

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 18, 2011
@ 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 Pierce.

Commissioners present were Boler, Potter, Schmidtke, and Donnelly. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Jennifer Brookens, Sentinel Newspaper, Terry Viesselman, Martin County Attorney, Kevin Peyman, Martin County Highway Engineer, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda as presented. Carried unanimously.

At this time, the Board recognized the following employee retirements and presented a desk clock to Judy Sinn in recognition of her eighteen (18) years of service to Martin County and its citizens with the majority of her service in the Martin County Auditor/Treasurer's Office as Account Technician/Elections Official; and recognized and presented Gary Schaub with a desk clock in recognition of his twenty (20) plus years of service to Martin County and its citizens as the Assistant County Engineer for the Martin County Highway Department.

Terry Viesselman, Martin County Attorney, was present to request approval for commitment fee expenses in the amount of \$1,250 for a sexual predator case. After discussion,

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize sexual offender commitment expense in the amount of \$1,250.00; to be expended from the County Attorney's budget. Carried unanimously.

Billeye Rabbe, Solid Waste Coordinator for Faribault & Martin Counties, presented solid waste and recycling haulers that have met the criteria to receive a license for collection and transportation of solid waste and recycling in Martin County. Rabbe noted the businesses are renewals with no new licensing this year; and have met the requirements for licensure in Martin County.

Motion by Commissioner Potter, 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 2011 for the following haulers:

Martin County
Solid Waste Hauler License Log 2011

B & B Sanitation – Winnebago, MN
 City of Fairmont – Fairmont, MN
 Hansen Sanitation, Inc. – Kasota, MN
 LJP Enterprises, Inc. (hauler) – St. Peter, MN
 LJP Enterprises, Inc. (recycler) – St. Peter, MN
 Madelia Sanitation, Inc. – Madelia, MN
 River View Sanitation – New Ulm, MN
 Waste Management – Garbage – Fairmont, MN
 Waste Management – Recycling – Fairmont, MN
 The Trash Man – Webster City, IA (hauls recycling from Wal-Mart only)
 Hometown Sanitation Services, LLC – Windom, MN

Carried unanimously.

No action taken on appointment to the Martin County Economic Development Authority Commission.

Kevin Peyman, Martin County Highway Engineer, stated that Bid Letting for C.P.11:11 Bulk Purchasing of Gasoline & Diesel Fuel was held January 14, 2011 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN; and that two bids were received. Peyman noted that the dollar amount shown on the bid sheet is an estimate for the year and includes City of Fairmont and Mn/DOT estimated usage that is billed back accordingly. Peyman recommends low bid award to NuWay Cooperative.

Bid Results
C.P. 11:11
Supplying Gasoline & Diesel Fuel

Bidder – Watonwan Farm Service

Gallons	Unit Price	01/10/11		Fuel Tax	Amount
		“Rack”	“Constant”		
110,000 Diesel to Fairmont	2.8531	2.7721	0.081		\$313,841.00
12,000 Diesel to Dunnell	2.9631	2.7721	0.191		35,557.20
10,000 Diesel to Trimont	2.9631	2.7721	0.191		29,631.00
50,000 Gasoline to Fairmont	2.8905	2.5425	0.073	0.275	144,525.00
6,000 E-85 to Fairmont	2.8018	2.4238	0.183	0.195	16,810.80
Total for All					\$540,365.00

Bidder – NuWay Cooperative

Gallons	Unit Price	01/10/11 “Rack”	“Constant”	Fuel Tax	Amount
110,000 Diesel to Fairmont	2.8371	2.7721	0.0650		\$312,081.00
12,000 Diesel to Dunnell	2.8371	2.7721	0.0650		34,045.20
10,000 Diesel to Trimont	2.8371	2.7721	0.0650		28,371.00
50,000 Gasoline to Fairmont	2.8825	2.5425	0.0650	0.2750	144,125.00
6,000 E-85 to Fairmont	2.6838	2.4238	0.0650	0.1950	16,102.80
Total for All					\$534,725.00

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids, and receiving bids for C.P. 11:11 Bulk Purchasing of Gasoline and Diesel Fuels, and upon the recommendation of the County Engineer, hereby approve and award the low bid for purchasing of gasoline and diesel fuels to NuWay Cooperative in the amount of \$534,725.00; 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. Those voting in favor: Commissioners Potter, Donnelly, Boler, and Pierce. Abstain: Commissioner Schmidtke. Motion carries.

Peyman presented a brief department update that included sometimes additional staff hours for maintenance of roads when there is blowing snow but not a lot of actual snowfall.

Steve McDonald, Martin County MIS Director, presented quotes received for the purchase of a replacement AS400 for the County. McDonald stated this will replace our existing AS400 platform that is required to operate the new rewrite to the Integrated Financial System (IFS) which includes Tax, CAMA, etc. software used by the County. McDonald noted this purchase has been budgeted for purchase in 2011 and recommends approval for low bid from ACS Enterprise Solutions, Inc. in the amount of \$23,593.20. McDonald went on to note that with the new AS400, the County will help save costs of approximately \$4,000 annually on hardware and software maintenance fees. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, having received quotes for the purchase of an AS400 to replace the existing unit and is required in order to operate the new rewrite to the Integrated Financial System (IFS) which includes Tax, CAMA, etc. software used by the County, and after careful review of the quotes and upon the recommendation of the MIS Director, hereby approve and authorize the purchase of the AS400 from ACS Enterprise Solutions, Inc. in the amount of \$26,575.51 (includes tax and Professional Service Installation Fees); and to authorize the Board Chair and/or Steve McDonald to sign and execute the necessary agreements and purchase documents for the aforementioned product purchase. Carried unanimously.

Julie Grunewald, Probation Agent, and Rebecca Bentele, Victim/Witness Program Coordinator, presented and reviewed a resolution approving and accepting donations for the Domestic Abuse Offender Program.

Grunewald stated the Martin County Victim Services Program will be receiving a donation from the Fairmont Rotary Club in the amount of \$900.00 to \$1,000.00 (have not received information on the exact amount) to be used for assessment fees by those offenders in the Domestic Abuse Offender Program in Martin County, who cannot afford to pay for the assessment themselves. Assessment fees paid out will be on a case by case basis for clients meeting certain financial guidelines to help them pay the cost of the assessment to get them enrolled in the program.

Bentele presented a Program update stating that Dr. Vetter has agreed to again start the Domestic Abuse Offender Program in Martin County as soon as there are enough participants enrolled in the Program. The closed Program will run for approximately twenty-six (26) weeks with clients paying for the program on a weekly basis. Bentele went on to state that she and Grunewald will be contacting other civic groups for donations toward this Program as it is such a key piece to getting offenders successfully treated.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler,

R-#10/11

RESOLUTION
APPROVING AND ACCEPTING DONATIONS for the DOMESTIC ABUSE
OFFENDER PROGRAM

WHEREAS, pursuant to Minnesota Statutes 465.03, the county shall by resolution of the governing body adopted by a two-thirds majority of its members accept a grant, donations or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor.

WHEREAS, the Domestic Program for Martin County, MN, through the Martin County Victim Services Program has received donations from the Fairmont Rotary in the amount of \$1,050.00; and

WHEREAS, the Martin County Victim Services Program wishes to accept these donations and utilize them for the purpose of the donation to be used for assessment fees for those offenders who do not have the funds to pay for the assessment themselves.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners hereby accepts the donations to be used as stated above.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, said resolution was duly passed and adopted this 18th day of January, 2011.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Donnelly, Boler, Schmidtke, and Pierce.
NAYS: None. Resolution duly passed and adopted this 18th day of January, 2011.

Deb Mosloski, Drainage Specialist for Martin County, presented a resolution order appointing viewers and redetermination of JD #37. Mosloski introduced Mark Lange, a resident farmer along JD #37.

Lange reviewed multiple problems associated with JD #37 and the numerous government programs and wetland restoration programs along the entire system; which in his opinion have basically changed the hydraulics of how the entire system works. Lange noted the drainage issues not only affects farmers in the area; but is affecting County Road 32 and is inching up close to County State Aid Highway 4. Lange went on to note that at present he has to haul corn into town in the middle of winter for grain to feed his livestock. This could have been done right after the fall harvest, but the road (County Road 32) to town was under water. Mr. Lang stated how very frustrating this has been to deal with. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Schmidtke,

R-#11/11

ORDER APPOINTING VIEWERS AND
REDETERMINATION OF JD #37

WHEREAS, the Martin County Board of County Commissioners hereby determines that the original benefits or damages determined in drainage proceedings for Martin County Judicial Ditch No. 37 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

Milo Holland
64532 400th St.
Butterfield, MN 56120

Alternate:
Brad Hinrichsen
Hinrichsen Appraisal LLC
43097 100th St.
Blue Earth, MN 56013

Three disinterested residents of the state (along with the Alternate), be and hereby are appointed viewers to Re-determine and report the benefits and damages and the benefited and damaged areas of Martin County Judicial Ditch No. 37.

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 18th day of January, 2010.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Boler, Donnelly, Schmidtke, Potter, and Pierce.
NAYS: None. Resolution duly passed and adopted this 18th day of January, 2011.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve payment of claims for the month of January, 2011; and includes the Martin County Highway Department as presented. Carried unanimously.

Warrants Received and paid January 18, 2011 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved January 18, 2011	\$ 192,557.58
Enhanced 9-1-1 Fund	\$ 18.15
Recreation and Safety Fund	\$ 321.14
Martin County Economic Development Authority	\$ 740.92
Solid Waste Management Fund	\$ 26,853.14
Law Library Fund	\$ 7,252.84
Martin County Transit Fund	\$ 50,888.46
Recorder’s Compliance	\$ 2,115.00
Building – CIP – Fund	\$ 4,085.00
Bank Building Fund	\$ 6,787.20
Forfeited Tax Fund	\$ 359.00
Total	\$ 291,978.43
 Road and Bridge Funds Totaled	 \$ 16,776.76

The Board discussed attending the Drainage & Wetland Conference to be held February 3, 2011 in St. Cloud.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby deny commissioner per diems and expenses for attending the Drainage & Wetland Conference to be held February 3, 2011 at the St. Cloud Civic Center in St. Cloud, MN. Those voting in favor: Commissioners Potter, Schmidtke, Donnelly, and Pierce. Opposed: Commissioner Boler. Motion carries.

The Board reviewed a thank you letter received from the Salvation Army for coordinating another successful Kamp for Kids fundraiser for the Salvation Army of Fairmont and Martin County; minutes of the January 5, 2011 South Central Service Cooperative’s Board of Directors meeting; and the Association of Minnesota Counties (AMC) County Days at the Capitol.

Commissioners presented their Board Member Reports.

Commissioner Potter attended the joint meeting with Martin SWCD on January 4th, Executive Board for Human Services on January 5th, Library Board on January 11th, Cedar Township meeting on January 13th; and Prairieland on January 14th.

Commissioner Schmidtke stated in addition to those mentioned by Commissioner Potter, Schmidtke attended the Martin County EDA meeting on January 10th.

Commissioner Donnelly did not have any other items to add to the Board Member Reports.

Commissioner Boler attended RC&D on January 12th at 1:00 p.m., Region 9 at 5:00 p.m., Prairieland on January 14th.

Commissioner Pierce attended the Hunger Free meeting on January 10th.

The Board reviewed their calendars of upcoming meetings and activities: January 18, 2011 - Personnel Committee meeting immediately following today's regular Board of Commissioners meeting, Labor Management Committee meeting at 1:30 p.m., and JD #47 Final Public Hearing at 2:30 p.m.; January 19, 2011 – Human Services Policy Committee meeting in Fairmont; January 21, 2011 – Herb Russ Retirement Open House from 3-5 p.m., and reception for Gene Hugoson at 7 p.m. at the Fairmont Holiday Inn; January 24, 2011 – MVAC, Minnesota River Board, and Regional Extension meetings; January 26, 2011 – Prairieland Informational Meeting from 1-4 p.m.; January 27, 2011 – County Water Plan; January 28, 2011 – Judy Sinn Retirement Open House from 2-4 p.m. in the Commissioners Board Room; January 29, 2011 – Brad Gerhardt Retirement Open House from 5-9 p.m. at Interlaken Golf Club; January 31, 2011 – Region 9 from 2-4 p.m.; February 1, 2011 – next regular Board of Commissioners meeting at 9:00 a.m.

Forshee presented a report of Martin County Investments as of January 1, 2011. After review,

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the Martin County Investments report as of January 1, 2011. Carried unanimously.

Commissioners discussed the possibility of applying for grant dollars for energy-efficiency improvements at the Courthouse, Highway Department, Human Resource Building, and Library. Higgins stated that he will look into the options that may be available to the County and proposed projects.

Higgins also stated that the start date for newly hired Chief Deputy Corey Klanderud would be effective January 30, 2011, instead of January 31, 2011. Higgins stated that January 30th was the start of the pay period. By consensus, the Board gave their approval for the adjustment to the effective date.

With no further business to wit, Board Chair adjourned the meeting at 9:57 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator