

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 17, 2012
@ 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 Donnelly.

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

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following deletions: 3.1 Review of January 3, 2012 regular Board of Commissioners meeting minutes; and 4.2 Consider Resolution Recognizing Citizen Advisory Board/Committee Members. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the December 20, 2011 regular Board of Commissioners meeting. Carried unanimously.

Chairman Donnelly read aloud a resolution proclaiming the month of January, 2012 as National Mentoring Month.

Char Kahler, Director Fairmont Area Kinship, along with several mentors, commended the Commissioners for their support of the Martin County Mentoring Program and the continuation of that program. Kahler stated that Fairmont Area Kinship partners with the Martin County Mentoring Program; including other mentoring programs run by the Rotary and the Kiwanis Clubs, and the Success Academy and Strive programs in the schools. The mentoring efforts that are happening is such a cost effective thing, because it's by people giving their time to a child that we ultimately do better for our community and improve the life of kids in our community. We thank the Board for that and thank you for the recognition.

R-#8/'12

RESOLUTION
Proclaiming January, 2012 as National Mentoring Month

WHEREAS, the citizens of Martin County, MN recognize that our success depends on helping every child succeed in school and reach their full potential in life, and realize that young people need a solid foundation of support that will help them become well-educated, confident, and productive citizens; and

WHEREAS, mentoring is a proven, effective strategy that helps children and young adults by matching them with a caring, responsible adult who can provide guidance and direction, and build their confidence; and

WHEREAS, research shows that youth involved in mentoring are 52 percent less likely to skip school, 46 percent less likely to start using drugs, and 27 percent less likely to start drinking; and

WHEREAS, mentors build character, encourage success, boost confidence, lift expectations, and expand the universe of a child, serving as friends, role models, teachers, and sources of stability and support during a critical time in a child's life; and

WHEREAS, research shows that mentoring has beneficial and long-term effects on youth by increasing their chances of high school graduation and college attendance and decreasing the likelihood of substance abuse and other risky behaviors; and

WHEREAS, mentoring strengthens our Martin County, MN economic and social well-being by helping young people fulfill their potential while helping maintain healthy families and promoting more vibrant communities; and

WHEREAS, every day residents of Martin County, MN are making a profound difference in the lives of our young people by serving as mentors, supported by many private and public sector organizations that offer mentoring opportunities for youth; and

WHEREAS, hundreds of Martin County, MN children are in need of a caring adult mentor in their lives, and closing this mentoring gap will take more investment, partnerships, and volunteers ready to make a difference in a child's life; and

WHEREAS, the Obama Administration is working to expand mentoring and other volunteer opportunities across America through its United We Serve initiative, the Corporation for National and Community Service, and other agencies and programs; and

WHEREAS, National Mentoring Month is an opportunity to raise public awareness of the importance of mentoring, recognize the dedicated individuals who serve mentors, and encourage more citizens to help build a brighter future for Minnesota's youth through mentoring;

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Martin County, MN proclaim January, 2012 as National Mentoring Month, and call upon the people of Martin County, MN to recognize the importance of mentoring, to look for opportunities to serve as mentors in their communities, and to observe this month with appropriate activities and programs.

Proclamation adopted this 17th day of January, 2012.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Kevin Peyman, Martin County Highway Engineer, presented and reviewed a resolution and agreement that Martin County enter into Mn/DOT Agreement No. 00434 with the State of Minnesota, Department of Transportation, to provide for payment by the State to Martin County for the use of Martin County State Aid Highway 52 as a detour route during the contract construction to be performed upon, along and adjacent to Trunk Highway No. 30 from West Blue Earth County line to the Blue Earth River. Martin County will be reimbursed approximately \$1,630.00 for use of CSAH 52. Peyman recommended approval of the resolution and agreement.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve resolution authorizing an Agreement with the State of Minnesota Department of Transportation to provide for payment by the State to Martin County for the use of Martin County State Aid Highway No. 52 as a detour route during the contract construction to Trunk Highway No. 30 from West Blue Earth County line to the Blue Earth River under State Project No. 0705-19 (T.H. 30).

Martin County Highway Department
Resolution No. 1 - 2012

STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION
AND MARTIN COUNTY DETOUR AGREEMENT #00434

IT IS RESOLVED that Martin County enter into Mn/DOT agreement No. 00434 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use of Martin County State Aid Highway 52 as a detour route during the contract construction to be performed upon, along and adjacent to Trunk Highway No. 30 from west Blue Earth County line to the Blue Earth River under State Project No. 0705-19 (T.H. 30).

IT IS FURTHER RESOLVED that the County Engineer and the County Auditor are hereby authorized to execute the Agreement and any amendments to the Agreement.

Upon motion by Commissioner Pierce, seconded by Commissioner Schmidtke, and carried said resolution was duly passed and adopted this 17th day of January, 2012

BOARD OF COMMISSIONERS

MARTIN COUNTY, MINNESOTA

By: _____
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 17th day of January, 2012.

Scott Higgins
County Coordinator

Roll Call AYES: Commissioners Potter, Schmidtke, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 17th day of January, 2012.

Peyman next presented the County Parks Commission's recommendation to hire Gary Engler as Seasonal Parks Caretaker for an eight (8) month period beginning on or about March 15, 2012. Peyman stated the County Parks Commission recommended an eight (8) month position for 2011; however, with Gary Jacobson deciding to not accept the position and the Commission having to start over to re-advertise for the position, the new person got a late start and we had to go back to a six (6) month position. An eight (8) month employment period will provide an extra two months to prepare the parks for the upcoming season and winterize the parks at the end of the season; very helpful when we have one person maintaining all of our parks. Peyman went on to state last year the amount for the Park Care Taker position was \$12,500 for the six months or \$2,083 per month. In calculating the new compensation amount, a 2% cost of living increase that eligible County employees received for 2012 was added, which brought the monthly amount to \$2,125; times the eight (8) months is \$17,000 which if you divide this amount by 40 hours per week that would equate to approximately \$12.00 per hour. I recommend the Board approve the re-hire of Gary Engler at \$2,125.00 per month for a period of eight (8) months effective on or about May 15, 2012. Peyman further stated that Mr. Engler is also the County Parks Commissions unanimous recommendation for the seasonal position.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Martin County Parks Board and Highway Engineer, hereby approve and authorize the hire of Gary Engler for the seasonal position of County Parks Caretaker effective on or about

March 15, 2012 and will continue for eight (8) months at a monthly compensation (with required payroll deductions) of approximately \$2,125.00 per month; and is not eligible for county benefits. Carried unanimously.

Peyman concluded with a report on the County's current road condition; and that he will be attending the County Engineer's Conference the remainder of the week in the Brainerd area.

Captain Corey Klanderud, Martin County Sheriff's Office, stated we discussed the TurnKey Corrections vending service agreement at the December 20, 2011 Commissioners meeting. The item was tabled as the Sheriff's Office was waiting for a quote for the installation of data cable and electrical line for the kiosk in the Sheriff's Office lobby. We now have a quote from Dewar Electric, Inc. in the amount of approximately \$1,950.00 for installation, and so that would be our total cost to implement the TurnKey vending system, the rest of the cost of the program is paid for through the purchase of items by jail inmates, through the vending service. Our only cost to the County would be that installation charge of running those cables and getting that set up in the lobby of the Sheriff's Office. The Sheriff's Office is recommending approval to move forward with the quote received from Dewar Electric, Inc. and installation of data cable and electrical line to kiosk for inmate commissary vending service at the Martin County Jail.

Scott Higgins, Martin County Coordinator, stated that Steve McDonald, MIS Director, has reviewed the project and given the ok from the IT office.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Sheriff's Office to enter into an Agreement with TurnKey Corrections for inmate commissary vending service at the Martin County Jail; and approve and authorize the Martin County Sheriff and Martin County Attorney to sign the Jail Vending Service Agreement with TurnKey Corrections effective January 1, 2012. Carried unanimously.

Klanderud informed the Board that the Sheriff's Office is looking at changing from our current emergency notification vendor – City Watch. We have seen some presentations by a company called Code Red which is an emergency notification network basically a completely on-line system where they have multiple data bases and the citizens of Martin County can also log in and request to be included in notifications. Changing our contract from City Watch to Code Red allows us to have a mass communication system for sending out warnings and Code Red also has a special weather component where anytime the National Weather Service puts out a warning, anyone living within the warning area will automatically be notified by this system and you can sign up to receive the warning by telephone, text message, email, fax, etc. The Code Red system actually develops its own data base and manages everything for us so there is no work involved with data base management. Klanderud noted a nice feature about the Code Red system over the City Watch system is that Code Red features a weather notification system. Code Red also allows us several other tools and some notification whether it be solely internal staff

members or different groups that are set up within this system. We are in the process of obtaining further information on how we can promote this system to the public; but the public will have the option of also being included in that type of notification simply by supplying the type of notification they would like. Code Red offers a three (3) year contract at a cost of \$12,250 for the first year and \$15,000 for the subsequent two years. The current system that we're using I believe is \$11,000 per year and requires data base management on our own and that is something we simply don't have the time to do, so we would recommend switching to Code Red which manages their own data base and for the capability of having the added weather aspect which will be a nice benefit for the community.

Jeff Markquart, Martin County Sheriff, stated the Sheriff's Office did not renew the contract with City Watch due to some problems with the operation of the system, and the whole system was cumbersome and really difficult to operate. Markquart went on to state Code Red is a lot more user friendly and provides us with more support and the weather portion of the system is quite a savings. Markquart noted the ease in logging in and creating an account for weather notifications, and that we should be able to fund the Code Red system through the E-911 fund.

Commissioners inquired as to the cost of the Code Red system over the next three years, and cost for renewal for the City Watch notification system.

Markquart and Klanderud responded the cost for the Code Red system is \$12,500 for the first year and \$15,000 for the two subsequent years; and that City Watch is \$11,000 per year and wouldn't have the added weather alert feature.

After further discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Sheriff's Office to move forward with proposal for Code Red mass notification and weather alert system. Carried unanimously.

Markquart concluded with a brief office update including current Martin County Jail count of twenty-four (24) in-house, fourteen (14) out-of-county, and eight (8) or nine (9) on Electronic Home Monitoring (EHM).

Kay Wrucke, Martin County Recorder, was present to request out-of-state travel to attend two conferences that run in succession in Washington, D.C. from February 28 to March 4, 2012. Wrucke stated the conferences she is requesting to attend are the Property Records Industry Association (PRIA) which is a national standard setting body for business and government for the real estate recording industry. Wrucke currently serves as president of the association and works with key people in the title industry, mortgage lending, technical and land fraud areas of our public land record system. The PRIA Symposium in February is our opportunity to connect with people in D.C. Wrucke went on to state the National Association of County Recorders, Clerks, and Elections Officials

(NACRC) covers real estate, record management, vital records and elections. NACRC is an affiliate of NACo. Wrucke is the past president and still participates on committees. Their legislation conference starts the day PRIA ends and continues in the NACo conference. Wrucke stated expenses involved in the conference travel totals \$2,045.40.

Chairman Donnelly stated there's going to be some questions here. You're going to be out of the office for a week basically.

Wrucke stated I'll be out of the office part of Tuesday, Wednesday, Thursday and Friday.

Chairman Donnelly stated so you'll miss most of the weeks work. You've been in these groups for like ten years what more can they enlighten you with that you don't already know?

Wrucke stated right now we're working on integration with GIS and the software companies and that's something I would not have done anything with because I didn't know that there would be a connection where it was a viable way to do it without PRIA which is working on GIS and integration things. What our office is doing right now, and its at our software company right now, is we've entered PIN numbers on transfer documents for ten years (fifteen) and right now I want to put it on all pieces of land so we'll have a PIN number and it connects right away with a legal description and vice versa. So if my staff were to type in part of one it would populate that field. In turn and Dan (Martin County Assessor) and I have talked about this, the software company will then integrate all of that and go back into the system and connect all these pieces. There's a lot of work involved with the parent/child PIN numbers and all of those issues. But to bring that together we'll then be able to work in the future about how people are right now looking at GIS I'm looking at a whole package of GIS where one thing they can't get into my system I have a different Laredo system which is a different search engine and we charge for it and it is a very generous revenue source for our office. If I connect that with the GIS system how do we work that as far as revenue and that is something that Dan (Whitman) and Jim (Forshee) and I have to look at to see we don't want to lose the resource so with PRIA we've been talking quite extensively about how we integrate our offices...how do we make these offices work and this is just one way. It's a pretty big way of trying to do this and create this PIN number and it's different in every state. But that's given me this opportunity to go down that road. That's one reason.

Chairman Donnelly stated you're going to be learning more about that at this conference?

Wrucke stated, yes. That and there's lots of other things on the agenda such as land fraud, e-recording, a number of things. As far as my time off from work I am an elected official. I don't have vacation days and if you've looked at my vacation record over the last twenty-five years you'll see that it's not very full.

Commissioner Pierce asked if the Recorder's Fund will be used for travel expenses. Wrucke stated she included this travel expense in the 2012 budget. Wrucke went on to

state that she is hesitant using the Recorder's Fund for things like this even though it does have that technical feel to it. I've always been reserved using that fund and using it very specifically for software and hardware versus something that isn't quite so direct.

Commissioner Pierce stated all things considered with your involvement with what you do and the technology you bring back you haven't come before us very much for something like this. I don't have a serious issue with this.

Commissioner Potter stated I guess I have a question with out-of-state travel and always do. But the fact that you were president of that association and president of this association kind of seems like we should send the president and let her go. So anyway I'll be approving it also but how many people attend?

Wrucke stated PRIA conference attendance is around 150 and MACRAC it varies so it is maybe around 120 to 130 something like that.

Commissioner Schmidtke stated I do have a problem with out-of-state travel especially when the expense gets this high. Just last month Doug Landsteiner our Veterans Service Officer was here asking for funds and I know we didn't grant him everything. The vote's going to go because there's already been a motion and a second and they've stated their opinion. I'd feel more comfortable cutting the expense down and maybe cut it \$1,000.00 which is approximately half of the cost. That's just my opinion. I think we're trying to cut budgets and then we spend over \$2,000.00 to go to Washington, D.C. I'm not sure how much we'll get back out of it. She'll learn something I just don't know if it warrants this.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the out-of-state travel request for Kay Wrucke, Martin County Recorder, to attend the Property Records Industry Association and the National Association of County Recorders, Clerks, and Elections Officials conferences that run in succession in Washington D.C. from February 28 to March 4, 2012. Those voting in favor: Commissioners Pierce and Potter. Those opposed: Commissioner Schmidtke. Chairman Donnelly declared the motion passed. Motion carries.

Rich Perrine, WCA Water Plan Coordinator-Martin Soil and Water Conservation District, stated in December, 2011 the Board of Water and Soil Resources (BWSR) notified Martin County that the newly revised Martin County Comprehensive Local Water Management has been approved per BWSR MN Statutes 103B.30. Perrine continued today we are asking for final approval and adoption of the revised County Water Plan for 2012 through 2016.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#9/'12

RESOLUTION

Adoption and Implementation
After BWSR Approval

WHEREAS, the Martin County Board of Commissioners has been notified by the Minnesota Board of Water and Soil Resources that the Martin County Comprehensive Local Water Management Plan has been approved according to Minnesota Statutes Chapter 103B.301:

NOW, THEREFORE BE IT RESOLVED, the Martin County Board Commissioners hereby adopts and will begin implementation of its approved comprehensive water plan.

BE IT FURTHER RESOLVED, after the adoption of the local comprehensive water management plan, the Martin County Board shall amend existing water and related land resources plans and official controls as necessary to conform them to the applicable and approved comprehensive water plan.

BE IT FURTHER RESOLVED, after the adoption of the local comprehensive water management plan, Martin County shall notify local units of government within the County of the adoption of the plan or amendments to the plan. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the County Board for review.

BE IT FURTHER RESOLVED, Within 180 days, the Martin County Board shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls, and local comprehensive water management plan. The Martin County Board shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the local comprehensive water management plan.

BE IT FURTHER RESOLVED, if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

BE IT FURTHER RESOLVED, after receiving the recommendations of the Martin County Board, or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the Martin County Board for review and recommendations.

Motion by Commissioner Pierce, seconded by Commissioner Potter, resolution duly passed and adopted this 17th day of January, 2012.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Potter, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 17th day of January, 2012.

Higgins stated the Martin County Health and Safety/AWAIR Policy has gone through its annual review by the County Safety Committee. There are no revisions at this time to the policy and the County Safety Committee recommends affirmation of the policy as stated for the year 2012.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners hereby affirms the County's Health and Safety/AWAIR Policy for the year 2012. Carried unanimously.

Doug Landsteiner, County Veterans Service Officer, was present to recommend an increase to the VSO van drivers' per diems to \$100 per day. The van driver per diem was increased in October of 2011 from \$70 to \$85 per day. At that time it was my impression that we were going to review the per diem again the first part of this year. Landsteiner stated the Board approved the 2012 VSO budget which included the \$100 per day; and I am here today to recommend increasing the VSO van drivers' per diems from \$85 per day to \$100 per day.

Chairman Donnelly asked how much the per diems were two years ago. \$50, \$60 per day?

Landsteiner stated that for the majority of the time I was a service officer it was \$60. Then a couple years back we got bumped to \$70.

Commissioner Potter commented the drivers do put in some pretty long days; and asked how many people are on call.

Landsteiner stated right now we have two real steady drivers and we have a third that drives occasionally. There is a half hour of preparation work before they leave and refueling and inspecting the vehicle when they return plus all that time on the road and the wait while at the location. All our drivers are very helpful to the veterans in getting them to where they need to be and helping them with whatever their needs are. So they're very good liaisons for my office. I think they earn what they get and I do believe the increase is definitely warranted.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the increase in per diems for VSO van drivers from \$85 per day to \$100 per day effective January 1, 2012. Carried unanimously.

Higgins presented a listing of warrants and Highway Department bills to be paid on

January 17, 2012.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve payment of claims for the month of January, 2012 as presented; and includes the Martin County Highway Department as presented. Carried unanimously.

Warrants Received and paid January 17, 2012 are registered on file in the Auditor/Treasurer's Office as follows:

Revenue Fund – Warrants Approved January 17, 2012	\$465,690.02
Enhanced 9-1-1 Fund	\$ 11.62
Recreation and Safety Fund	\$ 422.01
Martin Co. Economic Development Authority	\$ 2,612.11
Solid Waste Management Fund	\$ 31,784.38
Law Library Fund	\$ 3,754.35
Martin County Transit Fund	\$ 46,342.16
Ind. Sewage Treatment Sys. Loan FD (ISTS)	\$ 4,930.00
Building – CIP – Fund	\$ 1,677.69
Bank Building Fund	\$ 4,002.34
Forfeited Tax Fund	\$ 291.00
Total	\$561,517.68
Road and Bridge Funds – 2011 Payables Totaled	\$ 45,126.64
Road and Bridge Funds – 2012 Payables Totaled	\$ 71,192.59
Martin County Ditch Fund – Warrants Totaled	\$279,731.50

The Board reviewed the CY2011 4th Quarter Revenue/Expenditures report; agenda for the Martin County Leadership Day – Public Safety and the Law to be held on February 1, 2012; letter from Southern Minnesota Initiative Foundation; and notification regarding 2012 Small Cities Development Program (SCDP) Invitation for Full Application.

Commissioners presented their Board member reports.

Commissioner Potter stated he attended the Human Services Executive Board meeting in the morning and Martin County Leadership Day in the afternoon on January 4th; EDA meeting on January 9th; Drug Court graduation and Library Board meeting on January 10th.

Commissioner Schmidtke stated in addition to those already mentioned he attended the City of Fairmont/Township meeting concerning the road by the tree/leaf dump west of Fairmont.

Commissioner Donnelly stated he attended the Human Services Executive Board meeting; City of Fairmont/Township meeting concerning road by tree dump; Prairieland and GBERBA meeting in Mankato, MN on Friday, January 13th.

Commissioner Pierce stated he had nothing additional.

Commissioners reviewed their calendars of upcoming meetings and activities: January 17th – Ditch meetings at the Ormsby Fire Hall in Ormsby, MN beginning at 2:00 p.m.; January 18th – Human Services Full Board Meeting at 9:00 a.m. in Fairmont, Ditch meeting in Blue Earth at 1:00 p.m.; January 23rd – Minnesota Valley Action Council, and Rural Minnesota Energy Board at 1:00 p.m. in Slayton, MN; January 24th – Planning & Zoning at 5:30 p.m.; February 1st – Martin County Leadership Day – Public Safety and the Law beginning at 7:30 a.m. and Small Cities Program Application Trainings at Country Inn & Suites in Mankato, MN; February 7th – regular Board of Commissioners meeting at 9:00 a.m.

Chairman Donnelly opened the public hearing for the consideration of the Petition for the use of JD #38 as an outlet located in the Northwest Corner of the Northeast Quarter (NW Corner NE1/4) of Section 17, Silver Lake Township in Martin County, Minnesota at 10:00 a.m. Those present were Potter, Schmidtke, Pierce, and Donnelly. Also present were Deb Mosloski, Martin County Drainage Specialist, Mike Forstner, Martin County Drainage Inspector/Technician; Robert Neusch, Petitioner, and Bernie Petrowiak, citizen.

Robert Neusch stated he owns 310 acres, more or less, in the North Half (N1/2) of Section 17 Silver Lake. A portion of said property presently naturally drains into Ditch No. 38. It is my understanding that in 1951 Roy Palmer, Clarence Hardecopf and wives petitioned the County of Martin to be removed from County tile #38, and it was plugged at the Northwest corner of the Northeast quarter of Sec. 17 Silver Lake. Neusch went on to state he is proposing to reconnect the existing private tile to County tile #38 and continue to keep the existing tile private. At present the existing private tile outlets to the west and has been sufficient. I intend to continue to use this system. I plan to add to the existing system in the future and have the outlet on #38 help with some of the load of the existing outlet to the west. I have had personal communication with the administrator of the Palmer farm to the south of my property and Kevin Zimmer owner of the farm to the north and both are in agreement with me to be reconnected. Neusch noted I understand that as part of the procedure, cost of administration will be assessed against me and I accept those costs of administration. Neusch went on to note I represent that my parcel will be benefited and understand that the actual benefit needs to be and will be determined by the Martin County Drainage Authority.

Mosloski reviewed a map with the Martin County Drainage Authority that lays out the proposed connection.

Neusch inquired if he will have to pay for this or whether the County pays for the costs.

Mosloski stated the Martin County Drainage Authority will have to appoint a viewer. What's going to happen is that the Board will determine whether to accept this petition. Then we hire the Ditch Viewer(s) to go out and determine a fee for using it (JD #38) as an outlet; and then they will assign benefits based on the last determination.

Commissioner Schmidtke asked when the last determination of the Ditch was completed.

Mosloski stated she believed in 1956 or 1955 there was an improvement, but was not certain. However, this is what they would go back to.

Neusch asked if he would have to pay for hooking it back up.

Mosloski stated you are going to have bills now on the notices that were mailed and you're going to pay for the viewers and then you're going to pay the outlet fee and then you're going to be put on the benefit statement.

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

Motion by Commissioner Potter, seconded by Commissioner Pierce, after having received input from the public concerning the matter, the Martin County Board of Commissioners, hereby close the public portion of the Ditch hearing. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby approve and authorize Petition for use of Judicial Ditch No. 38 as an outlet located in the Northwest Corner of the Northeast Quarter (NW Corner NE1/4) of Section 17 in Silver Lake Township, Martin County, Minnesota. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be it Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby appoint Ron Ringquist and/or Charles Bowers and Jim Weidemann as Viewers in determining Outlet Fee and Benefits for use of Judicial Ditch No. 38 as an Outlet. Carried unanimously.

With no further business to wit, Board Chair adjourned the meeting at 10:14 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator