly be is because the pH of the water before it goes through the RO is already corrosive and they're not doing a pH adjust. With the pH adjust that we have coming out the plant, it will not be corrosive.
- Q. With approval of this, will the County Board guarantee that all of those that opt out of this system never have to pay a cent, or that we will ever be required to hook up to the system?
- A. That is the way the Joint Powers Agreement is drafted, signed by both counties and Iowa Lakes Regional Water. If you don't sign up to be on the system, you won't be assessed.
- Q. You said there is over 70% that are on board with this. Is there a record of the people that are on board with this system?
- A. I'm sure there is a survey somewhere; however, I don't have it with me today.

Q. If we decide to go into this system and after five years decide we want out, what happens?

A. The objective here is on the assessment to have some assurance of financial participation for the debt service. You would still be on the assessment.

Q. What determines the feasibility of this project?

A. The feasibility is based on the participants on the project in the feasibility study that we did based upon the people that indicated that they had a need for the water system.

Q. With the decline of rural America, who are the users of this system?

A. Livestock connections, new homes, acreage's that did not have a well; a collection of those things.

Q. How deep will the wells be?

A. Generally these wells will range approximately 40 and 45 foot deep.

Q. What happens with the reject water?

A. The reject water is going to be introduced into the environment into a pond. The excess water that doesn't recharge the aquifer goes down the Des Moines River.

Q. What is the percentage of reject water?

A. About 20%.

Q. Where will the wells be located?

A. Just south of Graettinger, Iowa.

Q. Is there a provision for crop damage for the volunteer easement?

A. Yes.

Q. Where can we get a copy of this Joint Powers Agreement?

A. Once the Board takes action on the Joint Powers Agreement, it becomes a public document and once all required signatures are received, you may ask for a copy.

Chair Pierce asked if there was further input from the public, there was no written comments received, hearing none,

Motion by Commissioner Donnelly, seconded by Commissioner Boler to close the public portion of the meeting. Carried unanimously. After further discussion by the Board,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be it Resolved that the Martin County Board of Commissioners upon careful consideration and review hereby approve and authorize Board Chair to sign resolution Ordering Rural Water System Improvements, Directing the Preparation of Final Plans and Specification, and Authorizing the Execution, and Delivery of Joint Powers Agreement.

Commissioner Schmidtke introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING RURAL WATER SYSTEM IMPROVEMENTS, DIRECTING  
THE PREPARATION OF FINAL PLANS AND SPECIFICATIONS, AND AUTHORIZING  
THE EXECUTION AND DELIVERY  
OF JOINT POWERS AGREEMENT**

WHEREAS, after due Notice of Public Hearing on the proposed acquisition and construction of certain rural water system improvements to benefit properties within Lake Fremont Township and that part of Jay Township that is south of I-90 (the “Water Improvements”), pursuant to Minnesota Statutes Section 429.021, subdivision 1, as amended, this Board held a public hearing on the Water Improvements, heard all persons desiring to be heard on such improvements and fully considered the same; and

WHEREAS, at said hearing there was available a reasonable estimate of the amount to be assessed and a description of the methodology, in the form attached hereto as Exhibit A;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Martin County, Minnesota as follows:

1. The Water Improvements are necessary, cost-effective, and feasible as detailed in the preliminary plan and report (the “Preliminary Engineering Report”) prepared by DeWild Grant Reckert and Associates (the “Consulting Engineers”) for the Jackson/Martin Subsystem (the “Jackson/Martin Subsystem”).

2. It is advisable, expedient and necessary that the Water Improvements as described in the Notice of Public Hearing thereon be constructed, and the Water Improvements are hereby ordered made.

3. The Consulting Engineers are hereby directed to prepare final plans and specifications for the Water Improvements.

4. The Board of County Commissioners declares its official intent to reimburse itself for the costs of the Water Improvements from the proceeds of tax-exempt bonds to be issued by Iowa Lakes Regional Water, and Iowa rural water district.

5. Acting pursuant to Minnesota Statutes, Section 471.59, the County hereby approves the joint powers agreement (the “Agreement”) with Jackson County, Minnesota, and Iowa Lakes Regional Water, substantially in the form attached hereto as Exhibit B, and authorizes and directs the Chair and County Coordinator to execute and deliver the Agreement on behalf of the County.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Boler and upon a vote being taken thereon, the following voted in favor thereof:

Commissioners Donnelly, Potter, Boler, Schmidtke, and Pierce; and the following voted against the same: None.

Whereupon said resolution was declared duly passed and adopted.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Pierce, Chair

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

Roll Call AYES: Commissioners Donnelly, Potter, Boler, Schmidtke, and Pierce.  
NAYS: None. Duly passed and adopted this 7<sup>th</sup> day of October, 2008.

Higgins stated the Highway Department has accepted the resignation of Randy Martin, Shop Mechanic, effective September 26, 2008 and asks the Board to do the same, as well as authorize the Highway Department for advertising and recruitment to fill the vacancy of the Shop Mechanic position with the Martin County Highway Department.

Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Randy Martin, Shop Mechanic for the Martin County Highway Department, effective September 26, 2008; and authorize advertising and recruitment to fill the vacancy of the Shop Mechanic position with the Martin County Highway Department. Carried unanimously.

Higgins reviewed bids received in consideration of the farmland lease agreements on the McClain Property, Rose Lake Pit Property, and the Landfill Farm. Sealed bids were received and opened by the Martin County Engineer at 10:00 a.m. on October 3, 2008.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, after having received and reviewed bids in consideration of the farmland lease agreements and upon the recommendation of County Highway Engineer, hereby accept the top per acre bids on leased farmland in Martin County, MN for one year terms. Carried unanimously.

Bid Summary on Farm Land (October 3, 2008)

All bids are subject to approval by the Martin County Board of Commissioners at their next meeting on October 7, 2008

McClain Property

<u>Name</u>	<u>Bid Per Acre</u>
1. Scott Herum Dolliver, Iowa	\$306.00

2.	Glen Klug Ceylon, Minnesota	\$281.30
3.	Nick Kotewa Welcome, Minnesota	\$275.50
4.	Thomas McKean Ceylon, Minnesota	\$263.00
5.	Tim Maschoff Fairmont, Minnesota	\$251.50
6.	Brent Thiesse Welcome, Minnesota	\$241.00
7.	Matt Moeller Welcome, Minnesota	\$225.00
8.	David Leiding Ceylon, Minnesota	\$160.00

Landfill Property

	<u>Name</u>	<u>Bid Per Acre</u>
1.	Tim Maschoff Fairmont, Minnesota	\$120.00

Rose Lake Pit Property

	<u>Name</u>	<u>Bid Per Acre</u>
1.	Tim Maschoff Fairmont, Minnesota	\$120.00

James Forshee, Martin County Auditor/Treasurer, presented a Joint Powers Agreement for reimbursement by the State for assisting in the recount of ballots cast in the primary election for Minnesota Supreme Court, Associate Justice Seat 4. Forshee stated in order to reimburse Martin County, a Joint Powers Agreement and reimbursement form are required to be signed and returned in order to obtain payment in the amount of \$100.00.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign Joint Powers Agreement for reimbursement by the State in the amount of

\$100.00 for assisting in the recount of ballots cast in the 2008 Statewide Primary Election Recount, MN Supreme Court Seat #4. Carried unanimously.

Higgins stated the County has received and recommends the renewal for Life Insurance benefits, Long Term Disability, and Dental Insurance. Higgins continued our life insurance rates have not increased so they are staying the same as the current year; however, our Dental has a 9.4% increase. The Ochs Agency handles all three of these benefits for Martin County.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, on an annual basis the County reviews its life insurance benefits to its employees and is a member of the Municipal Pool-Minnesota Life Insurance Company (Life Insurance Policy No. 32597) and the county's basic life rate will be continued for the coming policy year at \$.26 per month per thousand and \$.03 per month per \$1,000 and includes the following enhancements effective January 1, 2009: 1. Remove the age reductions on the supplemental life coverage; 2. Allow an employee who is also the spouse of an employee to be covered as both an employee and a spouse, not to exceed the plan maximum of \$300,000; and 3. Change the definition of dependent children to cover children who are full-time students to age 25 and include the definition of disabled children; and employees receive a \$10,000 term life policy with buy up options for themselves and dependents; and on an annual basis reviews its dental benefit plan for its employees and after obtaining quotes for a Voluntary Dental Plan, hereby accepts the bid from Humana Dental to include the Traditional Preferred Low Option and Traditional Preferred High Option from Humana at the following premium rates (include rates) for CY2009; and to offer to all eligible employees the voluntary dental plan; and the county's Voluntary Long Term Disability rates issued through Assurant Employee Benefits Policy No. 5248040 will remain unchanged in 2009; and authorizes the Chair and/or its designee to sign all necessary documents in relation with life insurance renewal, dental insurance for CY2009, and long term disability insurance renewals. Carried unanimously.

Higgins continued that the Association of Minnesota Counties (AMC) requests that each county provide voting delegates to the Annual Conference which will be held December 8-10, 2008 in Duluth, MN. The 2007 delegates were Commissioners Pierce, Donnelly, Boler, Potter, and Schmidtke; along with Scott Higgins, James Forshee, and Dan Whitman. Higgins noted that in the past the Board has appointed the eighth delegate representatives and rotated this among the Dept. Dirs.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby appoint the following individuals as delegates to the Association of Minnesota Counties (AMC) Annual Conference to be held December 8-10, 2008 in Duluth, MN: Commissioners Steve Pierce, Steve Donnelly, Jack Potter, Dan Schmidtke, and Gerald Boler; and James Forshee, Martin County Auditor/Treasurer, Scott Higgins, Martin County Coordinator, and Steve McDonald, MIS Director. Carried unanimously.

Higgins stated in a review of the current Board members of the South Central Minnesota Multi-County HRA, it has come to our attention that the terms of Steve Pierce and Steve Fosness, who currently represent Martin County, expired on September 30, 2008. The South Central Minnesota Multi-County HRA is asking if these individuals will be reappointed or the appointment of new commissioners to fill these positions on the South Central Minnesota Multi-County HRA Board of Directors. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the re-appointment of Steve Pierce and Steve Fosness to the South Central Minnesota Multi-County HRA Board of Directors with term beginning October 1, 2008 and term ending September 30, 2009. Carried unanimously.

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

With no further business to wit, Board Chair declared the meeting adjourned at 11:52 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Pierce, Board Chair

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