

PROCEEDS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, FEBRUARY 17, 2009  
@ 9:00 A.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 8:59 a.m. by Chairman Donnelly.

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

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition to 8.5: Approve and authorize County Coordinator to sign the 2009 Wellness and Health Promotion Agreement and Budget. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the February 3, 2009 regular Board of Commissioners meeting as presented. Carried unanimously.

Terry Viesselman, Martin County Attorney, presented a brief update on estimated committal fees that Martin County will incur in connection with an upcoming sexual predator case.

Sue Lenort, Martin County Wellness Committee, reviewed upcoming opportunities, and events planned for the 2009 Martin County Wellness/Fitness Program, such as the Derma View machine and speaker scheduled for April 1<sup>st</sup>; mall walks, bowling activity, poker walks during the summer, plus additional plans that are currently underway. Lenort stated that with the 2008 Wellness Budget, the county was able to purchase a defibrillator unit that has been installed in the Auditor/Treasurer's Office. Informational training for the AED unit will be offered to county employees in the near future.

Scott Higgins, Martin County Coordinator, stated that the CY2009 Wellness Budget is estimated at \$2,320; however, final budget numbers have not yet been received from South Central Services Coop.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, having already established the Martin County Wellness Program and supports the programming of the Wellness Committee, hereby approve and authorize the County Coordinator to sign the reimbursement agreement with the South Central Service Cooperative; and to submit the County Wellness CY2009 proposed budget to South Central Service Cooperative; as well as

administer the Martin County Wellness/Fitness CY2009 program budget. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented a brief review and update of the CY2007 Martin County Highway Department Annual Financial Report.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Martin County Highway Department CY2007 Annual Financial Report as presented. Carried unanimously.

Peyman gave an update on the Trunk Highway 15 Coalition. Peyman stated that he represents Martin County on the TH 15 Coalition Steering Committee, along with Commissioner Boler, which its objectives and purpose is to generate support for funding the study of this critical corridor; and continue to lobby and work with our Senators and Representatives as the federal transportation funding reauthorization proceeds this year. The TH 15 Coalition is seeking to have a study administered that will identify the safety and access needs of the corridor, coordinate existing plans, develop improvement priorities, and establish a schedule for future improvements.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize County Highway Engineer to renew the Highway 15 Coalition's 2009 Membership and submit renewal fee in the amount of \$200. Carried unanimously.

Dan Whitman, Martin County Assessor, recommended that the 2009 Martin County Board of Equalization and Review be set for Monday, June 15, 2009 with appointments available from 4:00 p.m. through 7:00 p.m. In the event all appointments can't be accommodated during those hours the meeting may be recessed and reconvened on Monday, June 22, 2009. Whitman further recommended that the County Board make up the Board of Equalization. In the event outside appointments are deemed necessary we recommend the appointees be real estate professionals from outside our jurisdiction to help insure no conflict of interest.

Commissioner Donnelly stated he felt the date can be set for the Board of Equalization and Review; however, he felt the Board should not act on appointing the Board of Equalization until the County Board has had sufficient time to review and discuss possible appointments.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and set the meeting date of June 15, 2009 beginning at 4:00 p.m. for the County Board of Equalization and Review to be held in the Martin County Courthouse, 201 Lake Avenue, Fairmont, MN, First Floor – Commissioners Meeting Room. Carried unanimously.

No action taken on appointments to serve on the Board of Equalization and Review.

Deb Mosloski, Martin County Drainage Specialist, informed the Board the need to set a public hearing date to hear the final Viewers Report on CD #55 and CD #3. Mosloski stated the viewers will meet with the farmers ahead and proposed the public hearing be set on or between the dates of March 17, 2009 at 10:00 a.m. - April 7, 2009 at 9:45 a.m.; or afternoon meetings between those two dates would work as well.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, acting as the Martin County Drainage Authority, hereby sets the date of March 17, 2009 at 10:00 a.m. in the Commissioners Board Room – Martin County Courthouse – 201 Lake Avenue – First Floor – Fairmont, MN to hear the final Viewers Report on CD #55 and CD #3. Carried unanimously.

Rich Perrine, WCA/Water Plan Coordinator with Martin Soil and Water Conservation District, stated the district is currently working on two programs: the collection of native plant materials from Martin County controlled lands, including road right-of-ways and County Parks; and Native Buffer Cost-Share Program. Perrine stated that under Martin Soil and Water Conservation's guidance, the native plant materials collection is for the use of the Prairie Ecosystem Restoration Project and Native Buffer Cost-Share Program. The Prairie Ecosystem Restoration Project will be collecting local ecotype native plant materials from native populations within Martin County and establishing them on land protected by perpetual conservation easements. The sale of seed from the easements is prohibited, however the landowner is encouraged to collect or allow collection of plant materials for establishing plots where the purpose is for the sale of source identified native plant materials. Perrine went on to state the Native Buffer Cost-Share Program will utilize local ecotype native plant materials; establish native plants in areas where they can serve as a supply of source identified native plant materials. The project intent is to provide a source of local ecotype native plant materials for use on future restoration projects. Seed may be sold directly from plots established under this program. Martin SWCD recommends submitting an application for the Native Buffer Cost-Share Program and will work with the Galena 4-H Club to establish native prairie on a five acre portion of Cedar-Hanson County Park. Total requested Cost-Share (75% of Project cost) is \$2,906.25. Any required matching contribution will be in the form of In-kind services. Perrine requested that the Board approve both programs.

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Martin Soil and Water Conservation District to collect native plant materials from Martin County controlled lands, including road right-of-ways and County Parks, for use with the Prairie Ecosystem Restoration Project and Native Buffer Cost-Share Program. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Martin Soil and Water Conservation District, on behalf of the County, to submit an application for Native Buffer Cost-Share Program funding for establishing native prairie on a five acre portion of Cedar-Hanson Park northwest of Trimont, MN with total requested Cost-

Share (75% of the Project cost) in the amount of \$2,906.25 with required matching contribution in the form of In-kind services. Carried unanimously.

Beverly Snow, Drug Court Coordinator for the Faribault Martin and Jackson Multi-County Substance Abuse Court, presented the Faribault Martin and Jackson Multi-County Substance Abuse Court Annual Report and Participant Cost Avoidance data. Snow stated that by keeping people out of prison/jail, the program has avoided costs of \$1,602,668 and our communities have benefited from adding productive members into the community. At no reduction to public safety, the Drug Court Program has begun the process of turning drug addicts into community members who hold jobs, support families, pay taxes, and purchase products. Snow went on to state that no Drug Court participant is required to work during Phase 1 of the program, when recovery from addiction is the principle focus of the program. During Phase 2, however, those that are physically capable are encouraged to seek and maintain employment whenever possible. The average wage paid for program participants is \$8.66/hour and the average participant works 40 hours per week. The tax dollar paid by participants' benefits the community by lowering the overall tax burden to the public. Snow continued there are many other benefits that cannot be calculated in dollars and cents such as the look on the young child's face that had just been reunited with her mother after years of family foster care.

Snow next introduced Mike Babcock who has completed the Drug Court Program and was one of its first graduates.

Babcock stated when I heard about Drug Court in 2006, I was sitting in jail and my health had pretty much went south, and I was looking at prison. Basically if I hadn't gone to Drug Court, I know I wouldn't be around today. I know I would have gone to prison if I made it out with my health problems and I would have just continued to use. Babcock went on to state that Drug Court taught me how to deal with daily stresses without turning back to chemical use. Babcock noted Drug Court has provided him so much and he continues to be a part of Drug Court today by serving on the Drug Court's Steering Committee, brings meetings to treatment centers and jails, is a mentor, and has hosted sober events. Babcock went on to note that Drug Court basically saved my life and helped me get on the right path. I am so grateful for it today.

Snow concluded the cost for drug court is covered through the end of 2009 and that she has applied for an extension of the federal grant through March, 2010. Funds are also collected from the participants of the program to help offset costs.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Faribault Martin Jackson Multi-County Adult Substance Abuse Court Annual Report as presented. Carried unanimously.

The Board thanked Snow and Babcock for their reports.

Barbara Schreier, Managing Director of Red Rock Center for the Arts, was present to thank the County Board for its support for the Red Rock Center and the Martin County Preservation Association. Schreier stated we can be proud of the Red Rock Center as it has become a real asset to the community and makes every effort to offer a wide variety of events at the Center. Schreier reviewed a February, 2009 Calendar of Events featuring the Artist of the Month and Artist's Reception; special events such as the Valentine's Dinner; Tuesday's Lunch with the Arts; scheduled concerts, fundraisers, and more. Schreier continued the Center is funded 100% by gifts, donations, and grants and will continue seeking grant funding to try and maintain the level of entertainment and functions that are free to the public.

Boler inquired if the new 3/8 cents sales tax fund would provide some additional funding for the Red Rock Center.

Schreier responded that indeed they are looking to apply for funding from this new money.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Red Rock Center for the Arts Annual Report as presented. Carried unanimously.

The Board recessed at 10:14 a.m.  
The Board reconvened at 10:20 a.m.

Higgins presented a resolution for gambling permit application approval from the Fox Lake Conservation League, Inc. for gambling operation at Our Place in Granada, MN.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#11/'09

GAMBLING PERMIT APPLICATION APPROVAL (PREMISES)  
FOX LAKE CONSERVATION LEAGUE, INC.

BE IT RESOLVED, the Martin County Board of Commissioners hereby approves the Minnesota Lawful Gambling Premises Permit Application – Form LG215 Lease for Lawful Gambling Activity for the Fox Lake Conservation League, Inc.; per the requirements of Minnesota Statutes; and concurrent with the rest of their premise location permits, to include the following location at: Our Place, 1203 260<sup>th</sup> Avenue, Granada, MN 56039.

Motion by Commissioner Pierce, seconded by Commissioner Potter, and declared adopted upon a unanimous vote of all members present: Commissioners Steve Donnelly, Dan Schmidtke, Steve Pierce, Gerald Boler, and Jack Potter.

Duly passed and adopted this 17<sup>th</sup> day of February, 2009.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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

Roll Call AYES: Commissioners Potter, Pierce, Schmidtke, Boler, and Donnelly.  
NAYS: None. Duly passed and adopted this 17<sup>th</sup> day of February, 2009.

Higgins stated that Commissioner Schmidtke is submitting Daryl Tlam to serve on the Martin County Extension Committee and that Mr. Tlam is interested and willing to serve the Extension Committee representing Commissioner District IV.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the appointment of Daryl Tlam of Dunnell, MN to serve a three year term on the Extension Committee with term ending December 31, 2011. Carried unanimously.

No action taken on appointment to the Extension Committee from Commissioner District I.

Higgins stated that the Martin County EDA Board is anticipating the resignation of one of its members, Wayne Kotewa, which leaves a vacancy for the remainder of his term, which expires December 31, 2009. Higgins stated that the Martin County EDA Board recommends the appointment of Stephen J. Pribyl, Chief Administrative Officer for the Fairmont Medical Center-Mayo Health System to fill the balance of this opening.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the appointment of Stephen J. Pribyl, Chief Administrative Officer for the Fairmont Medical Center-Mayo Health System, to the Martin County Economic Development Authority Board to serve the balance of a three year term expiring December 31, 2009. Carried unanimously.

Higgins presented the February, 2009 bills, stating that the allocation request from the Martin County Fair Board in the amount of \$28,000 and the allocation request from the Fairmont Convention and Visitor's Bureau in the amount of \$2,000 are included in the bills. Higgins stated that payment of all allocations had been put on hold until after a Special Budget Meeting held on February 12, 2009 to discuss the potential negative impact the State's budget shortfall may have on the County's CY2009 Budget.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims

for the month of February, 2009 as presented with the exception of the 2009 Allocation Request from the Martin County Fair Board in the amount of \$28,000 and from the Fairmont Convention and Visitor's Bureau in the amount of \$2,000; and includes the Martin County Highway Department claims as presented. Carried unanimously.

Discussion ensued regarding the two allocation requests.

Commissioner Schmidtke stated with the likelihood of the County having to make cuts to the 2009 County Budget, suggested that as the 2009 allocations requests are received, to only pay half of the amounts requested with consideration given on the remainder of the allocation at a later date.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve payment of half of the \$28,000 2009 allocation request from the Martin County Fair Board in the amount of \$14,000; and half of the \$2,000 2009 Allocation Request from the Fairmont Convention and Visitor's Bureau in the amount of \$1,000; and to consider the remainder of the allocation request later this year, during the months of June or July, 2009. Carried unanimously.

Warrants received and paid February 17, 2009 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved February 17, 2009	\$220,960.36
Enhanced 9-1-1 Fund	\$ 8.25
Recreation and Safety Fund	\$ 157.58
Martin Co. Economic Development Authority	\$ 700.69
Solid Waste Management Fund	\$ 16,700.41
Law Library Fund	\$ 2,047.87
Martin County Transit Fund	\$ 36,876.81
Recorder's Compliance	\$ 1,969.19
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 7,493.40
Bank Building Fund	\$ 5,562.60
Debt Service Fund	\$209,058.75
Forfeited Tax Fund	\$ 75.00
Grand Total	\$501,610.91

Road and Bridge Funds Totaled	\$110,304.34
Martin County Ditch Fund – Warrants Totaled	\$156,724.43

The Board reviewed the amended resolution regarding Out-of-State Travel by Martin County Elected Officials and by consensus approved the final draft; the South Central Service Cooperative Board of Directors Meeting Summary of February 4, 2009; the Minnesota Valley Action Council 2008 Year in Review; the 2009 boy and Girl County Schedule to be held on April 7, 2009; Trunk Highway 15 Corridor Coalition Chronicle; and discussed AMC Appointments to the Public Safety Answering Points Work Group.

The work group is expected to develop a comprehensive strategy for regionally-based Public Safety Answering Points, where 911 calls are received, throughout the State.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve submitting Commissioner Steve Pierce's name to the Association of Minnesota Counties (AMC) to serve on the work group made up of the State's seven Regional Radio Boards. 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 10:54 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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