

PROCEEDINGS OF THE
MARTIN COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 6, 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 Schmidtke, Pierce, Belgard, and Donnelly. Commissioner Potter was absent. Also present were Scott Higgins, Martin County Coordinator, Terry Viesselman, Martin County Attorney, James Forshee, Martin County Auditor/Treasurer, Jennifer Brookens, Sentinel Newspaper, Rod Halvorsen, KSUM/KFMC Radio, Kevin Peyman, Martin County Highway Engineer, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: 8.14 Consider Hire of Two Part-time Communications Officers – Martin County Sheriff's Office.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the October 2, 2012 and October 16, 2012 regular Board of Commissioners meetings. Carried unanimously.

Terry Viesselman, Martin County Attorney, presented the Equitable Sharing Agreement for approval and ratification by the Board. The agreement sets forth requirements for participation in the federal equitable sharing program and various restrictions upon the use of forfeited cash, property, and proceeds which is equitably shared by participating agencies.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, upon review and recommendation of the County Attorney, hereby ratify the Federal Forfeiture-Equitable Sharing Agreements for the Martin County Attorney's Office to take part in the equitable sharing of assets with the Drug Enforcement Administration. Carried unanimously.

Pam Flitter, Zoning Official, was present to review and recommend approval for the Rezone Request from Michael Bettin within Section 32 of Rutland Township from an "A" Agricultural District to an "I" Industrial District for the purpose of placing a ready mix plant at the site. The Martin County Zoning Ordinance requires rezoning property from an "A" Agricultural District to an "I" Industrial District to construct the future ready mix plant.

Flitter stated the property is two parcels; Parcel #16.032.1950 is 3.03 acres but it is combined for business with Parcel #16.032.1900 for a total of 3.68 acres and is located north of Interstate 90. Flitter went on to state the site was purchased by Michael Bettin in 2003 and was formerly owned by NuWay Cooperative and used as a fertilizer plant under different names for several years with land use records dating back to 1974. Flitter noted in the land use records there were variances for side yard and center line of the road requests granted over the years. Flitter went

on to note the site is north of Bettin Trucking/Truck Wash owned by Michael and Maynard Bettin and located in the city limits of Fairmont zoned "B-3" General Business. Flitter continued on the East side of the property is Hwy. 15 and Wal-Mart also located in city limits of Fairmont as of 2004. This area has been opened up for additional opportunity for growth to possibly include restaurants and other retail establishments. On the west side of the property is farmed "A" Agricultural District located outside of city limits. Flitter stated notices were sent to City of Fairmont, Martin County Highway Department, County Sanitarian, Soil & Water, Township Officials, surrounding neighbors/landowners and the Department of Transportation. Flitter went on to state Mr. Bettin would like to construct and operate a ready mix company named Rutland Ready Mix to serve the county and surrounding area with concrete products. The findings for granting the rezone permit from the Planning Commission was that the requested rezone is compatible with the surrounding area; the requested rezone is reasonably related to the existing land use and environment; the requested rezone is consistent with the County Comprehensive Plan; and the requested rezone is consistent with the Martin County Zoning Ordinance. The Planning Commission approved the rezone request at their October 23, 2012 meeting and is recommending approval of the rezone request.

Jerry Clark, manager for the property owners know as 4/5, who own land bordering on the East, West, and the North of Bettin's proposed concrete plant and spoke on behalf of the landowners, and stated he was at the Planning Commission's meeting to hear the rezone request and that he respects their decision. Clark inquired where he may find a copy of the County Comprehensive Plan to address variance request issues should a variance request be requested for additions to existing buildings at the rezone site.

Flitter responded to Clark's inquiry.

Pierce inquired of the County Engineer of any road issues related to this rezoning request.

Kevin Peyman, County Highway Engineer, was present and stated the road is fine for truck traffic, has easy access in and out at different locations and does not feel there will be any road issues for a concrete plant at the requested location.

The Chair asked if there was any additional input from the public, there was none.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce,

R-#52/'12

RE-ZONE REQUEST
MICHAEL BETTIN
RE-ZONE PROPERTY FROM "A" AGRICULTURAL DISTRICT
TO "I" INDUSTRIAL DISTRICT
WITHIN SECTION 32 OF RUTLAND TOWNSHIP

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce,

WHEREAS, a Re-zone of property was requested by Michael Bettin within Section 32 of Rutland Township in Martin County, Minnesota (legally described in applications) from “A” Agricultural District to “I” Industrial District for the purpose of placing a ready mix plant at that site; 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 23rd day of October, 2012 following proper notice, held a public hearing regarding the request and, following the hearing, adopted a recommendation that the request for a Re-zone of property be granted; and

WHEREAS, the Martin County Board of Commissioners finds that Re-zone Request is to be issued for the following purpose:

Construct future ready mix plant

WHEREAS, the following conditions have been applied:

- The requested re-zone is compatible with the surrounding area.
- The requested re-zone is reasonably related to the existing land use and environment.
- The requested re-zone is consistent with the County Comprehensive Plan.
- The requested re-zone is consistent with the Martin County Zoning Ordinance.

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 Re-zone Request 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 6th day of November, 2012.

BOARD OF COMMISSIONERS
MARTINCOUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, CountyCoordinator

Roll Call AYES: Commissioners Belgard, Pierce, Schmidtke, and Donnelly. NAYS: None.
Resolution duly passed and adopted this 6th day of November, 2012.

Flitter next stated that with that property being rezoned to Industrial it would require a Conditional Use Permit for Mr. Bettin to operate a ready mix company (Rutland Ready Mix) which will employ 7-12 people. Flitter reviewed a Conditional Use Permit (CUP) request from Michael Bettin within Section 32 of Rutland Township to construct a ready mix plant in an "I" Industrial District. The Martin County Zoning Ordinance requires a Conditional Use Permit in order to operate a ready mix plant in an "I" Industrial District. There were conditions placed on the proposed site pertaining to the ready mix plant as follows, any additional permits required by the State of Minnesota must be obtained by the applicant, proper building permits must be obtained, and the conditional use permit is contingent on the approval of the rezoning request by the Martin County Board of Commissioners. Flitter stated that the Planning Commission approved the CUP request at their October 23, 2012 meeting and is recommending approval of the Conditional Use Permit.

There were no comments from the public present.

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard,

R-#51/'12

CONDITIONAL USE PERMIT
MICHAEL BETTIN
OPERATE A READY MIX CEMENT PLANT
IN AN "I" INDUSTRIAL DISTRICT
WITHIN SECTION 32 OF RUTLAND TOWNSHIP

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard,

WHEREAS, a Conditional Use Permit was requested by Michael Bettin within Section 32 of Rutland Township in Martin County, Minnesota (legally described in applications) for the purpose to Construct a Ready Mix Plant on property located in an "I" Industrial Zoning District; 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 23rd day of October, 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:

Construct a ready mix plant

WHEREAS, the following conditions have been applied:

- Any additional permits required by the State of Minnesota must be obtained by the applicant.
- Building permit(s) be obtained.
- Conditional Use Permit is contingent on Martin County board of Commissioners approval of the Re-zone Request.

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 6th day of November, 2012.

BOARD OF COMMISSIONERS
MARTINCOUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Pierce, Belgard, Schmidtke, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6th day of November, 2012.

Kevin Peyman, Martin County Highway Engineer, stated the Board authorized the recruitment and replacement of a Highway Maintenance Specialist I for the Fairmont Shop earlier and that there were nineteen (19) applicants. Interviews were held for the position and Peyman recommends the hire of Jason Harris pending satisfactory reference checks and pre-employment drug tests.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of County Highway Engineer, hereby approve the hire of Jason Harris, Highway Maintenance Specialist I, at Grade 10 Step 1 at \$15.64 per hour for the Martin County Highway Department effective November 26, 2012; contingent upon satisfactory reference and required pre-employment drug test; and is

eligible for benefits per the County Personnel Policies as it applies to this position. Carried unanimously.

Peyman presented and reviewed a summary report from the Minnesota Department of Transportation's National Bridge Inspection Program summarizing Compliance and Rank in Class based on the number of structures the Martin County Highway Department is responsible to inspect. The Highway Department's performance was determined to be 100% in compliance and ranked 1 of 33 for individual metric performance.

Peyman presented a Highway Department update including CSAH 38 Grading Project noting it will be eight foot narrower when the final surface goes on next year; and CSAH 39 Concrete Surfacing Project is complete and transition work should be complete by the end of the week.

