

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, NOVEMBER 15, 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 Vice Chair Steve Donnelly.

Commissioners present were Schmidtke and Potter. Commission Chair Steve Pierce was absent. Commissioner District No. 1 is vacant. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, Kevin Peyman, Martin County Highway Engineer, Terry Viesselman, Martin County Attorney, 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: 8.14 Consider GeoComm Software Update Contract – Sheriff’s Office; 8.15 Consider Allocation Request from Prairieland Solid Waste Management & Compost Facility; and 8.16 Consider Step Increases per Union Contract - Sheriff’s Office. Carried unanimously.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the October 18, 2011 and November 1, 2011 regular Board of Commissioners meetings. Carried unanimously.

Terry Viesselman, Martin County Attorney, opened discussion concerning the need of a Supervised Visitation Program in Martin County. Viesselman stated he is requesting to get direction from the Board on whether or not the Board is interested in establishing a supervised Visitation center and would allocate funding for the proposed program. Viesselman stated the purpose of a supervised visitation center is to provide a safe place for a parent and their children without having to have any personal contact with the other parent. Viesselman stated there is definitely a need for this service in Martin County. In child protection cases, for whatever reason, the parents are not to have any contact with their children except for supervised visits. Currently the county has nothing in place for such visitation and exchange of their children. In matters of child protection cases, the primary goal is to solve the protection issues that reunite the children with their parents. Also for criminal cases or orders for protection cases, often there’s been allegations that one parent has abused another or a parent has abused a child; quite often courts will enter these no contact orders and they’ll say one parent can’t have any contact with the other parent and in the meantime, if the person has not gone to trial, the issue comes on how do you allow the parent to see their children. So what the courts will do is authorize visitation; but there has to be a way to accomplish that. Currently the parents will bring their children to the Law Enforcement Center and do the exchange there and law enforcement is used to monitor the situation. This is not necessarily a good way to

accomplish this. There have been numerous times parents will get in an argument out in the parking lot and then you have a problem. Viesselman noted a facility like CADA (Committee Against Domestic Abuse) of Mankato has a "Keep Me Safe" Program which provides supervised visits for Order for Protection cases. However, due to the distance, transportation becomes a problem for many people. Viesselman went on to note that various staff members have been working to put a proposal together for Martin County. Fairmont Kinship board has been involved and allowed to use their facility here in Fairmont as a meeting place for the supervised visits. It is expected that the volunteers would do the supervised visits; however, there is a need for a staff member to supervise the program. At this point, there does not appear to be staff who can take on the additional responsibility. Other options include the possibility of contracting with CADA of Mankato, or perhaps the replacement coordinator for the Martin County Mentoring Network Program could supervise this program. Viesselman concluded that before we start pursuing our options further, we are asking if the County Board would consider providing funding for this program or engage with an outside organization similar to the CADA House of Mankato; and possibly the Mentoring Program Coordinator be the individual to supervise the proposed program.

Commissioner Donnelly stated you know it's kind of the missing piece the last slice to fit in there and make the whole thing work together.

Jeff Markquart, Martin County Sheriff, was present and stated we do have a lot of kids being exchanged at the Law Enforcement Center and I do see we have problems with adults not wanting to see each other or whatever; we deal with that. The kids don't look at it as a Law Enforcement Center; they look at it as it's the "jail". But I think the more unfortunate part is those kids growing up and having to see mom or dad and having to go to the "jail" to do so. And if we could just get them out of that environment of having to go to the "jail" to see their parent, I think that there is a better way out there to do this.

Commissioner Potter stated I certainly think we need to take your recommendation if you feel it is needed. In the case of the former Mentoring Program coordinator, part of her salary was made up from grants and certainly it looks like adding to that person's hours would be cost effective option.

Commissioner Schmidtke stated I think it has merit.

Rebecca Bentele, Victim/Witness Program Coordinator, stated we've had some discussion as Terry mentioned in one of our meetings that if you put or bring this thirty hour person to a full time position, however then you're paying out full time benefits, which adds to the cost. Out of respect for CADA of Mankato, I have spoken to them very briefly and I doubt that they've even had an opportunity to bring this proposal before their Board. So we are not sure if CADA would even be interested in contracting with the County.

Commissioner Donnelly stated the three of us are on board, but I can't speak for Commissioner Pierce. Also, we're all board members at Human Services and would like to see that out-of-home placement go down.

By consensus, the Martin County Board of Commissioners approve moving forward with further study in establishing a supervised Visitation Program, and bring back the final proposal to the board for consideration.

Kevin Peyman, Martin County Highway Engineer, reported on final contract for C.P. 11:08 Maintenance Gravel Production. Peyman stated that final examination has been made, work has been completed, and the entire amount of work has been performed. Peyman recommends approval of the final contract to Johnson Crushing, Inc. of Clearwater, MN in the amount of \$120,281.45.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of Kevin Peyman, County Engineer, hereby approve the final contract payment for C.P. 11:08 Maintenance Gravel Production with Johnson Crushing, Inc. of Clearwater, MN in the amount of \$120,281.45. Carried unanimously.

Peyman next presented a resolution authorizing the Commissioner of Transportation to transfer all Martin County Municipal Construction funds in excess of two years apportionment into the County's Regular Construction Account. Peyman stated once a set maximum is reached and funds are not depleted, your needs start to be reduced because you can only accumulate so much. Peyman went on to state there is approximately \$100,000.00 to transfer and recommends the resolution to transfer excess funds so Martin County does not receive a deduction.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke,

Martin County Highway Department  
Resolution No. 2 - 2011

**COUNTY TRANSFER OF EXCESS MUNICIPAL FUNDS TO  
REGULAR FUNDS RESOLUTION**

**WHEREAS**, Minnesota Statute 162.08, Subd. 4 (3d), provides that accumulated balances in excess of two years of municipal account apportionments may be spent on projects located outside of municipalities under 5,000 population when approved solely by resolution of the county board.

**NOW THEREFORE BE IT RESOLVED**, that the Commissioner of Transportation transfer all funds in excess of two years apportionment into the Regular Construction Account.

Upon motion by Commissioner Potter, seconded by Commissioner Schmidtke, and carried said resolution was duly passed and adopted this 15th day of November, 2011

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MINNESOTA

By: \_\_\_\_\_  
Vice Chair, Martin County  
Board of Commissioners

Attest: \_\_\_\_\_  
Scott Higgins  
County Coordinator

**CERTIFICATION**

I hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Martin at a duly authorized meeting thereof held on the 15th day of November, 2011.

\_\_\_\_\_  
Scott Higgins  
County Coordinator

Roll Call AYES: Commissioners Schmidtke, Potter, and Donnelly. NAYS: None.  
Resolution duly passed and adopted this 15<sup>th</sup> day of November, 2011.

Peyman continued presenting a resolution to enter into an agreement with the Commissioner of Transportation to be appointed as Fiscal Agent of Martin County to accept federal aid funds which may be made available for eligible transportation related projects; and authorizes the Auditor/Treasurer and Engineer to sign the Agency Delegated Contracting Process Agreement.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter,

Martin County Highway Department  
Resolution No. 3 - 2011

**AGENCY DELEGATED CONTRACTING PROCESS AGREEMENT**

**BE IT RESOLVED**, that pursuant to Minnesota Statute Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Martin County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

**BE IT FURTHER RESOLVED**, that the County Engineer and the County Auditor are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 00046”, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Upon motion by Commissioner Schmidtke, seconded by Commissioner Potter, and carried said resolution was duly passed and adopted this 15th day of November, 2011

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MINNESOTA

By: \_\_\_\_\_  
Vice Chair, Martin County  
Board of Commissioners

Attest: \_\_\_\_\_  
Scott Higgins  
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**CERTIFICATION**

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\_\_\_\_\_  
Scott Higgins  
County Coordinator

Roll Call AYES: Commissioners Potter, Schmidtke, and Donnelly. NAYS: None.  
Resolution duly passed and adopted this 15<sup>th</sup> day of November, 2011.

Peyman concluded with a department update the County’s fleet of snowplows are ready for the winter season; and current condition of the County’s gravel roads.

Commissioner Schmidtke stated I think the (gravel) roads look pretty good myself considering it has been this dry for this long.

Sheriff Markquart presented the GeoComm, Inc. software update contract for updates to our mapping system at the dispatch center. Markquart stated the cost is approximately

\$25,000 for that update and that most all of that cost can be expended from our E-911 Account.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Vice Chair to sign the agreement with GeoComm, Inc. for GeoLynx Desktop and AVL Software Support and Maintenance in the amount of \$25,010.00. Carried unanimously.

Markquart continued presenting a lease for office space between Martin County and the State of Minnesota, Department of Administration, acting for the benefit of the Department of Public Safety, State Patrol, containing approximately one hundred forty four (144) usable square feet located in the Security Building to be occupied by the Minnesota State Patrol. The term of the lease is three (3) years commencing December 1, 2011 and continuing through November 30, 2014.

Scott Higgins, Martin County Coordinator, stated the lease amount is \$72.72/month at a gross rate of \$6.06 per usable square foot per year (\$2,617.92/year).

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Vice Chair to sign the State of Minnesota Lease Agreement between Martin County and the Department of Public Safety, State Patrol, for an office space containing approximately one hundred forty four (144) usable square feet of space in the Security Building located at 201 Lake Avenue in Fairmont, MN in the amount of \$6.06 per usable square foot per year for a three year term beginning December 1, 2011 through November 30, 2014. Carried unanimously.

Markquart opened discussion concerning Court Security and Bailiff Positions, and that he continues to seek some type of funding commitment for these positions.

Commissioner Donnelly asked if there is a per diem currently paid for the bailiff. Markquart stated no, the Sheriff's Office covers all of that expense. Markquart went on to state that he is looking to fill the court security and bailiff positions with one part-time position and paid on an hourly basis.

Markquart next presented an update on the current Martin County Jail population.

Markquart concluded with his recommendation of step increases based on satisfactory performance evaluations and according to Union Contract(s) for the following Martin County Sheriff's Office personnel: Ben Johnson, Corrections Officer, Teresa Boltjes, Communications Officer, and Michelle Bell, Corrections Officer.

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: Ben Johnson, Corrections Officer (LELS #115) from 3 Year Step at \$20.92/hour to 4 Year Step at \$21.37/hour effective November 1, 2011; for Teresa Boltjes, Communications Officer (LELS #115) from 2 Year Step at \$20.46/hour to 3 Year Step at \$20.92/hour effective October 5, 2011; and for Michelle Bell, Corrections Officer (LELS #115) from 6 Year Step at \$22.67/hour to 7 Year Step at \$23.01/hour effective November 23, 2011. Carried unanimously. Scott Higgins, Martin County Coordinator, presented the list of Martin County Septic Loans for 2011 for certification and assessment to property taxes for those listed in the amount of \$164,846.20. After Board consideration and review,

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, being presented the listing of the 2011 Martin County Septic Loans in the amount of \$164,846.20 to be certified and assessed to the respective properties, effective for 2012 as follows:

Loans granted during 2011 through the Martin County ISTS Loan Program. Apply the principal and interest to tax statements as a special assessment.

	<b>Name</b>	<b>Parcel Number</b>	<b>Loan %</b>	<b>Years for Loan</b>	<b>Loan Type</b>	<b>Loan Amount</b>
1	Gordon Preuss	09.016.0650	2	10	<b><u>MC</u></b>	\$ 7,981.00
2	Tom Staloch	13.023.0125	4	10	<b><u>MC</u></b>	\$ 15,790.07
3	Marvin Kosbab	16.021.0600	4	10	<b><u>MC</u></b>	\$ 11,875.00
4	Travis DeBoer	14.006.0700	4	10	<b><u>MC</u></b>	\$ 13,534.73
5	Conrad Zoeller	03.013.0425	4	10	<b><u>MC</u></b>	\$ 14,098.00
6	Edward Bell	08.002.0500	2	10	<b><u>MC</u></b>	\$ 11,025.00
7	John Goodrich	16.016.0200	4	10	<b><u>MC</u></b>	\$ 15,225.00
8	Ryan Baker	12.300.0060	4	10	<b><u>MC</u></b>	\$ 14,104.04
9	Charles Rosen	12.036.0600	2	10	<b><u>MC</u></b>	\$ 14,670.00
10	Bruce Schwieger	05.024.0725	2	10	<b><u>MC</u></b>	\$ 14,119.00
11	Reggie Kelley	17.430.0030	4	10	<b><u>MC</u></b>	\$ 15,898.84
12	Eric Griffin	10.027.0550	2	10	<b><u>MC</u></b>	\$ 6,633.87
13	Tracy Kotewa	17.017.0550	2	10	<b><u>MC</u></b>	\$ 9,891.65

Carried unanimously.

Higgins continued that annually the County Board sets the interest rate for the Martin County Septic Loan Program, stating that currently the interest rates are 2% and 4% dependent upon the applicant's household income. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, having the authority to adjust the interest rates charged for the Martin County Septic Loan Program, after review and consideration, hereby approve the rate of 2% and 4% (no change from 2011) annual interest to be charged accordingly per the income level of the applicants as described by the Martin County ISTS Loan Program for CY2012, effective January 1, 2012. Carried unanimously.

Steve McDonald, MIS Director, and James Forshee, Auditor/Treasurer, presented the Affiliated Computer Systems (ACS) contracts for the Property Tax and CAMA USA Maintenance and Support. The contracts have been approved by the Minnesota Counties Computer Cooperative (MCCC) Tax Advisory Committee, Tax User Group, Executive Board, and now require ratification by the County Board. The agreements will be effective January 1, 2012 through December 31, 2016. The increase for the contracts is 1% for each contract; however the increase is based on the current number of members that are expected to sign the documents, if fewer than anticipated stay with ACS, the cost would probably increase.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby ratify extending the Property Tax System and CAMAUSA Maintenance and Support Agreements with the Minnesota counties Computer Cooperative (MCCC) Tax User Group and Affiliated Computer Systems (ACS) for Tax System Support from January 1, 2012 through December 31, 2016. Carried unanimously.

Higgins stated Minnesota Statutes require that bids be taken for Official County Newspaper for designation of the legal newspaper in which meeting minutes and official notices will be published. The Fairmont Photo Press, Inc. was awarded the bid as the 2011 Official County Newspaper and it is time to once again advertise for bids to all known newspapers in Martin County in order to designate the official newspaper for Martin County for the year 2012.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Coordinator's Office to advertise for bids for designation of the official newspaper for Martin County for the year 2012; and that bid opening will be held on Tuesday, December 20, 2011 at the regular Board of Commissioners meeting. Carried unanimously.



Higgins noted that annually the Board has set the general wage adjustment for non-union employees and elected officials. Higgins went on to note the GWA for union contracts for the year 2012 has been set at 2.0% and has been included in the CY2012 proposed budget.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter,

R-#54/'11

RESOLUTION  
ESTABLISHING THE 2012 NON-BARGAINING COMPENSATION PLAN AND  
SALARY MATRIX

WHEREAS, it is the intent of the Board of Commissioners that Martin County non-bargaining unit employees be compensated fairly and equitably based upon their performance; and,

WHEREAS, the Board established an intent to maintain a competitive compensation schedule for County employees within the County's Classification and Compensation system; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Martin, State of Minnesota, that effective January 1, 2012 the non-union employees shall receive a General Wage Adjustment increase of 2.0% subject to the County's Classification and Compensation plan; and,

BE IT FURTHER RESOLVED, that the 2012 Salary Matrix for the Martin County Classification and Compensation Plan shall be adjusted by 2.0% general increase effective January 1, 2012; and,

BE IT FINALLY RESOLVED, that any employee may elect to reject the general salary increase by providing written notice to the County Coordinator prior to the implementation of the adjustment.

BOARD OF COMMISSIONERS  
MARTIN COUNTY

\_\_\_\_\_  
Steve Donnelly, Vice Chair

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

Roll Call AYES: Commissioners Potter, Schmidtke, and Donnelly. NAYS: None.  
Resolution duly passed and adopted this 15<sup>th</sup> day of November, 2011.

Higgins presented the Advertising contract with the Fairmont Sentinel for the year 2012, stating that the new display advertising contract for 750 inches is at the rate of \$11.15 per column inch and that the classified advertising for 100 inches is at the rate of \$8.00 per column inch. Higgins stated that without a contract the rates would be \$19.55 per column inch and \$13.45 per column inch respectively.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign the Advertising contract with the Fairmont Sentinel at the following rates for display advertising contract for 750 inches at a rate of \$11.15 per column inch and that the classified advertising for 100 inches is at a rate of \$8.00 per column inch for the year 2012. Carried unanimously.

The Board reviewed the CY2012 preliminary budget summary. The certified levy was set back in September, 2011 at a 1.9% increase over 2010 in the amount of \$10.5 million dollars approximately.

Higgins presented and reviewed a funding request received from Prairieland Solid Waste Management & Compost Facility. After discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the allocation request received from Prairieland Solid Waste Management & Compost Facility in the amount of \$74,100.00. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be it Resolved that the Martin County Board of Commissioners, hereby approve payment of claims for the month of November, 2011 as presented; and includes the Martin County Highway Department as presented.

Warrants Received and paid November 15, 2011 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved November 15, 2011	\$160,084.46
Enhanced 9-1-1 Fund	\$ 22.12
Recreation and Safety Fund	\$ 200.00
Martin Co. Economic Development Authority	\$ 4,702.10
Solid Waste Management Fund	\$ 16,924.27
Law Library Fund	\$ 2,946.21
Martin County Transit Fund	\$ 43,702.42
County Attorney's Forfeiture	\$ 388.15
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 25,167.47
Building –CIP– Fund	\$ 9,308.33
Bank Building Fund	<u>\$ 3,326.43</u>
Total	\$266,771.96

Road and Bridge Funds Totaled	\$ 71,483.86
Martin County Ditch Fund – Warrants Totaled	\$ 34,028.02

The Board reviewed information received from the South Central Service Cooperative Board of Directors Meeting dated November, 2011; and City of Fairmont/County of Martin Annual Salvation Army Holiday Food Drive.

Commissioners presented their Board member reports:

Commissioner Potter stated he attended Labor Management Committee meeting on Tuesday, November 1<sup>st</sup>; Human Services Executive meeting on Wednesday, November 2<sup>nd</sup>; Corn and Soybean Growers meeting on Thursday, November 3<sup>rd</sup>; House of Hope Open House on Friday, November 4<sup>th</sup>; Martin County EDA on Monday, November 7<sup>th</sup>; Library Board on Tuesday, November 8<sup>th</sup>; Iowa Lakes Regional Water meeting on Wednesday, November 9<sup>th</sup>; Martin Soil and Water meeting on Thursday, November 10<sup>th</sup>; and 4-H Banquet on Sunday, November 13<sup>th</sup>.

Commissioner Schmidtke stated he had nothing new to add other than numerous ditch calls (including JD #367 – still waiting for permit from DNR).

Commissioner Donnelly stated in addition to what has already been mentioned he attended a Building Committee meeting on Thursday, November 4<sup>th</sup>; Prairieland meeting on Friday, November 11<sup>th</sup>; and Personnel Committee meeting on Monday, November 14<sup>th</sup>.

Commissioners reviewed their calendars of upcoming meetings and activities: November 15<sup>th</sup> – Ag Bureau with the Chamber tonight at the Sirloin House; November 16<sup>th</sup> – Human Service Board in Fairmont; November 17<sup>th</sup> – Extension Committee meeting at 8:00 a.m. and Riverbend Center for Entrepreneurial Facilitation (RCEF) new office location open house from 4-6 p.m. in Mankato; 2011 Glows Parade line up at 5:30 p.m. and parade begins at 6:00 p.m. – County float is No. 5 in line up; November 21<sup>st</sup> Minnesota River Board in south end of the Twin Cities, and MVAC in Mankato; November 22<sup>nd</sup> – Forfeited Land Sale at 10:00 a.m. in the Commissioners Board Room-Courthouse; November 23<sup>rd</sup> – Annual Holiday Food Drive for the Salvation Army ends at 1:00 p.m. with delivery to the Salvation Army; November 24-25 – courthouse closed for the Thanksgiving holiday; November 28<sup>th</sup> – Rural Minnesota Energy Board; November 29<sup>th</sup> – meeting with HenWay Mfg. on ditch #30 at 1:00 p.m.; November 30<sup>th</sup> – Park Board meeting at 4:00 p.m.; December 1<sup>st</sup> – regular Board of Commissioners meeting at 4:30 p.m. and Truth in Taxation meeting at 6:00 p.m.

With no further business to wit, Board Vice Chair adjourned the meeting at 10:08 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Vice Chair

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