

PROCEEDINGS OF THE  
MARTIN COUNTY COMMISSIONERS  
TUESDAY, JANUARY 19, 2010  
@ 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 Schmidtke.

Commissioners present were Potter, Pierce, Donnelly, and Boler. 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, Terry Viesselman, Martin County Attorney, 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 as presented. Carried unanimously.

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the December 15, 2009 and January 5, 2010 regular Board of Commissioners meetings as presented, with revisions. Carried unanimously.

Dan Whitman, Martin County Assessor and Labor Management Committee Chair, presented the Veteran's Service Office with the "Christmas Food Drive" traveling trophy as the 2009 Martin County Food Drive Champions.

Whitman and Doug Landsteiner, Martin County's Veteran Service Officer, presented information regarding the Governor's Yellow Ribbon Summit and how Martin County can become a Yellow Ribbon County. The Minnesota National Guard has pioneered a program which empowers community leaders to synchronize efforts and build an enduring network of support for service members and families throughout the deployment cycle. The program, the Yellow Ribbon Community Campaign, is a reminder that supporting service members cannot end when they return home from deployment. Whitman and Landsteiner reviewed steps involved in becoming a Yellow Ribbon County including hosting a Community Training Event and developing an Action Plan.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Dan Whitman, Martin County Assessor, and Doug Landsteiner, Martin County's Veteran Service Officer, to proceed with plans for Martin County becoming a Yellow Ribbon Community. Carried unanimously.

Commissioner Schmidtke read a Proclamation proclaiming January, 2010 as "Mentoring Month" in the County of Martin. Mentoring Month provides an opportunity to recognize

and commend the efforts of mentor programs and adult mentors for their commitment to youth and to raise community awareness of the importance of mentoring. Representatives from a number of the county's formal mentoring programs were present for the reading of the Proclamation including: Chief Greg Broolsma, Loren Dunham, Char Kahler, Helen Rode, and Stephanie Buishan.

Terry Viesselman, Martin County Attorney, stated it is recommended that the County Attorney's Office have a Special Fund established for forfeiture money received by the County Attorney's Office; and asks the Board to approve and establish a Special Fund on the County's IFS system for this purpose and to eliminate the County Attorney's Trust Fund used for this purpose. Viesselman stated that by establishing a Special Fund, it is the intent of the County Attorney's Office to close the County Attorney's Trust Fund checking account.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly,

R-#8/'10

RESOLUTION

COUNTY ATTORNEY'S FORFEITURE ACCOUNT

BE IT RESOLVED, That a special revenue fund or segregated account within the County's general fund with appropriate accounting codes be established by the County Treasurer/Auditor for deposit of County Attorney forfeiture proceeds to be used as a supplement to the County Attorney's operating fund or similar fund for prosecutorial purposes as provided by statute.

FOREGOING, was upon motion made by Commissioner Pierce, seconded by Commissioner Donnelly, and unanimously carried, duly passed and adopted this 19<sup>th</sup> day of January, 2010.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Board Chair

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

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

NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of January, 2010.

Billee Rabbe, Solid Waste Coordinator for Faribault & Martin Counties, presented two permit applications for hauling recycling and/or solid waste in the county and stated that

the two businesses have met the criteria to receive a license for collection and transportation of recycling and/or solid waste in Martin County.

Motion by Commissioner Pierce, seconded by Commissioner Potter, 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:	Waste Management – Fairmont, MN
Collection & Transportation of Recyclables in Martin County:	Waste Management – Fairmont, MN
	The Trash Man – Webster City, IA

Carried unanimously.

Commissioner Boler stated he does not yet have individuals to nominate to serve on the Martin County Extension Committee and will work with the Extension Office in obtaining names for consideration.

Kevin Peyman, Martin County Highway Engineer, presented and reviewed a resolution supporting the safety and improvements along the Trunk Highway 15 corridor from Fairmont to Saint Cloud. The TH 15 Corridor Coalition was established in 2004 comprised of city, county, and township governments, businesses, and citizens along the corridor who are united in their support for safety and capacity improvements along the corridor. Peyman stated that members of the Minnesota Congressional delegation including Senator Amy Klobuchar, Congressman Jim Oberstar, Congressman Collin Peterson, and Congressman Tim Walz have committed their support for improvements to the corridor.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly,

H-#1/’10

Martin County Highway Department  
Resolution No. 1 – 2010

**MARTIN COUNTY RESOLUTION  
SUPPORTING SAFETY AND CAPACITY IMPROVEMENTS  
ALONG TRUNK HIGHWAY 15 FROM SAINT CLOUD TO FAIRMONT**

WHEREAS: state, Trunk Highway 15 is a critical transportation corridor serving the economic interests of South Central Minnesota from Saint Cloud to Fairmont, and;

WHEREAS: TH 15 is a regional corridor connecting the regional trade centers of Saint Cloud, Hutchinson, New Ulm and Fairmont, and;

WHEREAS: safety and capacity improvements to TH 15 have long been recognized as key transportation and economic priorities for South Central Minnesota, and;

WHEREAS: the 2000 Census indicates that more than 22,000 commuters who live in one county and work in another use the corridor every day, and;

WHEREAS: over 6,000 crashes resulting in over 50 fatalities have occurred on TH 15 since 1990, and;

WHEREAS: a TH 15 Corridor Coalition was established in 2004 comprised of city, county, and township governments, businesses, and citizens along the corridor who are united in their support for safety and capacity improvements along the corridor, and;

WHEREAS: members of the Minnesota Congressional delegation including Senator Amy Klobuchar, Congressman Jim Oberstar, Congressman Collin Peterson, and Congressman Tim Walz have committed their support for improvements to the corridor,

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners strongly supports safety and capacity improvements along the TH 15 corridor from Fairmont to Saint Cloud.

FURTHER BE IT RESOLVED, that Martin County strongly supports inclusion of federal funding in next reauthorization bill for safety and capacity improvements along said corridor.

Upon motion by Commissioner Pierce, seconded by Commissioner Donnelly, and carried said resolution was duly passed and adopted this 19<sup>th</sup> day of January, 2010.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MINNESOTA

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Chairman, Martin County  
Board of Commissioners

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 at a duly authorized meeting thereof held on the 19<sup>th</sup> day of January, 2010.

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Scott Higgins  
County Coordinator

Roll Call AYES: Commissioners Potter, Boler, Donnelly, Pierce, and Schmidtke.  
NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of January, 2010.

Peyman stated the Board authorized the recruitment and replacement of a Highway Maintenance Specialist I for the Fairmont Shop earlier and that there were thirty-nine (39) applicants and of those six (6) were interviewed for the position. Peyman recommends the hire of Troy Diekmann pending satisfactory reference checks and pre-employment drug tests.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Highway Engineer, hereby approve the hire of Troy Diekmann, Highway Maintenance Specialist I, at Grade 10 Step 1 at \$14.89/hour for the Martin County Highway Department effective February 8, 2010; contingent upon satisfactory reference and required pre-employment drug test; and is eligible for benefits per the County Personnel Policies as it applies to this position. Carried unanimously.

Commissioner Potter shared appointee information regarding the Martin County Parks/Trail Committee. Potter stated Erica Ask of Trimont, MN is interested in serving on the committee; Charlie Abel and Stacie Anderson, both of Welcome, MN are interested in serving an additional term on the committee; and that Mary Ebeling is not interested in serving an additional term. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the appointment of Erica Ask of Trimont, MN to serve as the 5<sup>th</sup> District Representative to the Martin County Parks/Trail Committee; and approve the re-appointment of Charlie Abel, 4<sup>th</sup> District Representative, and Stacie Anderson, At-Large Representative, to the Martin County Parks/Trail Committee commencing January 1, 2010. Carried unanimously.

It was stated the next meeting of the Martin County Parks/Trail Committee will be held February 17<sup>th</sup>, 2010 at 5:00 p.m.

Higgins presented and reviewed a resolution in which the Martin County Commissioners recognize citizens for their service on various Martin County Citizen Advisory Committees and Boards. Higgins stated individuals at this time being honored for their past service include Nancy Olson having served on the Extension Committee from 2003 through 2009; and Mary Ebeling having served on the Martin County Parks/Trails Committee from 2000 through 2009.

Motion by Commissioner Potter, seconded by Commissioner Boler,

R-#12/'10

Commissioners Recognize Citizens for Service on Various Martin County Citizen  
Advisory Committees and Boards

The Martin County Board of Commissioners honored several citizens for dedicated service on various county committees at its regular meeting on January 19, 2010.

The following Citizens are recognized for their commitment to serving the residents of Martin County by aiding Martin County Officials in an advisory capacity in areas such as: zoning and land use issues, water quality, parks, Extension, and other various activities.

These individuals brought their talents, attributes, commitment to the welfare of Martin County, their knowledge of the County, and their willingness to maintain a county-wide perspective to various meetings, many of which are held in the evening.

These individuals have served Martin County and its residents to help maintain our excellent quality of life. We owe them a great debt of gratitude.

Individuals being honored are:

- Nancy Olson-Extension Committee, 2003-2009
- Mary Ebeling-Parks Committee, 2000-2009

THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners expresses their sincere appreciation to the above individuals for their service and express regret in losing the members from various committees.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

\_\_\_\_\_  
Dan Schmidtke, Chair

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

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

NAYS: None. Resolution duly passed and adopted this 19<sup>th</sup> day of January, 2010.

Dan Whitman stated the County Technology Committee had met and had a lengthy discussion regarding our Martin County Property Information website and the information being distributed. Whitman described Pictometry photos and data layers that will soon be available to offer to the public including: 2009 Rural Aerial Photography, 2009 Urban Aerial Photography, Parcels, Parcel Dimensions, Condo Points, Roads, Road

Right-of-Way, Streams, Lakes, Legal Drains, Drainage Districts, Septic Systems, Feedlots, Ag Land/Soil Types, Town City Limits, Subdivisions, Blocks, Lots, Lot Dimensions, Township limits, Sections, Quarters, Quarter Quarters, and GPS Points. Whitman stated additional layers are also being planned as well including zoning, school districts, traffic counts, and infrastructure within the City of Fairmont.

Whitman continued the Assessor's Office has had one (1) continuous subscriber and a few others who have subscribed for short periods of time; and that with the addition of more information we (the Technology Committee) have taken the opportunity to evaluate our policies and the subscription charges. Therefore, the Technology Committee is making the following recommendations:

1. Add a disclaimer to the sign-on page and require clicking on the disclaimer to enter the site.
2. Grant general public viewing of the rural aerial maps and the parcel layer at no charge. Grant viewing of all other layers of the map and Urban aerial photos with a subscription of \$50/month. (This is in addition to the \$50/month data information subscription charge).
3. Add search by legal description to the site.
4. Approve on-line Beacon website Beacon Agreement Form.

Whitman noted the Committee has also discussed ways to encourage more subscribers to our website and offers the following:

1. Discontinue the \$50 set-up fee.
2. Move the buildings detail information from the free side of the website to the subscription side of the website; and move the building square footage detail to the free side.
3. Reduce the amount of buildings detail on the free side of the website to Bedroom Count, Bathroom Count, and total adjusted square foot. This change would require a custom extract to be written that would cost a \$500 one time fee plus \$50/month.
4. Make no changes to the buildings section on the free side of the website.

Peyman noted that as Dan stated the added Pictometry photos and data layers will be free to the public unless the site is modified to show square footages, assessed value, and what your taxes are for a basic comparison. If more information is needed then you can either pay the subscription fee to access on-line or go to the Assessor's Office for the rest of the information. With only one current subscriber perhaps we should restrict the accessible information to see if we get additional subscribers. If in a year's time we haven't gained subscribers then we could opt back to making all the information available without a subscription fee.

Much discussion ensued relating to subscription fees versus free information; convenience of accessing information 24 hours per day, 7 days per week; and potential added traffic at Assessor's and Auditor/Treasurer's office windows if fees are implemented for various information. After further discussion,

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Technology Committee, hereby approve the recommended additions and changes to the Martin County Property Information website effective for the year 2010 as follows: 1) Add a disclaimer to the sign-on page and require clicking on the disclaimer to enter the site; 2) Grant general public viewing of the rural aerial maps and the parcel layer at no charge. Grant viewing of all other layers of the map and urban aerial photos with a subscription of \$50/month. (This is in addition to the \$50/month data information subscription charge); 3) Add search by legal description to the site; and 4) Approve on-line Beacon website Beacon Agreement Form; and to review these additions and changes after one year's time. Carried unanimously.

Representatives of the Martin County Fair Board were present to request special funding for needed repair to the roof of the Industrial Building at the Martin County Fairgrounds. Three bids were received and averaged around \$45,000. Fair Board members felt that the total cost including replacement of some of the insulation would be closer to \$50,000 and requested \$10,000 from the County. Fair Board members noted an engineering firm was hired and had confirmed that the old roof will simply be removed and replaced with a new steel roof.

Commissioners inquired if any fundraising will be done to help defray costs; and if the fair showed a profit last year.

Steve Pomerence stated that there is a good chance of some form of fundraising through the Martin County 4-H Program.

Donnelly inquired of how well the Fair did financially last year. Calvin Saxton stated after factoring in depreciation, the 2009 Fair showed a loss of \$890. Currently there is a positive cash flow, ticket sales and attendance was up a bit from the previous year, premiums and awards, and support from the community was up from the prior year as well. Basically, the fair was break even. Saxton continued that several other buildings at the fairgrounds were built in the same timeframe as the Industrial Building and will be looking at more repairs and improvements down the road.

Motion by Commissioner Donnelly, seconded by Commissioner, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file for consideration the special Appropriation Request from the Martin County Fair Board for repair of the Industrial Building roof. Carried unanimously.

Tim Penny, Southern Minnesota Initiative Foundation President & CEO, was present to review the Southern Minnesota Initiative Foundation Annual Report for 2009. Penny highlighted Martin County Partnerships over the last twelve month period including Southern Minnesota Initiative Foundation's grant and loan investment in Martin County, Area Career Exploration project; local innovative business ventures shaping our economy; and organizations and programs supported in Martin County by the Foundation.



Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Southern Minnesota Initiative Foundation’s Annual Report for 2009 as presented. Carried unanimously.

The Board recessed at 10:28 a.m.  
 The Board reconvened at 10:38 a.m.

Chairman Schmidtke opened the public hearing to consider and review the current fees and charges for various county services; and to consider establishing new permit fees for the Martin County Highway Department to include: Moving Permits, Utility Permits, and Entrance Permits; and consideration for establishing fees for certain information from the County’s Geographical Information System (GIS). Higgins presented a listing of countywide fees for review including the “new” proposed fees, including proposed Assessor’s Office, Highway Department, and Recorder’s Office/Resolution for Marriage License fees.

Chairman Schmidtke asked for input from the public. No representatives from the public were in attendance nor was public input or comments submitted in writing received concerning the proposed Martin County Fee Schedule.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, to close the public portion of the meeting. Carried unanimously. After further discussion,

Motion by Commissioner Potter, seconded by Commissioner Boler, Whereas in accordance with MS 373.41 a public hearing was held at the Martin County Courthouse in the Commissioners Meeting Room on January 19, 2010 at 10:00 a.m. to consider changes to the Martin County Department fee schedules and policies for 2010; and to take public input on the Fee Schedule and new proposed fees; and Now Therefore, Be It Resolved that the Martin County Board of Commissioners, reaffirm all Martin County Department Fee Schedules and policies and adopt additional charges (fees) to the Martin County Fee Schedule as presented (attached); and as on file in the Office of the Auditor/Treasurer and the County Coordinator’s Office, effective January 1, 2010.

Martin County Fee Schedule (New Fees Only)  
 Effective January 19, 2010

<b>Countywide Fees</b>	
<b><u>Assessor’s Office New Fees</u></b>	<b><u>Cost</u></b>
On-line property tax information (Beacon)-General Subscription	\$50.00 per month
Per Parcel Layer	\$.05 per parcel per layer
Aerial Map (High Definition)	\$50.00 per month
Custom Data Reports – Set up Fee	\$60.00
<b><u>Highway Department New Fees</u></b>	<b><u>Cost</u></b>
<b>Moving Permit:</b>	

Standard Single Permit	\$25.00
Vehicle with over 7 axles and GVW over 80,000 lbs.	\$100.00
Annual Permit	\$200.00
<b>Utility Permit:</b>	
Minimum Fee	\$25.00*
Underground Utility/Tile Greater than 4"	\$100.00*
Open Cut Road Crossing (Gravel Roads Only)	\$200.00*
*The County Engineer has the option of putting on an Additional larger refundable fee until satisfactory restoration Is complete	
<b>Entrance Permit:</b>	
Standard Driveway	\$250.00 w/\$150.00 returned after satisfactory final inspection
Commercial Driveway	\$500.00 w/\$400.00 returned after satisfactory final inspection
Temporary Intersection Radius Extension	\$1,000.00 w/\$800.00 returned after satisfactory final inspection
Per Use of County Garage by Township	\$50.00
<b>Recorder's Office New Fees</b>	<b>Cost</b>
Ordination Filing Fee	\$20.00
For Statewide Uniform Fee	\$20.00
5-Day Waiver Fee	\$20.00
Consent for Minor to Marry	\$20.00
Duplicate Marriage License	\$20.00

Steve McDonald, MIS Director, presented his recommendation for the purchase and installation of a secure email service for Martin County. The need to send confidential data to other county agencies and businesses we work with is becoming a necessity. McDonald stated the Zix secure email system will allow county staff to send secure email and will help meet HIPPA rules and regulations. With the Zix Corporate option, McDonald went on to state his proposal for a web based secure email portal. We will put a link on our website that the County Attorney or other allowed users can access to send and receive secure email to and from county staff. McDonald noted the cost to purchase the ZixVPM/Direct Gateway and the ZixPort Corporate from ZixCorp is \$6,807.97 including tax.

Commissioner Pierce expressed his concerns with ZixCorp products and has heard negative comments from other counties that purchased their software. Commissioners

recommend the MIS Department research other options as well as speak with counties that are currently using ZixCorp software. After further discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby table the purchase of Encryption Software from ZixCorp. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims for the month of January, 2010 as presented; and includes the Martin County Highway Department as presented.

Warrants received and paid January 19, 2010 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved January 19, 2010	\$199,324.98
Enhanced 9-1-1 Fund	\$ 100.25
Recreation and Safety Fund	\$ 382.50
Martin County Economic Development Authority	\$ 675.46
Solid Waste Management Fund	\$ 25,059.83
Law Library Fund	\$ 7,033.57
Martin County Transit Fund	\$ 35,303.10
Ind. Sewage Treatment Sys. Loan Fd (ISTS)	\$ 15,519.08
Building – CIP – Fund	\$ 3,183.00
Bank Building Fund	\$ 1,697.66
Forfeited Tax Fund	\$ 436.06
Grand Total	\$288,715.49
Road and Bridge Funds Totaled	\$501,492.99
Martin County Ditch Fund – Warrants Totaled	\$ 36,664.06

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

Meeting in closed session at 11:00 a.m.

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

Motion by Commissioner Pierce, seconded by Commissioner Potter, to go back into open session at 11:20 a.m.

No action taken as a result of the closed session.

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

Commissioner Potter stated his concern of the 2010 proposed valuation and tax for Bettin Trucking Company properties located in Fairmont; and briefly discussed the special funding request from the Martin County Fair Board.

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

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Dan Schmidtke, Board Chair

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