Jeff Markquart, Martin County Sheriff, and Captain Corey Klanderud, stated the Martin County Sheriff's Office submitted and has been awarded the annual Emergency Management Performance Grant for Federal Fiscal Year 2012. Markquart stated the grant dollars received go toward expenses for Emergency Management in the Sheriff's Office and is in the amount of \$20,177.00.

Motion by Commissioner Belgard, seconded by Commissioner Pierce,

R-#50/12

RESOLUTION AUTHORIZING EXECUTION OF
EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM AGREEMENT

Be It Resolved, that Martin County, MN enters into a Grant Agreement with the State of Minnesota, acting through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management for the program entitled Emergency Management Performance Grant (EMPG) in the amount of \$20,177.00 effective January 1, 2012 through December 31, 2012 for the Federal Fiscal Year 2012.

Martin County Sheriff, along with Board Chair, is hereby authorized to execute and sign such Grant Agreements and amendments as are necessary to implement the project on behalf of Martin County, MN.

Motion by Commissioner Belgard, seconded by Commissioner Pierce, and was duly made and adopted this 6th day of November, 2012.

BOARD OF COMMISSIONERS
MARTINCOUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Pierce, Belgard, and Donnelly. NAYS: None. Resolution was duly passed and adopted this 6th day of November, 2012.

Klanderud stated as part of the connection for the ARMER system from the Fairmont Tower, the County will need the service of a T1 trunk line to serve as a backup or direct connection to the Fairmont Tower located at 1679 100th Street, Fairmont. Klanderud went on to state there is a monthly cost of the service including installation of the T1 line in the amount of \$385.00 per month, and the service agreement with Frontier is for five (5) years. Klanderud noted this is a required component of the communication service needed for the ARMER system.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners hereby approve and ratify the service agreement between Frontier Communications of America Service and the County of Martin, MN for the installation and services of a T1 connection to the ARMER communications tower located at 1679 100th Street in Fairmont, MN at a cost of \$385.00 per month for 60 months effective October 29, 2012; and to authorize Sheriff Jeff Markquart to sign the agreement on behalf of the Martin County Board. Carried unanimously.

Klanderud continued due to a warrant the Martin County Sheriff's Office will be transporting a prisoner from Anchorage, Alaska to Fairmont, Minnesota for prosecution. Klanderud noted the Sheriff's Office contacted some private companies and found the Martin County Sheriff's Office was able to provide this transport cheaper than the private companies. Estimated expenses for two staff include transportation (airfare-including inmate) \$2,995.50, hotel costs of \$442.52, meals \$120, for a total estimated cost of \$3,518.02; and travel costs will be added to the restitution of the prisoner.

Discussion ensued whether the County's Out-of-State Travel Policy was relevant to the Sheriff's Office transporting of prisoners; and will be addressed further at a future Board meeting.

After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize out of state travel request for Sheriff's Office staff to transport (dates) of prisoner for prosecution from Anchorage, Alaska to Fairmont, MN at an estimated cost for two staff include transportation (airfare-including inmate) \$2,995.50, hotel costs of \$442.52, meals \$120, for a total of \$3,518.02; and that the cost of the transport will be submitted to the court for restitution. Carried unanimously.

Klanderud stated the Board authorized recruitment of two part-time communications officers for fill in work to cover for full-time staff when out of the office. Klanderud went on to state with the future ARMER system we want to make sure we have staff in place and trained for the new radio system.

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the Martin County Sheriff's Office, hereby approve the hire of Stacie Gerhardt and Lacy Sheppard as part time Communications Officers at \$15.97 per hour effective November 13, 2012; not eligible for benefits; and contingent upon satisfactory background checks. Carried unanimously.

Klanderud and Markquart provided an update on the Sheriff's Office remodel project.

Klanderud presented the Sheriff's Office 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, and Michelle Bell, Corrections Officer.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, 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 4 Year Step at \$21.80/hour to 5 Year Step at \$22.19/hour effective November 1, 2012; and for Michelle Bell, Corrections Officer, from 7 Year Step at \$22.91/hour to 8 Year Step at \$22.35/hour effective November 23, 2012. Carried unanimously.

Markquart stated there were twenty-five (25) inmates in house yesterday; nineteen (19) out of county; with two (2) sent to St. Cloud, Minnesota today. The numbers continue to be high.

Higgins presented a resolution authorizing the public sale of tax forfeited land in the county. The resolution sets the terms and conditions, date, and time of sale. The sale is set for Tuesday, November 27, 2012 at 10:00 a.m. in the Commissioners Board Room.

Motion by Commissioner Pierce, seconded by Commissioner Belgard,

RESOLUTION # 45 / 12

AUTHORIZING & FIXING TERMS OF TAX SALE:

BE IT RESOLVED, that all parcels of tax-forfeited land listed on the List of Tax-Forfeited Land #13 be classified as non-conservation land; that the basic sale price of each parcel on the List of Tax-Forfeited Land #13, that is on file with the Martin County Auditor/Treasurer, be approved and authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at **10:00 a.m. Tuesday, November 27, 2012**, by the Martin County Auditor/Treasurer, in the Commissioners Room, 1st Floor in the Martin County Courthouse, 201 Lake Avenue, Fairmont, Minnesota, beginning and not less than the basic sale price; and that all sales shall be full payment and on the terms set forth on the List of Tax-Forfeited Land #13 dated November 6, 2012.

BE IT FURTHER RESOLVED, that the conditions and terms of the public sale shall be as described in the list contained herein and approved by the Martin County Board of Commissioners.

Motion was made by Commissioner Pierce, seconded by Commissioner Belgard, and carried.

Dated this 6th Day of November, 2012.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MINNESOTA

Steven Donnelly, Chairperson

ATTEST: _____
Scott Higgins
Martin County Coordinator

Roll Call AYES: Commissioners Schmidtke, Belgard, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6th day of November, 2012.

Deb Mosloski, Martin County Drainage Administration, was present to request the Board to consider setting the interest rate at 4% for Ditch Assessments that run for more than one year; and as part of this consideration, to include setting a minimum charge of \$5.00 for any Ditch Assessments that run for more than one year. Mosloski noted that Kurt Deter, Attorney with Rinke Noonan, determined by State Statute that counties cannot charge more than 4% interest for Ditch Assessments that will be running for more than one year. Mosloski went on to note that in previous years there have been Ditch Assessments for \$0.76 or \$1.28 and landowners let them run out for ten years before paying them. Mosloski recommends the Board set a minimum amount for Ditch Assessments and that the minimum amount is paid in that same year.

Afterdiscussion,

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be it Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby approves setting the interest rate at 4% for all new Ditch Assessments that run for more than one calendar year, beginning January 1, 2013. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, acting as the Drainage Authority for Martin County, hereby approve that new Ditch Assessments have a minimum amount due of \$5.00 per year; and that all Ditch Assessments of \$100.00 or less be paid in full by the end of the calendar year, effective January 1, 2013. Carried unanimously.

Mosloski and Mike Forstner, Drainage Technician for Martin County, received two quotes for the purchase of a replacement ATV for the Martin County Drainage Administration Office. Mosloski and Forstner reviewed the quotes received.

Jackson Sports, LLC – Jackson, MN

Description	Retail	Quote
2013 Polaris 500 Ranger	\$9,300.00	
	<u>+\$ 500.00</u>	
		\$9,800.00
		Less Gov. Discount <u>-800.00</u>
		\$9,000.00
		Plus Sales Tax <u>619.00</u>
		Total \$9,619.00

Doug’s Sports Center

Description	Retail	Quote
Arctic Cat 550 Prowler	\$10,999.00	\$10,109.00
		With Winch <u>+ 550.00</u>
		\$10,659.00
Arctic Cat 700 Prowler	\$13,699.00	\$12,556.00
		With Winch <u>+550.00</u>
		\$13,106.00

Discussion ensued on the price difference between the two models and wanting to purchase locally. Commissioners inquired if Drainage Administration has talked with Doug’s Sports Center to see if they will come down in price and/or match the price quoted from Jackson Sports.

Forstner stated that he had not talked with Doug’s Sports to see if they will come down or match Jackson Sports price; and indicated that he would be okay with either the Polaris or Arctic Cat.

After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners acting as the Drainage Authority for Martin County, hereby approve and authorize the purchase of a replacement ATV to best meet the needs of the Drainage Administration Office. Carried unanimously.

Commissioner Belgard reviewed that during the Repair/Improvement on JD #28, there is a claim for crop damages from Greg Schock as he was not able to plant approximately 1.4 acres. The Martin County Drainage Authority will need to set the value of that crop less input costs. Schock has figured 202 bushels per acre crop lost.

Much discussion ensued as to placing a value upon crops. Mr. Schock's damages do not include any input costs.

Forshee recommended checking with Faribault County as they've got something set, see how their system is structured, and determine if Martin County can adopt their policy for paying crop damages outside of ditch redeterminations.

After further discussion, no action taken on payment for crop damages for work completed on JD #28.

James Forshee, Martin County Auditor/Treasurer, stated the Martin County Auditor/Treasurer's Office is requesting authorization to abate the taxes due for mobile home No. 23.132.9018 for years previous to 2005 in the amount of \$1,026.44. Forshee stated this mobile home was sold to Refugio Sanchez in 2005 by Angela Benoit. At this time there was back taxes due; but were never paid by Benoit. Sanchez has paid the taxes from 2005 to present with a \$50.00 payment to be paid next month. Forshee stated his office has tried to contact the previous owner for the older taxes.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the mobile home tax abatement for mobile home No. 23.132.9018; and to abate the taxes from 2000 to 2004 in the amount of \$1,026.44. Carried unanimously.

Higgins stated Minnesota Statutes require that bids be taken for Official County Newspaper for the publication of notices, board minutes, etc. The Fairmont Photo Press was awarded the bid for the 2012 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 2013.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, 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 2013. Carried unanimously.

Higgins stated the 2012 Annual Meeting of the Minnesota Counties Intergovernmental Trust (MCIT) will be held on Monday, December 3, 2012 at 4:00 p.m. An election will be held for two seats on the MCIT Board of Directors. The MCIT By-laws provide for the designation of official voting delegates and alternates. Current voting delegate and alternate are Steve Donnelly, Delegate; and James Forshee, Alternate.

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby appoint Steve Donnelly as the voting delegate and James Forshee as voting alternate to the 2012 Annual Meeting of the Minnesota Counties Intergovernmental Trust to be held on Monday, December 3, 2012 at 4:00 p.m. in St. Cloud, MN. Carried unanimously.

Higgins stated the Association of Minnesota Counties (AMC) requests that each county provide voting delegates to the annual conference which will be held December 3 & 4, 2012 in St. Cloud, MN; with by-laws allowing up to eight participants per county. After discussion,

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve up to eight delegates to attend the Association of Minnesota Counties (AMC) Annual Conference to be held December 3-4, 2012 in St. Cloud, MN which includes Steve Pierce, Steve Donnelly, Jack Potter, Dan Schmidtke, Elliot Belgard, Scott Higgins, Kevin Peyman, and James Forshee. Carried unanimously.

Higgins stated that with the Christmas Eve (December 24) holiday falling on Monday this year the Board is being asked to consider closing the courthouse for Christmas Eve essentially the morning hours as the Personnel Policy allows for a half day holiday (close at noon on December 24). Staff would be expected to use PTO or comp time, or go unpaid for the half day. Higgins noted in 2007 staff was given a survey and based on the survey results the Board authorized closure of the courthouse in order for staff to enjoy a longer holiday weekend. Higgins went on to note the Martin County Library does not wish to be closed on Christmas Eve; therefore we are just looking at the courthouse offices.

Much discussion ensued regarding closure of county offices on the morning of December 24, 2012; past survey of staff; and use of PTO, comp time, or go unpaid for the half day. The Coordinator's Office was instructed to survey county offices to see how many employees were planning to take Christmas Eve morning off; and if the Courthouse Offices were closed on Christmas Eve morning, would you be willing to take accrued time off (i.e. PTO, Comp., or go unpaid); and that survey results would be brought to the next regular Board of Commissioners meeting.

Higgins presented a resolution declaring a Solid Waste Market Price for establishing the Minnesota Solid Waste Management Tax liable by Martin County as requested by the Minnesota Pollution Control Agency. If after determining a market price, the market price is higher than your tipping fee, then the County is liable for the tax on that difference. State statutes identified the market price is to be the lowest price available in the area and that the Dickinson County Landfill in Spirit Lake, Iowa was used in determining the tipping fee of \$26.50 plus additional transportation cost brings it somewhere between \$34 and \$35 per ton. Higgins noted there has been no increase from the previous year's price per ton.

Commissioner Pierce recommended \$34.50 as the base price per ton.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#53/'12

RESOLUTION
SOLID WASTE MARKET PRICE

WHEREAS, the Minnesota solid waste management tax requires political subdivisions to identify by resolution a market price if the political subdivision:

- a. Subsidizes the cost of service at a facility; or
- b. Directly bills on a property tax statement for organized collection of

municipal solid waste

WHEREAS, the political subdivision will be liable for any solid waste management tax based only on the market price amount identified through the resolution.

WHEREAS, the market price is identified in the state statute as the lowest price available in the area;

NOW THEREFORE BE IT RESOLVED, the Martin County Board declares a market price of \$34.50 per ton for a facility, based on a tipping fee amount of \$26.50 per ton at the Dickenson County Landfill and additional transportation costs.

Motion was made by Commissioner Pierce, seconded by Commissioner Schmidtke, and was duly passed and adopted this 6th day of November, 2012.

BOARD OF COMMISSIONERS
MARTINCOUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, CountyCoordinator

CERTIFICATION

I hereby certify that the foregoing resolution is a true and correct copy of a resolution presented and adopted by the Martin County Board of Commissioners at a duly authorized meeting thereof held on the 6th of November 2012 as shown by the minutes in my possession.

Scott Higgins, CountyCoordinator

Roll Call AYES: Commissioners Belgard, Schmidtke, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6th day of November, 2012.

Forshee stated that recently the County was deeded the property located at 320 North Dewey Street in Fairmont. In order to complete the transfer and record the property, there are taxes that need to be abated. Forshee went on to state the City of Fairmont has agreed to abate their portion of the taxes. Per the Auditor's records, it appears there is \$287.05 in taxes due on the property to the County and \$300.98 to the City of Fairmont. The Board is being asked to abate the County's portion of the taxes for this property (Parcel No. 23.121.0030). Forshee noted these amounts do not include interest and penalties and will need to be calculated and added to the abatement.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the abatement of property taxes and

any assessments for the County's portion of Parcel No. 23.121.0030 (320 North Dewey Street, Fairmont, MN) for the years 2007 through 2012. Carried unanimously.

The Board reviewed the Greater Blue Earth River Basin Alliance CY2013 Dues Request; and information on MCIT's Annual Meeting Announcement and Notice of Board Elections.

Higgins stated the County adopted the Policy Committee's recommendation to revise the meal reimbursements to allow gratuity to be reimbursed, not to exceed 15% and the \$30/day meal allowance. However, the policy does not define reimbursement if tip is included and rounded to the nearest dollar (i.e. meal cost of \$11.41, paying by credit card, the 15% tip would be \$1.71 and employee rounds to \$2.00 tip). Higgins recommends adding and approving language to County Policy #P18 Training and Development to include gratuity rounding up to the nearest dollar for reimbursement.

After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve amending current County Policy #P18 Training and Development employee reimbursement to include 15% gratuity language for rounding to the nearest dollar. Carried unanimously.

Commissioners presented their Board member reports:

Commissioner Schmidtke stated he attended Human Services meeting on October 17th, and Planning & Zoning on October 23rd.

Commissioner Pierce stated he had nothing additional to report.

Commissioner Belgard in addition to what has already been mentioned he attended the AMC Fall District Meeting on October 31st, and regular EDA meeting on November 5th.

Commissioner Donnelly stated he had nothing new to report.

Commissioners reviewed their calendars of upcoming meetings and activities: November 6, 2012 – Labor Management Committee at 1:30 p.m.; November 7, 2012 – Human Services Exec Board meeting; November 9, 2012 – Canvass Board at 10:00 a.m.; farewell reception for Roberta McDonald from 2:30 – 3:30 p.m.; November 12, 2012 – Veterans Day Holiday – Courthouse closed; November 13, 2012 – Extension meeting at 8:00 a.m., and SMIF Breakfast meeting at the Holiday Inn at 7:30 a.m.; November 14, 2012 – Park Board meeting at 4:30 p.m. at the Martin County Highway Shop, and MCIT's Defensive Driving Training at 9:00 a.m. and 1:00 p.m.; November 16, 2012 – Prairieland meeting, and Glows Parade at 6:00 p.m.; and November 20, 2012 – regular Board of Commissioners Meeting at 9:00 a.m. – Board Room.

With no further business to wit, Board Chair adjourned the meeting at 10:40 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Donnelly, Board Chair

ATTEST: _____
Scott Higgins, Coordinator