

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JUNE 7, 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, Kevin Peyman, Martin County Highway Engineer, Terry Viesselman, Martin County Attorney, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, Captain Corey Klanderud, Martin County Sheriff's Office, Julie Walters, Administrative Assistant, and members of staff.

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

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the May 17, 2011 regular Board of Commissioners meeting.

Jeanne Runge, Martin County Assessor's Office, presented a review of the inaugural Martin County Leadership Martin County Program. With the Program's Mission Statement "To develop community leaders to insure the future vitality of our area", the 2010-2011 program graduated 15 participants that met the first Wednesday of the month over an eight month period learning about the area, its resources, its people, its values, its strengths and its weaknesses. Runge stated the Program included a look at the business community, government, education, quality of life issues, health care, law enforcement, human services and diversity within our community. Runge went on to state she enjoyed the Leadership Martin County Program and recommends fellow Martin County employees to apply for the upcoming 2011-2012 program.

The Board recognized and congratulated Doug Landsteiner, Martin County VSO, for his recent recognition as the Disabled American Veterans (DAV) Service Organization 2011 CVSO of the Year award. The award is in recognition for Landsteiner's outstanding service to veterans and was presented to Landsteiner on May 6, 2011 at the DVA Spring Convention in Alexandria, MN.

Terry Viesselman, Martin County Attorney, presented ballot for accepting or rejecting a plan of reorganization for RM Olson Manufacturing Company, LLC for repayment of \$20,444.34 in back taxes owed to Martin County. Viesselman noted that under the plan Martin County believes it is receiving as much as Martin County would receive under a Chapter 7 bankruptcy and after review with James Forshee, Martin County Auditor/Treasurer, recommended approval of the proposed plan for 100% payback of taxes owed and the proposed interest rate of 4% provided in the plan.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby accept the five year plan of reorganization for payment of back taxes owed to Martin County by RM Olson Manufacturing Company LLC. Carried unanimously.

Scott Higgins, Martin County Coordinator, stated the Auditor/Treasurer's Office has received an application for a new liquor license from Richard Koons, d/b/a Fox Lake Tack & Trading Co. in Welcome, MN. Higgins noted that Koons is applying for a 3.2% Off-Sale License. Higgins went on to note that the Auditor/Treasurer's Office has received all necessary paperwork including Certificate of Liquor Liability Insurance.

Motion by Commissioner Potter, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby approve 3.2% Off-Sale Liquor License for Richard Koons, d/b/a Fox Lake Tack & Trading Co. in Welcome, MN effective June 8, 2011 through June 7, 2012. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, stated the Bid Letting for C.P. 11:10 Bituminous Material for Seal Coating was held on Friday, June 3, 2011 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN and two bids were received. Peyman noted bids are based on 475 ton of materials and that Flint Hills is the apparent low bidder at \$548.70/ton; up 3.3% from 2010. Peyman recommends award to Flint Hills Resources.

Bid Results  
Martin County, Minnesota

Letting on June 3, 2011 at 10:00 a.m.  
Martin County Highway Department  
Fairmont, MN 56031  
507-235-3347

C.P. 11:10 Bituminous Material

Flint Hills Resource	\$260,632.50	← Apparent Low Bidder
Jebro Inc.	\$295,687.50	

Motion by Commissioner Schmidtke, 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. 11:10, and upon the recommendation of the County Engineer, hereby approve and award the low bid for Supplying Bituminous Material to Flint Hills Resources LLP in the amount of \$260,632.50 ; and to authorize the Chair and appropriate staff (County Engineer, Martin County Auditor/Treasurer, and Martin County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman continued the Bid Letting for C.P. 11:04 Highway Pavement Striping in Martin and Faribault Counties was held on Friday, June 3, 2011 at 10:00 a.m. at the Martin

County Highway Department – Fairmont, MN and two bids were received. Peyman stated bids are up 26% from 2010 due to current high fuel prices and the shortage of polymer, a component in the paint used for striping. Peyman went on to state that there is a need to stripe and with the increase nationwide, recommends award of contract to the apparent low bidder, AAA Striping.

Bid Results  
Martin County, Minnesota

Letting on June 3, 2011 at 10:00 a.m.  
Martin County Highway Department  
Fairmont, MN 56031  
507-235-3347

C.P. 11:04 Highway Pavement Striping in Martin & Faribault Counties

AAA Striping Service Co.	\$162,994.00	← Apparent Low Bidder
Traffic Marking Service, Inc.	\$168,162.00	

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 C.P. 11:04, and upon the recommendation of the County Engineer, hereby approve and award the low bid for the Highway Pavement Striping in Martin County to AAA Striping Service Co. in the amount of \$162,994.00; and to authorize the Chair and appropriate staff (County Engineer, Martin County Auditor/Treasurer, and Martin County Attorney) to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman presented a Highway Department Update including that work on County Road 26 from Fairmont to Sherburn could be complete by end of week. Peyman stated the first of two lifts has been completed with the first lift (including petromat layer) getting out the major bumps and the second lift will give a better ride. Peyman noted there is still shouldering along with the overlay and then striping left to complete. Peyman went on to note it will be good if his department stays ahead of schedule because of the possible state government shutdown on July 1<sup>st</sup>. The County needs to use the state lab at the Minnesota Department of Transportation (Mn/DOT) to examine pucks (road samples) each day as the project goes on. Last time there was a government shutdown Mn/DOT was able to keep the lab open but this time it sounds like it will be shut down too. Peyman stated another reason he is glad County Road 26 is ahead of schedule is that the state also processes payments for state aided projects such as County Road 26. Peyman went on to state he believes the entire project including shouldering and striping should be complete by July 1, 2011.

Peyman opened a brief discussion regarding Mn/DOT asking counties what level of service we would be able to provide on state roads in the event of a state government shutdown.

Commissioners thanked Peyman for the update and that although not yet completed; County Road 26 already looks and drives nice.

Captain Corey Klanderud, Martin County Sheriff's Office, was present and stated the current Martin County Jail population is 19, with 3 out of county; 3 out on Sentencing to Service (STS), and 1 on Huber STS. Klanderud went on to state the Martin County Sheriff's Office received 65 applications for the replacement Deputy Sheriff position and tested 48 people with plans to interview the top 10 applicants by end of the month.

Rich Perrine, WCA Water Plan Coordinator Martin SWCD, presented the updated 2011-2016 Local County Water Plan that is ready to be sent to the Minnesota Board of Water and Soil Resources for final review. Perrine stated the Plan's implementation schedule for priority concerns and ongoing activities is just over \$1 million dollars per year, and if the state spends the clean water dollars and lottery dollars in the right places, every county in the state should have enough to implement a plan the size of Martin County's.

Commissioner Potter inquired about the Legacy Fund dollars and how much funding Martin Soil and Water Conservation District receives from that funding source.

Perrine stated legislature funnels the funding down in different ways and that Martin SWCD has been able to tap into the Legacy Funding through various grants for ready to go projects for water and habitat.

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve sending the proposed revised 2011-2016 County Water Plan to the Minnesota Board of Water and Soil Resources for final review. Carried unanimously.

Higgins stated the Martin County Teen Court Program has received a \$50.00 donation from the Minnesota Youth Teen Court. The donation is to be used for Teen Court Juror recognition.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly,

R-#28/'11

RESOLUTION  
APPROVING AND ACCEPTING DONATION for the  
MARTIN COUNTY TEEN COURT

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 Martin County Teen Court Program has received a donation from the Minnesota Youth Teen Court in the amount of \$50.00; and

WHEREAS, the Martin County Teen Court Program wishes to accept this donation and utilize it for the purpose of the donation to be used for Teen Court juror recognition.

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

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, said resolution was duly passed and adopted this 7<sup>th</sup> day of June, 2011.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Pierce, Board Chair

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

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

NAYS: None. Resolution duly passed and adopted this 7<sup>th</sup> day of June, 2011.

Higgins presented a renewal agreement to continue the Sentencing to Service (STS) program in Martin County effective July 1, 2011 to June 30, 2013 (FY11-12). Total obligation of the County for all compensation and reimbursements to the state under this contract is \$231,336.00 as its share of the cost in providing two crew leaders and placing the work crews into service on the STS Program during the term of this agreement. Higgins stated that it appears in comparison to the previous two year contract in the amount of \$189,972.52 (July 1, 2009 to June 30, 2011). Higgins went on to state that there is only a slight increase of 1.0147 percent each year for the two year period and that due to an adjustment in Fiscal Year 11 due to the county's share increasing from 50% to 75% of the total cost of the contract. However, from FY11 to FY12 the cost per crew leader has not increased.

Kyle Redenius, STS Crew Leader for Martin County, was present.

After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the contract between the State of Minnesota, acting through its Commissioner of Corrections, Sentencing to Service Program ("State"), and Martin County ("Purchaser"), for two (2) STS crew leaders (includes salaries, fringe benefits, and equipment cost) effective July 1, 2011 and will expire June 30, 2012 in the amount of \$231,336.00 for the two year fiscal period. Carried unanimously.

Deb Mosloski, Drainage Specialist for Martin County, and Michael Forstner, Drainage Inspector/Technician, were present to update the Board on their purchase of an ATV and trailer for the Drainage Administration Office. Mosloski stated that due to the unknown

frequency of having to use the Sheriff's Office ATV, current Emergency Grant funding requirements, and not being able to use the Sheriff's Office trailer for transport of the ATV, the Drainage Administration Office will move forward with the purchase of a side by side ATV and RediHaul Trailer as approved by the Martin County Board of Commissioners at the May 17, 2011 regular Board of Commissioners meeting.

Commissioner Schmidtke stated that after his conversation with Sheriff Jeff Markquart, it is in the best interest of both departments not share the use of the Sheriff's Office ATV and would like to allow the Drainage Administration Office to purchase their own ATV and trailer for use on County's drainage system related work.

Mosloski next presented an update on repayment of \$45,000 in assessments on Martin County Ditch #47 and Blue Earth County Ditch #57 by the Minnesota Department of Transportation (Mn/DOT).

Higgins presented a revised job description for the Account Technician I position in the Auditor/Treasurer's Office. Higgins stated the job description has been revised to reflect more accurately the essential functions and minimum qualifications for the job.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the revised job description (May, 2011) for the Martin County Auditor/Treasurer's Office Account Technician I position as presented; and which more accurately reflects the objectives and essential functions, as well as minimum qualifications of the position. Carried unanimously.

Higgins stated John Madsen, Martin County Surveyor, has requested full access to the County Beacon System. Mr. Madsen indicated that he would like to have access to the parcel layer, aerial photographs, and legal descriptions. However, the system does not provide full legal descriptions. The system contains a shortened version of legal descriptions. As the County Surveyor, Mr. Madsen would use the system to aid in the work he does as a surveyor for the county. Typically to have this full access there is a fee charged as established by the County Board. However, as the elected County Surveyor, Mr. Madsen believes he should be able to have the same access as other County offices. The County's Technology Committee has weighed in on the request and is recommending access on an as needed basis for County work only. We would be able to turn on and off the access to the Beacon System on a per project basis as needed by Mr. Madsen for County government related projects. Higgins went on to state the following policy is being proposed in order to provide guidance related to such use - "Access to the Martin County GIS system is intended to benefit the residents of Martin County as a whole. In cases where county employees, officials or contractors are employed by others as well as the County, access to the County GIS System will be granted on a case by case basis to aid them when they are working on behalf of the County. This is intended to grant the benefit to the residents of the County as a whole and should not be used as a benefit to individual citizens or the private business of the county employee, official or contractor." Higgins concluded those gaining access to the full system under this arrangement would be expected to sign an acknowledgement form and to abide by such intended purposes.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the County Surveyor access to the full Beacon System on a project by project basis for County government related work; and to approve policy guidelines as presented for use of the System and to have the user abide by such guidelines by signature of an Acknowledgement Form; and the County reserves the right to deny access of users, at any time, to the County's Beacon System at its discretion. Carried unanimously.

Higgins presented a proposal to establish the NACO Prescription Discount Card Program in Martin County. This program offers county citizens discounts in purchasing prescription drugs from participating pharmacies throughout the county. There is no cost to county or its citizens. The Rx program is available to residents who are uninsured and underinsured only. The only cost would be to advertise the program and send out promotional material provided by NACO. After discussion,

Consensus of the Board is to table Establishing Countywide NACO Prescription Program until feedback is received from pharmacies within Martin County.

The Board reviewed the CY2012 budget requests received from Southern Minnesota Initiative Foundation and Martin County Preservation Association/Red Rock Center.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby receive and file the CY2012 Budget Allocation Request received from Southern Minnesota Initiative Foundation in the amount of \$4,000; and the CY2012 Budget Allocation Request received from Martin County Preservation Association/Red Rock Center in the amount of \$7,500. Carried unanimously.

Higgins stated the date for hosting the Commuter Challenge Event has changed from June 9<sup>th</sup> to June 23<sup>rd</sup>, 2011. Higgins noted the Commuter Challenge takes place throughout the summer months and participants are encouraged to register on-line with the state through the Minnesota Department of Transportation, Office of Transit. Prizes will be given away to those taking the challenge to bike to work, walk to work, carpool, vanpool, or take a transit bus. Higgins continued on June 23<sup>rd</sup>, Martin County will be hosting a Commuter Challenge "Try It" Event and will be serving a free meal of hot dogs, potato chips, baked beans, cookie and lemonade from 11 a.m. to 1 p.m. on the courthouse lawn. There will also be Martin County Transit bus pass giveaways, balloons, and other Greater Minnesota Commuter Challenge Event prize giveaways; tour a Martin County Transit bus, Tazz from the Martin County Library will be on hand, and KFMC will be here with a live broadcast promoting the Commuter Challenge Event along with the Ultimate Free Ride.

Commissioners presented their Board member reports.

Commissioner Potter stated that after the last Board meeting on Tuesday – May 17<sup>th</sup>, he attended an Agri-Business meeting; on Monday – May 23<sup>rd</sup>, Human Services and Rural Minnesota Energy Board; Wednesday – June 1<sup>st</sup> AMC District Meeting; Thursday – June 2<sup>nd</sup> Soil and Water; Friday – June 3<sup>rd</sup>, Ditch #7 meeting in Blue Earth, MN; and on

Monday – June 6<sup>th</sup> - POET tour and Gaalswyk’s Easy Energy Systems both in Emmetsburg, Iowa.

Commissioner Schmidtke stated in addition to those mentioned he attended an EDA meeting on Monday – June 6<sup>th</sup>; and had numerous ditch calls.

Commissioner Boler stated there was an RC&D Meeting on Monday – June 6<sup>th</sup>. Other than that, about the same.

Commissioner Donnelly stated after the last Board meeting on Tuesday – May 17<sup>th</sup> we had a Personnel Committee meeting and we were notified of the Assessor’s Office grievance settlement; and AMC District Meeting on Wednesday – June 1<sup>st</sup>.

Commissioner Pierce inquired about the AMC District Meeting on June 1<sup>st</sup>.

Commissioner Potter read a few notes he had taken at the AMC District 7 meeting including: 18% reduction to County Program Aid; Wind Production Tax; MAGIC Act; \$850 million dollar cuts to Health and Human Service; sex offenders went from 10% to 25% burden on counties; 20% cut in children’s funding through schools; \$20 million in cuts to Minnesota Families; all tax is up 3.9% with levy limits; appoint auditor/treasurer’s rather than elect; and Legacy funding money will be a big issue in the budgets ahead because the legislature controls it; and \$33,000 for each county for zero to five year old kids Early Intervention.

The Board reviewed their calendars of upcoming meetings and activities: June 7 – County Clean Up Day at the Martin County Highway Department; June 8 – Department Directors Meeting at 8:30 a.m. and Human Service Exec Board meeting at 9:00 a.m.; June 9 – Fundraising Dinner at Red Rock Center; June 10 – Department Budgets due; June 11-12, Interlaken Heritage Days, and on KARE 11 at 6:00 p.m. on Sunday night will be a Minnesota River Documentary; June 13 – Regional Extension at Worthington and JD #2 informational meeting at the courthouse; June 17 – Prairieland; June 18-19 Sherburn Parade and Father’s Day; and June 21 – next regular Board of Commissioners meeting at 4:00 p.m.

With no further business to wit, Board Chair adjourned the meeting at 10:05 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Pierce, Board Chair

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