

PROCEEDINGS OF THE
MARTIN COUNTY COMMISSIONERS
TUESDAY, JUNE 15, 2010
@ 4:00 P.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 4:00 p.m. by Chairman Schmidtke.

Commissioners present were Pierce, Donnelly, Boler, and Potter. 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, Terry Viesselman, Martin County Attorney, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff.

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions: 8.12 Consider Acceptance of Annual Boat & Water Safety Grant – Sheriff’s Office; 8.13 Consider Native Buffer Cost Share Program Grant Amendment – SWCD; and 8.14 Consider Correction to Ditch Assessment Resolution. 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 June 1, 2010 regular Board of Commissioners meeting as presented. Carried unanimously.

Terry Viesselman, Martin County Attorney, stated that the County Attorney’s Office has received the resignation of Joseph Smentek, Assistant County Attorney, effective June 18, 2010.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Joseph Smentek, Assistant County Attorney, from employment with Martin County effective June 18, 2010. Carried unanimously.

Billee Rabbe, Solid Waste Coordinator for Faribault & Martin Counties, presented a permit application for hauling solid waste in the county and stated that Hometown Sanitation Service, LLC has met the criteria to receive a license for collection and transportation of solid waste in Martin County.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, with the listed hauler 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 license for the year 2010 for Hometown Sanitation Service, LLC of Windom, MN, contingent upon receipt of all required documentation. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, stated that the Bid Letting for SAP 46-599-068 Lake Fremont Twp Rd 69 (60th Ave); SAP 46-599-069 Galena Twp Rd 16 (110th Ave); and SAP 46-599-070 Lake Fremont Twp Rd 65 (40th Ave) Grading and Bridge Replacement was held on Friday, June 11, 2010 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN and that five bids were received.

Bid Results
Martin County, Minnesota

Letting on June 11, 2010 – 10:00 a.m.
Martin County Highway Department
Fairmont, MN 56031
507-235-3347

SAP 46-599-068, SAP 46-599-069 & SAP 46-599-70 Grade and Bridge Replacements

Freeborn Construction, Inc., Albert Lea, MN

SAP 46-599-068	\$ 186,888.00
SAP 46-599-069	\$ 160,534.00
SAP 46-599-070	\$ 115,945.00
Total	\$ 463,367.00

Larson Crane Service, Inc., Worthington, MN

SAP 46-599-068	\$ 107,186.50
SAP 46-599-069	\$ 101,330.50
SAP 46-599-070	\$ 72,074.50
Total	\$ 280,591.50

**Apparent
Low Bidder**

← ←

Midwest Contracting, LLC, Marshall, MN

SAP 46-599-068	\$ 126,849.00
SAP 46-599-069	\$ 110,562.00
SAP 46-599-070	\$ 88,508.00
Total	\$ 325,919.00

Mathiowetz Construction Company, Sleepy Eye, MN

SAP 46-599-068	\$ 120,066.00
SAP 46-599-069	\$ 113,401.00
SAP 46-599-070	\$ 85,421.00
Total	\$ 318,888.00

Sundblad Construction, Inc., Cokato, MN	
SAP 46-599-068	\$ 119,863.37
SAP 46-599-069	\$ 110,310.68
SAP 46-599-070	\$ 79,298.53
	Total \$ 309,472.58

Engineer's Estimate	
SAP 46-599-068	\$ 162,103.06
SAP 46-599-069	\$ 126,994.25
SAP 46-599-70	\$ 101,456.66
	Total \$ 390,553.97

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids; and upon receiving bids for SAP 46-599-068, SAP 46-599-069, and SAP 46-599-070; and upon the recommendation of the County Engineer, hereby approve and award the low bid for the Township Box Culverts Grading and Bridge Replacements to Larson Crane Service, Inc. of Worthington, MN in the amount of \$280,591.50; and to authorize the Board Chair and appropriate staff (County Engineer, County Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed projects. Carried unanimously.

Peyman continued that Bid Letting for SAP 46-608-014 County State Aid Highway (CSAH) 8 from CSAH 53 to the East County Line; SAP 46-608-015 CSAH 8 from CSAH 27 to Trunk Highway (T.H.) 263; SAP 46-613-011 CSAH 13 from T.H. 4 South to T.H. 4 North in Sherburn, MN; SAP 46-624-003 CSAH 24 from CSAH 26 to the East End of Bituminous Surface on CSAH 24; SAP 56-627-013 CSAH 8 South to the Iowa State Line; SAP 46-653-009 CSAH 53 a point 288.8 feet south of East ¼ Corn. Sec. 6 T102N-R29W to CSAH 26; and SAP 46-653-010 CSAH 53 from 1.08 miles north of CSAH 34 in Granada to 1.17 miles north and there terminating Bituminous Overlay Projects was held on Friday, June 11, 2010 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN and that four bids were received.

Bid Results
 Martin County, Minnesota
Letting on June 11, 2010 – 10:00 a.m.
 Martin County Highway Department
 Fairmont, MN 56031
 507-235-3347

SAP 46-608-014, and others Milling, Paving & Aggregate Shouldering

Central Specialties, Alexandria, Minnesota	
SAP 46-608-014	\$ 506,722.91
SAP 46-608-015	\$ 87,014.31
SAP 46-613-011	\$ 165,709.58
SAP 46-624-003	\$ 504,594.50

SAP 46-627-013	\$ 381,347.99	
SAP 46-653-009	\$ 267,009.57	
SAP 46-653-010	\$ 42,070.92	Total \$ 1,954,469.78

Duininck Construction, Prinsburg, Minnesota

SAP 46-608-014	\$ 442,333.70	
SAP 46-608-015	\$ 72,786.45	
SAP 46-613-011	\$ 156,511.81	
SAP 46-624-003	\$ 487,702.80	
SAP 46-627-013	\$ 318,138.40	
SAP 46-653-009	\$ 258,970.59	
SAP 46-653-010	\$ 38,292.08	Total \$ 1,774,735.83

OMG Midwest, Inc.

d/b/a/Southern MN Construction, Mankato, Minnesota

SAP 46-608-014	\$ 431,075.85	
SAP 46-608-015	\$ 74,517.55	
SAP 46-613-011	\$ 151,462.73	
SAP 46-624-003	\$ 411,871.94	
SAP 46-627-013	\$ 321,087.11	
SAP 46-653-009	\$ 231,520.59	
SAP 46-653-010	\$ 33,208.35	Total \$ 1,654,744.12

Knife River Corporation, Sauk Rapids, MN

SAP 46-608-014	\$ 427,418.59	
SAP 46-608-015	\$ 78,334.96	
SAP 46-613-011	\$ 153,135.13	
SAP 46-624-003	\$ 407,660.32	
SAP 46-627-013	\$ 321,379.90	
SAP 46-653-009	\$ 222,247.44	
SAP 46-653-010	\$ 32,875.91	Total \$ 1,643,052.25

**Apparent
Low Bidder**
← ←

Engineer's Estimate

SAP 46-608-014	\$ 427,209.15	
SAP 46-608-015	\$ 71,367.10	
SAP 46-613-011	\$ 146,808.05	
SAP 46-624-003	\$ 453,917.50	
SAP 46-627-013	\$ 319,664.75	
SAP 46-653-009	\$ 247,555.35	
SAP 46-653-010	\$ 31,675.85	Total \$ 1,698,197.75

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids; and upon receiving bids for SAP 46-608-014, SAP 46-608-015, SAP 46-613-011, SAP 46-624-003, SAP 46-627-013, SAP 46-653-009, and SAP 46-653-010, and upon the recommendation of the County Engineer, hereby approve and award the low bid for the

Milling, Paving & Aggregate Shouldering to Knife River Corporation of Sauk Rapids, MN in the amount of \$1,643,052.25; and to authorize the Board Chair and appropriate staff (County Engineer, County Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed projects. Carried unanimously.

Peyman next stated that Bid Letting for C.P. 10:10 Supplying Bituminous Material for Seal Coating was held on Friday, June 11, 2010 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN and that two bids were received.

2010 SEALCOAT MATERIALS BID SUMMARY

	Jebro, Inc.		Flint Hills Resources, LP	
	Unit Price	Amount	Unit Price	Amount
MC 3000 Liquid Asphalt Qty = 50 Tons	627.36	31,368.00	667.97	33,398.50
CRS 2P Liquid Asphalt Qty = 355 Tons	531.17	188,565.35	527.82	187,376.10
TOTALS		\$ 219,933.35		\$ 220,774.60

PRICES INCLUDE SALES TAX

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids; and upon receiving bids for C.P. 10:10; and upon the recommendation of the County Engineer, hereby approve and award the low bid for Supplying Bituminous Material for Seal Coating to Jebro, Inc. in the amount of \$219,333.35; and to authorize the Board Chair and appropriate staff (County Engineer, County Auditor/Treasurer, County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman requested input from the Board regarding maintaining private driveways from right-of-way to right-of-way. Peyman stated that the State and many counties have gone to maintaining the driving surface shoulder to shoulder only and nothing outside of that due to the high cost of materials and labor. Peyman estimates Martin County spends at least \$50,000 per year maintaining right-of-ways and as budgets continue to get tighter,

recommends eliminating this practice. Peyman noted the County will continue to maintain the right-of-ways for the remainder of 2010 and will continue talks during the CY2011 budget workshops.

Peyman concluded with concern expressed by a contractor of why the county was charging a \$25 minimum fee Utility Permit required for County tile work. Peyman stated that the purpose of the fee is to recoup some of costs for staff time involved in following up on the work being completed on a particular tile.

Captain Jeff Markquart, Martin County Sheriff's Office, presented a brief Sheriff's Office Update that included the current jail population both in-county and out-of-county.

Scott Higgins, Martin County Coordinator, stated that as part of the Bureau of Justice Assistance (BJA) American Recovery and Reinvestment Act (ARRA) grant the County received for the Martin County Jail, was the need for contracting with a Mental Health Social Worker. Higgins went on to state this person is to be brought on as an independent contractor and not a County employee; and that the proposed contract is with Johanna Wright, Adult Mental Health Social Worker (licensed to practice in the State of Minnesota), at 16 hours per week, for 832 hours, which equates to \$568.00 per week (\$35.50/hour) to provide the mental health services included with the contract. Higgins noted that the ARRA grant is funding this position and that the agreement has been presented to the County Attorney for review.

Mark Geerdes, Martin County Jail Administrator, stated the job responsibility of the Mental Health Social Worker will be to make sure inmates are taking their meds and that they are getting out to their doctor appointments, whether it be medical or mental health, and that the inmates are following the recommendations of their healthcare providers.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, approves and authorizes Board Chair to sign the Martin County Jail Mental Health Services Contract for Bureau of Justice Assistance (BJA) Grant Agreement between Martin County, MN and Johanna Wright (Independent Contractor), a licensed Adult Mental Health Social Worker in Minnesota, for 832 hours (16 hours per week) of service, at \$35.50/hour, effective June 15, 2010; and is contingent upon County Attorney review and approval. Carried unanimously.

Captain Markquart presented the County Boat and Water Safety Grant noting that Martin County has been awarded \$5,789.00 for CY2011 with an effective date of July 1, 2010 and expires September 14, 2010. The grant will be used purchase a boat lift and other related expenses to getting the boat lift operable.

Motion by Commissioner Boler, seconded by Commissioner Potter,

R-#27/'10

RESOLUTION

AUTHORIZING EXECUTION OF
ANNUAL COUNTY BOAT AND WATER SAFETY AGREEMENT

BE IT RESOLVED, that Martin County, MN enters into a grant agreement with the Minnesota Department of Natural Resources for the program entitled County Boat and Water Safety in the grant amount of \$5,789.00 to cover expenses incurred for patrol, enforcement, search and rescue, watercraft inspection, waterway marking and accident investigation effective July 1, 2010 and expires September 14, 2010.

BE IT FURTHER RESOLVED, that the Martin County Sheriff, Chairman of the Martin County Board of Commissioners, and Martin County Auditor/Treasurer, are hereby authorized to execute and sign such grant agreement on behalf of Martin County.

Motion made by Commissioner Boler, seconded by Commissioner Potter, and duly adopted this 15th day of June, 2010.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Pierce, Donnelly, Potter, Boler, and Schmidtke.
NAYS: None. Resolution duly passed and adopted this 15th day of June, 2010.

Rebecca Bentele, Victim Witness Program Coordinator, and Nancy Johnson, Agent – Martin County Probation Department, provided preliminary information on a proposed Domestic Abuse Offender Program that has recently been terminated and had been facilitated by Dr. Ramie Vetter, Clinical Psychologist.

Bentele and Johnson informed the board that if an individual is convicted of a domestic abuse related offense, depending on what Probation outlines for recommendations, and of course ultimately what the judge rules as a sentence, they would probably need a violence assessment which oftentimes will steer them in the direction of being required to take a Domestic Abuse Offender Program in hopes of educating and reducing recidivism for that behavior. Bentele and Johnson continued with an outlined proposal for reinstating the Domestic Abuse Offender Program, including an approximate \$13,500 start-up cost funding request from the County Board if grant funds applied for through the Department of Corrections Mental Health Grant are not awarded. Bentele and Johnson stated their concern over the loss of this valuable and needed service; and that while they hope grant funding is awarded to reinstate the program, they may be back with further information and a request for the Program's start-up funding.

Higgins stated the Brown County Evaluation Center – Juvenile Detention Center in New Ulm, MN has submitted a revised proposal for the remaining counties who have stated their intentions to use the Center for juvenile detention purposes. Higgins went on to state that originally there were eight (8) counties who used the services of the Center; and now there are only six (6) counties who have stated their intentions to use the Detention Center. Therefore, the cost allocation for the Center to stay operating has increased. Higgins noted that Martin County’s portion has increased from \$35,495.00 to \$47,550.00 (\$12,055.00 increase) from the previous proposal. Higgins went on to note the Center is asking for final commitments from each remaining participating county with the revised allocation.

The Commissioners, along with Nancy Johnson, Agent – Martin County Probation Department, and Jaime Bless – Fairmont Police Officer, discussed limited choices for juvenile detention services and six month reassessment based on the County’s actual usage; eight day hold and five bed capacity; and what happens if the Center is full. Commissioners stated that they would contact Warren Knudson, Director of Faribault & Martin County Human Services, for answers to these questions.

Motion by Commissioner Pierce, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, wish to express its intentions to continue its use of the Brown County Evaluation Center for juvenile detention services, due to the quality of services the Center provides and convenience and location of the facility to Martin County; and is in support of the proposed subsidy for Martin County in the amount of \$47,550.00 (annually) based on an 8 day hold; however, the County reserves the right to reconsider participation of the subsidy if it goes higher than the most recent proposal (as of June 3, 2010). Carried unanimously.

Higgins stated in order for the County to provide business subsidies in the form of loans and/or grants over \$150,000 to businesses for economic development purposes, the county is required to have a business subsidy policy in place that establishes criteria for awarding such business subsidies; and procedurally the Board will need to hold a public hearing to approve and adopt a Business Subsidy Policy for the County. The Martin County EDA is recommending that a Business Subsidy Policy be in place and has formulated a draft copy (included in the board packets) for review and consideration.

Commissioner Boler stated our objective with the County EDA was not to be a loan organization, although we want to promote economic development.

Chris Pierce, Martin County EDA Board Member, was present to update the Commissioners on recent EDA Board discussions regarding if approached to provide financial assistance to existing businesses or start ups, the County would need to have a Business Subsidy Policy in place which would establish criteria for providing such financial assistance to businesses.

Commissioner Schmidtke stated I’ve never been in favor of loaning money. I don’t think that’s the County’s job to be in the banking business.

Commissioner Pierce stated perhaps the Business Subsidy Policy should be checked out further for tax increment financing or tax abatement financing.

Commissioner Donnelly stated we're not lenders and it would be difficult to decide what loans would work to use taxpayer money.

Commissioners Potter and Boler agreed that more information is needed before setting a Public Hearing for consideration of adoption of a County Business Subsidy Policy.

No action taken on Setting Public Hearing Date to Establish and Adopt a County Business Subsidy Policy.

Higgins stated the Board is being asked to ratify the Natural Resource Block Grant (NRBG) Sewer Septic Treatment Systems (SSTS) plan allocation agreement. Higgins noted the amount of the grant is \$9,930 (no match required) and the grant period is from July 1, 2009 through June 30, 2011.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the County Coordinator to sign the Natural Resources Block Grant (NRBG) Sewer Septic Treatment Systems (SSTS) plan allocation agreement for the grant period of July 1, 2009 through June 30, 2011 in the amount of \$9,931.00 with no County match required. Carried unanimously.

Higgins stated that Julia Bremer, from Commissioner Schmidtke's district, has resigned from the Library Board after serving a total of 8 years; and that Judy Beckman is willing to serve on the Library Board and to take Bremer's place and serve the remaining term ending December 31, 2011.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the appointment of Judy Beckman from District 4 to serve the remainder of a three year term on the Martin County Library Board with term ending December 31, 2011. Carried unanimously.

Higgins stated that due to needed repairs to the courthouse dome the Building/Purchasing Committee received bid proposals from Patten Roofing, GAG Sheet Metal, Inc., and Krause Konstruction Company, for repair of the courthouse dome. Higgins went on to state that after review of the bids, the Building/Purchasing Committee recommends the bid from Krause Konstruction Company in the amount of \$32,620.00 for the following repair services: re-fasten all loose copper; repair any holes with new copper; repair any open seams; scrape, repair and paint clock faces and hands; re-caulk glass panels on clock exterior, and repair underside of uppermost concrete floor.

Motion by Commissioner Pierce, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby award the bid for courthouse dome repair to Krause Konstruction Company of Coon Valley, WI in the amount of

\$32,620.00; and to authorize Board Chair to sign the necessary documents for repair of the courthouse dome. Carried unanimously.

Higgins stated that the Martin County Soil and Water Conservation District is requesting the County Board approve extending the Native Buffer Cost-Share Assistance Contract for Cedar Park due to extended weed control period to help reduce the weed pressure on the developing stand to allow a dormant seeding in November.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Native Buffer Cost-Share Assistance Contract for extended weed control at Cedar Park until November 30, 2010. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, stated a typographical error was made on the Resolution Order Fixing Ditch Repair and Maintenance Levies and Assessments on City, Joint County, and Judicial Ditches of Martin County, MN dated December 1, 2009. Forshee stated that County Ditch 1005-1 is listed on the resolution as CD #1 and should be CD #3, and the Assessed amount on the resolution is shown at \$5,000 and should be \$50,000. Forshee noted the ditch was assessed correctly, but was not typed correctly on the resolution.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Ditch #1005-1 County Ditch #3 assessment correction from \$5,000 to \$50,000 Iberdrola Renewables. Carried unanimously.

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

Warrants received and paid June 15, 2010 are registered on file in the Auditor/Treasurer's Office as follows and to include reimbursement for expenses to Gerald Boler in the amount of \$100.01:

Revenue Fund – Warrants Approved June 15, 2010	\$165,772.97
Enhanced 9-1-1 Fund	\$ 9.94
Recreation and Safety Fund	\$ 162.70
Martin Co. Economic Development Authority	\$ 160.00
Solid Waste Management Fund	\$ 777.18
Law Library Fund	\$ 2,069.83
Martin County Transit Fund	\$ 42,630.48
Recorder's Compliance Fund	\$ 2,115.00
Bank Building Fund	<u>\$ 673.22</u>
Total	\$214,371.32

Road and Bridge Funds Totaled	\$ 77,269.39
Martin County Ditch Fund – Warrants Totaled	\$ 41,369.80

Commissioners reviewed information received from the Region Nine Development Commission; and reviewed the South Central Service Cooperative Director’s Meeting for June 2, 2010.

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

Higgins informed the Board that a strategic planning session for the County Department Directors and elected Officials is scheduled for Tuesday, July 27, 2010 beginning at 9am at Rose Lake GC. Higgins also stated that State Demographer, Tom Gillaspay will be presenting demographic information and trends for Martin County.

With no further business to wit, Board Chair declared the meeting adjourned at 5:35 p.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Dan Schmidtke, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator