

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 19, 2011
@ 9:00 A.M.

The regular meeting of the Martin County Board of Commissioners meeting was called to order at 9:00 a.m. by Chair Steve Pierce.

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

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions: 4.2 Presentation from Our Story Productions; and 9.1 Discuss Payment of Invoice for Beaver Trapping(s). Carried unanimously.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the July 5, 2011 regular Martin County Board of Commissioners meeting. Carried unanimously.

Tim Penny, Southern Minnesota Initiative Foundation President & CEO, was present to review the Southern Minnesota Initiative Foundation's (SMIF) Annual Report for 2010. Penny highlighted key activities and investment back to Martin County (\$40,000 in 2010) including Book Start Grants, Early Childhood Initiative, Career Exploration, and Picture it Painted programs.

Bob Wallace, former SMIF Board chair, reviewed the Workplace Grant program; new offering of a Hispanic Core Four Program; current ACE Program; and that Martin County West was recently named a viable community for engaging in a process with SMIF to evaluate and identify areas of need surrounding Early Childhood issues in the Martin County West School District.

Terry Viesselman, Martin County Attorney, was present and had nothing new to report.

Marcus Eytcheson was present to present information on the death of his three month old daughter which happened at a daycare provider's home in Martin County. Eytcheson's plea is that the County Board has the Sheriff's Office and County Attorney re-examine the issues surrounding the death of his daughter.

Commissioner Pierce stated it is not an easy situation and you're right it's not within our purview to pass judgment on the law; it's not necessarily an issue within the scope of the Board.

Commissioner Potter stated sympathy is not enough but you certainly have it from all of us.

Viesselman stated that to bring criminal charges against the daycare provider, they would need to prove willful neglect; and the action of the daycare provider was more of a panic situation. Viesselman went on to state the autopsy of the child was performed at the Ramsey County Medical Center where it was determined that the child died from acute bronchopneumonia, a virus that shows little to no symptoms. According to the autopsy, even with prompt and continuous CPR, the professional opinion of the doctor that performed the autopsy is that in both instances the outcome would have been the same and the infant would not have survived. Viesselman noted that criminal neglect has a tougher standard in that there has to be willful neglect and the evidence of that isn't there. Viesselman went on to note that if additional evidence were to come forward, we could look into the case again. Viesselman also noted that the commissioners could instruct an independent investigation by the Martin County Sheriff's Office.

No action was taken by the Martin County Board of Commissioners.

Eytcheson thanked the Board for listening.

Jeff Markquart, Martin County Sheriff, presented a brief office update including resignation of Angela DeBoer, Corrections Officer, effective July 29, 2011; testing of Sheriff's Posse horses (all horses passed); Sheriff Markquart, along with Captain Klanderud, spent Saturday night at the Relay for Life event at the Martin County Fairgrounds; preparing for the Martin County Fair; and jail numbers as of July 18th were twenty-five (25) in-house, one (1) in Nobles County, and eleven (11) in Faribault County.

The Board reviewed the recommendation of step increases based on satisfactory performance evaluations and according to Union Contract(s) for the following Martin County Sheriff's Office personnel: Diane Obray, Communications Officer, Steve Moller, Corrections Officer, and Cory Ballard, Sheriff's Deputy.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Jeff Markquart, Martin County Sheriff, hereby approve and authorize step increases based on satisfactory performance evaluations and according to Union Contract(s) for the following Martin County Sheriff's Office personnel: Diane Obray, Communications Officer (LELS #115) from 7 Year Step at \$21.48/hour to 8 Year Step at \$22.89/hour effective July 1, 2011; for Steve Moller, Corrections Officer (LELS #115) from 4 year Step at \$20.75/hour to 7 Year Step at \$22.46/hour effective June 15, 2011; and for Cory Ballard, Sheriff's Deputy (LELS #136) from 6 Year Step at \$24.45/hour to 7 Year Step at \$24.81/hour effective July 6, 2011. Carried unanimously.

James Forshee, Martin County Auditor/Treasurer, stated the Auditor/Treasurer's Office has completed interviews for the Account Technician I position and that fourteen (14)

applicants were interviewed. Forshee recommends the hire of Angela DeBoer to fill the Account Technician I A/T Office position.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Martin County Auditor/Treasurer, hereby approve the hire of Angela DeBoer as Account Technician I at Grade 10 Step 1 at \$15.34/hour for the Auditor/Treasurer's Office effective August 1, 2011; and is eligible for benefits per Courthouse Union Contract as it applies to this position; and is subject to successfully serving a twelve (12) month probationary period; and to accept the resignation of Angela DeBoer as Corrections Officer with the Martin County Sheriff's Office effective July 29, 2011. Carried unanimously.

Forshee reviewed the Martin County portion of the County Commissioner Redistricting Report from the Minnesota Office of Secretary of State. Every ten (10) years, after the Census is taken, consideration in population changes for elected officials' districts is reviewed per MN State 375.025 Subdiv 1. The statute states that, each district shall be composed of contiguous territory as regular and compact in form as practicable; depending upon the geography of the county involved and shall be as nearly equal in population as possible. No district shall vary in population more than ten percent from the average for all districts in the county, unless the result forces a voting precinct to be split. A majority of the least populous districts shall contain not less than a majority of the population of the county.

Forshee continued that after review of the report for Martin County, it appears that at this time the Commissioner Districts are in compliance with the standards set per MN Statute and does not appear there is a need to revise the County Commissioner Districts.

Higgins presented the FY2011 State of Minnesota Board of Water and Soil Resources MPCA 2010 County Feedlot Performance Grant Agreement, stating that Martin County will receive additional grant funds in the amount of \$4,107.00 for work done above and beyond the minimum feedlot program requirements. The award is for the period of January 1 – December 31, 2010; and that the dollar amount was determined in accordance with the results reported on the County's 2010 Annual CFO Report and Performance Credit form.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the FY2011 State of Minnesota Board of Water and Soil Resources MPCA 2010 County Feedlot Performance Grant Agreement for the period of January 1 – December 31, 2010 in the amount of \$4,107.00. Carried unanimously.

Forshee informed the Board that the Drainage Office has received an invoice in the amount of \$350 for trapping six (6) beaver at \$50 per beaver, due to water backing up and having an effect on one of the county drainage systems. Forshee further stated that the County has recently paid for removal of beaver dams; but not for removal of beavers.

Forshee inquired of whether the board will pay the bill and how they wanted to handle the removal of beavers in DNR water ways.

Commissioners inquired of whether the County should be responsible for paying for beaver trapping(s) and whether or not trapping beaver is legal year-round; and how the trapper came up with the \$50 per beaver charge.

Deb Mosloski, Drainage Specialist, stated that if the County is going to pay for beaver removal, there should either be a beaver bounty (similar to the County's gopher bounty) or a policy established for beaver trapping(s) and removal. Mosloski went on to state that beaver dam removal, if within a County ditch system or within 250 feet from the outlet, the ditch system can pay for those fees. However, it is her understanding that beaver dams in DNR waters like creeks, the costs have been expended from the General Fund.

After further discussion, Commissioners agreed that there is no sense in removing a beaver dam before first removing the beaver, and directed staff to check with other Minnesota counties to see if they have a beaver bounty or county policy for beaver trapping(s) and to prepare a policy for consideration by the Board.

Jeff Rouse, Our Story Productions, presented information and video footage of "The Road to Our Story" television show and magazine that highlights communities that have become part of "Our Story, Small-Town Living at its Best". Rouse is proposing a show or series of shows that would explain the benefits of what Martin County has to offer as well as what's happening around the County. Segments are 12 minutes long and can consist of an in-depth interview or could contain a couple of subjects. Counties that are on the television show are also featured in the magazine. The "Road to Our Story" television show is currently aired in thirty-nine counties in four states; and featured segments will eventually be available on the Our Story Production website.

By consensus, the Board requested that Rouse to submit a proposal for costs involved in featuring Martin County on "The Road to Our Story" television show.

The Board recessed at 10:10 a.m.

The Board reconvened at 10:17 a.m.

Commissioner Schmidtke left the meeting.

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve payment of claims for the month of July, 2011 with the exception of payment to Doug Abel, in the amount of \$350, for beaver trapping and removal; and includes approval for the Martin County Highway Department bills as presented. Carried unanimously.

Warrants Received and Paid July 19, 2011 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved July 19, 2011	\$144,068.18
Enhanced 9-1-1 fund	\$ 7.70
Recreation and Safety Fund	\$ 76.06
Martin County Economic Development Authority	\$ 8,502.99
Solid Waste Management Fund	\$ 37,839.96
Law Library Fund	\$ 1,122.04
Martin County Transit Fund	\$ 43,763.12
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 27,665.07
Building – CIP – Fund	\$ 11,744.92
Bank Building Fund	\$ 3,034.06
Taxes and Penalties Odd Years	\$ 191.46
Total	\$278,015.56
Road and Bridge Funds Totaled	\$ 94,860.22
Martin County Ditch Fund – Warrants Totaled	\$ 67,040.80

The Board reviewed Three Rivers RC&D CY2012 Budget Allocation Request; Trunk Highway 15 Coalition Membership Letter; and Martin County Building Permit Report for the years 2006 – 2011.

Commissioners presented their Board member reports.

Commissioner Potter stated he attended several county ditch meetings; the Trimont Parade on Saturday, July 9th; Martin County Library Meeting on July 12th; Human Service Exec Board on Wednesday, July 13th; Martin Soil and Water Conservation District meeting on Thursday, July 14th; Prairieland meeting on Friday, July 15th; Minnesota River Board and MVAC on Monday, July 18th.

Commissioner Boler stated he received many county ditch calls; attended Region 9 meeting on Wednesday, July 13th; and Prairieland meeting on Friday, July 15th.

Commissioner Donnelly stated that after the last Board meeting, Commissioner Potter and I went to Madelia to pay our respects to Dwayne Krenz, former Watonwan County Commissioner; was presented with an award instigated way back in 2003 at the Greater Blue Earth River Basin Alliance (GBERBA) meeting on Friday, July 8th; Building Committee meeting on Monday, July 11th; Human Service Exec Board on Wednesday, July 13th; and Prairieland meeting on Friday, July 15th.

Commissioner Pierce had nothing additional to report.

The Board reviewed their calendars of upcoming meetings and activities: July 19th – Labor Management Committee meeting at 1:30 p.m.; July 21st – Drainage information meeting at Darwin Roberts’ from 1-4 p.m.; July 25th – Rural Minnesota Energy Board at Slayton, and interviews at 2:00 p.m. at Human Services; July 27th – Human Services Exec Board at 9:00 a.m. in Fairmont, additional interviews at Human Services in the afternoon, Routematch Transit Dispatch Software Operations Assessment; August 1st –

EDA Regular Meeting at 5:15 p.m., and Three Rivers RC&D; August 2nd – regular Board of Commissioners meeting at 9:00 a.m. with 10:00 a.m. Public Hearing for Impoundment/Rerouting/and Diverting Drainage System Waters of a portion of County Ditch #11 in Section 5 and 8 of Lake Belt Township.

With no further business to wit, Board Chair adjourned the meeting at 10:24 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator