

PROCEEDS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 1, 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 Jack Potter, Dan Schmidtke, Steve Pierce, and Elliot Belgard. 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, Rod Halvorsen, KSUM/KFMC Radio, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Belgard, seconded by Commissioner Potter, Be it Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following: Delete 4.2 Consider Citizen Request Regarding Property Issue – Brad Berg, Truman, MN. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the April 3, 2012 and April 17, 2012 regular Board of Commissioners meetings. Carried unanimously.

Jeff Jensen, Rural Advantage, presented information on a collaborative project we're doing with the Statewide Health Improvement Program (SHIP) on developing a Food Council in the five county regions of Cottonwood, Jackson, Watonwan, Martin, and Faribault. Jensen stated the idea behind the Food Policy Council is that we'll get representation from those five counties from a diverse array of individuals within the food system including producers, distributors, and health care professionals. Once the Food Policy Council has been set (we're looking at 3-5 individuals from each county) that the Food Policy Council will then meet on a monthly basis through June of 2013 focusing on ten priority issues. Jensen noted it is the intent of the Food Policy Council to generate outcomes around these priority issues with the goal at the end of this process and that a resolution or a suite of resolutions might be developed out of those outcomes that could be brought forward to the county commissioners of the five county regions for either adoption or discussion.

Food Policy Council Priority Issues:

1. Promote our local growers
2. Hunger and lack of access to healthy food
3. Food preparation – fast, fresh, from scratch
4. Compost education – BMP's, resources for backyard gardeners, schools, farmers, etc.
5. Healthy food at corner stores

6. Need to know – Where are the processors and community kitchens?
7. Garden Food – so much comes ripe and ready, it could be potentially preserved
 - a) Determine Labor and cost analysis
 - b) Less-used kitchens could be made available to agripreneurs
8. Local Government incentives/disincentives for beginning farmers
9. Education and marketing around developing a brand campaign
 - a) Brix Score as indicator of nutrient density
 - b) Nutrition labeling
10. New USDA regulations for schools, i.e. compliance, adjustment, and training

Chairman Donnelly thanked Jensen for his report.

Terry Viesselman, Martin County Attorney, presented an office update including citizen concern regarding property issues in the City of Truman; and gave a report on charging interest on repayment of MCARA home improvement loans that have become due and would prepare a letter accordingly. No Board action required.

Kevin Peyman, Martin County Highway Engineer, stated the Highway Department has completed shaping work to the County owned gravel parking lot at the corner of Second and Main Street, Fairmont, and stated that previously the Board decided to reserve the seven parking spaces on the south end of the lot for the County's fleet vehicles and signage has been ordered and should be in place by the end of the week. Peyman went on to state that it has not yet been decided as to what to do with the remaining ten parking spaces on the north side of the parking lot. Peyman noted that non-county vehicles are already parking in the lot and with the enforcement of two hour parking in the downtown area; and recommended signing the lot accordingly for better use of the parking lot. Peyman went on to note that if the county wants to make those spaces available for businesses those spaces should still be signed for eight hour parking and/or no overnight parking in order to delineate those spaces.

Discussion ensued pertaining to the ten undesignated parking spaces in the County owned gravel parking lot.

Commissioner Schmidtke stated he doesn't want to have seventeen parking spaces reserved for Martin County and then only use six or seven of them.

Viesselman stated the two hour downtown parking has really been disruptive for the county attorney's office and requested at least three parking stall for the County Attorney's Office.

After further discussion,

Motion by Commissioner Belgard, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize County Engineer to move forward with the purchase of signage for the county owned gravel parking lot at the corner of 2nd Street and Main Street in Fairmont, MN, to define

individual parking spaces to include seven (7) reserved for county fleet vehicles, three (3) reserved for the county attorney's office, and seven (7) reserved for the general public. Carried unanimously.

Peyman next presented information on negotiations for the purchase of a tract of land in the northern part of the County to be used as a stockpile site for construction projects and gravel. Peyman stated that more information will be forthcoming.

Bev Snow, FMJ Drug Court Coordinator, presented an update on the Bureau of Justice Assistance (BJA) Jail Operations & Program Enhancement Project stating the grant has been completely expended and that grant records are kept in the Auditor/Treasurer's Office.

Snow stated that Miranda Rosa has been hired as Recovery Specialist with the County's Family Dependency Court. Snow stated that Rosa comes from the Department of Human Services and has eleven years of experience with chemical dependency and has been part of the FMJ Drug Court team for three years. Snow stated Rosa will refill her Drug Court Coordinator position up to 15% until July 1, 2015 along with her Recovery Specialist duties. Snow continued that a new Assistant to the Drug Court Coordinator position has been created to help Rosa with her new duties and would like to see a Drug Court graduate fill this position. Snow stated the position is not for someone who has a degree; it is for someone who wants to work toward a degree. The Assistant to the Drug Court Coordinator position will be an independent contractor and recommended that the hourly rate be set at 10.00/hour and paid by the county, and that the State of Minnesota (Fifth Judicial District) will reimburse the county. Snow went on to state the proposed contract is at the county attorney's office for review.

Viesselman stated the premise and the format of the contract is fine. However, the position, contract, and candidate have not been reviewed by the Drug Court's Steering Committee and advised that the board take no action on this agenda item until the Steering Committee meets.

Schmidtke suggested that with some of the unknowns with this service that the issue be tabled until the next board meeting. After further discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby table the tentative CY2013 Drug Court Program funding proposal until the next regular Board of Commissioners meeting to be held on Tuesday, May 15, 2012. Carried unanimously.

Pam Flitter, Martin County Zoning Official, presented the Planning Commission's recommendation for approval of a Conditional Use Permit for the Martin County Highway Department within Section 31 in Cedar Township. The Highway Department is proposing to extract and process gravel on property owned by Robert H. and Nancy L. Smith.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#24/'12

CONDITIONAL USE PERMIT FOR THE EXTRACTION AND
PROCESSING OF GRAVEL FOR CONSTRUCTIONS PURPOSES
WITHIN SECTION 31 IN CEDAR TOWNSHIP
MARTIN COUNTY, MINNESOTA
(Robert H. Smith and Nancy L. Smith, Owners)

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

WHEREAS, a Conditional Use Permit was requested by the Martin County Highway Department, applicant, and Robert H. Smith and Nancy L. Smith, owners of property located within the Southwest Quarter of Section 31 of Cedar Township in Martin County, Minnesota (legally described in applications) for the purpose of Extraction and Processing of Gravel; and

WHEREAS, the Martin County Planning and Zoning staff has completed a review of the application and made a report pertaining to the request, a copy of said report has been presented to the County Board of Commissioners; and

WHEREAS, the Planning Commission of the County on the 24th day of April, 2012 following proper notice, held a public hearing regarding the request and, following the hearing, adopted a recommendation that the request for a Conditional Use Permit be granted; and

WHEREAS, the Martin County Board of Commissioners finds that Conditional Use Permit is to be issued for the following purpose:

Extraction and Processing of Gravel

with respect to the above described property; and

WHEREAS, the following conditions have been applied:

- Any additional necessary permits concerning the Wetland Conservation Act from Martin County, Department of Natural Resources, the Army Corps of Engineers and other jurisdictions must be obtained by the applicant, if needed.
- Follow Martin County and DNR regulations concerning waters of the state, including watercourses, if any.
- A site use, development and restoration plan be submitted that addresses dust, noise, hours of operation, erosion control and anticipated vegetation and topographic alterations.

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, and upon the recommendation of the Martin County Planning Commission, hereby approves the Conditional Use Permit for the above described property and is hereby issued pursuant to MS 394.301 and Martin County Ordinance #1, Chapter 6.01 and that this permit shall remain in full force and effect provided in the conditions as described above are met and maintained by the applicant and his/or her successors in interest. This permit is binding upon the applicant, the record titleholder to the property, and his/her successors in interest. Notice is hereby given that this permit may be revoked if the conditions set forth above are not maintained as described above. This resolution shall become effective immediately upon its passage and without publication.

Dated this 1st day of May, 2012.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Potter, Schmidtke, Pierce, Belgard, and Donnelly.
NAYS: None. Resolution duly passed and adopted this 1st day of May, 2012.

Higgins presented rent increase addendums for the City/County Law Enforcement Center Lease Agreement, effective January 1, 2013; and the Human Services of Faribault & Martin Counties Lease Agreement, effective January 1, 2013. Higgins stated that on April 20, 2012 the Building & Purchasing Committee is recommending a three percent (3%) increase to the amount of rent being received for 2013 leased office space by the City of Fairmont Police Department in the Security Building and Human Resource Building. The increase in the least amount is due to increased building and maintenance costs. Higgins stated the last increase was effective in 2009 and recommends the proposed 3% increase.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize a three (3%) percent increase in lease amount for county office space being leased by the City of Fairmont (Police Department) that includes office space in the Martin County Security Building from \$42,804.00 to \$44,088.00 (annually); and to increase the lease amount for Faribault/Martin County Human Services from \$158,628.00 to \$163,386.00 (annually) that includes office space in the Human Resource Building; and due to increased cost in building maintenance and energy costs, both effective January 1, 2013. Carried unanimously.

Steve McDonald, MIS Director, stated that it has been briefly discussed to purchase tablet computers (tablets) to be used by the county board for county business purposes, including uploading various committee agendas, board agendas, county emails, and the board agenda packets. The tablets would provide the technology to go paperless for the agendas. The agendas would be electronically uploaded onto a tablet device and would be entirely digital without the need to print copy or distribute paper documents; and would save on paper costs. McDonald went on to state that cost estimates were received earlier this year and were reviewed by the Building & Purchasing Committee, including comparison pricing/options between the Apple IPAD and ASUS Eee Pad; as well as laptop and EBook options.

McDonald reviewed tablet and data plans. Data plan costs can be activated on the Verizon nationwide 3G/4G plan for \$42.99/month (unlimited data plan) plus taxes for a twelve month term. Appicare for the iPad is \$99.97 with a coverage term up to two years. An estimated cost for a case is around \$30 to \$50 and a case/keyboard around \$50 to \$100 from Verizon. McDonald stated Verizon has not signed a state contract for pricing yet so the data plans are at the normal rate of around \$50 with a government discount to \$42.99. When Verizon signs the contract the plan should go down to approximately \$27/month. McDonald noted Jackson County is currently using laptops where they would load their agendas on a PDF file on the notebook and would open the file. The laptops were kept in their Board Room.

Commissioner Pierce stated I think most all of us we have desktops, laptops, and tablets now. I don't need another piece of equipment. The only way in my perspective I would use it is sitting right here (in the Board Room). That being the case, is it an option to set up a system with a screen and a mouse, and no wifi capabilities. To me that's the way to do it. You wouldn't even need a keyboard. What we're trying to do is get rid of the paper.

Much discussion ensued regarding paper agendas vs. tablet agendas, wifi needs, program plans, and device costs.

Commissioner Potter stated I like having the paper because I can write down names, comments, questions; I can take paper home and sort through it and file what I want to keep. I just love the paper part of it.

Commissioner Belgard stated I don't think we should spend money that we don't need to; but I will say for the short time I've been here I'm amazed at the amount of paper that we have. And I don't just have it here, I have it at home too. And what I have at home I have to find a way to file for easy recall. There are just mountains of it (paper).

After further discussion,

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Steve McDonald, MIS Director, to purchase one (1) IPAD to be programmed and tested

by the County Board for county business purposes, and to demonstrate the IPAD capabilities at a future board meeting. Those voting in favor: Commissioners Schmidtke, Pierce, Belgard, and Donnelly. Opposed: Commissioner Potter. Motion carries.

The Board recessed at 10:21 a.m.

The Board reconvened at 10:32 a.m.

Jeff Markquart, Martin County Sheriff, presented an office update stating the Sheriff's Office is receiving radio inventory numbers from the County's firefighters, ambulance and emergency personnel for conversion to the 800 MHz radio system. Markquart stated he wants to make sure these numbers are firm and may go out and perform an audit for accuracy.

Bill Fahey, Vice President Public Finance-Northland Securities, and Tammy Omdal, Senior Vice President and Manager of Northland Strategies Public Finance-Northland Securities, were present to discuss the 800 MHz system and the challenges ahead.

Fahey stated Martin County has received a denial of funding from the FEMA-Assistance to Firefighters Grant Program which is needed to complete mandatory emergency communication upgrades for the federally mandated conversion to FCC narrowband radio requirements with the 800 MHz ARMER radio system. This was the second application for funding. Martin County received the same letter that we received last year with the exception of a few paragraphs. Fahey went on to state you could read it two ways; either as a criticism of the application or as a suggestion of how to make the next one (application) better. This grant would have covered several of the 800 MHz portable radios to be used by Fairmont Fire Department rescue units as well as ambulance services.

Fahey continued we're now at the stage where I think quite frankly letters should go to both of our US Senators, and our Representatives, this is absolutely critical. These letters are essential; they need to be directly from police chiefs, fire chiefs, the County Board. They need to know that this all came from the feds in the first place. They sold it to the states, and all the people that were selling it got paid. The only way to solve this is politically because it was started politically. Fahey noted that letters written to U.S. Senator Amy Klobuchar, D-Minnesota, from other counties have been effective. Fahey went on to note we have no choice because there's a lot of money at stake here. The counties that got the money and those that didn't, it's just irrational. Some of the more wealthy counties got grant money, yet Martin County was denied. Of the ten counties in the south-central Minnesota region, seven have been approved for grants. Martin, McLeod and Sibley counties were excluded. Currently, the Federal Communications Commission plans for all emergency communications to go to narrowband by January 1, 2013.

Commissioner Pierce pointed out a reason the County should not start bonding for the radios just yet stating that we know the Feds are known for their mandates, and then

backing off. It's likely we'll see an extension of this timeline to go to narrowband. With the conversion to hi-def, there was a be-all, end-all date, and they couldn't make the TVs fast enough, so they had to back off. Right now, Motorola can't build these (radio) units fast enough. Motorola is usually in the forefront of these things and we're not ready, not even close.

Fahey agreed even if you ordered the units this minute you probably wouldn't see a unit until at the earliest, July. Then we need to get everyone trained. Each radio is customized to every individual or vehicle. There will be a lot of time consumed there.

Sheriff Markquart stated that despite the January 1 deadline, the current radio systems will not be dead after that date. We'd be out of compliance, but there wouldn't be dead air.

Fahey noted if the letter approach doesn't work, instead of bonding, the County could issue short-term notes. That way if grant money comes through, the grant would cover the notes.

After further discussion,

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve drafting a letter to state, local, and federal representatives concerning the rejection of Assistance to Firefighters Grant Program funding application for mandated 800 MHz radio upgrade; and to reference and send a copy of the letter to the counties of Sibley and McLeod counties. Carried unanimously.

Pierce inquired whether or not Alpha Wireless can deliver in the time frame given.

Markquart stated the system is to be operational by the end of the year.

Belgard stated that local fire depts. representatives reviewed these Fire grants, stating that the downside to this process is that there was no uniformity in awarding the grants. The grants were not initially meant for radios.

Commissioners reviewed the CY2012 First Quarter Revenue/Expenditure Report; Martin County Leadership Program Graduation on May 23, 2012; Martin County Fair Booth information; and 2012 funding request from the South Central Dive Team.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize 2012 allocation to the South Central Dive Team in the amount of \$750.00. Carried unanimously.

Commissioners presented their Board member reports.

Commissioner Potter stated he attended Human Services meeting in Blue Earth, MN on Wednesday, April 18th; Head Start meeting in Sherburn, MN on Friday, April 20th; and numerous ditch calls/travel.

Commissioner Pierce stated he attended the Building/Purchasing Committee meeting on Friday, April 20th; EMS and Radio Board on Thursday, April 26th.

Commissioner Belgard stated he represented the EDA Committee by attending the ribbon cutting for Sommer Outdoors on Wednesday, April 18th.

Commissioner Donnelly stated he did not have anything different than what was already mentioned.

Commissioners reviewed their calendars of upcoming meetings and activities: May 2nd – Human Services Executive Board at 9:00 a.m., Martin County Leadership Graduation Program @ noon; May 3rd – National Day of Prayer at 7:00 p.m., Wind Energy meeting at Linda Meschke’s office from 5-6 p.m.; May 7th – Regular Extension Committee meeting from 5:30 p.m. to 7:30 p.m. at Worthington, MN, regular EDA meeting at 5:15 p.m.; May 9th, Department Director meeting at 8:30 a.m.; May 10th – Region 9 meeting from 10:00 a.m. to 2:00 p.m. in Mankato, MN on; May 11th – Prairieland meeting (Commissioner Pierce will not be in attendance), and GBERBA meeting at 1:00 p.m.; May 15th – regular Board of Commissioners meeting at 9:00 a.m.

Higgins informed the board of the proposal to repair the sally port at the Law Enforcement Center, due to damage done by an ambulance service and that and that the repair work is proceeding.

With no further business to wit,

Motion by Pierce, seconded by Potter to adjourn. Carried unanimously. The meeting adjourned at 11:38 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____