

PROCEEDS OF THE  
MARTIN COUNTY COMMISSIONERS  
TUESDAY, OCTOBER 6, 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.

Commissioners present were Boler, Potter, Pierce, and Schmidtke. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Highway Engineer, Jennifer Brookens, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC Radio, Julie Walters, Administrative Assistant, 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 addition: Review Minutes of the September 4, 2009 joint meeting with the Martin County Board of Commissioners and the Martin County Economic Development Authority (MCEDA).

Tim Peterson, CWP Coordinator with Martin County Soil and Water Conservation District, presented a resolution authorizing Martin County as fiscal agent for federal grant funding for the East Fork of the Des Moines River water improvement project. This project will cooperate with the Surface Water Assessment Grant and the Prairie Ecosystem Restoration Grant. Funding is in the amount of \$40,000.

Motion by Commissioner Pierce, seconded by Commissioner Boler,

R-#45/09

RESOLUTION  
ACCEPTANCE OF THE EAST FORK OF THE DES MOINES RIVER  
CLEAN WATER PARTNERSHIP GRANT

BE IT RESOLVED by the County of Martin, that the County has entered into a grant agreement with the Minnesota Pollution Control Agency (MPCA) to conduct a diagnostic and assessment of the tributaries of the East Fork of the Des Moines River (EFDMR).

The project name will be:

*East Fork of the Des Moines River Clean Water Partnership Grant*

WHEREAS, this project will begin the spring of 2009; and

WHEREAS, this project will involve monitoring, sampling, and assessing the characteristics of the grants watershed; and

WHEREAS, this project will cooperate with the Surface Water Assessment Grant and the Prairie Ecosystem Restoration Grant; and

WHEREAS, Martin Soil and Water Conservation District will administer the grant; and

WHEREAS, this grant will end June, 2011.

BE IT FINALLY RESOLVED, upon a motion by Commissioner Pierce, and seconded by Commissioner Boler, that the proposed East Fork of the Des Moines River Clean Water Partnership Grant be accepted.

Resolution was duly passed and adopted this 6<sup>th</sup> day of October, 2009.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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

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

NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of October, 2009.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the September 1, and September 15, 2009 regular Board of Commissioners minutes; and the September 4, 2009 minutes of the joint meeting with the Martin County Board of Commissioners and the Martin County Economic Development Authority (MCEDA). Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented a review and update of the CY2008 Martin County Highway Department Annual Financial Report.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Martin County Highway Department CY2008 Annual Financial Report as presented. Carried unanimously.

Vicki Paskey, social worker with Minnesota Valley Action Council, and Tammie Hested, Youth Services Vocational Advisor with Minnesota Valley Action Council, presented an overview of programs and services funded by the American Recovery and Reemployment Act including the Summer Youth Program and Fifty-Five and Older Employment Program. A video was shown featuring the youth involved in this past

summer's program. There were thirty-eight youth involved that worked in twenty-nine different worksites. The Martin County Courthouse employed three youths over the summer months.

Bev Snow, FJM Multi-County ASAC Coordinator, stated that grant funding for the collaborative start up of Family Dependency Court in Faribault, Martin, & Jackson counties has been received in the amount of \$172,000. A family dependency treatment court is a court devoted to cases of child abuse and neglect that involve substance abuse by the child's parents or caregivers. Its purpose is to protect the safety and welfare of children while giving parents the tools they need to become sober, responsible caregivers. To accomplish this, the court draws together an interdisciplinary team that works collaboratively to assess the family's situation and to devise a comprehensive case plan that addresses the needs of both the children and the parents. In this way, the court team provides children with quick access to permanency and offers parents a viable chance to achieve sobriety, provide a safe and nurturing home, and hold their families together. Snow continued that grant funding will allow human services to hire one social worker to act as a recovery specialist. This individual will have a strong child protection background along with a chemical dependency background. Snow noted the \$172,000 grant is for three years effective October 1<sup>st</sup>, 2009. Initial training will begin November 5<sup>th</sup> and the anticipated first working day for Family Dependency Court is January 1, 2010. Snow went on to note that there are currently three or four family dependency courts in Minnesota.

Snow also reviewed funding received from the Office of Justice Programs for funding under the FY09 Recovery Act Rural Law Enforcement Assistance: Enhancing Rural Corrections, Detention, & Jail Operations in the amount of \$282,887 for Martin County effective August 1, 2009 to July 31, 2011. Snow stated the Assistance to Rural Law Enforcement to Combat Crime and Drugs Program administered by the Bureau of Justice Assistance (BJA) helps rural states and rural areas prevent and combat crime, especially drug related crime, and provides for national support efforts, including training and technical assistance programs strategically targeted to address rural needs. It is anticipated this funding will provide Martin County with one full-time and one part-time corrections officer with the Martin County Sheriff's Office; increasing the nursing staff work hours; purchase of UA kits for the jail; and electronic equipment needed for interviewing purposes.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby ratify acceptance of and authorize Board Chair to sign the Bureau of Justice Assistance FY2009 Recovery Act Assistance to Rural Law Enforcement to Combat Crime and Drugs: Enhancing Rural Corrections, Detention & Jail Operations grant funding in the amount of \$282,887 for the program period of August 1, 2009 to July 31, 2011. Carried unanimously.

Roman Johnson, Blizzard Snowmobile Club, presented a resolution authorizing the limited use of Trunk Highway 15 right of way for the purpose of constructing, maintaining, and operating a Snowmobile Trail within the right of way in Section 3 and 4

of Westford Township. The DNR has granted a Limited Use Permit (LUP) for a trail extension from Truman, MN (by Profinium Bank) to go north 2.2 miles to the county line (by the WFS Building). Johnson noted additional DNR funding will ultimately allow for the hook up with the Watonwan County trail system.

Motion by Commissioner Pierce, seconded by Commissioner Boler,

R-#46/'09  
COUNTY OF MARTIN  
C.S. 4604 (T.H. 15)

RESOLUTION

BE IT RESOLVED by the County Board of the County of Martin, Minnesota that the County enters into a permit with the Commissioners 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 Coordinator are authorized to execute said permit on behalf of the County.

Motion by Commissioner Pierce, seconded by Commissioner Boler,

Resolution duly passed and adopted this 6<sup>th</sup> day of October, 2009.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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

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

NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of October, 2009.

The Board recessed at 10:25 a.m.

The Board reconvened at 10:35 a.m.

Tom Johnson, Statewide Interoperability Program Manager for the Minnesota Department of Public Safety, and Dennis Houseman, Federal Engineering, Inc., were present to review the Minnesota Local Regional Public Safety Interoperable

Communications Assessment Radio Systems Needs Assessment and Alternatives Report for Martin County. The Federal Communications Commission has mandated that by January 1, 2013 all agencies operating radio systems below 512 MHz must modify their radio systems to a narrowband technology. This has become more of a hot topic since the September 11, 2001 attacks and brought to the forefront in Minnesota when the I-35 Bridge collapsed in 2007. In cases like the bridge collapse and the 9/11 attacks, cell phone towers become overloaded and some remote areas do not get reliable cell phone coverage. Johnson stated the ARMER 800 MHz proved to be invaluable when the bridge collapsed. His office in Coon Rapids was able to act and assist with the Minneapolis department with anything they needed; it allowed the interaction with the other departments. ARMER is a statewide radio system that improves coverage and seamless roaming, along with increasing capacity. Using it also would result in less infrastructure for the county to own and maintain. Johnson continued with a history on the planning of the ARMER system.

Dennis Houseman, Federal Engineering, Inc. presented Martin County's Radio Systems Needs Assessment and Alternatives Report which included the purpose, assessment, alternatives, and next steps for the County in determining how Martin County can comply with the FCC narrowband mandate and to provide alternatives that mitigate the issues associated with our existing communications systems. The report included three alternatives for going to a narrowband analog, digital VHF, or the ARMER radio system. While the analog system is the least expensive, analog will soon become obsolete and the County would need to purchase a more expensive system in the future. The VHF digital is only slightly less expensive than the ARMER system but does not address many radio communication problems, except for complying with FCC regulations. The ARMER system is \$1.79 million for the capital cost and first year maintenance, with about a \$3 million cost over ten years. Houseman stated there are several grants available; and special bonding provisions, exempt from levy limitations, apply to any local ARMER implementation, and allow the public safety communication purpose to be listed separately on property tax statements. There are annual grants from FEMA and Homeland Security available as well. Houseman noted to do nothing is not an option and that time is of the essence and the County should proceed as soon as practical to enable a smooth transition to the technical solution of choice. There are thousands of agencies across the country facing this same issue. This will place significant and concurrent demands on manufacturers, radio shops, and support staffs. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Minnesota Local Regional Public Safety Interoperable Communications Assessment Project Radio Systems Needs Assessment and Alternatives Report for Martin County, MN. Carried unanimously.

Kay Wrucke, Martin County Recorder, was present to request to hire a temporary employee for the Recorder's Office for a one time special project for the office. The temporary position will be for six months, averaging between 13-14 hours per week at an

hourly rate of \$10. The job will consist of completing a data entry project and will start and complete a mortgage book conversion project.

Motion by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the hire of Rita Craven as a temporary employee for a one time special project in the Recorder's Office, in which the existing staff does not have the time to complete due to their existing job duties, for a six month period effective October 6, 2009 to April 30, 2010 at \$10.00 per hour; to complete data entry, data downloading, pre-index loading, identifying/naming data searches, start mortgage book conversion project and follow through to completion; not eligible for county benefits; and that this temporary position be paid for through the Recorder's Technology Fund. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, presented the retirement resignation of Joyce Schultz, full-time Account Technician I (A/T) effective September 25, 2009 and asks the Board to do the same; and requests to authorize the recruitment to fill the vacancy.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby accept, with regrets, the resignation of Joyce Schultz as full-time Account Technician I (A/T) for the Martin County Auditor/Treasurer's Office effective September 25, 2009; and approve and authorize the recruitment to fill the vacancy of the Account Technician I position due to the retirement resignation. Carried unanimously.

Higgins stated the Board is being asked to consider and approve the Memorandum of Agreement (MOA) between AFSCME Local 1204 – Martin County Courthouse Employees and the County of Martin. The MOA will allow for a one time exception to the Paid Time Off (PTO) Policy provision of the Courthouse employee's union contract, which requires notification by January 7<sup>th</sup> of each year for deferment of 10 PTO days per calendar year (payout of PTO time, rather than use it). In this matter, due to extenuating circumstances and staffing issues, Deb Mosloski has projected not to be able to get the balance of her PTO time down to the required level before the end of the year.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, after careful review and consideration, approve the Memorandum of Agreement between AFSCME Local 1204 – Martin County Courthouse Employees and the County of Martin, for a one time and non-precedent setting exception to allow Deb Mosloski to make application to defer up to 10 days of accrued Paid Time Off (PTO) outside the required January 7<sup>th</sup> notification for 2009. Carried unanimously.

Higgins stated that Martin County's contract with Fairlakes Transportation for operation of the Martin County Transit Service will expire on December 31, 2009. It is recommended that Martin County solicit proposals for the operation of the Martin County

Transit Service for a three-year term commencing January 1, 2010 through December 31, 2012.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize advertisement for bids for operation of the Martin County Express Transit Service for a three-year term commencing January 1, 2010 through December 31, 2012. Carried unanimously.

Higgins continued that a date and time must be set for the Truth-in-Taxation Public Hearing for taxes payable in 2010. It is recommended the Public Hearing be set for 6:00 p.m. on December 1, 2009.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby set the Truth-in-Taxation Public Hearing Date for 6:00 p.m. on Tuesday, December 1, 2009 in the Commissioners Board Room – First Floor – Martin County Courthouse. Carried unanimously.

Higgins next stated that county staff is proposing a policy for the designation of unreserved and undesignated fund balances. This policy will insure the continued operation of and services provided by the departments for the citizens of Martin County; and that the County Board reserves the right to vary from this policy when necessary without having an impact on the overall policy.

Commissioner Pierce suggested tabling this item until the CY2008 audit is complete.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby table the designation of County Fund Reserves until after completion of the CY2008 audit by the State of Minnesota Office of the State Auditor. Carried unanimously.

The Board discussed delegates to attend the AMC Annual Conference; reviewed the 2010 Renewal Letter of the Municipal Pool (Life Insurance) with Ochs, Inc.; and the Greater Blue Earth River Basin Alliance activity update and CY2010 membership dues.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Martin County membership dues for the Greater Blue Earth River Basin Alliance for CY2010 in the amount of \$7,400. 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 12:55 p.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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