

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, DECEMBER 16, 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 Pierce.

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

It was decided by consensus of the Board to approve the agenda with the following deletion: Delete review of the December 2, 2008 regular Board of Commissioners meeting minutes.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the November 18, 2008 regular Board of Commissioners meeting; and the minutes of the December 4, 2008 Truth in Taxation meeting as presented. Carried unanimously.

The Board reviewed the Tobacco License application received from Jerry and Charlene Buchan, d/b/a Buke's Place – Ceylon, MN. The County Board must approve all Tobacco License applications contingent upon receiving the required documentation.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler,

R-#41/'08

RESOLUTION

ISSUANCE OF TOBACCO LICENSE FOR 2009

WHEREAS, the County of Martin, MN (County) has established a Tobacco Ordinance (Ordinance) relating to the sale, possession, and use of tobacco in Martin County and to reduce the illegal sale, possession, and use of such items to and by minors, along with compliance with Minnesota Statutes and Rules; and,

WHEREAS, applications for a tobacco license to sell tobacco shall be made through the County and its required forms as established by the Ordinance; and,

WHEREAS, the Martin County Board of Commissioners (Board) may either approve or deny the license, or delay it for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the Board approves the application, the County Coordinator shall issue the license. If the

application is denied, notice of the denial shall be given to the applicant along with notice of the applicants right to appeal the Board's decision; and,

WHEREAS, all licenses shall be valid under the Ordinance for one calendar year from the date of issuance; and,

NOW THEREFORE BE IT RESOLVED that the Martin County Board of Commissioners, hereby approve and authorize tobacco license for the following Retail Establishments, and valid for the year 2009; contingent upon receiving required documents:

License Approved for:

- Jerry and Charlene Buchan, d/b/a Buke's Place – Ceylon, MN

Upon this motion made by Commissioner Schmidtke, seconded by Commissioner Boler, was duly made and passed this 16<sup>th</sup> day of December, 2008.

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 16<sup>th</sup> day of December, 2008.

Kevin Peyman, Martin County Highway Engineer, stated interviews have been completed for the Highway Shop Mechanic position, noting that forty-two (42) eligible applications were received, seven (7) applicants were interviewed, and after careful review, one candidate was selected and has accepted the position contingent upon Board approval and required criminal background checks that are satisfactory to the County.

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 the hire of Mike Hannaman, Highway Shop Mechanic, at Grade 13 Step 1 at \$18.02/hour for the Martin County Highway Department, effective December 29, 2008, contingent upon satisfactory reference and required pre-employment drug test; and is eligible for benefits per the County Personnel Policies and Union contract as it applies to this position. Carried unanimously.

Peyman presented a brief Highway Department update including an experimental deicing agent referred to as caliper. Peyman stated the sand and liquid magnesium based chemical mixture has had good results in Blue Earth County.

Commissioner Donnelly stated that commissioners are still receiving complaints of speeding and Jake braking trucks on Lake Aires Road.

Discussion ensued including that Lake Aires Road is posted as a 9 ton; law enforcement officers work the area; actual speed sign has been put up on that road from time to time; and will check feasibility and costs involved with purchase and installation of a permanent mounted speed limit sign.

Brad Gerhardt, Martin County Sheriff, stated that Brad Hady, Chief Deputy with the Martin County Sheriff's Office, has submitted his retirement resignation letter effective January 30, 2009.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby accept the retirement resignation letter of Brad Hady, with regrets, from employment with Martin County as Chief Deputy with the Martin County Sheriff's Office after over 30 years of in law enforcement serving the county and it's citizens. Carried unanimously.

Gerhardt next presented his recommendation to appoint Jeffrey Markquart as Chief Deputy with the Martin County Sheriff's Office effective January 31, 2008.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and appoint Jeffrey Markquart as Chief Deputy with the Martin County Sheriff's Office at Grade 18 Step 1 rate of \$26.70/hour, effective January 31, 2009. Carried unanimously.

Gerhardt continued that with the appointment of Markquart to Chief Deputy, that creates a vacancy in the deputy ranks and recommends authorizing testing of eligible candidates to fill full-time and/or part-time deputy positions as approved by the Board for the Martin County Sheriff's Office.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the application and testing of eligible candidates for the position of Sheriff's Deputy with the Martin County Sheriff's Office. Carried unanimously.

Gerhardt next stated his recommendation to authorize the testing of eligible candidates to fill Corrections Officer positions with the Martin County Sheriff's Office.

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

application and testing of eligible candidates for the position of Corrections Officer with the Martin County Sheriff's Office. Carried unanimously.

Gerhardt presented the Inmate Nursing Services contract that is annually up for consideration and renewal. Gerhardt stated the 2009 proposed contract calls for regular nursing services at \$35.50 per hour (a 0% increase over 2008 contract) with time rounded up to the nearest ¼ hour with a minimum of 1 hour charge and that on-call services and emergency call back fees and language also remain the same as with the 2008 contract.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Inmate Nursing Services Agreement between Joy Pousch, RN, BSN, and the Martin County Sheriff's Office (Martin County) to provide regular and on-call nursing services, at an hourly rate of \$35.50 per hour and on-call services of \$90.00 per month; and is effective January 1, 2009 through December 31, 2009. Carried unanimously.

The Board reviewed the proposed 2009 Standing Committee Assignments. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, are hereby appointed to serve one-year terms expiring on December 31, 2009 on the 2009 Martin County Board Standing Committee Assignments as presented. Be It Finally Resolved, that a copy of this resolution is transmitted to each appointee and the sponsoring agency, where appropriate, by the County Coordinator. Carried unanimously.

#### 2009 – MARTIN COUNTY BOARD STANDING COMMITTEE ASSIGNMENTS

**GERALD BOLER:**

3 Rivers RC&D  
AMC Ag & Transportation, Delegate  
AMC Delegate  
Community Corrections  
County Park Board, Alternate  
District One Ditch Inspector  
EDA Board  
F/M Human Services Board  
Highway 15 Coalition  
Labor Management Committee  
MN Extension Committee  
New Law Enforcement Center Committee  
Prairieland Joint Powers  
Public Relations Campaign Committee  
R.I.M. & Soil Conservation  
Region 9  
SBDC Partnership Board  
Transit Advisory Committee (TAC)

**JACK POTTER:**

3 Rivers RC&D, Alternate  
AMC Delegate/AMC Human Service Alternate  
County Highway Liaison  
County Water Plan Committee  
District Five Ditch Inspector  
Economic Development Committee  
F/M Human Services Board  
Greater Blue Earth River Basin Alliance (GBERBA) Alternate  
Investment in Current/Future Employees  
Labor/Management Committee  
Library Board, Alternate  
MN Extension Service Committee, Alternate  
MN River Basin Joint Powers Board, Delegate  
MVAC Delegate  
Prairieland Joint Powers  
Regional Radio Board, Alternate  
Region 9 EMS Committee, Alternate  
Soil & Water Conservation District  
SW Rural Energy Task Force, Delegate

**STEVEN PIERCE:**

AMC General Gov. 1<sup>st</sup> Alternate  
Building Committee  
CAMA Committee  
County GASB Committee  
County Insurance Committee  
District Two Ditch Inspector  
F/M Human Services Board  
GIS Committee  
Law Library Board  
MAAH  
MVAC Delegate  
New Law Enforcement Center Committee  
Personnel Committee  
Prairieland Joint Powers  
Regional Radio Board  
Region 9 EMS Committee  
South Central HRA Board  
Workforce Council

**DAN SCHMIDTKE:**

AMC Delegate  
Community Corrections  
County Highway Liaison  
District Four Ditch Inspector  
EDA Commission  
F/M Human Services Board  
GIS Committee  
Investment in Current/Future Employees Committee  
Library Board  
County Park Board Delegate  
Prairieland Joint Powers  
Planning & Zoning Commission  
Public Relations Campaign Committee  
SW Rural Energy Task Force Alternate

**STEVE DONNELLY:**

AMC Delegate  
AMC Environmental Delegate  
Building Committee  
CAMA Committee  
County Insurance Committee  
County Water Plan Committee  
District Three Ditch Inspector  
F/M Human Service Board  
Greater Blue Earth River Basin Alliance (GBERBA) Delegate  
MCIT Delegate  
Minnesota River Basin Joint Powers Board, Alternate  
Prairieland Joint Powers  
Personnel Committee

**SCOTT HIGGINS:**

Building Committee  
Personnel Committee  
Labor/Management Committee  
Investment in Current/Future Employees  
Public Relations Campaign Committee

Higgins presented the AIA Agreement from Klein/McCarthy Architects for facility master planning for Martin County. Higgins stated the proposed Agreement would include facility master planning for a justice center (courts, law enforcement, and jail) and looking at other options as well. Higgins noted the cost for this study will be billed at an hourly rate not to exceed \$14,800. plus standard reimbursable (i.e. mileage, copies). After further discussion,

No action taken on AIA Agreement from Klein/McCarthy Architects for facility master planning for Martin County.

Kathy Smith, Martin Soil and Water Conservation District Director, stated that Martin County will be receiving the 2009 Natural Resources Block Grant and that monies from this grant will provide funding for the following county programs and services: Implementation of its local water plans in the amount of \$18,033; the administration of the wetland conservation act in the amount of \$10,000; administration of the DNR shore land program in the amount of \$3,445; MPCA ISTS program in the amount of \$10,000;

and MPCA feedlot permit program in the amount of \$72,259; for a total grant amount of \$113,737. This grant agreement is effective July 1, 2008 to June 30, 2010.

Motion by Commissioner Boler, seconded by Commissioner Potter,

R-#46/08

RESOLUTION

BOARD OF WATER AND SOIL RESOURCES NATURAL RESOURCES BLOCK GRANT FOR FY2009:

WHEREAS, Martin County has a State approved comprehensive local water plan, which has been locally adopted pursuant to Minnesota Statutes Chapter 103B; and

WHEREAS, Martin County may assess a levy under its general levy authority to match such grants by BWSR pursuant to Minnesota Statutes 103B.335;

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approves of Martin County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its comprehensive local water plans in the amount of \$18,033; the administration of the wetland conservation act in the amount of \$10,000; administration of the DNR shoreland program in the amount of \$3,445; MPCA ISTS program in the amount of \$10,000; and MPCA feedlot permit program in the amount of \$72,259; total grant amount of \$113,737 under the terms of the Grant Agreement and all statutory requirements; and

THAT THE Martin County Board of Commissioners authorizes the expenditure of cash and in-kind contributions to match the Natural Resources Block Grant as specified in Laws of Minnesota and the Grant Agreement.

BE IT FURTHER RESOLVED THAT, the Chairperson of the Martin County Board of Commissioners and the County Auditor or County Coordinator is authorized to execute the Grant Agreement together with all related documents.

Motion was made by Commissioner Boler, seconded by Commissioner Potter, and was duly passed and adopted this 16<sup>th</sup> day of December, 2008.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Steve Pierce, Chair

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

Roll Call AYES: Commissioners Donnelly, Schmidtke, Potter, Boler, and Pierce.  
NAYS: None. Duly passed and adopted this 16<sup>th</sup> day of December, 2008.

Higgins presented the resolution establishing the Tax Levy for 2009 collectible in 2010 in the amount of \$10,572,236.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly,

R-#42/'08

RESOLUTION

ESTABLISHING THE TAX LEVY FOR YEAR 2009 COLLECTIBLE IN 2010:

WHEREAS, the Martin County Board of Commissioners duly considered budgets to determine the tax levy to be collected in 2009.

NOW THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners do hereby order and determine that taxes to be levied in the year 2009 and collectible in the year 2010 be as follows to-wit:

	<u>Net Levy</u>
Revenue Fund	\$ 4,932,703
Boat/Snowmobile	\$ 7,027
Park & Recreation	\$ -0-
Road & Bridge Fund	\$ 2,238,334
E911 Fund	\$ -0-
Solid Waste Management Fund	\$ -0-
Library Fund	\$ 608,091
Human Service Fund	\$ 2,193,044
Building CIP Fund	\$ 250,000
Debt Service Fund/Hwy Debt Service	\$ 265,418
Tax Forfeited Land	\$ 15,000
Economic Development	\$ 62,619
<b>TOTAL TAX LEVY</b>	<b>\$10,572,236</b>

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

Upon Motion made by Commissioner Schmidtke, seconded by Commissioner Donnelly, and unanimously carried, said resolution was duly passed and adopted this 16<sup>th</sup> day of December, 2008.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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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 16<sup>th</sup> day of December, 2008.

Higgins next presented the resolution establishing the CY2009 Fund Expenditures and Revenues. Fund expenditures for 2009 are estimated at \$20,221,350 and fund revenues are estimated at \$20,371,258. After discussion and consideration,

Motion by Commissioner Potter, seconded by Commissioner Donnelly,

R-#43/'08

RESOLUTION

ESTABLISHING THE FUND EXPENDITURES AND REVENUES  
FOR THE YEAR 2009

WHEREAS, the Martin County Board of Commissioners duly considered fund Expenditures and Revenues for the year 2009.

NOW THEREFORE, BE IT RESOLVED, that the Martin County Board of Commissioners do hereby order and determine that fund expenditures and revenues for the year 2009, is as follows:

	<u>Expenditures</u>	<u>Revenues</u>
Revenue Fund	\$ 7,775,235	\$ 2,842,532
Parks & Recreation	\$ -0-	\$ 38,000
Road & Bridge	\$ 7,259,601	\$ 4,983,267
E-911 Fund	\$ 60,500	\$ 110,000
Boat & Water/ATV	\$ 17,959	\$ 10,932
Solid Waste	\$ 259,260	\$ 300,150
Library	\$ 634,091	\$ 26,000
Law Library	\$ 19,000	\$ 19,000
Human Services	\$ 2,193,044	\$ -0-
Recorders Technology Fund	\$ 54,868	\$ 51,240
Recorders Compliance Fund	\$ 144,210	\$ 64,824
Building CIP Fund	\$ 75,000	\$ -0-
Human Services Building	\$ 135,000	\$ 159,032
Debt Service	\$ 265,418	\$ -0-
Prairieland Debt Service	\$ 333,745	\$ 333,745
Forfeited Land	\$ 19,000	\$ 4,000
ISTS Loan	\$ 213,800	\$ 125,000
Martin County Express	\$ 650,000	\$ 672,300
Ditch Repairs	\$ -0-	\$ -0-
MC Area Redevelopment Agency	\$ -0-	\$ 10,000
Economic Development	\$ 111,619	\$ 49,000
General Tax Levy	\$ -0-	\$ 10,572,236
TOTAL	\$ 20,221,350	\$ 20,371,258



Upon motion by Commissioner Potter, seconded by Commissioner Donnelly, and carried, said resolution was duly passed and adopted this 16<sup>th</sup> day of December, 2008.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Pierce, Chair

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

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

NAYS: None. Duly passed and adopted this 16<sup>th</sup> day of December, 2008.

Higgins stated the Board is being asked to transfer funds between Fund #74-Taxes and Penalties-Refunding Fund and Fund #77-Taxes and Penalties Fund. There is a negative balance in Fund #74 in the amount of \$87,751.59 and Fund #77 is at a positive of \$139,019.54. Higgins stated these two Funds are clearing accounts and recommends transferring the following amounts between funds as follows.

Fund #74 Taxes and Penalties Fund-Refunding Fund: Transfer \$87,751.59 into this fund from Fund #77. This will leave balance at \$0.00.

Fund #77 Taxes and Penalties Fund: Transfer balance in the amount of \$51,267.95 to the General Fund to zero out Fund #77.

Higgins continued that in the future, Fund #74 will not be used. When making a refund to a taxpayer, the Auditor/Treasurer's Office will record the refund as a negative tax receipt and deduct the refund from the January tax settlements. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the transfer of funds between clearing account Fund #74 and clearing account Fund #77 as follows:

Fund #74 Taxes and Penalties Fund-Refunding Fund: Transfer \$87,751.59 into this fund from Fund #77. This will leave balance at \$0.00.

Fund #77 Taxes and Penalties Fund: Transfer balance in the amount of \$51,267.95 to the General Fund to zero out Fund #77.

Carried unanimously.

The Board briefly discussed the 2007 County audit that is currently being performed and the future CY2008 County audit both of which are being conducted by the State Auditor's Office; with the possibility of opting out of the CY2008 audit with the State Auditor's Office and hiring a private CPA Firm.

Pam Flitter, Martin County Zoning Official, stated that interviews have been completed for the Planning and Zoning Technician position, noting that three (3) applicants were received second interviews, and after careful review, one candidate was selected and has accepted the position contingent on Board approval and required criminal and license background checks that are satisfactory to County. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Martin County Zoning Official, and after careful consideration, hereby approve the hire of Wendy Stiernagle as Planning and Zoning Technician for the Martin County Planning and Zoning Office at Grade 12 Step 1 at \$17.13 per hour, effective January 5, 2009; contingent upon satisfactory reference and background checks; and is eligible for benefits per the County Personnel Policies and Union contract as it applies to this position. Carried unanimously.

Higgins stated that performance evaluations are completed annually for the elected officials, appointed Department Directors, and other non-union staff and recommends approval of merit increases for those who are eligible per the County Classification/Compensation Plan. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve merit increases for those non-union, appointed and hired Department Directors, and other non-union staff effective January 1, 2009 as presented; and to direct the County Coordinator to notify each employee. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, having the authority to approve elected officials' salaries, hereby approves the salaries for the following elected officials: County Attorney, Sheriff, Recorder, and Auditor/Treasurer, effective January 1, 2009 as presented; and to direct the County Coordinator to notify each elected official of their respective salary increases. Carried unanimously.

Higgins stated that annually the Board reviews the Citizen Advisory Boards/Commissioners for (re)appointments for those terms expiring in 2008. The Board reviewed information from the various boards and commissions whose members terms will have expired. After review,

No action taken on (re)appointments to the Citizen Advisory Committees for 2009.

Higgins presented a Wind Energy Production Tax resolution that supports the efforts of the Rural Minnesota Energy Board to correct the language in Minnesota Statutes that includes the wind production tax in the levy limit language by deleting said language from the Statute, thereby restoring the use of the production tax to its initial intended purpose, which was to enable Counties to pay for infrastructure improvements and maintenance related to wind energy installations.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke,

R-#44/'08

RESOLUTION

WIND ENERGY PRODUCTION TAX LEVY  
PROPOSED LANGUAGE CHANGE IN MINNESOTA STATUTES

WHEREAS, Martin County, MN is committed to the promotion, use, and development of renewable energy; and

WHEREAS, Martin County, MN is a member of the Rural Minnesota Energy Board; and

WHEREAS, the Rural Minnesota Energy Board (known at that time as the Energy Task Force) was instrumental in developing the policies that resulted in the creation of a production tax to be placed on the energy produced by wind energy conversion systems; and

WHEREAS, the purpose of said production tax was to enable Counties to pay for infrastructure improvements and maintenance related to wind energy installations; and

WHEREAS, the Minnesota State Legislature has eliminated the ability of the Counties to use the production tax for its intended purpose.

THEREFORE BE IT RESOLVED, that Martin County, MN does hereby support the efforts of the Rural Minnesota Energy Board to correct the language in MN Statutes 275.70 and 275.71 that includes the wind production tax in the levy limit language by deleting said language from the Statute, thereby restoring the use of the production tax to its initial intended purpose.

Upon this motion made by Commissioner Donnelly, and seconded by Commissioner Schmidtke, was duly made and passed this 16<sup>th</sup> day of December, 2008.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Pierce, Chair

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

Roll Call AYES: Commissioners Potter, Boler, Schmidtke, Donnelly, and Pierce.  
NAYS: None. Duly passed and adopted this 16<sup>th</sup> day of December, 2008.

Higgins stated Minnesota Statutes require that bids be taken for Official County Newspaper for the publication of notices, Board minutes, etc.; and that Martin County has advertised for bids and sent bid forms to the four newspapers in Martin County. Bids were due Monday, December 15, 2008 by 4:00 p.m. Higgins opened bids received for designation of the 2009 Official County Newspaper for Martin County from: Fairmont Photo Press, Truman Tribune, and Sentinel newspapers. Higgins noted that the bid will be awarded during the first meeting in January, 2009.

Higgins stated Martin County has received the grant award from the Minnesota Department of Transportation, Office of Transit (MN/DOT) for operations of the Martin County Express Public Transit System in the amount of \$411,400. This is an approximate 6% increase from the 2008 grant award of \$388,025. Martin County originally requested \$570,333. Higgins noted that the County is responsible for 15% of the total operational expenses to be paid by MN/DOT per the Agreement. Higgins stated total projected revenues are \$127,000 for CY2009.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the 2009 Public Transit Participation Program Application Grant Agreement for an approved projected operations expense grant amount of \$411,400 and total operating budget of \$484,000; and that the County of Martin and the Minnesota Department of Transportation (MN/DOT) will share in the expense in the operations of the Martin County Express Public Transit System per the Agreement at 85% provided by MN/DOT and 15% provided by the County; and capital expenses split 80% MN/DOT and 20% by local share, effective January 1, 2009. Carried unanimously.

Higgins stated the Blizzard Snowmobile Club has submitted a resolution that the County enter into a permit with the Commissioner of Transportation of the State of Minnesota providing for the limited use of certain right-of-way of Trunk Highway 15, (approximately two miles south of the Neusch Silage Stack). Higgins noted the limited use of the right-of-way will be for the purpose of constructing, maintaining, and operating a Snowmobile Trail within the right-of-way of Trunk Highway 15 for approximately 3/10ths of a mile.

Motion by Commissioner Donnelly, seconded by Commissioner Potter,

R-#47/'08

COUNTY OF MARTIN  
C.S. 4603

#### RESOLUTION

BE IT RESOLVED by the County Board of the County of Martin, Minnesota,  
that the County enter into a permit with the Commissioner of Transportation of the State

of Minnesota providing for the limited use, under the terms and conditions set forth therein, of certain right of way of Trunk Highway 15 within the County.

The limited use of the right of way will be for the purpose of constructing, maintaining, and operating a Snowmobile Trail within the right of way of Trunk Highway (T.H.) 15 at the location designated and shown on the attached copy of the T.H. 15 right of way map.

The Board Chair and County Highway Engineer are authorized to execute said permit on behalf of the County.

PASSED AND ADOPTED BY THE COUNTY OF MARTIN, MINNESOTA,  
THIS 16<sup>TH</sup> DAY OF DECEMBER, 2008.

ATTEST: \_\_\_\_\_

Approved this 16<sup>th</sup> day of December, 2008.

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COUNTY OF MARTIN, MN

Roll Call AYES: Commissioners Boler, Schmidtke, Potter, Donnelly, and Pierce.  
NAYS: None. Duly passed and adopted this 16<sup>th</sup> day of December, 2008.

The Board recessed at 10:11 a.m.  
The Board reconvened at 10:18 a.m.

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

Warrants received and paid December 16, 2008 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved December 16, 2008	\$340,176.47
Enhanced 9-1-1 Fund	\$ 12.76
Martin County Economic Development Authority	\$ 195.00
Solid Waste Management Fund	\$ 16,818.50
Law Library Fund	\$ 2,785.73

Martin County Transit Fund	\$ 43,873.49
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 34,098.00
Bank Building Fund	\$ 2,211.23
Taxes and Penalties Even Years	\$ 413.60
Forfeited Tax Fund	\$ <u>630.64</u>
Grand Total	\$441,215.42

Road and Bridge Funds Totaled \$ 69,486.34

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 10:40 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Steve Pierce, Chair

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