

PROCEEDS OF THE
MARTIN COUNTY COMMISSIONERS
TUESDAY, DECEMBER 15, 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, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, Kevin Peyman, Martin County Highway Engineer, Rod Halvorsen, KSUM/KFMC Radio, 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 additions: Add 8.26 Consider Purchase of 4-WD Pickup – Highway Department; 8.27 Consider Purchase of Second Laptop Computer – Assessor’s Office; 8.28 Discuss Appeal to MCIT; and Delete 8.25 Consider Service Agreements with MRCI for Janitorial Services for the year 2010. Carried unanimously.

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the December 1, 2009 regular Board of Commissioners meeting as presented. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, recommended a second year-end bill payment cycle in December, 2009. Forshee stated the cutoff date is December 23, 2009 at 5:00 p.m. for vouchers and checks will be mailed out December 29, 2009.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve a second year-end bill payment cycle; and authorize the Auditor/Treasurer to approve such bill payments for December, 2009. Carried unanimously.

Scott Higgins, Martin County Coordinator, presented a brief County Attorney update pertaining to a former Fairmont man (Ortega) has been committed by the state as a sexually dangerous person with a sexually psychopathic personality.

Billeye Rabbe, Solid Waste Coordinator for Faribault & Martin Counties, presented businesses that have met the criteria to receive a license for collection and transportation of solid waste in Martin County, with two haulers approved for picking up recycling in the county; and recommended approval, with the exception of Waste Management and will need to meet with them to review their application.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, with the listed haulers having met the requirements for licensure in the County of Martin, MN, hereby approve and authorize Board Chair and Martin County Auditor/Treasurer to sign the Solid Waste Collection and Recycle Transportation licenses for the year 2010 for the following haulers, contingent upon receipt of all required documentation:

Collection & Transportation of Solid Waste in Martin County:	City of Fairmont – Fairmont, MN
	LJP Enterprises, Inc. – St. Peter, MN
	Madelia Sanitation – Madelia, MN
	Kevin Finstad, Riverview Sanitation – New Ulm, MN
	B and B Sanitation – Winnebago, MN
	Hansen Sanitation – Kasota, MN
Collection & Transportation of Recyclables in Martin County:	LJP Enterprises, Inc. – St. Peter, MN

AYES: Potter, Schmidtke, Boler, Pierce, and Donnelly. NAYS: None. Passed and approved this 15th day of December 2009.

Kevin Peyman, Martin County Highway Engineer, reported on the final contract for SAP 46-636-03 Bituminous Surfacing with Duininck Brothers, Inc. of Prinsburg, MN, of approximately six miles of CSAH 36 from the Jackson county line to Highway 4. Peyman stated final examination has been made, contract has been completed, and the entire amount of work has been performed. The original contract was \$2,443,450.32 and the completed certified amount is \$2,401,977.82. Peyman recommended approval of the final payment of the contract.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Engineer, hereby approve the final contract payment for SAP 46-636-03 Bituminous Surfacing with Duininck Brothers, Inc. of Prinsburg, MN in the amount of \$2,401,977.82. Carried unanimously.

Peyman presented the bids received for the purchase of a four wheel drive pick up as follows:

Bid Results for 2010 4-WD Pickup
Martin County Highway Department
December 11, 2009

Nelson Auto Center (F-150)	\$20, 865.48
Perkins, Inc. (GMC Sierra 1500)	\$20,656.00

Elk River Ford, Inc. (F-150)	\$20,224.35
Mel Carlson Chevrolet (Silverado)	\$25,197.90
Fairmont Ford (F-150)	\$20,219.03**
Hawkins Chevrolet (Silverado)	\$22,536.47

**Apparent Low Bid

**BID AWARDING IS SUBJECT TO APPROVAL FROM BOARD OF
COMMISSIONERS MEETING ON DECEMBER 15, 2009**

Peyman reviewed the bids with the Board and recommended approval to purchase a 2010 Ford 4-WD Pickup from Fairmont Ford for the Highway Department to replace Unit #4.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve low bid for the purchase of a 2010 4-WD Pickup from Fairmont Ford in the amount of \$20,219.03 including sales tax. Carried unanimously.

Peyman concluded with a brief update concerning recent snow storm and clearing of county roads.

Brad Gerhardt, Martin County Sheriff, stated there were 4 people that responded to the Request for Proposals (RFP's) from various companies for professional services to develop a Participation Plan for the migration of the county's public safety communications to the Allied Radio Matrix Emergency Response (ARMER) network. Two of the lowest bidders were invited to an interview process that was set up with a committee of county staff. The two companies interviewed were, Alpha Wireless who was the low bid, who is also our radio provider throughout Martin County and GeoComm who we also have contracts with in dispatch and mapping and such. Alpha Wireless bid was \$12,000 and GeoComm was at \$27,255. It was obvious to the committee that Alpha Wireless was the best choice, not only based on the cost but because of the cost and the passion that they have for the job and their knowledge base of Martin County. The Sheriff further stated that on or about April 1st we are hoping the Participation Plan will be developed. Now with that being said we have grant dollars secured through Region Five to pay for this process. Murray County is the fiscal agent so on completion of this project on April 1st or thereabouts we'll just submit the bill to Murray County for Alpha Wireless to be paid. We have up to \$30,000 in that account with Region Five, so we're in good shape that way. Gerhardt recommended approval that the County enters into an agreement with Alpha Wireless to do the Participation Plan.

Commissioner Pierce inquired that with the grant up to \$30,000 are we looking at getting some additional services out of anyone.

Gerhardt responded that Region Five has embraced the philosophy that whatever is left in the grant we're just going to start buying radios as a region and divvy them up per county. The '2008-2009 grants are upwards of about \$500,000 for each grant and therefore are looking to use the money to purchase radios as well. So I think it's a good way to go. The Regional Board understands that in the end it's the cost of the radios and the install, the participation plans, setting up the fleet maps, etc.-bottom-line we are going to make sure we make good use of all the money and purchasing radios would be beneficial.

Boler inquired when the radios will be used. Gerhardt responded no later than January 1, 2013. Boler stated his concern that the radios may be obsolete by then.

Gerhardt further stated that we will be asking for an extension, we don't want to buy the radios now and then the warranties run out. We probably won't have our third tower up, over by Sherburn, until probably 2012. The state has a list of approved radios that we would purchase.

Boler stated his concerns with one supplier and that there are a lot of questions before we spend too many thousands of dollars.

Sheriff responded that there was not just one supplier, stating that Motorola is approved, Kenwood is approved, Raycon is approved, and obviously a couple other companies trying to get their foot in the door to get approved so there's multiple. The radios all have to do the same things. After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby award proposal for the provision of professional services to develop a Participation Plan for the migration of public safety communications to the Allied Radio Matrix Emergency Response (ARMER) network to Alpha Wireless of Mankato, MN in the amount of \$12,000; and authorize Board Chair to sign the necessary documents and contracts when received on behalf of the county. Carried unanimously.

Gerhardt next presented the Inmate Nursing Services contract that is annually up for consideration and renewal. Gerhardt stated the 2010 proposed contract calls for regular nursing services at \$36.00 per hour (an approximate 1.5% increase over the 2008 & 2009 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 remain the same as with the 2009 contract.

Commissioner Schmidtke stated he is against the increase 100%. We gave 0% increase to all the employees and I'm not willing to bend the rules for the nursing contract. It sends the wrong message to keeping any increases to wages at zero. After much discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Chair to sign the 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 \$36.00 per hour and on-call services of \$90.00 per month. AYES: Commissioners Potter, Pierce, Boler, and Donnelly. NAYS: Commissioner Schmidtke. Motion carried.

Julie Grunewald, Senior Probation Agent, stated Martin County has been awarded grant money through the Office of Justice Programs and is requesting the Board to authorize execution of the two year Youth Intervention Program Grant Funding in the amount of \$82,029; and also recommends authorizing Julie Grunewald to execute and sign agreements and amendments, as are necessary to implement the project on behalf of the Martin County Probation Department.

Motion by Commissioner Boler, seconded by Commissioner Potter,

R-#60/'09

R E S O L U T I O N

Authorizing Execution of Grant Agreement for Juvenile Justice Grant

BE IT RESOLVED that Martin County Probation Department will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Safety.

Julie Grunewald is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of Martin County Probation Department.

I certify that the above resolution was adopted by the Board of Commissioners of Martin County on 12-15-09.

BOARD OF COMMISSIONERS
MARTIN COUNTY

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Pierce, Schmidtke, Boler, and Donnelly.
NAYS: None. Resolution duly passed and adopted this 15th day of December, 2009.

Grunewald next presented information on Chemical Dependency Assessment Fees stating this fee has been imposed by the courts for a number of years for persons that are

convicted of DUI offenses. It's not a new fee but what has changed is that the statute now doesn't allow for the court to actually collect the fee it's actually to be collected by the entity (County) who is conducting the assessment. The fee is \$125 but since July 1st what's happened is the court is collecting \$25 and that goes to the State of Minnesota for revenue. However, the remaining \$100 is not being collected and used to be collected by the courts and going into the county budget. So because of the pre-trial work that we do with persons who are arrested for DUI's and convicted, probation is now eligible to begin collecting this \$100 fee so it would be a new source of revenue in this way. Not a new fee, a new method of collection. And what I'm proposing is that we set it up and collect it as we're collecting for our Supervision fees and then we can use that revenue to make up for the deficit in the Youth Intervention Program in which we're going to be about \$6500 short for the first time in about eleven years where we haven't enough grant dollars to cover all of the program costs. And just as a point of consideration, I had the Court Administrator's office check just to get an idea of the number of convictions and in 2008 there were 200 convictions in Martin County at \$100 fee is \$20,000. So it could be a significant source of revenue. We can't predict in 2010 how many DUI arrests there will be, but I think there could be a significant number. In Watonwan County they've already started this process and we'd actually be modeling what they're doing as far as their probation department is collecting \$100.

Pierce inquired whether the \$100 used to go to the county, but now it's going to go to Probation so the county's losing.

Grunewald responded that fee will still be going to the county because we're going to be using it for Youth Intervention Programs. It will just go to a different line item.

Potter inquired that the Youth Intervention and Prevention program will be short by \$6500 in the projected budget and now this is more than enough to take care of a bunch of that. After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Probation Department to begin collecting, effective immediately, the \$100 chemical dependency assessment fee from persons charged with DUI offenses; and the Martin County Auditor/Treasurer's Office to establish both a Revenue line item and an Expenditure line item with the Probation budget to allow for collections of these fees; and to dedicate fees to offset the Youth Intervention and Prevention Program. Carried unanimously.

The Board thanked Grunewald for her report.

Rich Perrine, WCA Water Plan Coordinator with Martin County Soil and Water Conservation District, presented an update of the 2009 Water Plan Activities.

The Board reviewed the proposed Service Agreement for the implementation of the County Water Plan in the amount of \$24,612 noting that this amount is derived from the

2010 Allocation from the Natural Resources Block Grant (NRBG) funds with \$18,754 in grant dollars and \$5,858 County cash match; and the proposed Service Agreement and resolution authorizing the administration of the Wetland Conservation Act (WCA) in the amount of \$20,000 with \$10,000 grant funding (NRBG) and \$10,00 County cash match.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the two Service Agreements between Martin County and Martin Soil and Water Conservation District for Martin SWCD; the first to administer the 2010 Martin County Water Plan Program in the amount of \$18,754; and the second agreement to administer the Wetland Conservation Act (WCA) in the amount of \$20,000 for calendar year 2010. Carried unanimously.

Perrine reviewed the 2009 Water Plan Activities completed or in progress throughout the county.

The Board thanked Perrine for his report

Commissioner Pierce stated that at the last Joint Powers meeting of the South Central WorkForce Council in September, 2009, the Joint Powers Board moved and approved to revise our current Joint Powers Agreement utilizing the Minnesota Counties Insurance Trust (MCIT) Model Joint Powers Agreement. The JPA requires each County Board of Commissioners chair and county attorney signatures.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners hereby approves the revised Joint Powers Agreement with the South Central WorkForce Council; and authorize Board Chair and County Attorney to sign the Joint Powers Agreement on behalf of Martin County; and the agreement shall be in force until June 30, 2012. Carried unanimously.

Higgins presented and reviewed the appointments to various Citizen Advisory Boards and Committees, noting that at the last regular Board of Commissioners meeting held on December 1, 2009 the Board approved the reappointments of Gary Schaub and Rodney Erickson to the Martin County Planning and Zoning Commission for a three year term to commence January 1, 2010.

Higgins stated Harlan Gorath (City of Fairmont representative) wishes to continue serving on the Martin County Library Board; and Lawrence Sukalski and Stephen Pribyl wish to continue serving on the Martin County Economic Development Authority Commission.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the reappointment of Harlan Gorath to the Martin County Library Board for a three year term to commence January 1, 2010; and approve the reappointments of Lawrence Sukalski and Stephen Pribyl for a three year term to commence January 1, 2010. Carried unanimously.

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 \$457,300. This is an approximate 11% increase from the 2009 grant award of \$411,400. Martin County originally requested \$589,136. Higgins went on to state that the County is responsible for 15% of the total operational expenses to be paid by MN/DOT per the Agreement. Higgins noted that total projected revenues are \$151,000 for CY2010; and that we are scheduled to purchase a transit dispatching system and full-time dispatcher at our Transit Facility, from grant money received through the Minnesota Department of Transportation-Office of Transit.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the 2010 Public Transit Participation Program Application Grant Agreement for an approved projected operations expense grant amount of \$457,300 and total operating budget of \$538,000; 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 at 15% provided by the County; and capital expenses split 80% MN/DOT and 20% by local share effective January 1, 2010. Carried unanimously.

Higgins continued that Martin County solicited proposals for the operation of the Martin County Transit Service for a three year term commencing January 1, 2010 through December 31, 2012. Three requests for bid documents were received with one bid package submitted to the Coordinator's Office by the published due date. Fairlakes Transportation (current provider) submitted their bid as follows:

Martin County Transit Service Contract Bid:

Period 1	01-01-10 to 12-31-10	16,050 hours	\$22.35/hour	\$ 358,735.00
Period 2	01-01-11 to 12-31-11	16,050 hours	\$22.51/hour	\$ 361,372.00
Period 3	01-01-12 to 12-31-12	16,050 hours	\$22.84/hour	\$ 366,649.00
			Total Bid	\$1,086,756.00

Alternate Bid:

Volunteer Driver Program	20,000 miles	\$0.725	\$14,500.00
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Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, after due consideration of the bids received, hereby approves and authorizes Board Chair to sign the necessary Martin County Transit Service Contract with Fairlakes Transportation, Inc., on behalf of Martin County, for the above referenced public transportation service in the amount of \$1,086,756.00 for a three year term commencing January 1, 2010 to December 31, 2012. Carried unanimously.

Higgins stated Official County Newspaper bid forms were sent out to the four newspapers in Martin County and two bids were received back from the Truman Tribune

and Sentinel Newspaper. Higgins opened and read aloud the bids received for designation of the Official County Newspaper for 2010.

Sentinel Newspaper	
Bid per Standard Advertising Unit (SAU)	\$6.75
Rate per SAU on printing of second notice	\$4.15
Annual Financial Statement Publication	\$3.10 - + \$310 for 8,000 overrun
Second Publication of Annual Financial Statement as an insert to newspaper	\$.043
Subscribers residing in Martin County	5,092 Sentinel 4,058 Sentinel Plus 9,150
Truman Tribune	
Bid per Standard Advertising Unit (SAU)	\$3.50
Rate per SAU on printing of second notice	\$3.50
Annual Financial Statement Publication	\$3.50 – Extra cost to be based on number requested
Second Publication of Annual Financial Statement as an insert to newspaper	\$.05
Subscribers residing in Martin County	650

Discussion ensued regarding newspaper bids including weekly publication versus daily publication; increased costs by placing notices in more than one newspaper for sufficient coverage; subscriber numbers; and daily exposure. After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Potter, to approve the resolution awarding the Official Newspaper Bid and Designating the Sentinel Newspaper as the Official Newspaper for Martin County for the Year 2010.

R-#59/09

Resolution Awarding the Official Newspaper Bid and Designating the Sentinel as the Official Newspaper for the Year 2010

Motion by Commissioner Pierce, seconded by Commissioner Potter,

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Martin, Minnesota, that pursuant to the opening of bids on printing for the year 2010 on December 15, 2010 and subsequent review thereof, the Sentinel be and hereby designated as the Official Newspaper for Martin County for the year 2010, for the purposes and at the rates as set forth as follows:

- Publication of Delinquent tax list \$6.75 per column inch
- Publication of Official Board Proceedings \$6.75 per column inch

- First Publication of Financial Statement \$3.10 – Extra Cost Based on Actual Number per column inch
- Second Publication of Financial Statement \$.043

The Sentinel has a certified circulation of 5,092 + 4,058 (Sentinel Plus) = 9,150 total subscribers residing in Martin County.

BOARD OF COMMISSIONERS
MARTIN COUNTY

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Boler, Potter, Pierce, and Donnelly.
NAYS: None. Resolution duly passed and adopted this 15th day of December, 2009.

James Forshee, Martin County Auditor/Treasurer presented the resolution establishing the Tax Levy for 2010 collectible in 2011 in the amount of \$10,572,236 (zero percent increase from 2009).

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#55/'09

RESOLUTION

ESTABLISHING THE TAX LEVY FOR YEAR 2010 COLLECTIBLE IN 2011:

WHEREAS, the Martin County Board of Commissioners duly considered budgets to determine the tax levy to be collected in 2010.

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 2010 and collectible in the year 2011 be as follows to-wit:

	<u>Net Levy</u>
Revenue Fund	\$ 4,691,017
Boat/Snowmobile	\$ 5,749
Road & Bridge Fund	\$ 2,284,391
E911 Fund	\$ -0-
Solid Waste Management Fund	\$ -0-
Library Fund	\$ 620,247
Human Service Fund	\$ 2,193,044
Building CIP Fund	\$ 150,000
Debt Service Fund/Hwy Debt Service	\$ 259,980

Tax Forfeited Land	\$ 17,000
Economic Development	\$ 63,047
TOTAL TAX LEVY	\$10,284,475

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

Upon Motion made by Commissioner Pierce, seconded by Commissioner Schmidtke, and unanimously carried, said resolution was duly passed and adopted this 15th day of December, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Boler, Schmidtke, Pierce, and Donnelly.
NAYS: None. Resolution duly passed and adopted this 15th day of December.

Forshee next presented the resolution establishing the CY2010 Fund Expenditures and Revenues. Fund expenditures for 2010 are estimated at \$19,034,895 and fund revenues are estimated at \$19,189,753. After discussion and consideration,

Motion by Commissioner Schmidtke, seconded by Commissioner Boler,

R-#56/'09

RESOLUTION

ESTABLISHING THE FUND EXPENDITURES AND REVENUES
FOR THE YEAR 2010

WHEREAS, the Martin County Board of Commissioners duly considered fund Expenditures and Revenues for the year 2010.

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 2010, is as follows:

	<u>Expenditures</u>	<u>Revenues</u>
Revenue Fund	\$ 7,713,620	\$ 2,961,761
Parks & Recreation	\$ -0-	\$ 38,000
Road & Bridge	\$ 6,331,358	\$ 4,046,967
E-911 Fund	\$ 35,240	\$ 114,000

Boat & Water/ATV	\$ 17,497	\$ 11,748
Solid Waste	\$ 263,713	\$ 299,841
Library	\$ 645,247	\$ 25,000
Law Library	\$ 15,000	\$ 15,000
Human Services	\$ 2,193,044	\$ -0-
Recorders Technology Fund	\$ 27,000	\$ 50,000
Recorders Compliance Fund	\$ 30,000	\$ 55,000
Building CIP Fund	\$ 75,000	\$ -0-
Human Services Building	\$ 135,000	\$ 159,032
Hwy Debt Service	\$ 259,980	\$ -0-
Prairieland Debt Service	\$ 329,713	\$ 329,713
Forfeited Land	\$ 19,000	\$ 2,000
ISTS Loan	\$ 271,800	\$ 145,000
Martin County Express	\$ 546,136	\$ 589,216
MC Area Redevelopment Agency	\$ -0-	\$ -0-
Economic Development	\$ 126,047	\$ 63,000
General Tax Levy	\$ -0-	\$ 10,284,475
TOTAL	\$ 19,034,895	\$ 19,189,753

Upon motion by Commissioner Schmidtke, seconded by Commissioner Boler, and carried, said resolution was duly passed and adopted this 15th day of December, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Pierce, Potter, Boler, Schmidtke, and Donnelly.
NAYS: None. Resolution duly passed and adopted this 15th day of December, 2009.

Higgins stated the All Season Wheelers Club – Elm Creek ATV Trail is requesting approval to submit an application to the Minnesota Department of Natural Resources (DNR) – OHV Trails Assistance Program for maintenance of the existing Elm Creek ATV Trail. Higgins noted this is the preliminary application and that once the DNR has reviewed and awarded a grant dollar amount, it will be brought before the Board for acceptance and approval.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#57/'09

RESOLUTION

Application from the All Seasons Wheelers Club for Maintenance Funding for the

Existing Elm Creek ATV Trail System

WHEREAS, Martin County, Minnesota desires to apply for maintenance funding for the existing Elm Creek ATV Trail System; and,

WHEREAS, by Law of 1975, Chapter 204, Sections 51 and 95, there was appropriated to the Commissioner of Natural Resources, as a grants-in-aid to Local units of government, funds for said purposes; and,

WHEREAS, said Martin County will contract with the All Seasons Wheelers Club to apply for this funding to maintain said ATV Trail System.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approve of the application for maintenance funding for the existing ATV Trail, and that the Chairperson and/or the County Auditor/Treasurer be authorized to sign all documents relating to the program year.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter, and unanimously carried.

Said Resolution was duly passed and adopted this 15th day of December, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Boler, Potter, Pierce, and Donnelly.
NAYS: None. Resolution duly passed and adopted this 15th day of December, 2009.

Higgins stated the County Board is required per Minnesota Statutes to set dates and locations for regularly conducted Board meetings. Traditionally the Board has met the first and third Tuesday of each month in the Commissioners Board Room in the Martin County Courthouse commencing at 9:00 a.m. Variations of this meeting schedule have occurred during the year due to special meetings and budget workshops.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the regularly scheduled Martin County Commissioner meeting dates, times, and locations for 2010 as presented. Carried unanimously.

2010 – County Board of Commissioners Regularly Scheduled
Meeting Dates, Times, and Location

The County Board is required per MN Statutes to set dates and locations for regularly conducted Board meetings.

Traditionally the Board has met the first and third Tuesday's of each month. Meetings are held in the Board Room in the Martin County Courthouse commencing at 9:00 a.m. Variations of this meeting schedule have occurred during the year due to special meetings and budget workshops.

The past meeting schedule (first and third Tuesday's) has worked in the past and should continue to be a good meeting time. Although, it is up to you as a Board to change the meeting times of the Board.

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| JANUARY | - | January 5, 2010 at 9:00 a.m. in the Board Room |
| | - | January 19, 2010 at 9:00 a.m. in the Board Room |
| FEBRUARY | - | February 2, 2010 at 9:00 a.m. in the Board Room |
| | - | February 16, 2010 at 9:00 a.m. in the Board Room |
| MARCH | - | March 2, 2010 at 9:00 a.m. in the Board Room |
| | - | March 16, 2010 at 9:00 a.m. in the Board Room |
| APRIL | - | April 6, 2010 at 9:00 a.m. in the Board Room |
| | - | April 20, 2010 at 9:00 a.m. in the Board Room |
| MAY | - | May 4, 2010 at 9:00 a.m. in the Board Room |
| | - | May 18, 2010 at 9:00 a.m. in the Board Room |
| JUNE | - | June 1, 2010 at 9:00 a.m. in the Board Room |
| | - | June 15, 2010 at 9:00 a.m. in the Board Room |
| JULY | - | July 6, 2010 at 9:00 a.m. in the Board Room |
| | - | July 20, 2010 at 9:00 a.m. in the Board Room |
| AUGUST | - | August 3, 2010 at 9:00 a.m. in the Board Room |
| | - | August 17, 2010 at 9:00 a.m. in the Board Room |
| SEPTEMBER | - | September 7, 2010 at 9:00 a.m. in the Board Room |
| | - | September 21, 2010 at 9:00 a.m. in the Board Room |
| OCTOBER | - | October 5, 2010 at 9:00 a.m. in the Board Room |
| | - | October 19, 2010 at 9:00 a.m. in the Board Room |

NOVEMBER - November 2, 2010 at 9:00 a.m. in the Board Room
- November 16, 2010 at 9:00 a.m. in the Board Room

DECEMBER - TRUTH-IN-TAXATION, 6:00 p.m. Board Room – To Be Determined
- December 7, 2010 at 9:00 a.m. in the Board Room
- December 21, 2010 at 9:00 a.m. in the Board Room

Higgins stated whenever donations to the county are received; the Board must give its approval of acceptance for these donations. Donations received in 2009 are as follows:

- \$11,245.00 – Veterans Service Office for the Martin County Veterans Service Office Van Program (as of 12-03-09)
- \$ 8,955.69 – Martin County Mentoring Network

Motion by Commissioner Boler, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, Whereas, MS Stat.465.03 allows the governing body of any city, county, school district or town to accept gifts for the benefit of its citizens in accordance with the terms prescribed by the donor; and Now Therefore, Be It Resolved that that the Martin County Board of Commissioners, hereby approve and accept the donations received in 2009 for the Veterans Service Office for the Martin County Veterans Service Office Van Program in the amount of \$11,245.00 (as of 12-03-09); and for the Martin County Mentoring Network in the amount of \$8,955.69. Carried unanimously.

The Board recessed at 10:20 a.m.

The Board reconvened at 10:40 a.m

Deb Mosloski, Drainage Specialist, stated she and Greg Johanson with Martin County Soil and Water Conservation District have been working in surveying and marking off the one rod buffer along the county's open drainage ditches, as well as getting those drainage ditches that need to be Re-determined. There are still a number of ditches yet to be done and we will continue to work to get the one rod strip established. Mosloski further stated that our farmers/landowners in this county are just awesome. Many have planted that 16 foot buffer strip just knowing that it's coming. They have been absolutely awesome. You Commissioners, you've done a wonderful job. If the ditch has been Re-determined and they have been paid, keeping the buffer strip must be enforced.

Mosloski presented for consideration by the Board the following county Ditch Systems that need to be Re-determined as follows, JD#34, JD #39, JD#4 (a/k/a JD #301).

Mosloski stated that JD #4 is a Joint County Ditch and a meeting will need to be set up with Watonwan County on this Ditch. JD #4 is also known as JD #301. The strategy with the above listed Ditches to be Re-determined was due to proximity to each other within a few miles of each other and to try and save the Drainage systems money while the Viewers are here and doing the work. Doing it this way has proven to save money. After further discussion,

Motion by Commissioner Potter, seconded by Commissioner Schmidtke,

R-#61/'09

ORDER APPOINTING VIEWERS AND
REDETERMINATION OF JD #34, JD #39, JD #21, & JD #4 (a/k/a JD #301)

WHEREAS, the Martin County Board of County Commissioners hereby determines that the original benefits or damages determined in drainage proceedings for Martin County Joint Ditch No. 34, Martin County Joint Ditch No. 39, Martin County Joint Ditch No. 21, and Martin County Joint Ditch No. 4 (a/k/a JD #301) do not reflect present day land values or that the benefited or damaged areas have changed.

IT IS THEREFORE ORDERED, that:

Ron Ringquist
402 Valley View Dr.
Redwood Falls, MN 56283

Charles Bowers
78799 335th St.
Madelia, MN 56062

Jim Weidemann
41480 Ideal Ave.
Belview, MN 56214

Three disinterested residents of the state, be and hereby are appointed viewers to redetermine and report the benefits and damages and the benefited and damaged areas of Martin County Joint Ditch No. 34, Martin County Joint Ditch No. 39, Martin County Joint Ditch No. 21, and Martin County Joint Ditch No. 4 (a/k/a JD #301)..

IT IS FURTHER ORDERED, that the viewers, after taking an oath to faithfully perform their duties as viewers and, after having received from the County Drainage Office (Auditor/Treasurer), certified copies of the order appointing them as viewers and of the order designating the time and place of their first meeting, proceed with their work as such viewers pursuant to law and make and file their report with the Auditor at the earliest possible date.

Upon motion by Commissioner Potter, seconded by Commissioner Schmidtke, and unanimously carried, said resolution was duly passed and adopted this 15th day of December, 2009.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Pierce, Schmidtke, Boler, and Donnelly.
NAYS: None. Resolution duly passed and adopted this 15th day of December, 2009.

The Board reviewed the proposed 2010 Standing Committee Assignments. After discussion,

It was decided by consensus of the Board that the Board's Committee assignments, with the Personnel Committee members changing to Schmidtke and Boler and that the appointments for all the Board Standing Committees be for one-year terms expiring on December 31, 2010; and that a copy of this resolution is transmitted to each appointee and the sponsoring agency, where appropriate, by the County Coordinator.

2010 – 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
Personnel 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. 1st Alternate
Building Committee
CAMA Committee
County GASB Committee
County Insurance Committee
District Two Ditch Inspector
F/M Human Services Board
GIS Committee

STEVE DONNELLY:

AMC Delegate
AMC Environmental Delegate
Building Committee
CAMA Committee
County Insurance Committee
County Water Plan Committee

Law Library Board
MAAH
MVAC Delegate
New Law Enforcement Center Committee
Prairieland Joint Powers
Regional Radio Board/PSAP/ARMER
Region 9 EMS Committee
South Central HRA Board
Workforce Council

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

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
Personnel Committee
Prairieland Joint Powers
Planning & Zoning Commission
Public Relations Campaign Committee
SW Rural Energy Task Force Alternate

SCOTT HIGGINS:

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

Higgins stated the Minnesota Department of Transportation – Office of Transit is requiring the inclusion of FTA Clauses for professional and technical contracts greater than \$100,000; and requested that the Board consider amending the Fairlakes Transportation contract for the operation of the Martin County Express to include FTA Clauses. Higgins noted that Fairlakes Transportation has reviewed and signed FTA Clauses.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve amending the agreement between Martin County and Fairlakes Transportation contract (2007-2009) for the operation of the Martin County Express to include the required FTA Clauses for the Professional and Technical Contracts greater than \$100,000; as required by the Minnesota Department of Transportation – Office of Transit, effective upon passage of the amendment and the appropriate signatures from Fairlakes Transportation, Inc. Carried unanimously.

Higgins stated that 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 are being projected for the year 2010 that would result in a loss of more revenue to the county, as well as use of county reserves over the past two years to cover these dramatic shortfalls; the Board has determined 0% general wage adjustment and no step increases for all employees for CY2010 effective January 1, 2010. Higgins went on to state that each year the Board procedurally takes action to

approve annually the employee wages for payroll purposes. This typically includes the Non-Union (including the employees of the former AFSCME Highway Union effective January 1, 2010) and Courthouse Union employees. For CY2010 we need to also include the Highway Supervisors Union and the LELS #115 (Corrections/Dispatchers) and #136 (Deputies/Sergeants). Higgins noted the Library Board is responsible for the Library staff and typically follows the County Board's action as it pertains to the Library union contract.

Commissioner Pierce stated he requests the Resolution include language acknowledging the 0% wage increase unless it is negotiated differently.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R#58/'09

RESOLUTION ESTABLISHING THE 2010 NON-BARGAINING AND UNION EMPLOYEE WAGES FOR CY 2010.

WHEREAS, each year the Martin County Board of Commissioners review and give consideration and approval for step increases for those employees in the non-bargaining unit employees and various collective bargaining units,

WHEREAS, the Martin County Board of Commissioners has an established County Classification and Compensation system; and

WHEREAS, due to the negative effects that the State budget Deficit has on Martin County through the loss of revenue (unallotments) received from the State of Minnesota and other sources, as well as the projected economic indicators and other factors, and having to use a substantial amount of county reserves in the last two years due to the economic situation; and

WHEREAS, additional unallotments are being projected for the year 2010 that would result in a loss of more revenue to the county, and

WHEREAS, the Martin County Board of Commissioners has an obligation to efficiently manage and conduct its operations.

NOW THEREFORE BE IT RESOLVED, by the Martin County Board of Commissioners, on an annual basis approves or disapproves step increases and general wage adjustments; hereby determined that under the current economic circumstances of the county, there will be no step increases and no general wage adjustments for the Non-collective bargaining employees (non-union), and former AFSCME Highway Union effective January 1, 2010; and the remaining collective bargaining units reflect the same (no wage increases), unless otherwise negotiated differently, effective January 1, 2010.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, Martin County Coordinator

Roll Call AYES: Commissioners Boler, Potter, Schmidtke, Pierce, and Donnelly.
NAYS: None. Resolution duly passed and adopted this 15th day of December, 2009.

Higgins stated that Nick Nelson, CEO of Midwest Biogas, LLC is proposing to construct a facility to produce biogas in Martin County near Welcome, MN and is requesting a letter of support from the County Board to include with grant application to the Minnesota Office of Energy Security.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to send a letter of support to Nick Nelson, CEO Midwest Biogas, LLC to include in with grant application to the Minnesota Office of Energy Security. Carried unanimously.

Higgins stated the Martin County Assessor's Office is requesting to purchase a second laptop computer to be used out in the field and Board of Equalization meetings. A quote was received in the amount of \$2,224.10 (including sales tax) from MARCO of Mankato, MN. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the purchase of one laptop computer for the Martin County Assessor's Office from MARCO of Mankato, MN in the amount of \$2,224.10 (including tax) to be paid for by the Assessor's Office 2009 budget; contingent upon the ability to access the county's current computer system in lieu of software purchase. Carried unanimously.

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

Warrants received and paid December 15, 2009 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved December 15, 2009	\$213,668.22
Enhanced 9-1-1 Fund	\$ 100.39
Martin Co. Economic Development Authority	\$ 45.00
Solid Waste Management Fund	\$ 22,489.23
Law Library Fund	\$ 2,636.14
Martin County Transit Fund	\$ 38,011.93
Recorder's Technology	\$ 10,341.79
Recorder's Compliance	\$134,210.00
Bank Building Fund	\$ 2,196.02
Debt Service – Prairieland Fund	\$214,740.59
Forfeited Tax Fund	<u>\$ 1,009.18</u>

	Grand Total	\$639,448.49
Road and Bridge Funds Totaled		\$ 38,204.48
Martin County Ditch Fund – Warrants Totaled		\$157,126.60

The Board briefly discussed the Minnesota Counties Insurance Trust (MCIT) appeal.

The Board reviewed information about a two-day Interoperable Communications Policy Forum to be held February 25-26, 2010.

The Board reviewed Martin County’s proposed policy to establish designated/reserved fund balances to insure the continued operation of and services provided by the departments for the citizens of Martin County.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and adopt the Martin County Designation of Unreserved and Undesignated Fund Balances policy as follows,

Proposed Designation of Unreserved and Undesignated Fund Balances

THIS POLICY OF THE MARTIN COUNTY BOARD OF COMMISSIONERS IS ADOPTED TO ESTABLISH DESIGNATED/RESERVED FUND BALANCES TO INSURE THE CONTINUED OPERATION OF AND SERVICES PROVIDED BY THE DEPARTMENTS FOR THE CITIZENS OF MARTIN COUNTY. THE COUNTY BOARD RESERVES THE RIGHT TO VARY FROM THIS POLICY WHEN NECESSARY WITHOUT HAVING AN IMPACT ON THE OVERALL POLICY.

Based on the Audited Financials or any other Financial Statement period, the undesignated/unreserved “Fund Balance” will be established as follows:

Fund 01- County Revenue Fund

- i) 50% Designated /Reserved for General Fund Operating Budget, and;
- ii) 25% Designated/ Reserve for General Fund Support, and;
- iii) 25% Designated/ Reserve for special projects within the County Revenue Fund.
- iv) Special Projects will normally be established by the County Board during the Budget setting process.

Fund 03-Road and Bridge Fund

Designate 50% of the undesignated/unreserved “Fund Balance” as follows:

- i) Road & Bridge Dept. to support the operating budget, and
- ii) This designation does not include State-Aid Construction funds that are “designated for a construction Project” by the MNDOT, and
- iii) but does include the “Maintenance Allocation” received annually by the County. From the MN Department of Transportation (MNDOT).

Fund 14- Human Services Fund

Designate 50% of the undesignated/unreserved “Fund Balance” balance of the Dept.

- i) for the continued operations and budget stability.

Fund 32- Building Capital Improvement Program (CIP) Fund

Designate \$750,000.00 for building improvements/ new construction;

i) The Board and Administration will identify the projects and amounts when available.

Fund 35- Bank Building Capital Fund

Designate \$750,000.00 for building improvements/new construction;

i) The Board and Administration will identify the projects and amounts by resolution

For the remaining various Special Funds-

Designate the respective “Fund Balances” for the operations within their particular fund.

Generally these funds are supported by property taxes, revenues, and other appropriations by the Martin County Board.

Trust & Agency Funds and State & Federal Grants Funds will be accounted for under

Generally Accepted Accounting Rules or the rules of granting agency.

Carried unanimously. Passed and Approve by the Martin County Board of Commissioners this 15th day of December, 2009

The Board reviewed previous and upcoming meetings.

Motion by Commissioner Pierce, to move into closed session for the performance evaluation of the Martin County Coordinator, seconded by Commissioner Potter. Carried unanimously. Closed session began at 11:18 a.m.

The Board went into closed session at 11:18 a.m. per Minnesota Statute 13D.05 Subd. 3 for the performance evaluation of the Martin County Coordinator. Those present were Commissioners Donnelly, Boler, Pierce, Schmidtke, Potter, and Scott Higgins

Motion by Commissioner Potter, to move back into open session, seconded by Commissioner Schmidtke. Carried unanimously. Open session at 11:5 a.m.

By consensus of the Board, the Coordinator’s performance evaluation met the Board’s expectations and approval.

With no further business to wit, Motion by Pierce, seconded by Schmidtke to adjourn. Carried unanimously. The meeting adjourned at 11:40 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator