

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 4, 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 Steve Pierce.

Commissioners present were Schmidtke, Donnelly, and Potter. Commissioner District No. 1 is vacant. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Highway Engineer, Terry Viesselman, Martin County Attorney, Jennifer Brookens, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC Radio, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions: 8.9 Consider Missing Heirs Money Placement – Auditor/Treasurer’s Office; and 8.10 Discuss Changes to the Homestead Market Value Credit – Assessor’s Office. Carried unanimously.

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be it Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the September 6, 2011 and September 20, 2011 regular Board of Commissioners meetings. Carried unanimously.

Kevin Peyman, Martin County Highway Engineer, presented Bruce Gorackowski, current Martin County Parks Board chair, with a Martin County “Outstanding Citizen Award” to recognize and honor Bruce’s volunteerism, hard work, and commitment to the Martin County Parks system and for the citizens of Martin County.

Commissioner Pierce read aloud a resolution proclaiming October, 2011 as National Domestic Violence Awareness Month.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke,

R-#51/’11

RESOLUTION
PROCLAIMING OCTOBER, 2011 AS
NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, A home should be a place of stability, comfort, and love, and when domestic violence is present, it shatters these important foundations; and

WHEREAS, Domestic Violence affects all Minnesotans, occurring in all racial, social, religious, ethnic, geographic, and economic groups; and

WHEREAS, the Minnesota Department of Public Safety Office of Justice Programs reports that more than 68,000 primary victims received services from battered women's shelters and domestic abuse agencies in 2010, and the Minnesota Coalition for Battered Women reported at least fifteen women, seven children, two men, and four family members or friends died in Minnesota as a result of domestic violence in 2010; and

WHEREAS, the dangers presented by domestic violence have been tragically illustrated by at least twenty-two domestic violence homicides thus far in 2011; and

WHEREAS, Domestic Violence Awareness Month is an opportunity to underscore the commitments made by organizations to end violence at home.

NOW THEREFORE BE IT RESOLVED, the Board of Commissioners of Martin County, Minnesota adopts this resolution and designates October, 2011 as Domestic Violence Awareness Month.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, and was duly passed and adopted this 4th day of October, 2011.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Schmidtke, Potter, and Pierce. NAYS: None. Resolution duly passed and adopted this 4th day of October, 2011.

Dan Whitman, Martin County Assessor, presented a Proclamation from Minnesota Governor Mark Dayton proclaiming the Martin County Beyond the Yellow Ribbon Network; consisting of the cities of Ceylon, Dunnell, Fairmont, Granada, Northrop, Ormsby, Sherburn, Trimont, Truman, and Welcome; as a Yellow Ribbon County. Whitman thanked the Commissioners for their continued support.

Whitman continued now that Martin County has been named a Yellow Ribbon County, counties have the opportunity to purchase a sign to be displayed at each state highway entrance to the County. The digitally printed signs are expected to have a life of 7 years and cost \$62.95 each. Beyond the Yellow Ribbon Community Signs fall under Mn/DOT's Community Recognition Signing guidelines and will be mounted below the population signs. Whitman stated the Beyond the Yellow Ribbon committee has funds to

purchase six signs; however, the committee would like to keep that money for helping the families of military personnel and are asking communities to pay for the signs. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the purchase of six (6) Beyond the Yellow Ribbon Community Signs at a cost of \$62.95 each. Carried unanimously.

Terry Viesselman, Martin County Attorney, commented that the County Attorney's Office remains very busy and has seen an increase in domestic abuse cases. Viesselman stated tough economic times, along with drugs and alcohol, are contributing factors to the increase in domestic violence.

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

Billeye Rabbe, Solid Waste Coordinator for Faribault & Martin County, was present to introduce review proposals received for the recycling contract which will be in place beginning January 1, 2012 and go through December 31, 2017. Rabbe introduced Rick Rud and Chris Frank representing Waste Management, and Mike Johnson and Dick White representing Hometown Sanitation Services. Rabbe stated that she has met with Commissioners Steve Pierce and Steve Donnelly, members of the County's Solid Waste Committee, and after study and review of the proposals from both entities, recommends that the Board of Commissioners direct staff to work out a contract with Hometown Sanitation for the years of 2012 through 2017.

Rabbe stated I've been very impressed with Hometown Sanitation's operation and communication skills with the customers. I've had lots of positive comments from people who are using their services, people here and from the Windom area which is where Hometown is. I've received a call from the Mayor of Trimont, Thomas Eckman, and he said that this company is working with Trimont, has the recycling contract with Trimont right now, and that Hometown will do what they say they will and more.

Rabbe went on to state Hometown is offering a single sort system which I think is easier for the consumer and is very user friendly. We've used the two sort system for a long time now and I'm ready to go on to the next level. Many of the communities in the Metro area are using the single sort system and they're having good rewards for it. The single sort system, the best information I found about the single sort system happened to be on the Waste Management website, and they say that it increases the rate of recycling by three times. So that's a good thing.

Rabbe continued Hometown is offering something called revenue sharing which will reward the community for their good work in recycling and with the single sort system and this revenue sharing I see the projected dollar figure as increasing as time goes on because we will get more recycling in the system and more reward to the community.

Hometown is offering a very strong marketing and communication program for the community which goes above and beyond which I requested in the RFP; and also will bring in dollars to the community through that program.

Rabbe noted Hometown offers a local person for the consumer to talk to. If they're having troubles with recycling, the routes, whether they're product is going to be picked up...that's very important because that cuts down on the time that I have to spend talking to them. Waste Management has a call center that you call so they also address the customer's needs so I want to acknowledge that.

Rabbe went on to note the Waste Management proposal has a fuel recovery charge of 2% kicking in at \$4.00 per gallon for diesel fuel. We're very near \$4.00 per gallon now; we've not touched on that for a while. Their fuel charge increases every \$0.25 that fuel goes up. Hometown does have a fuel recovery charge. It doesn't kick in until \$5.00 per gallon and at \$5.00 per gallon we'd be paying 7% higher on the Waste Management bill and the 3% would kick in at \$5.00 for Hometown.

Waste Management will base their yearly increase to the contract by 2-4% margin depending on the Consumer Price Index. Right now the Federal Reserve Bank in Minneapolis projects the Consumer Price Index to be 3.3% for this year. Hometown gives us two options. We can go with that Consumer Price Index or we can use a flat rate of 2.5% for that increase in the contracts.

You'll find that the inclusion of the revenue sharing estimates for Hometown Sanitation may be about there's about \$429 difference between their proposal and Waste Management's proposal. I believe that Hometown's is a better proposal and I believe they're offering more. With the increased recycling rate, with the single sort system it may be even lower than Waste Management.

Rabbe stated I do want to acknowledge that there are some up front costs when we're going to the single sort system, the county will need to be purchase different carts or barrels for their system to operate. These containers would be purchased with SCORE monies. The existing recycling containers are many years old.

Rabbe concluded that the recommendation is for Martin County to award and approve and authorize staff in the development of a contract with Hometown Sanitation of Windom, Minnesota. But, it is up to you as a Board.

After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby award the bid for Recycling in Martin County to Hometown Sanitation Service, LLC in the contract amount of \$38.28/household in Fairmont, at \$23.40 per household in rural area, and \$1,000 per month charge for yard cost located in Fairmont, effective January 1, 2012 through

December 31, 2017; and authorize Board Chair and/or Solid Waste Coordinator to sign necessary documents for the Martin County Recycling Program. Carried unanimously.

Chairman Pierce on behalf of the Board thanked Waste Management for the service and recycling they have provided in Martin County.

Peyman presented and reviewed the Minnesota Go visioning process launched by the Minnesota Department of Transportation to better align the transportation system with what Minnesotans expect for their quality of life, economy and natural environment. The effort is based on an understanding that transportation is a means to other ends, not an end in itself. It also recognizes that infrastructure is only one of many elements necessary to achieving a high quality of life, a competitive economy and a healthy environment. Peyman stated the Minnesota Department of Transportation invites public comments on the draft 50-year vision for transportation in the state. Comments will be accepted until 4:30 p.m. on October 21, 2011. Peyman stated he will relay any comments received.

Captain Corey Klanderud, Martin County Sheriff's Office, presented a brief office update including a countywide burning ban issued on Monday, October 3rd, 2011 due to extremely dry conditions; and current Martin County Jail population of twenty-four (24) in custody, six (6) in Faribault County, and one (1) over in Nobles County.

Higgins stated that Cindy Martens, representing Commissioner District No. 3, has resigned from the Martin County Extension Committee leaving a vacancy to fill for the remaining term ending December 31, 2013.

Motion by Commissioner Donnelly, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby accept the resignation of Cindy Martens from serving on the Martin County Extension Committee effective October 4, 2011. Carried unanimously.

No action taken on appointment to the Martin County Extension Committee.

Higgins presented the University of Minnesota Extension Memorandum of Agreement (MOA), for providing Extension Programs locally and employing County Extension Staff for the term of three (3) years beginning January 1, 2012 and ending December 31, 2014 in the amount of \$64,900.00 annually. Higgins stated there have been no changes to the contract.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Memorandum of Agreement between the University of Minnesota and Martin County for providing Extension Programs locally and employing County Extension Staff in the amount of \$64,900 annually beginning January 1, 2012 through December 31, 2014. Carried unanimously.

Rachael Janssen, Martin County 4-H Program Coordinator, presented a brief program update including there were 268 4-H'ers exhibit (up about 86% of our total 4-H'ers in Martin County) an increase of about 25 kids. It was exciting seeing that participation in the Martin County Fair as well as improved enrollment numbers in the past year. We're starting off the new 4-H year now so enrollments are coming in as of October 1st so hopefully we'll even see more. I think part of that has to do with the shooting sports program and the state shoot that we hosted the second weekend in September. Our numbers there went from three participating in the state shoot last year to about 26 this year. So even just with the few increases we've had in programming opportunities I think that's made a difference in enrollment.

Dan Whitman, Martin County Assessor, stated the Beyond the Yellow Ribbon Committee and the Martin County 4-H Program have partnered on a couple projects that turned out fabulous where we just couldn't be happier. We've also had a real struggle with wanting to do a couple of things that we weren't able to do because of the insurance coverage; and we've been made aware that they (the 4-H Program) have coverage that will cover those projects.

The Chair thanked Janssen for her report.

Commissioner Pierce presented an article published in the West Central Tribune in Willmar, Minnesota with what I consider substantial changes in the real estate tax statement and a major misrepresentation coming from the state and our local representatives about what this really means to us so.

Whitman stated that there were a number of changes to the homestead market value exclusion, whereby the homestead market value exclusion provides a tax reduction to all homesteads valued below \$413,800 by shifting a portion of the tax burden that would otherwise fall on the homestead to other types of property.

Commissioners voiced their frustrations about recent letters and statements from state officials claiming there is no increase in taxes.

Higgins stated the Victim Witness Program has received notification from the Office of Justice Programs Crime Victim Services that there are Emergency Funds available in the amount of \$600.00 for the period of July 1, 2011 to June 30, 2012. Emergency Funds are an additional source of supplemental funding to aid in direct services to victims of crime.

Motion by Commissioner Donnelly, seconded by Commissioner Potter,

R-#47/'11

RESOLUTION AUTHORIZING EXECUTION
OF EMERGENCY FUND GRANT AGREEMENT

BE IT RESOLVED that Martin County, Minnesota will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety.

BE IT FURTHER RESOLVED that funds for this grant contract in the amount of \$600.00 for the period of July 1, 2011 to June 30, 2012 are for emergency funds to county and city prosecutors and victims' assistance programs to reimburse crime victims who have emergency needs under MN Stat. 611A.675.

BE IT FURTHER RESOLVED that the Martin County Board Chair is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of Martin County.

BE IT FINALLY RESOLVED upon a motion by Commissioner Donnelly, and seconded by Commissioner Potter, and was unanimously carried.

Resolution duly passed and adopted this 4th day of October, 2011.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Potter, Donnelly, and Pierce. NAYS: None. Resolution duly passed and adopted this 4th day of October, 2011.

Higgins stated we have received the 2011 Flexible Benefits Plan Documents for administration of the County's Flexible Benefits Plan through Hanratty and Associates, Inc., and H and A Administrators, Inc., to be approved by the Board. Higgins went on to state that the monthly fees for administrative services remains at \$2.75 per Participant (no change in fees from 2010).

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the Flexible Benefits Plans Administrative Agreements and Flexible Benefit Adoption Agreement with Hanratty and Associates, Inc., and H and A Administrators, Inc., for the year 2011. Carried unanimously.

Higgins stated that during their last meeting in September, the County Benefits Committee was presented with an option to add Health Savings Accounts to our health benefit plan. The objective is to offer employees an alternative health plan that may be more beneficial to the employee than the existing health plans currently offered by the

County. The HSA is a \$5,000 deductible plan. The Plan does not have Prescription Drug coverage, which is typical of HSA's. HSA's are intended to cover serious illnesses or injury after deductibles have been met. Typically the employee will receive reimbursement for their medical expenses through the HSA's. Additionally, HSA's provide cost savings for employees through tax benefits. After discussion,

Motion by Commissioner Donnelly, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Hanratty and Associates, Inc., to move forward with design plans for offering a Health Savings Account (HSA) plan option to Martin County employees for final approval at the next regular Board of Commissioners meeting. Carried unanimously.

Forshee stated we've got missing heirs Certificate of Deposit (CD) in the amount of \$1,190.16 that is over the twenty year mark and needs to be deposited into the general fund. Forshee went on to state he recommends depositing the funds into the miscellaneous revenue account.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize deposit of Missing Heirs monies in the amount of \$1,190.16 into the county's general fund. Carried unanimously.

Forshee stated the County Drainage Authority is being asked to consider a revision to the County's Beaver Removal Policy for the County Drainage Systems, by adding language to address DNR enforcement pertaining to permits and licenses for the trapping of beaver(s) in Martin County: "The County will only use licensed trappers that are registered with the county for this process. *The trapper must obtain proper permits and licenses from the DNR Enforcement Agent.* Martin County's Drainage Authority will contact a licensed trapper to have the beaver trapped and removed. The trapper must bring the tail of the beaver, the Ditch number, and/or GPS coordinates of where the beaver was trapped to the Drainage Authority. The Drainage Authority will dispose the tail upon receiving it and process a voucher payment request from the trapper."

County Drainage Policy
EFFECTIVE: September 20, 2011

BEAVER(S) REMOVAL FROM MARTIN COUNTY DRAINAGE SYSTEMS

POLICY STATEMENT

Martin County's goals in establishing this policy are to have a written set of expectations and protocols concerning the removal of beavers which are building dams causing water flow to stop and flooding land which County Drainage Systems run through.

Landowners must contact the Martin County's Drainage Authority and request that the beaver be removed. The Drainage Authority will review the request and determine the appropriate action.

The county will only use licensed trappers that are registered with the county for this process. The trapper must obtain proper permits and licenses from the DNR Enforcement Agent and provide proof to the County. Martin County's Drainage Authority will contact a licensed trapper to have the beaver trapped and removed. The trapper must bring the tail of the beaver, the Ditch number, and/or GPS coordinates of where the beaver was trapped to the Drainage Authority. The Drainage Authority will dispose the tail upon receiving it and process a voucher payment request from the trapper.

The amount that will be paid for the beaver bounty will be \$20.00 each.

Once the beaver(s) has been removed, the dam can be removed with approval of the Drainage Authority. The Drainage Authority or landowner will contact a contractor to remove the dam. Amended October 4, 2011

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, acting as the Martin County Drainage Authority, hereby approve the revision to the County's Beaver Removal Policy for County Drainage Systems with added language to address DNR enforcement pertaining to permits and licenses for the trapping of beaver(s) in Martin County. Carried unanimously.

The Board recessed at 9:54 a.m.

The Board reconvened at 9:59 a.m.

Chairman Pierce opened the public hearing for the consideration of the proposed re-route of JD #367 from the outlet of Pierce Lake to the inlet of Bright Lake located in Section 33 township 102 Range 31 also known as Rolling Green Township and Sections 4 and 5 Township 101 Range 31 also known as Tenhassen Township in Martin County, Minnesota. Those present were Potter, Schmidtke, Donnelly, and Pierce. Also present were Deb Mosloski, Martin County Drainage Specialist, Mike Forstner, Martin County Ditch Inspector, Leo Getsfried, DNR Area Hydrologist, and members of the public and landowners a part of the Drainage System.

Mosloski and Forstner stated that by law the Commissioners have to maintain JD #367 and keep the system working the way it was intended when it was built meetings were held with the Department of Natural Resources and Rich Perrine with Martin Soil and Water Conservation District for the most cost effective plan for clean out of JD #367 and it was determined that a reroute would be much cheaper.

Mosloski stated that the cost of cleaning out JD #367 is going to be very expensive and so working with the Department of Natural Resources (DNR), Mike Forstner, and Rich

Perrine with Martin Soil and Water Conservation District, they decided it was probably best to do a re-route would be much cheaper.

Forstner stated that he and Perrine went out and marked the coordinates of the proposed re-route of the Ditch and kept it as close the edge of the basin so it's cheaper to clean in the future.

Forstner pointed out (on a map) the original where it's at now. Forstner showed the proposed re-route of the Ditch, also showing the basin connectors to keep water into some of the areas, as well as some of the various locations of the tile lines.

Pierce: So you're in a situation where there needs to be a clean out done and looking at a re-route is going to be the cheaper option

Forstner: Stated that right now you'd have to haul all the spoil you can't put it on your banks you have to haul it out

Potter: By re-routing then we can put in on the banks and be much cheaper in the long run keeping it clean.

Getsfried: For the most part they'd just be able to side cast...there's a few places where it would have to be hauled

Potter: But the old route effected wetlands and we could not drop it there

Getsfried: That is correct. Almost the entire length we would have to haul it, truck it and moved it one more time (would be more costly).

Potter: Not only would it be more expensive this time, but in the future would be more expensive

Schmidtke: A lot of it you couldn't get in without special matting to get in because you can't just take an excavator on a wetland site, it adds to the expense of the project.

The Chair thanked the staff for presenting the proposal.

Chairman Pierce asked for input from the public.

A member of the public inquired what are they cleaning out or draining out. And it's not draining in more than is already there.

Mosloski responded that the thing of it is, by law the Commissioners have to keep the drainage systems working they way they were intended when they were built. Now you have WCA rules that come into play and it's very expensive to haul the spoil, and the proposed re-route is actually more cost effective; it's not draining any more than already

there because they do have to clean it. It is my understanding that it would be more costly rid of that spoils.

Leo Getsfried: I'm the area hydrologist and this system doesn't have a lot of slope on it and so it does need periodic maintenance because the sediment drops out and the vegetation grows up especially in dry years like we're seeing right now. It does need to be cleaned out on a more frequent basis than maybe some of your other systems would. The intent here was to restore as much of that drainage as possible without it draining into any of the existing wetlands.

Pierce: do we have a cost and what's going to be allocated back and what's do these folks know that information?

Mosloski: Duane Rosburg (contractor) is here and he's been very active on the project in fact he was the first one to notice the problem. Duane, do you want to say something?

Duane Rosburg: Rich Perrine gave me some information last week just a preliminary plan he doesn't have the total plan figured out yet but what I was given just a rough figure right now is going to be about \$250,000 because he wants such a wide channel of the 35 foot bottom. Leo informed me that you've got sediment settling in there quickly and in a narrow channel; having vegetation growing where the wider channel is located, it would last longer. Then there are areas where the dirt can be pushed back where it's close to the field and there are still areas where it's going to have to be cleaned, dried out, and then hauled out, so it's still going to be costly.

Pierce: And how many acres are on this system that would be benefited roughly?

Mosloski: We just had a redetermination. It was redetermined back in like 2002. I would need to check.

Kim Anderson was present and inquired of the location of the whole route.

Mosloski: I think Kings Slough is at the very top

Forstner: Showed the areas involved in the proposed reroute, including Kings Slough, including of County Road 118 and CSAH 14

Anderson: It's all draining into Bright Lake? Then where does it go?

Schmidtke: Eventually Okamanpeedan I would assume.

Anderson: And is Okamanpeedan going to let the water go out too

Schmidtke: Whatever Iowa does down there is up to them. We can't control what Iowa does with the water.

Anderson: So you're just going to be raising the water in Clayton and Bright (lakes)?

Schmidtke: It is not going to be bringing any more water than it already has. Maybe, more than it has in the last couple of years, but not more than it was originally designed for.

Mosloski: But with the 35 foot bottom maybe you'll have more storage than what you did you before because it's going to be wider.

Anderson: But the water's coming out so its got to go somewhere otherwise you're going to be building up a filling up Clayton, filling up Bright, Perry (lakes).

Leo: Each of those lakes have their own separate control structure. There's not obstruction down below it's just a matter of when the lakes are high enough they spill out, like your bathtub if it gets up to the top it's going to spill out and go over the side.

Anderson: Going out say for instance from Bright Lake into Perry – that's also collected sediment over the years.

Leo: I'm not as familiar with that area.

Anderson: so then basically you're collecting water in Bright Lake where that flows over into Perry Lake and Clayton (lakes).

Kathryn Anderson: So you're thinking that widening this will actually speed up water out of that area into Bright Lake? Or you're thinking you're increasing the holding capacity of that area?

Response from the public: Probably both.

Schmidtke: There's not enough fall to make the water run fast.

Forstner: The water will be controlled by your crossings and your roads. So that's going to control your levels. I think in one area it was suggested that it be deeper so that it actually holds a bit more water based on the culvert size, which would help depending on the culvert.

Leo: Right not it's such an ill defined channel we're talking about and it just takes a really long time. By constructing the proposed reroute on this Ditch, it will be a lot wider, with a lot more capacity. The water will move through here quicker than it is right now.

Anderson: So you're saying once it gets out to Bright Lake there's no place for it to go so farms around Bright Lake are going to be wetter.

Leo: Perhaps to some extent.

Schmidtke: It's just fixing it back to its original state even though we're rerouting it; it's not making it any deeper or making more water come down. It's just making it flow properly.

Anderson: But if you're not continuing the system you're just fixing the part up here,

Schmidtke: That's really where this system #367 ends where it dumps into Bright Lake. That's where #367 ends.

Anderson: Then you're causing problems in the next system.

Schmidtke: You can start up there way up north and go all the way down to the gulf and you have that problem. You can't fix a million miles

Pierce: Can you state your name for the record?

Johnson: My name's Kathryn Johnson. So when you talk about this new ditch are you talking about being what I think of as a contained ditch or a double walled ditch or are you just talking about digging a trench?

Forstner: I think it's defined as a 3 to 1 slope.

Johnson: Tell me what that means?

Forstner: You go three feet for every foot, horizontal

Leo: 3 ½ feet horizontal for every foot of vertical

Forstner: You go over three feet for every foot you go up

Johnson: So, I don't understand that. Is it going to have

Leo: The existing Ditch system is fairly flat.

Johnson: but will it have mounded walls up the water line?

Leo: No it won't be mounded because they aren't going to be depositing material on that side.

Johnson: What are they going to do with the dirt?

Leo: Haul it out

Dan Beverness: Stated he had two comments. One, the slough as I understand it, they have to haul the material out so they're just digging a trench through the sloughs. The dry areas they can pile as I understand it. The other comment is it is so flat through there

that if you're worried about it raising the water level at Bright Lake there isn't enough fall to do much raising of the water at Bright Lake as I understand it.

Johnson: But you know we own some property that is at the end of this system and we lived out there for a long time and did a lot of hiking, canoeing up in that system and it holds a lot of water. As it is now and the water levels go up and down and there's a lot of sediment in there at times from runoff from north. So if you're bringing all that sediment down into a more contained system how does that help? I mean I can see the need to dig it out.

Potter: Well sometimes you're using the word new system. No, as Deb pointed out at the beginning it is maintaining the old system which has to be done. And the reason for the reroute is that in order to maintain the old system, it has to be cleaned. Now if we're going to clean it in the old system what would be cleaned and put on soil bank in wetlands. Wetlands are sacred you can't mess with them so by rerouting we are going to be able to put the system back where it was at a much cheaper cost and maintenance in the future will be done at a cheaper cost. Nothing else is being changed as far as water flow. The old system is being maintained. That's all that's being done and everybody has an obligation to do that.

Schmidtke: The proposal is to move it over "x" number of feet.

Potter: The rerouting is only to cheapen up this maintenance and maintenance in the future.

Anderson: but it's going to increase the water flow not what it originally was but what it is today. I'm saying today after 20, 30, 40, 50 years of sediment sitting in there there's not as much water. So now you're going to clean out that back to its original spot but that water is going to go where? It's going to go into Bright Lake. What I'm saying is you're going to be raising the level in Bright Lake

Forstner: The crossings on your roads are your controls. The amount of flow is not changing at all. The crossing will limit how fast the flow, so if you have a lot of water your crossings will hold back your system.

Rosburg: You're actually giving it more reserve capacity by cleaning it out. And it's not going to flow any faster than it is right now because you're not changing the fall either.

Getsfried: Ultimately the same amount of water will drain out of this system it just won't take so long for it to do that.

Pierce: Okay. Any other comments? I think we're sitting here with the presumption that to do nothing is not an option and that's why we're here because there is an issue with the drainage that that system is meant to perform and whether you clean the old ditch or build a new the results are the same. The same water is going to flow so what we're talking about here is a cheaper option of building a new vs. cleaning the old.

Larry Swanson: Earlier you said the new proposed was the blue line. On the sheet that we got in the mail it is different.

Forstner: It's changed a bit since we mailed that information out.

Swanson: There's a blue line on here now is it a change to the blue line or the pink line is what we were told was the newest proposal.

Forstner: Yes. These lines match with that pink line on your sheet.

Swanson: The pink line on our sheet is the same as the blue line on there?

Forstner: Yes.

Pierce: Okay. Anyone else? Any comments?

Schmidtke: If we'd go in and cleaned this it would have been a lot more dollars and we'd never had to have this meeting. But because we're rerouting it we have to have a meeting and so everybody's worried we're going to change something and dump more water on the down end and that's not our intent at all. It is just to make sure it can get through the system the way it was designed.

Rosburg: And once it is done the maintenance will be easier down the road.

Pierce: I want to make sure that anybody has any comments or concerns that they get done here. Does anyone have further comments?

Edward: What is the cost difference? We haven't heard that between clean out and new ditch?

Rosburg: From the information that I was given the estimate right now would be right around \$250,000 to do the reroute. To clean and haul out would double.

Johnson: When do you think the work will happen?

Schmidtke: Well we're hoping for this fall because I think this is a dry time and would be a perfect time to do it. There isn't a better time to clean out an area like this when the area is dry. That's our goal to get it in before it freezes.

Larry Swanson: On the route do you know is that going to take any farmland or not?

Mike: No it won't take any farmland.

Member of the Public: So if I understand what you're saying it's not going to raise the water level or flood out any farmland south of that.

Schmidtke: Well it shouldn't. All's we're doing is moving it over so many feet from the original so we can clean it easier. Obviously when we get heavy rains everybody's going to have water on their farmland again.

Member of the Public: But what I'm saying is the outlet going out into the system it dumps into. I'm just curious on how much work has been done to look into that.

Pierce: Okay are there any more comments?

Krahmer: Just to get our math straight. Now we're up to \$65 an acre for this. I guess I'm wondering if there's the benefit there

Mosloski: Well Mr. Krahmer if the cost is going to be higher to clean out what's already there which you know it appears that it would be. As I understand the Drainage laws you have to maintain the systems in which they were intended.

Krahmer: My only thought is, is that I'm surprised that this system has so few benefited acres to it. 3,000 acres is not a very big amount and the problem that exists and I don't know what you do about it. All the stuff further up north that's coming into this that is where the benefits really are and yet the system is not taking account of that.

Schmidtke: Anybody that dumps into #367 pays an outlet fee so they'll absorb some of that bill too.

Mosloski: CD #29 right now and then there's CD #2, CD #47, JD #35 All will be paying an outlet fee so they'll get part of this bill

Pierce: How would that outlet fee be determined?

Mosloski: The viewers. The one thing that I could do is talk to the viewers again because when they did that redetermination on #367.

Chairman Pierce asked if there was any further public comment. There was no further input from the public.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, after having received input from the public concerning the matter, the Martin County Board of Commissioners; hereby close the public portion of the Ditch #367 hearing. Carried unanimously.

Potter: Okay what's happening here is that the system has to be maintained so it has to be cleaned. In order to do it much, much cheaper that's why the reroute was brought up so the spoils would not have to be hauled a long way. It has to be cleaned. This is the cheapest way to do it and this is why we have a public hearing because you're rerouting the Ditch and I think everything has been correctly done here by our ditch administration, DNR, everything to do it the best way at the cheapest possible cost.

Pierce: We have a motion and a second on the floor with the Board

Donnelly: Are the benefits defined clearly enough at this point or do we need the ditch viewers to come back down. How do you feel on that?

Schmidtke: If the viewers come they won't get that done for years.

Mosloski: 1998 when Weldon Ziemann originally filed for the improvement to the north to make that ditch more wider and deeper that's when it was redetermined and it sat in a file actually until 2000 when I started strictly in the drainage office. Then Weldon come up and asked me where the status of the project. So the last time was right around 1998 or 1999. the only difference about bringing or having the viewers do anything it's not going to change the number of acres, but it will change your land value significantly. Not more acres but the dollars that are attached to those acres that will change significantly because of the price of land today. Which also includes then that one rod strip requirement.

Pierce: Okay anything else as far as the Board?

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, acting as the Martin County Drainage Authority, hereby approve and authorize the rerouting of JD #367 from the outlet of Pierce Lake to the inlet of Bright Lake located in Section 33 of Rolling Green Township and Sections 4 and 5 of Tenhassen Township. Carried unanimously.

The Board recessed at 10:38 a.m.

The Board reconvened at 10:42 a.m.

Jessica Korte, Accountant Auditor/Treasurer's Office, reviewed the CY2010 County Audit findings with the Board.

The Board reviewed information regarding National Domestic Violence Awareness Month Ceremony at Five Lakes Centre on October 5, 2011 beginning at 11:45 a.m.; 2012 Greater Blue Earth River Basin Alliance (GBERBA) Membership Dues; and Lease Termination Notice received from Options Pregnancy Center.

Commissioners presented their Board member reports:

Commissioner Potter stated lately the Rural Minnesota Energy Board has a lot of projects coming up; we should try to get some more membership as far as other counties go and I get calls every now and then from other county commissioners about questions they might have and then also work with Pam on permitting parts of it so there's a lot of interest in wind towers all over the state so we get kind of recognized as pioneers in that; and went to Human Service Exec Board on October 3rd.

Commissioner Schmidtke stated he has nothing new to add.

Commissioner Pierce stated he was involved in some Solid Waste meetings.

Commissioner Donnelly stated he attended CD #7 ditch hearing on September 13th; GBERBA on September 16th; Prairieland on September 19th; Human Services Board on September 28th; Solid Waste Meeting on September 27th; and Flu Shot Clinic at the Courthouse on September 29th.

Commissioners reviewed their calendars of upcoming meetings and activities: October 5th – National Domestic Violence Awareness Month Ceremony at Five Lakes Centre beginning at 11:45 a.m.; October 10th – County In Service Day and regular EDA meeting at 5:15 p.m; October 11th – Filing Opens for District One Commission Seat; October 12th – Department Head meeting at 8:30 a.m. and Park Board meeting at 4:00 p.m. at the Highway Shop; October 14th – Prairieland; October 18th – regular Board of Commissioners meeting at 9:00 a.m.

With no further business to wit, Board Chair adjourned the meeting at 11:08 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator