

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, FEBRUARY 7, 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 Donnelly.

Commissioners present were Potter, Schmidtke, and Pierce. 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, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, 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 as presented. 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 January 3, 2012 and January 17, 2012 regular Board of Commissioners meetings. Carried unanimously.

Chairman Donnelly recognized Cindy Martens, Extension Committee member and Bonnie Ann Wolle, Library Board for their work on their respective County Citizen Advisory Committees and Boards. Distinguished Service Certificates were presented by the Board Chair to those individuals.

R-#10/12

PROCLAMATION  
HONORING CITIZENS FOR SERVING ON  
COUNTY CITIZEN ADVISORY COMMITTEES AND BOARDS

WHEREAS, the Martin County Board of Commissioners wish to honor citizens for their dedicated service on various county committees; and

WHEREAS, the citizens were recognized for their commitment to serving the residents of Martin County by aiding Martin County Officials in an advisory capacity in areas such as: Extension and 4-H Programs, public library, economic development, water quality, and other various activities; and

WHEREAS, these individuals brought their talents and attributes such as a commitment to the welfare of Martin County, their knowledge of the County, and their willingness to maintain a county-wide prospective to various meetings, many of which are held in the evenings; and

WHEREAS, Everybody is so busy these days and so the commitment and dedication these people have showed toward public service is truly remarkable. They have a combined (number of years) of service on these Committees to Martin County and its residents to help maintain our excellent quality of life. We owe them a debt of gratitude; and

Individuals honored (receiving certificates) were:

- Bonnie Ann Wolle – January, 2001 through December, 2011 – as a member of the Martin County Library Board
- Cindy Martens – January, 2011 through September, 2011 – as a member of the Martin County Extension Committee

THEREFORE BE IT RESOLVED, that we the Martin County Board of Commissioners express our appreciation to the above individuals for their service and expressed regret to losing the members on the various committees.

Proclamation dated this 7<sup>th</sup> day of February, 2012.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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

Proclamation adopted this 7<sup>th</sup> day of February, 2012.

Kevin Peyman, Martin County Highway Engineer, was present to review state contract pricing and request approval to purchase a 2012 Articulating Steel Drum Roller. Peyman noted the county has a 1990 model (Unit No. 77) with approximately 3,400 hours for use as a trade in for replacement unit. The price for a new one is \$32,550.00 under the state contract price, less trade in of \$6,000.00, plus shipping of \$108.00, for a total sell price of \$26,658.00. The unit is a Caterpillar and I recommend purchasing through Ziegler Caterpillar at the state contract price.

Ziegler Inc.

Quote 115056-01

Pricing

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Sell Price	\$32,550.00
Less: Trade In	\$ 6,000.00
Net Price	\$26,550.00
Add: Shipping to Fairmont, MN	\$ 108.00
Add: Sales Tax	<u>\$ 0.00</u>
Total Sell Price	\$26,658.00

Trade-ins

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Model	Make	Serial Number	Trade Allowance
CB 214B	Caterpillar	6LF00402	\$ 6,000.00

Warranty

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Standard Warranty: 36 Month/3,000 Hour Full Machine Warranty

F.O.B./Terms  
Fairmont, MN

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Highway Engineer, hereby approve the purchase of a Caterpillar Model CB22 Articulating Steel Drum Roller in the amount of \$32,550.00, less trade-in of Unit No. 77 in the amount of \$6,000.00, plus sales tax in the amount of \$108.00, for a total sell price of \$26,658.00 from Ziegler Caterpillar in Marshall, MN. Carried unanimously.

Peyman stated that there is approximately \$537,000.00 remaining balance of the General Obligation Road Reconstruction bonding money. Peyman asked the Board for guidance and direction as to what road projects the Board wishes to see done with the remaining bond money; or if the Board wishes to hold on to the balance in case something unexpected comes up.

Commissioners discussed setting up a meeting to review potential road projects that the money may be used for. It was also proposed that using the balance to offset the County's loss of Market Value Added Credit in the amount of \$560,000.00, the potential loss of County Program Aid in the amount of \$720,000.00, and using the County's reserve balance to keep the 2012 levy at 1.9%.

After discussion,

It was decided by consensus of the Board for Peyman to set up a meeting with Highway Liaisons Commissioner Schmidtke and Commissioner Potter, James Forshee, Martin County Auditor/Treasurer, and Scott Higgins, Martin County Coordinator, to plan for the use of the approximate \$537,000.00 remaining bonding money.

Peyman requested guidance from the Board regarding continued burning of E85 fuel in County Highway Department vehicles now that prices of the E85 and regular unleaded are so close together. Peyman noted that continued use of E85 may not be cost effective as it once had been. After discussion,

It was decided by consensus of the Board for County Highway Engineer to monitor fuel prices and continue to burn E85 if feasible.

Peyman concluded with a Highway Department update including: pea rock hauling has been completed ahead of schedule; started crack filling where needed; and are hoping it will be a good Spring for the County's gravel roads this year.

Scott Higgins, Martin County Coordinator, presented the Code Red Mass Notification System Services Agreement and Weather Warning Service Addendum that was discussed at the previous Commissioners meeting (January 17, 2012) and requests authorization for the appropriate Martin County Sheriff's staff to sign the services agreement and addendum.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair and/or Corey Klanderud, Chief Deputy Martin County Sheriff's Office, to sign the Code Red Mass Notification System Services Agreement and Weather Warning Service Addendum for a three (3) agreement in the amount of \$30,000 for the three year term. Carried unanimously.

Higgins presented and reviewed the recommendation of step increases based on satisfactory performance evaluations and according to Union Contract(s) for the following Martin County Sheriff's Office personnel: Amanda Keith, Corrections Officer, and Clint Cole, Deputy Sheriff.

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: Amanda Keith, Corrections Officer (LELS #115) from 1 Year Step at \$19.55/hour to 2 Year Step at \$20.87/hour effective February 17, 2012; and Clint Cole, Sheriff's Deputy (LELS #136) from 5 Year Step at \$24.57/hour to 6 Year Step at \$24.94/hour effective February 29, 2012. Carried unanimously.

Higgins presented a resolution for approval of a newly hired Sheriff's Deputy to be included on the Public Employees Police and Fire Plan.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#12/'12

RESOLUTION  
POLICE OFFICER DECLARATION

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED, that the Board of Commissioners of Martin County hereby declares that the position of Deputy Sheriff, currently held by Employee #43 meets all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED, that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire Plan salary deduction by the governmental subdivision.

Motion by Commissioner Pierce, seconded by Commissioner Potter, said resolution was duly passed and adopted this 7<sup>th</sup> day of February, 2012.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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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 7<sup>th</sup> day of February, 2012.

Pam Flitter, Martin County Zoning Official, presented the 2011 Annual Feedlot Report stating the total number of feedlots that Martin County has on a site basis is 543; total number of inspections done was 90; 8 permits were issued for new construction or expansion; and 6 complaints were received that varied from dead animal disposal containers to a run off area; and received 145 extra performance credit points which will add a few thousand dollars to funding the County receives.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and accept the 2011 Annual County Feedlot Officer and Performance Credit Report; and authorize Board Chair to sign. Carried unanimously.

Flitter next presented the 2012-2013 Delegation Agreement and Work Plan that basically states that we're (Martin County) going to continue to be a delegated county with the MPCA, and we're going to continue administering and doing all of our feedlot permitting that we are currently handling.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and accept the 2012-2013 County Feedlot Program Delegation Agreement and Work Plan; and authorize Board Chair to sign. Carried unanimously.

Rich Perrine, Technician-Water Plan/WCA Martin SWCD, and Ashley Brenke, Technician-SWCD, were present to review a Conservation Partners Legacy Grant Application proposal through the Department of Natural Resources (DNR) in the amount of \$173,000.00 that includes Bright, Timberlane, Cedar-Hanson and Perch Parks in Martin County. The project is also expected to include work in Fairmont's Cedar Park, the Krahmer Wildlife Management Area, and about 20 perpetual conservation easements. Grant money will enable us to plant local ecotype seeds and remove evasive species.

Motion by Commissioner Pierce, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Martin Soil and Water Conservation District (SWCD) to submit application for Conservation Partners Legacy Grant funding to enhance the prairie and woodland habitat in county and city parks, wetland management areas, and perpetual conservation easements. Carried unanimously.

Julie Grunewald, Senior Probation Agent, presented a resolution authorizing execution of agreement for Youth Intervention Program funding in the amount of \$82,029.00 with required 2-1 in-kind match of \$164,058.00 for the purpose of providing an ongoing stable funding source to community-based early intervention programs for youth, effective January 1, 2012 through December 31, 2013.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter,

R-#11/12

## RESOLUTION

### Authorizing Execution of Grant Agreement for Juvenile Justice Grant

BE IT RESOLVED, that Martin County Probation Department will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Safety for Youth Intervention Program Funding in the amount of \$82,029.00 with in-

kind match of \$164,058.00 for the purpose of providing an ongoing stable funding source to community-based early intervention programs for youth.

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

I certify that the above resolution was adopted by the Board of Commissioners of Martin County on this 7<sup>th</sup> day of February, 2012.

BOARD OF COMMISSIONERS  
MARTIN COUNTY

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Steve Donnelly, Board Chair

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

Roll Call AYES: Commissioners Pierce, Potter, Schmidtke, and Donnelly. NAYS: None. Resolution duly passed and adopted this 7<sup>th</sup> day of February, 2012.

Grunewald information the Board we had also asked to apply for a Title II Juvenile Justice Grant and unfortunately we were not selected for that. That would simply have been more supplemental dollars to put into Youth Intervention. Grunewald stated we'll keep looking for other funding sources.

Commissioners offered their appreciation for the County's YIP, Teen Court and Drug Court programs.

Higgins stated that in August, 2011 the County Board was presented with a proposal and application to obtain grant dollars through the Minnesota Department of Transportation (Mn/DOT) – Office of Transit for Job Access Reverse Commute (JARC) funding (Federal Section 5316) for operation of a transit bus commuter service to the industrial parks between the City of Fairmont and cities of Jackson, MN and Blue Earth, MN. The county has received a grant award of up to \$35,000.00 for operational expenses for the commuter service. This award amount is based on a projected \$100,000.00 budget with projected revenue fares of \$30,000.00 leaving a remaining projected balance for local chare at \$35,000.00. However, we are in the process of finalizing the routes, budget, and determining the actual interest of the potential riders. Higgins went on to state the purpose of the commuter service will be to provide alternative transportation service for those who live in Fairmont/Martin County and work in Jackson, MN or Blue Earth, MN. A number of surveys were sent out to the various businesses and manufacturers in the two cities (industrial parks) and results included support from the businesses/manufacturers, but also that there were a number of Martin County residents who were employed with these businesses. Due to the need for workers at these

facilities, the concerns of negative impact of higher gas prices on the area workforce in daily traveling to the workplace, or for those who are limited in their job search due to economic hardships (i.e. no car), the proposed service would open opportunities for workers and businesses. After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign the 2012 Section 5316 Job Access and Reverse Commute (JARC) Program Grant Contract in the amount of \$35,000.00 for the operations of the bus commuter service to the industrial parks between the City of Fairmont and the cities of Jackson, MN and Blue Earth, MN; and that the County of Martin and the Minnesota Department of Transportation (Mn/DOT) will share in the expense in the operations for the commuter service per the agreement with JARC providing 50% of the operational deficit and the County providing the remaining costs, effective February 1, 2012. Carried unanimously.

The Board reviewed information received from the Martin County Historical Society; AMC's County Days at the Capitol; and discussed attending the Local Government (AMC) Legislative Conference March 21-22, 2012.

Deb Mosloski, Martin County Drainage Specialist, and Mike Forstner, Martin County Drainage Technician, were present to request that the Ditch Authority set a public hearing date to hear the preliminary engineer's report on JD #350 (Cedar Creek Run Project). Mosloski suggested the date of March 26, 2012 at 2:30 p.m. at the Trimont Community building (old Triumph Hall) in Trimont, MN. This hearing will involve Watonwan County, Jackson County, Cottonwood County, and Martin County.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for the County of Martin, hereby sets the date of March 26, 2012 at 2:30 p.m. at the Trimont Community Building (old Triumph Hall) in Trimont, MN for the preliminary Engineer's Report on JD #350 (Cedar Creek Run Project). Carried unanimously.

Mosloski continued with a review of current and future ditch projects, including requested repairs and upgrades to JD #2 and CD #11; and reminded the Martin County Drainage Authority of upcoming Ditch meetings:

- ◆ Bid Opening on JD #7 M&F Improvement on March 1, 2012 at 2:00 p.m. John Thompson would like to have a Joint Ditch Board meeting on Tuesday, March 6, 2012 at 1:00 p.m. – more details to come.
- ◆ Continuation Hearing for JD #39 and JD #109 on March 6, 2012 at 9:45 a.m. for the acceptance of the Viewer's Final Redetermination Report.

Mosloski presented the estimated expenses for 1 rod strip payment on various ditch systems in Martin County. Mosloski noted in an email sent to Bill Fahey, Financial Consultant with Northland Securities (for the County), stating that the county will be obligated to pay for the easement (1 rod strip) that is required by Statute 103E.021 totaling an estimated \$315,933.95 for 2012 and \$1,244,465.00 in 2012 or early 2013.



Mosloski stated these figures do not include any of the repairs of any of the systems and is concerned that if land prices continue to increase, these estimates could be much higher. Mosloski's concern is that ditch bonds are issued to finance or refinance public drainage ditches requiring improvements and bonding procedures do not fit well with payment for the 1 rod strip. After much discussion,

It was decided by consensus of the Board to furnish Fahey with the estimated costs for the one rod strips in order to determine the amount of GO Bonds needed for the proposed projects.

Higgins stated the County has implemented a new dispatching system for its Transit System through technology provided by RouteMatch. Martin County is part of a five county consortium that received ARRA funding to purchase the new dispatching system. Three members of the consortium have been invited to attend the annual RouteMatch User conference which is held in Atlanta, GA on April 23-26, 2012. RouteMatch has asked that the consortium members be a part of the conference to speak about the implementation of RouteMatch and use of the Galaxy Tabs for our transit systems. In this case, the use of the Galaxy Tabs is fairly new with RouteMatch. RouteMatch has offered to pay all expenses which includes airfare, lodging and meals and conference registration costs. The remaining expense would be mileage to the airport, which would be paid through the Transit budget. Higgins requests out of state travel to attend and speak at the RouteMatch User Conference.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the out of state travel request for the Coordinator to attend the RouteMatch User Conference to be held April 23-26, 2012; and at the invitation of offering of RouteMatch to pay for expenses related to airfare, lodging, meals and conference registration for the Coordinator to attend; and mileage to the airport to be expended from the Transit fund. Carried unanimously.

The Board reviewed information regarding the Annual Drainage & Wetland Conference to be held on Thursday, February 23, 2012 at the St. Cloud River's Edge Convention Center; ISEEK Online Employment Information from the Fairmont Area Chamber of Commerce; South Central Service Cooperative Directors' Meeting Minutes of January 10, 2012; and Sentencing to Service (STS) Quarterly Report for Fourth Quarter, 2011.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize per diems and expenses for Commissioners, and the staff, to attend the Annual Drainage & Wetland Conference to be held on Thursday, February 23, 2012 at the St. Cloud River's Edge Conference Center. Carried unanimously.

Commissioners presented their Board member reports:

Commissioner Potter stated he attended ditch hearings for eight (8) separate Ditches in Ormsby, MN on Tuesday, January 17<sup>th</sup>; Ditch 7 meeting in Blue Earth on Wednesday, January 18<sup>th</sup>; Leadership Martin County Day on Wednesday, February 1<sup>st</sup>; Martin Soil

and Water Conservation District Meeting on Thursday, February 2<sup>nd</sup>; RC&D meeting in Mankato on Monday, February 6<sup>th</sup>.

Commissioner Schmidtke stated he also attended the Ditch hearings on Tuesday, January 17<sup>th</sup>; Human Services meeting in Fairmont on Wednesday, January 18<sup>th</sup>; and Planning and Zoning on Tuesday, January 24<sup>th</sup>.

Commissioner Donnelly stated he attended the ditch hearings in Ormsby, MN on Tuesday, January 17<sup>th</sup>; County Purchasing and Building Committee meeting on Thursday, January 26<sup>th</sup>; and another Building Committee meeting on Monday, February 6<sup>th</sup>.

Commissioner Pierce stated MVAC and WorkForce Council meetings were cancelled and he had nothing additional to report.

Commissioners reviewed their calendars of upcoming meetings and activities: February 7<sup>th</sup> – Labor Management Committee at 1:30 p.m.; February 8<sup>th</sup> – Human Services Exec. Board at 9:00 a.m., Department Director’s meeting at 8:30 a.m., Park Board at the Highway Shop at 4:00 p.m., and Region 9 meeting; February 13<sup>th</sup> – EDA meeting at 5:15 p.m., Rural Minnesota Energy Board in Slayton, MN at 1:00 p.m.; February 14<sup>th</sup> – Martin County Library meeting and Extension Committee meeting and Commissioner District No. 1 election; February 17<sup>th</sup> – Canvass meeting, and Prairieland at 10:30 a.m.; February 20<sup>th</sup> – Courthouse Closed for Presidents Day Holiday; February 21<sup>st</sup> – regular Board of Commissioners meeting at 9:00 a.m.

Higgins stated a request for allowing those who have direct deposit for their paychecks, whether or not they could be allowed to have their checks deposited into two accounts. Currently the county allows depositing pay checks into one account (i.e. checking or savings accounts). It was stated that their banks would typically complete that transaction for them. By consensus the board decided not to change the policy. The Board reviewed the upcoming Friday, February 10, 2012 schedule for the MN Winter Rendezvous VIP (Snowmobile) Ride that will be held in Fairmont.

With no further business to wit, Board Chair adjourned the meeting at 10:50 a.m.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

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Steve Donnelly, Board Chair

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