

PROCEEDINGS OF THE
MARTIN COUNTY COMMISSIONERS
TUESDAY, MAY 4, 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 Donnelly, Boler, Potter, and Pierce. Also present were Scott Higgins, Martin County Coordinator, Terry Viesselman, Martin County Attorney, Kevin Peyman, Martin County Highway Engineer, Jennifer Brookens, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC Radio, Julie Walters, Administrative Assistant, and members of staff.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions: 8.8 Consider Tax Abatement Requests; and 8.9 Consider Thank-you Letter to James Leet. Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the April 6, 2010 and the April 20, 2010 regular Board of Commissioners meetings as presented. Carried unanimously.

Terry Viesselman, Martin County Attorney, presented a Proclamation in support of establishing May, 2010 as Drug Court Month.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly,

R-#23/'10

PROCLAMATION
IN SUPPORT OF ESTABLISHING
DRUG COURT MONTH

WHEREAS, Drug Courts are the most effective tool for reducing substance abuse and crime in our criminal justice system; and

WHEREAS, for the past twenty-one years Drug Courts have been restoring lives, reuniting families and making communities across this nation safer; and

WHEREAS, Drug Courts provide focus and leadership for community-wide partnerships, bringing together public safety and public health professionals in the fight against drug abuse and criminality; and

WHEREAS, results of more than 100 program evaluations and at least four meta-analytic studies have yielded definitive evidence that Drug Courts are demonstratively effective and significantly improve substance-abuse treatment outcomes, substantially reduce drug abuse and crime, and do so at less expense than any other justice strategy; and

WHEREAS, over 27,000 judges, prosecutors, defense attorneys, substance abuse and rehabilitation professionals, law enforcement and community supervision personnel, researchers, and educators, national and community leaders, and others dedicated to Drug Courts and similar types of treatment programs are healing families and communities across the country; and

WHEREAS, the Drug Court movement has grown from the 12 original Drug Courts in 1994 to over 2,400 operational Drug Courts; and

WHEREAS, the time has come to put a Drug Court within reach of every person in need; and

WHEREAS, Faribault, Martin and Jackson Counties together implemented a Multi-County Drug Court on December 5, 2006 and a Multi-County Family Dependency Treatment Court on January 19, 2010.

WHEREAS, Faribault, Martin and Jackson Counties celebrate the promise of recovery and restored hope to Drug Court graduates and their families.

THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners declares that a “Drug Court Month” be established during the Month of May, 2010, recognizing the practitioners and participants who make Drug Courts work and the significant contributions that Drug Courts have made, and continue to make, in reducing substance abuse and crime.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Proclamation was duly passed and adopted this 4th day of May, 2010.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Pierce, Donnelly, Boler, and Schmidtke.
NAYS: None. Proclamation duly passed and adopted this 4th day of May, 2010.

Viesselman presented an office update pertaining to pending tax court cases; and probable sex offender commitment and fees that will be incurred by the county.

Kevin Peyman, Martin County Engineer, reviewed a resolution to Advance Townbridge Construction funds to proceed with three township bridge construction projects; two in Lake Fremont Township and one in Galena Township. Peyman stated advancement of partial funds in the amount of \$65,000 from next year's allotment will enable all three bridge construction projects to be completed this year.

Motion by Commissioner Potter, seconded by Commissioner Boler,

Martin County Highway Department
Resolution No. 3 – 2010

RESOLUTION TO ADVANCE TOWNBRIDGE CONSTRUCTION FUNDS

WHEREAS, the County of Martin has obtained the Commissioner's approval of the plans for the following County State-Aid Projects(s):

Project S.A.P. 46-599-68 Project S.A.P. 46-599-69 Project S.A.P. 46-599-70

WHEREAS, said County is prepared to proceed with the construction of said projects(s) through the use of an advance from the Townbridge Construction Fund, and

WHEREAS, repayment of the funds so advanced by the County is desired in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5, & 7 and Minnesota Rules 8820.1500, Subp. 9a.

NOW THEREFORE BE IT RESOLVED: That the Commissioner of Transportation be and is hereby requested to approve this basis for financing said construction project(s) and to authorize repayments from subsequent accruals to said Account, in the amounts as herein indicated.

\$65,000 From 2011 Allotment

Upon motion by Commissioner Potter, seconded by Commissioner Boler, and carried said resolution was duly passed and adopted this 4th day of May, 2010.

I, James Forshee, duly appointed and qualified County Auditor/Treasurer in and for the County of Martin, State of Minnesota, do hereby certify that the above is a true and full copy of a resolution duly adopted by the County Board of said County assembled in regular session on the 4th day of May, 2010.

County of Marin County

James Forshee, County Auditor/Treasurer

Roll Call AYES: Commissioners Pierce, Donnelly, Boler, Potter, and Schmidtke.
NAYS: None. Resolution duly passed and adopted this 4th day of May, 2010.

Captain Jeff Markquart, Martin County Sheriff's Office, and Mark Geerdes, Martin County Jail Administrator, were present to recommend the hire of one replacement full-time and one replacement part-time corrections officers. Replacement hires will fill the full-time position of an impending retirement and replacing that part-time position if a part-time person is promoted to full time.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the hire of Adam Wells as Full-time Corrections Officer at \$17.33/hour effective May 4, 2010, and is eligible for full benefits per LELS Local No. 115 Union Contract, contingent upon successful background check; and approve and authorize the hire of Michael Schultz as Part-time Corrections Officer at \$15.96/hour effective May 4, 2010, not eligible for benefits; and contingent upon successful background check. Carried unanimously.

Markquart presented recommendation to pay an invoice received from Motorola in the amount of \$43,384.05 for radio equipment purchases for the statewide radio and communication system. Payment will be reimbursed by grant dollars received from the Regional Radio Board.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Sheriff's Office to process payment of Motorola Invoice #13782076 in the amount of \$43,384.05 for the purchase of radio equipment for the Operation of Subscriber Radios on the Allied Radio Matrix for Emergency Response (ARMER) System; and to submit proof of payment for reimbursement from the Regional Radio Board Grant Fund. Carried unanimously.

Higgins presented an addendum to the Energy Management Agreement between the City of Fairmont and Martin County for 2010. Higgins stated this program allows the Law Enforcement Center to curtail a portion of their electric usage during peak times. For the interruptions, Martin County will receive \$300 per month based on a designated demand of 60 kw. The interruption period will be for the months of June through September.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the addendum to the Energy Management Agreement between the City of Fairmont and Martin County for CY2010 participation in the program. Carried unanimously.

Higgins stated a tentative agreement has been reached with the Deputies and Sergeants. The proposed tentative agreement is for a one year period for the year 2010. Highlights of the tentative agreement includes: 0% general wage adjustment; No step increases until

December 31, 2010; \$25.00 uniform allowance increase; New – On-call language at \$5.00/hour; New – Injury on Duty, 60 calendar days receive full compensation if injured on duty. Coordinate with Workers Compensation; various language revisions for clarification and provisions that no longer are applicable; and Union stewards receive compensation to negotiate if on duty, not to exceed total of 30 hours.

Discussion ensued regarding the new on-call language. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the LELS #136 Deputies and Sergeants Union Contract effective January 1, 2010 through December 31, 2010; and authorize Board Chair to sign the Union Agreement for the LELS #136 Deputies and Sergeants Union, upon final review and mutual agreement of contract language revisions by the County Coordinator and the Business Agent. Carried unanimously.

Higgins stated the Martin County Auditor/Treasurer's Office has received tax abatement requests for taxes assessed in 2009 and payable in 2010 from Valero of Welcome, MN, Parcel No. 42.040.0455 in the amount of \$16,310; and from Scott and Caroline Unke of Fairmont, MN, Parcel No. 23.338.0090 in the amount of \$4,200. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby authorize the abatement of property taxes on Tax Parcel I.D. #42.040.0455 located in the City of Welcome, MN, in the amount of \$16,310.00; and authorize the abatement of property taxes on Tax Parcel I.D. #23.338.0090 located in the City of Fairmont, MN in the amount of \$4,200.00. Carried unanimously.

It was decided by consensus of the Board to send a thank you letter to Mr. James Leet for noticing blue smoke coming out of the county's emergency generators.

Kevin Balfanz, Minnesota Counties Intergovernmental Trust (MCIT) Risk Control Manager, was present to review the Annual MCIT 2010 Member Report for Martin County. The Martin County Board of Commissioners accepted the 2010 MCIT Member Report.

The Board asked Balfanz to research coverage and county responsibility regarding county parks and trails for review at a later date.

The Board reviewed information including: the hire of Cassandra Wiens, Circulation Technician II with the Martin County Library; letter received from MCIT pertaining to Community Action Agencies Membership in MCIT; Martin County Leadership Program; First Quarter 2010 Sentencing to Service (STS) Quarterly Report; 2010 Martin County Fair booth space rental; and the Second Fiscal Hardship Forum "Making the Big Change" to be held on Thursday, May 13, 2010 in North Mankato, MN.

Minnesota Department of Transportation (Mn/DOT) district engineer Jim Swanson and assistant district engineer Doug Haeder were present to provide an update on the resurfacing of Highway 15 south of Fairmont stating that it has been bumped up to Fall, 2010.

Commissioner Schmidtke stated that Martin County is grateful for being able to have the Highway 15 resurfacing project moved up; but stated he has already had questions from Martin County citizens asking what about Highway 263?

Swanson presented a five-year plan for the region, noting that Highway 263 did not make it into the five-year plan. The main project involves expanding Highway 14 to four lanes from Owatonna to Mankato, and also making Highway 60 four lanes from St. James to the Iowa state line. Swanson noted we're not seeing a push for work on Highway 263 but we need to look for an opportunity in the future. In the meantime, we need to try to preserve it due to more wear and tear because of increased semi traffic related to the ethanol plants in Welcome and Fairmont. Swanson went on to note that as a state agency, Mn/DOT faces the same problem as many, that being funding. Swanson stated that as we all realize "it's a money game." We would love to do every project and overlay that the counties need. Swanson stated he and his staff would take a look at the aforementioned requests.

Swanson, Haeder, and Kevin Peyman, Martin County Highway Engineer, continued addressing questions from the commissioners pertaining to paved shoulders for bicycle trail use on Highway 15 from Truman south to the Iowa state line; Johnson Street and Highway 15 intersection; Highway 14 from Mankato to New Ulm; speed studies relating to road conditions; Mn/DOT Highway 169 project through St. Peter, MN; new Mankato District Headquarters with scheduled completion in fall of 2010; future speed study on North State Street (Highway 15); installation of flashing LED lights around the stop signs at the intersection of Highway 263 and County Road 26 by Welcome, MN; installation of rumble strips; and Mn/DOT's safety program entitled Towards Zero Deaths, a multi-agency partnership with the goal to raise awareness of traffic safety issues and develop tools to reduce the number of deaths and injuries resulting from traffic crashes in Minnesota.

Commissioners and Peyman thanked both Swanson and Haeder and the Minnesota Department of Transportation for their cooperation and advocacy in and for Martin County.

The Board recessed at 10:48 a.m.

The Board reconvened at 10:50 a.m.

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

With no further business to wit, Board Chair declared the meeting adjourned at 11:00 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator