

PROCEEDINGS OF THE
MARTIN COUNTY COMMISSIONERS
TUESDAY, APRIL 21, 2009
@ 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 Donnelly.

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

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions and deletions: 8.10 Consider Purchase of Scanner for MIS Department; 8.11 Consider Drafting Letter to Legislature in support of Ethanol Subsidies; and delete 3.1 Review of April 7, 2009 regular Board of Commissioners meeting minutes. Carried unanimously.

Terry Viesselman, Martin County Attorney, stated county officials have received telephone calls regarding the spotting of cougars in Martin County. Viesselman went on to state that no one has the authority to authorize the shooting of cougars. Not the County Attorney's Office, the Martin County Sheriff's Office, or the Martin County Board of Commissioners. All inquiries should be directed to the Department of Natural Resources and the U.S. Fish and Wildlife Service.

Viesselman informed the Board of fees the county will be receiving from the Attorney Generals Office related to a recent sexual predator commitment hearing.

Kevin Peyman, Martin County Highway Engineer, presented the County Parks Commission's recommendation to hire Gary Jacobsen as Seasonal Parks Caretaker. Jacobsen has accepted the position based on a full six months employment, contingent upon Board approval.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the hire of Gary Jacobsen for the seasonal position of County Parks Caretaker, effective on or about April 27, 2009 and will continue for a full six (6) months at a monthly compensation (with required payroll deductions) of \$923.08 per pay period; and is not eligible for county benefits. Carried unanimously.

Peyman next presented a resolution listing bridges on the County State Aid Highway (CSAH), County Road, and Township systems that are high priority and require replacement or rehabilitation as soon as possible when State Transportation Bond Funds or Township Bridge Funds are available.

Motion by Commissioner Boler, seconded by Commissioner Potter,

Martin County Highway Department
Resolution No. 2 – 2009

**RESOLUTION FOR
STATE TRANSPORTATION BOND FUNDS FOR COUNTY AND TOWNSHIP BRIDGES**

WHEREAS: Martin County has determined that the following deficient bridges on the CSAH, County Road and Township systems are a high priority and require replacement or rehabilitation, and

<u>Bridge No.</u>	<u>Road No.</u>	<u>Estimated Project Cost</u>	<u>Location</u>	
R0468	Twp 0294	80,000	Twp. Rd.	Section 26 East Chain Township
R0469	Twp 0143	80,000	Twp. Rd.	Section 25 East Chain Township
L9426	Twp 0016	180,000	Twp. Rd.	Section 34 Galena Township
89486	Twp 0312	150,000	Twp. Rd.	Section 3 Jay Township
L7237	Twp 0069	120,000	Twp. Rd.	Section 26 Lake Freemont Township
L7227	Twp 0165	300,000	Twp. Rd.	Section 35 Center Creek Township
R0500	Twp 0500	100,000	Twp. Rd.	Section 16 Lake Freemont Township
4074	CSAH 9	600,000	CSAH 9	Section 2 Cedar Township
L7270	Twp 0193	180,000	Twp. Rd.	Section 18 Jay Township
92361	Twp 0299	100,000	Twp. Rd.	Section 2 Westford Township
242	C R 140	600,000	C.R. 140	Section 5 Elm Creek Township
L7219	Twp 0041	80,000	Twp. Rd.	Section 11 Rutland Township
L7218	Twp 0046	300,000	Twp. Rd.	Section 34 Rutland Township
L7232	Twp 0329	380,000	Twp. Rd.	Section 6 Elm Creek Township
661	Twp 0038	480,000	Twp. Rd.	Section 34 Westford Township
932	Twp 0228	150,000	Twp. Rd.	Section 11 Jay Township
L7275	Twp 0200	420,000	Twp. Rd.	Section 6 Lake Belt Township
934	Twp 0188	250,000	Twp. Rd.	Section 11 Jay Township
L7231	Twp 0001	250,000	Twp. Rd.	Section 6 Elm Creek Township

WHEREAS: Local roads play an essential role in the overall state transportation network and local bridges are the critical component of the local road systems, and

WHEREAS: State support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the County and the townships to proceed with the replacement or rehabilitation of the high priority deficient bridges above, and

WHEREAS: Martin County Intends to proceed with replacement or rehabilitation of these bridges as soon as possible when State Transportation Bond Funds or Township Bridge Funds are available,

BE IT RESOLVED, That Martin County commits that it will proceed with the design and contract documentation for these bridges after being notified that funds are available in order to permit construction to take place within one year of notification.

Upon motion by Commissioner Boler, seconded by Commission Potter, and carried, said resolution was duly passed and adopted this 21st day of April, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

Chairperson

Attest: _____
Scott Higgins
County Coordinator

CERTIFICATION

I hereby certify that the above is a true and correct copy of a Resolution duly passed, adopted and approved by the County Board of Commissioners of said County on April 21, 2009.

Scott Higgins
County Coordinator

Roll Call AYES: Commissioners Pierce, Potter, Boler, and Donnelly. NAYS: None.
Resolution was duly passed and adopted this 21st day of April, 2009.

Peyman concluded that weight restrictions on county roads have been lifted as of today's date; however, the County Road 36 pavement project as well as a two mile stretch of County Road 14 will be posted to 5 ton until pavement is complete and gravel has been repaired; and that unpaid greeter positions have been filled for both Cedar-Hanson and Perch Lake Parks.

Brad Gerhardt, Martin County Sheriff, presented the Safe and Sober Communities resolution stating that this year, Chief Greg Broolsma, Fairmont Police Department, will be authorized to execute the grant, be the fiscal agent, and administer this grant on behalf of the Martin County Sheriff's Office. The total grant applied for is \$17,000 for all

jurisdictions involved in the Safe & Sober Program in Martin County, with the Martin County Sheriff's Office share of the funds applied for in the amount of \$6,500. The grant will be effective October 1, 2009 through September 30, 2010.

Motion by Commissioner Potter, seconded by Commissioner Boler,

R-#25/'09

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT
SAFE & SOBER COMMUNITIES

BE IT RESOLVED, that the Martin County Sheriff's Office enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled Safe & Sober Communities during the period from October 1, 2009 through September 30, 2010. The total grant applied for is \$17,000 for all jurisdictions involved in the Safe & Sober Program in Martin County, with the Martin County Sheriff's Office share of the funds applied for in the amount of \$6,500.

BE IT FINALLY RESOLVED, that Chief Greg Broolsma, Fairmont Police Department, is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Martin County Sheriff's Office and to be the fiscal agent and administer the grant.

Motion by Commissioner Potter, seconded by Commissioner Boler, said resolution was duly passed and adopted this 21st day of April, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Pierce, Boler, Potter, and Donnelly. NAYS: None. Resolution was duly passed and adopted this 21st day of April, 2009.

Kay Wrucke, Martin County Recorder, was present and recommended the hire of Kendra Kurseth as a temporary student employee for the data entry project in the Recorder's Office. Robert Snyder is the current temporary employee with the Recorder's Office and is anticipated to switch over to the 4-H program for the summer. The funding for this position will be paid from the Recorder's Technology Fund. It is anticipated that the position and project duration will be April 22, 2009 to December 31, 2009.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kay Wrucke, Martin County Recorder, hereby approve the hire of Kendra Kurseth as a temporary

student employee for the continuation and completion of the Data Entry Project in the Martin County Recorder's Office at \$9.50/hour, not eligible for any county benefits, effective April 22, 2009 to December 31, 2009; and that this temporary position be paid for through the Recorder's Technology Fund. Carried unanimously.

Dan Whitman, Martin County Assessor, presented a brief Assessor's Office update. Whitman stated his office has finished its second to last Board of Review and that the City of Fairmont's meeting will be the last. Whitman stated overall his office has had very few calls and relatively few appeals. With the City of Fairmont, in a normal year they would see around 150 phone calls and this year we've had 25, have only made one or two appointments, and one person discussed the possibility of coming to the County Board.

Whitman continued that when the County Board set the County Board of Equalization date of June 15th, 2009, we had a discussion about appointing extra people to the Board. At that time, it was our recommendation that the County Commissioners make up this Board without outside appointments. It was also recommended that in the event outside appointments are deemed necessary, the appointees be real estate professionals from outside our jurisdiction to help insure no conflict of interest.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, having the authority to appoint and serve on the County Board of Equalization per Minnesota Statutes 274.13, hereby approve and appoint the Martin County Board of Commissioners to serve on the 2009 County Board of Equalization, along with James Forshee, Martin County Auditor/Treasurer (certified member). Carried unanimously.

Whitman concluded with a status report and brief demonstration of the County GIS system.

Pam Flitter, Martin County Zoning Official, presented a recommendation that Feedlot and Septic information layers be added to the GIS project. Steve McDonald contacted the Schneider Corporation and was quoted a price of \$3,020 for inclusion of the information layers in the GIS system. Flitter continued that payment for the added information layers will be from funds received from the Martin County Soil and Water Conservation District through reimbursement money received from the Greater Blue Earth River Basin Alliance (GBERBA).

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve inclusion of Feedlot and Septic information layers to the County GIS project in the amount of \$3,020; services to be provided by the current GIS vendor for the county, Schneider Corporation; and to be paid from funds received from the Martin County Soil and Water Conservation District through reimbursement money received from the Greater Blue Earth River Basin Alliance (GBERBA).

McDonald presented his recommendation for the purchase of a document scanner along with one full and one retrieval license for the LaserFische Document Imaging System that was recently approved for the Martin County Ditch Administration Office. McDonald stated the concurrent licenses (shared) will allow individual county offices to start scanning their documents into the LaserFische system as well. McDonald went on to state that the scanner and required licenses will be paid for in part from funds received from the City of Fairmont Police Department for their share of the Law Enforcement Center's new server in the amount of \$3,875.99; plus additional funds from the MIS budget. McDonald noted the total cost of new scanner and licenses is \$4,797. McDonald went on to note that the Victim Witness Coordinator's Office will be the first to begin scanning their documents into the system and when they are finished, we then move on to another office until all office records have been scanned into the LaserFische system.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the purchase of a scanner, one full and one retrieval license for the LaserFische Document Imaging System in the amount of \$4,797.00. Carried unanimously.

Higgins stated as part of the Martin County Transit System bus replacement program and with the purchase of one new replacement transit bus this year, presented his recommendation for Board approval to dispose of a 2002 Ford Class 400 (diesel) transit bus as surplus property. The bus has 318,753 plus miles and it has met its useful mechanical life. Higgins recommends that the bus be disposed of by auction during the City/County Auction on May 14, 2009 pending Mn/DOT providing a letter of approval and relinquishing the state's interest in the bus.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize disposal of the 2002 Ford Eldorado (diesel) VIN #1FDXE4512HB10026, State #B020115 Class 400 transit bus as surplus property and dispose of by auction on May 14, 2009 due to having met its useful mechanical life; and to be included on the City/County Auction pending Mn/DOT approval. Carried unanimously.

Higgins continued presenting request for approval for the purchase of a Class 400 transit bus for the Martin County Express transit system. Higgins stated the County has been approved by Mn/DOT for the purchase of a replacement bus for 2010 and that typically the purchase amount is shared 80% (Mn/DOT) and 20% (local share). However, this replacement bus will be 100% funded by the America Recovery and Reinvestment Act (Federal Stimulus Funds). Higgins recommends the purchase of a new Elkhart Coach Ford E450 Diesel from North Central Bus Sales of Minneapolis, MN in an amount not to exceed \$66,000.

Motion by Commissioner Boler, seconded by Commissioner Potter,

RESOLUTION

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

WHEREAS, Martin County operates a transit system; and

WHEREAS, Martin County desires to purchase a replacement bus for 2010, through the State of Minnesota Cooperative Procurement Process, a vehicle to be used in the transit system; and

WHEREAS, Martin County has been approved for funds from the American Recovery and Reinvestment Act (federal stimulus funds) to provide 100% of the purchase cost, and no local share is required; and

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

WHEREAS, the staff recommends purchasing Class 400 bus from North Central Bus Sales; and

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby authorizes the purchase of a new (Model) transit bus from North Central Bus Sales of Minneapolis, MN in the approximate amount of \$66,000.

Motion by Commissioner Boler, seconded by Commissioner Potter, was duly passed and adopted this 21st day of April, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Pierce, Potter, Boler, and Donnelly. NAYS: None.
Resolution duly passed and adopted this 21st day of April, 209.

Potter presented information received from the Rural Minnesota Energy Board (RMEB), which Martin County is a member; concerning a proposal for the development of a joint wind development project with the Metropolitan Energy Policy Coalition (MEPC).

No action taken on discussion of the concept and feasibility of the proposed Rural/Metro Wind Project.

Commissioners discussed drafting a letter to Representative Bob Gunther and Senator Julie Rosen expressing concern with the Legislative Auditors recommending that the subsidies for corn-based ethanol production be eliminated.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize drafting a letter to Representative Bob Gunther and Senator Julie Rosen expressing concern with the Legislative Auditors recommending that the subsidies for corn-based ethanol production be eliminated; and that if there are to be reductions, to consider more of an orderly phase out instead of total immediate elimination of the subsidy. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims for the month of April, 2009 as presented; and includes the Martin County Highway Department claims as presented. Carried unanimously.

Warrants received and paid April 21, 2009 are registered on file in the Auditor/Treasurer’s Office as follows:

Revenue Fund – Warrants Approved April 21, 2009	\$209,284.54
Enhanced 9-1-1 Fund	\$ 12.11
Martin Co. Economic Development Authority	\$ 685.74
Solid Waste Management Fund	\$ 22,862.23
Law Library Fund	\$ 2,503.38
Martin County Transit Fund	\$ 33,346.39
Recorder’s Technology	\$ 1,245.75
Recorder’s Compliance	\$ 4,230.00
Building – CIP – Fund	\$ 10,617.87
Bank Building Fund	\$ 8,783.41
Taxes and Penalties Odd Years	\$ 6.00
Forfeited Tax Fund	\$ 22.50
Grand Total	\$293,599.92
Road and Bridge Funds Totaled	\$241,094.78
Martin County Ditch Fund – Warrants Totaled	\$ 15,930.63

The Board reviewed the Transit CY2008 End of Year Budget and Statistics Report; a letter to the County Board regarding the Cost of Judicial Commitments of Sex Offenders; letter regarding Juvenile Detention and Reduction on State Grant Funding for Program; and the Area Career Exploration (ACE) event schedule.

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

The Board recessed at 10:28 a.m.
The Board reconvened at 1:00 p.m.

Chairman Donnelly reconvened the meeting at 1:00 p.m. for a Wetland Conservation Act (WCA) presentation. All members present including Forshee, Higgins, Walters, and Mosloski, Peyman, Whitman, and Stiernagle, Kathy Smith, Rich Perrine. A sign-up sheet was passed around for those in attendance.

The Martin County Soil and Water Conservation District (SWCD) staff, along with staff from the Board of Water and Soil Resources (BWSR) gave a presentation on the new changes to the Wetland Conservation Act (WCA).

With no further business to wit, Board Chair declared the meeting adjourned at 2:02 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator