

PROCEEDS OF THE  
MARTIN COUNTY COMMISSIONERS  
TUESDAY, NOVEMBER 3, 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 Pierce, Boler, and Potter. Commissioner Schmidtke was absent. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Highway Engineer, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff.

Motion by Commissioner Pierce, seconded by Commissioner Boler, 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 October 20, 2009 regular Board of Commissioners meeting as presented. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented a resolution authorizing the Commissioner of Transportation to transfer all Martin County Municipal Construction funds in excess of two years apportionment into the County's Regular Construction Account. Once a set maximum is reached and funds are not depleted, your needs start to be reduced because you can only accumulate so much. Peyman recommends the resolution to transfer excess funds so Martin County does not receive a deduction.

Motion by Commissioner Potter, seconded by Commissioner Boler,

R-H#7/'09  
Martin County Highway Department  
Resolution No. 7 – 2009

RESOLUTION TO TRANSFER EXCESS MUNICIPAL FUNDS TO REGULAR FUNDS

WHEREAS, Minnesota Statute 162.08, Subd 4 (3d), provides that accumulated balances in excess of two years of municipal account apportionments may be spent on projects located outside of municipalities under 5000 population when approved solely by resolution of the county board.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of Transportation transfer all Martin County Municipal Construction funds in excess of two years apportionment into our Regular Construction Account.

Upon motion by Commissioner Potter, seconded by Commissioner Boler, and carried said resolution was duly passed and adopted this 3<sup>rd</sup> day of November, 2009.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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

#### CERTIFICATION

I hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Martin at a duly authorized meeting thereof held on the 3<sup>rd</sup> day of November, 2009.

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Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Pierce, Boler, Potter, and Donnelly. NAYS: None.  
Resolution was duly passed and adopted this 3<sup>rd</sup> day of November, 2009.

Peyman concluded with a brief department update regarding current pre-season maintenance to gravel roads in the County; and the 2010 State Aid Allotment.

Rebecca Bentele, Victim Witness Coordinator, presented the Continuation Grant and resolution for the Victim Witness Program. Federal funds for this grant contract are provided under the Victims of Crime Act (VOCA) for the purpose of funding to aid in the provision of direct services to victims of crime. Bentele stated the contract is effective October 1, 2009 through September 30, 2010 and is in the amount of \$85,291.

Motion by Commissioner Pierce, seconded by Commissioner Boler,

R-#48/09

#### RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

BE IT RESOLVED that Martin County, Victim Services, will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety; and

BE IT FURTHER RESOLVED that Federal funds for this grant contract are provided under the Victims of Crime Act (VOCA) for the purpose of providing supplemental

funding to aid in the provision of direct services to victims of crime. State funds for this grant contract are provided for the purpose of providing crime victim services to victims of child abuse, domestic violence, sexual assault, and other crimes; and

BE IT FURTHER RESOLVED that the State is in need of services to victims of crime; and

BE IT FURTHER RESOLVED that Steve Donnelly, Board Chair is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of Martin County.

BE IT FINALLY RESOLVED upon a motion by Commissioner Pierce, seconded by Commissioner Boler, and unanimously carried;

Said Resolution was adopted this 3<sup>rd</sup> day of November, 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, Boler, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 3<sup>rd</sup> day of November, 2009.

Sheriff Gerhardt stated the Martin County Sheriff's Office has completed the Martin County Emergency Operations Plan for submission to the Homeland Security and Emergency Management regional program coordinator. The purpose of this plan is to ensure the effective, efficient, and coordinated use of resources in the event of a major disaster. After review,

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Martin County Emergency Operations Plan as presented. Carried unanimously.

Sheriff Gerhardt continued with the Martin County Sheriff's Office Update including: scheduling a meeting for moving forward in the development of a Martin County Interoperable Radio Implementation Plan; current jail population; Winter Hazard Awareness Week will be held November 9<sup>th</sup> through November 13<sup>th</sup>; recent successful audit by Region Five's Regional Program Coordinator; current jail staffing; and gave information on a probable peak in the H1N1 virus in the next couple of months.

Scott Higgins, Martin County Coordinator, stated the Veterans Service Officer is an appointed position (Minnesota Statutes 197.60) and recommends that Doug Landsteiner be reappointed to an additional four year term.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#49/'09

**RESOLUTION  
REAPPOINTING MARTIN COUNTY VETERANS SERVICE DIRECTOR  
TO A FOUR-YEAR TERM**

WHEREAS, Douglas Landsteiner was reappointed as the Martin County Veterans Service Officer to a four-year term beginning November 8, 2005 and continuing through November 8, 2009.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Martin, Minnesota, that in accordance with Minn. Stat. 197.60, Subd. 2, that Douglas Landsteiner be and hereby is reappointed to a four-year term beginning November 8, 2009 and continuing through November 8, 2013.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Minnesota Commissioner of Veteran's Affairs by the County Coordinator.

Upon motion by Commissioner Pierce, seconded by Commissioner Potter, said resolution was duly passed and adopted this 3<sup>rd</sup> day of November, 2009.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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

Roll Call AYES: Commissioners Boler, Potter, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 3<sup>rd</sup> day of November, 2009.

James Forshee, Martin County Auditor/Treasurer, presented a resolution authorizing the public sale of tax forfeited land in the county. The resolution sets the terms and conditions, date, and time of sale. The sale is set for Tuesday, November 24, 2009 at 10:00 a.m. in the Commissioners Board Room.

Motion by Commissioner Pierce, seconded by Commissioner Boler,

**RESOLUTION # 50 / 09**

AUTHORIZING & FIXING TERMS OF TAX SALE:

**BE IT RESOLVED**, that all parcels of tax-forfeited land listed on the List of Tax-Forfeited Land #10 be classified as non-conservation land; that the basic sale price of each parcel on the List of Tax-Forfeited Land #10, that is on file with the Martin County Auditor/Treasurer, be approved and authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at **10:00 a.m. Tuesday, November 24, 2009**, by the Martin County Auditor/Treasurer, in the Commissioners Room, 1<sup>st</sup> Floor in the Martin County Courthouse, 201 Lake Avenue, Fairmont, Minnesota, beginning and not less than the basic sale price; and that all sales shall be full payment and on the terms set forth on the List of Tax-Forfeited Land #10 dated November 3, 2009.

**BE IT FURTHER RESOLVED**, that the conditions and terms of the public sale shall be as described in the list contained herein and approved by the Martin County Board of Commissioners.

Motion was made by Commissioner Pierce, seconded by Commissioner Boler, and carried.

Dated this 3rd Day of November, 2009.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MINNESOTA

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Steve Donnelly, Chairperson

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

Roll Call AYES: Commissioners Potter, Boler, Pierce, and Donnelly. NAYS: None.  
Resolution duly passed and adopted this 3<sup>rd</sup> day of November, 2009.

Higgins stated the 2009 Annual Meeting of the Minnesota Counties Insurance Trust will be held on Monday, December 7, 2009 at 1:00 p.m. An election will be held for two seats on the MCIT Board of Directors. The MCIT Bylaws provide for the designation of official voting delegates and alternates. Current voting delegate and alternate are: Steve Donnelly, Delegate; and James Forshee, Alternate.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby appoint Steve Donnelly as the voting delegate and Commissioner Jack Potter as voting alternate to the 2009 Annual Meeting of the Minnesota Counties Insurance Trust to be held on Monday, December 7, 2009 at 1:00 p.m. in Minneapolis, MN.

Higgins noted Minnesota Statutes require that bids be taken for Official County Newspaper for the publication of notices, minutes, etc. The Truman Tribune was awarded the bid as the 2009 Official County Newspaper and it is time to once again advertise for bids to all known newspapers in Martin County in order to designate the official newspaper for Martin County for the year 2010.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Coordinator's Office to advertise for bids for designation of the official newspaper for Martin County for the year 2010; and that bid opening will be held on Tuesday, December 15, 2009 at the regular Board of Commissioners meeting. Carried unanimously.

Higgins stated the Jail Food Service contract was up for renewal and the county had advertised for bids for proposals for inmate food service to the Martin County Jail at three (3) meals a day on a per meal bid basis with an alternate bid including two (2) hot meals for the period of two years covering January 1, 2010 through December 31, 2011. Bids were received, opened, and reviewed as follows:

<b><u>Bid Received From</u></b>	<b><u>Bid Amount</u></b>	<b><u>Alternate Bid (2 Hot Meals)</u></b>
Vetter's All Occasions Catering	\$3.25/meal	\$3.55/meal
Hy-Vee Food Store	\$3.25/meal	No Alternate Bid Submitted

Commissioners reviewed and discussed the bids received. Vetter's and Hy-Vee have the exact same bid for the one hot meal per day. Commissioner Pierce questioned how to pick between the two as we've had excellent service by both of these businesses.

Sheriff Gerhardt stated we have had a great working relationship with each bidder and truthfully couldn't go wrong with either one.

After further review and discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter, for two cold and one hot meal per day at \$3.25 per meal with Vetter's All Occasions Catering of Fairmont, MN:

R#51/'09

**RESOLUTION  
ACCEPTING AND AWARDING BID FOR INMATE FOOD SERVICE FOR THE  
MARTIN COUNTY JAIL for TWO YEAR PERIOD  
JANUARY 1, 2010 to DECEMBER 31, 2011**

WHEREAS, pursuant to an advertisement for bids for proposals for Inmate Food Service to the Martin County Jail; and

WHEREAS, bids were received on a per meal basis for the period of two years covering January 1, 2010 through December 31, 2011; and

WHEREAS, Bids were received, opened, and reviewed, and the following bids were received complying with the advertisement:

<u>BIDDER</u>	<u>BASE BID</u>	<u>ALT. BID</u>
1. Fairmont Medical Center-Mayo Health System – Fmt.	\$ -0-	\$ -0-
2. Hy-Vee Food Store - Fairmont	\$3.25	\$ -0-
3. Lakeview Health Services – Fairmont	\$ -0-	\$ -0-
4. Vetter’s All Occasions Catering - Fairmont	\$3.25	\$3.55
5. Gerhardt’s Catering – Fairmont	\$ -0-	\$ -0-
6. Nancy Jo’s Catering – Truman	\$ -0-	\$ -0-
6. Lancer Catering – Eagan, MN	\$ -0-	\$ -0-
7. A’viands Food & Services Mgmt – Roseville, MN	\$ -0-	\$ -0-
8. New Horizon Food Service – St. Michael, MN	\$ -0-	\$ -0-

WHEREAS, it appears the low bid is from Vetter’s All Occasions Catering, and after having carefully reviewed each bid proposal, the Board believes that the bid proposal from Vetter’s All Occasions Catering meets the bid expectations, requirements, and concerns as follows

- delivery of food three times each day,
- freshness of food would be greater due to be delivered three times each day rather than stored
- county’s liability of food handling and storage minimized
- provides flexibility due to sudden increase and decrease of inmate population (due to arrests and releases)

NOW THEREFORE BE IT RESOLVED on a motion by Boler, seconded by, Potter ,

1. That the Martin County Board of Commissioners after due considerations of the bids received, approves and authorizes the Chair to sign the necessary Food Service contracts with Vetter’s All Occasions Catering, on behalf of Martin County for the above referenced Inmate Food Service to the Martin County Jail according to the plans and specifications therefore approved by the County Board of Commissioners and on file in the office of the County Coordinator in the amount of \$3.25 per meal,

ADOPTED by the Martin County Board of Commissioners this 3<sup>rd</sup> day of November, 2009.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Steve Donnelly, Board Chair

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

Roll Call AYES: Commissioners Pierce, Boler, Potter, and Donnelly. NAYS: None.  
Resolution duly passed and adopted this 3<sup>rd</sup> day of November, 2009.

The Board recessed at 9:50 a.m.  
The Board reconvened at 9:56 a.m.

The Board reviewed the Third Quarter CY2009 Dept. Revenue & Expenditures Report; the Minnesota Counties Insurance Trust 2008 Annual Report; and the Minnesota Counties Insurance Trust 2009 Annual Meeting Information.

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

Barbara Cullen and Candace Webster with the State of Minnesota Office of the State Auditor presented and reviewed the CY2008 County Audit with the Board.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, move into a closed session per Minnesota Statute 13D.03 to discuss union negotiation strategies with upcoming negotiations.

Meeting in closed session at 11:40 a.m.

Those present were Commissioners Donnelly, Potter, Pierce, and Boler. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, and Julie Walters, Administrative Assistant.

Motion by Commissioner Pierce, seconded by Commissioner Boler, to go back into open session at 12:20 p.m.

The board reviewed the proposed CY2010 budget. There was discussion regarding the remaining budget and the \$120, 615 remaining to be cut in order to meet the projected tax levy for CY2010; and on employee wages.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, after careful consideration and review; and due to the effects that the State budget deficit having a negative impact on Martin County through the loss of revenue received from the State of Minnesota; and additional unallotments being projected for the year 2010 that would result in a loss of more revenue to the county; hereby have determined the need to approve and establish a 0% general wage adjustments and no step increases for employees for the CY2010; and to have the Compensation Plan and Salary Matrix reflect the 0% general wage increase and a 0% step increase effective January 1, 2010. AYES: Commissioners Boler, Potter, and Donnelly. NAYS: Commissioner Pierce. Motion carries.



With no further business to wit, motion by Commissioner Pierce, seconded by Commissioner Potter, to adjourn the meeting. Carried unanimously. Meeting adjourned at 12:25 p.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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