

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
THURSDAY, DECEMBER 6, 2012  
@ 4:30 P.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 4:30 p.m. by Chairman Steve Donnelly.

Commissioners present were Elliot Belgard, Jack Potter, Dan Schmidtke, Steve Pierce, and Steve Donnelly. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Highway Engineer, Kylie Saari, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following additions: 6.5 Consider Tobacco License for Cody Lee Leiding, d/b/a Legends Bar and Grill in Ceylon, MN; 8.11 Consider Purchase of Property located at 117 No. Main in Fairmont, MN; 8.12 Consider Communications Facility Agreement (ARMERTowers) – Sheriff’s Office; and 8.13 Consider JARC Transit Contract Extension with Fairlakes Transportation. Carried unanimously.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the November 6, 2012 and November 20, 2012 regular Board of Commissioners meetings. Carried unanimously.

Enid Bloedel, Labor Management Committee Co-Chair, presented the traveling trophy award to the Martin County Board of Commissioners – winners of the 2012 inter-county Salvation Army Food Drive competition.

Scott Higgins, Martin County Coordinator, presented four (4) Conditional Use Permit requests from Christensen Farms (within Section 9 of Rolling Green Township, within Section 12 of Waverly Township, within Section 15 of Cedar Township, and within Section 32 of Nashville Township) for expansion of current hog operation on existing building sites located in “A” Agricultural Districts. The Planning Commission approved the Conditional Use Permits at their November 27, 2012 meeting and is recommending approval of the Conditional Use Permits.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter,

R-#57/’12

CONDITIONAL USE PERMIT  
CHRISTENSEN FARMS  
CONSTRUCTING AND OPERATING A FEEDLOT SITE  
IN AN “A” AGRICULTURAL DISTRICT  
WITHIN SECTION 9 OF ROLLING GREEN TOWNSHIP

Motion by Commissioner Schmidtke, seconded by Commissioner Potter,

WHEREAS, a Conditional Use Permit was requested by Christensen Family Farms, Inc., applicant/owner of property located within Section 9 of Rolling Green Township in Martin County, Minnesota (legally described in applications) for the purpose of expanding current hog operation over 1,000 animal units on an existing building site located in an "A" Agricultural 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 27<sup>th</sup> day of November, 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:

Constructing and operating a feedlot site over 1,000 animal units, and

WHEREAS, the following conditions have been applied:

- Any additional permits required by the State of Minnesota must be obtained by the applicant.
- Applicant must construct according to plan, which has been submitted.

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 6<sup>th</sup> day of December, 2012.

BOARD OF COMMISSIONERS  
MARTINCOUNTY, MN

\_\_\_\_\_  
Steve Donnelly, Board Chair

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

Roll Call AYES: Commissioners Belgard, Pierce, Potter, Schmidtke, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of December, 2012.

Motion by Commissioner Pierce, seconded by Commissioner Belgard,

R-#58/12

CONDITIONAL USE PERMIT  
CHRISTENSEN FARMS  
CONSTRUCTING AND OPERATING A FEEDLOT SITE  
IN AN "A" AGRICULTURAL DISTRICT  
WITHIN SECTION 12 OF WAVERLY TOWNSHIP

Motion by Commissioner Pierce, seconded by Commissioner Belgard,

WHEREAS, a Conditional Use Permit was requested by Christensen Family Farms, Inc., applicant/owner of property located within Section 12 of Waverly Township in Martin County, Minnesota (legally described in applications) for the purpose of expanding current hog operation over 1,000 animal units on an existing building site located in an "A" Agricultural 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 27<sup>th</sup> day of November, 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:

Constructing and operating a feedlot site over 1,000 animal units, and

WHEREAS, the following conditions have been applied:

- Any additional permits required by the State of Minnesota must be obtained by the applicant.
- Applicant must construct according to plan, which has been submitted.

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 6<sup>th</sup> day of December, 2012.

BOARD OF COMMISSIONERS  
MARTINCOUNTY, MN

\_\_\_\_\_  
Steve Donnelly, Board Chair

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

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

Motion by Commissioner Belgard, seconded by Commissioner Potter,

R-#59/'12

CONDITIONAL USE PERMIT  
CHRISTENSEN FARMS  
CONSTRUCTING AND OPERATING A FEEDLOT SITE  
IN AN "A" AGRICULTURAL DISTRICT  
WITHIN SECTION 15 OF CEDAR TOWNSHIP

Motion by Commissioner Belgard, seconded by Commissioner Potter,

WHEREAS, a Conditional Use Permit was requested by Christensen Family Farms, Inc., applicant/owner of property located within Section 15 of Cedar Township in Martin County, Minnesota (legally described in applications) for the purpose of expanding current hog operation over 1,000 animal units on an existing building site located in an "A" Agricultural 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 27<sup>th</sup> day of November, 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:

Constructing and operating a feedlot site over 1,000 animal units, and

WHEREAS, the following conditions have been applied:

- Any additional permits required by the State of Minnesota must be obtained by the applicant.
- Applicant must construct according to plan, which has been submitted.

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 6<sup>th</sup> day of December, 2012.

BOARD OF COMMISSIONERS  
MARTINCOUNTY, MN

---

Steve Donnelly, Board Chair

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

Roll Call AYES: Commissioners Schmidtke, Potter, Pierce, Belgard, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of December, 2012.

Motion by Commissioner Potter, seconded by Commissioner Belgard,

R-#60/12

CONDITIONAL USE PERMIT  
CHRISTENSEN FARMS  
CONSTRUCTING AND OPERATING A FEEDLOT SITE  
IN AN "A" AGRICULTURAL DISTRICT  
WITHIN SECTION 32 OF NASHVILLE TOWNSHIP

Motion by Commissioner Potter, seconded by Commissioner Belgard,

WHEREAS, a Conditional Use Permit was requested by Christensen Family Farms, Inc., applicant/owner of property located within Section 32 of Nashville Township in Martin County, Minnesota (legally described in applications) for the purpose of expanding current hog operation over 1,000 animal units on an existing building site located in an "A" Agricultural 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 27<sup>th</sup> day of November, 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:

Constructing and operating a feedlot site over 1,000 animal units, and

WHEREAS, the following conditions have been applied:

- Any additional permits required by the State of Minnesota must be obtained by the applicant.
- Applicant must construct according to plan, which has been submitted.

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 6<sup>th</sup> day of December, 2012.

BOARD OF COMMISSIONERS  
MARTINCOUNTY, MN

\_\_\_\_\_  
Steve Donnelly, Board Chair

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

Roll Call AYES: Commissioners Potter, Schmidtke, Belgard, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of December, 2012.

James Forshee, Martin County Auditor/Treasurer, presented a Tobacco License for approval from Cody Lee Leiding, d/b/a Legends Bar and Grill in Ceylon, MN. Forshee stated the required forms have been completed by the applicant.

Motion by Commissioner Pierce, seconded by Commissioner Belgard,

R-#65/'12

RESOLUTION

ISSUANCE OF TOBACCO LICENSES FOR 2013

WHEREAS, the County of Martin, MN (County) has established a Tobacco Ordinance (Ordinance) relating to the sale, possession, and use of tobacco in Martin County and to reduce the illegal sale, possession, and use of such items to and by minors, along with compliance with Minnesota Statutes and Rules; and

WHEREAS, applications for a tobacco license to sell tobacco shall be made through the County and its required forms as established by the Ordinance; and

WHEREAS, the Martin County Board of Commissioners (Board) may either approve or deny the license, or delay it for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the Board approves the application, the County Coordinator shall issue the license. If the application is denied, notice of the denial shall be given to the applicant along with notice of the applicants right to appeal the Board's decision; and,

WHEREAS, all licenses shall be valid under the Ordinance for one calendar year from the date of issuance; and,

NOW THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners, hereby approve and authorize tobacco licenses for the following Retail Establishments, and valid for the year 2013:

- Cody Lee Leiding, d/b/a Legends Pub and Grill located at 103 East Main Street in Ceylon, MN

Upon this motion made by Commissioner Pierce, seconded by Commissioner Belgard, was duly made and passed this 6<sup>th</sup> day of December, 2012.

BOARD OF COMMISSIONERS  
MARTINCOUNTY, MN

\_\_\_\_\_  
Steve Donnelly, Board Chair

ATTEST: \_\_\_\_\_

Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Schmidtke, Potter, Belgard, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of December, 2012.

Kevin Peyman, Martin County Highway Engineer, requested approval to attend the American Traffic Safety Services Association (ATSSA) Annual Convention and Traffic Expo in San Diego, California on February 24-26, 2013. Peyman stated Mn/DOT State Aid will also be sending Wayne Sandburg with Washington County to this convention; and that there is no cost to the county with Mn/DOT paying for registration, lodging, and airfare.

Motion by Commissioner Schmidtke, 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 Kevin Peyman to attend the American Traffic Safety Services Association (ATSSA) Annual Convention and Traffic Expo at the San Diego Convention Center in San Diego, California February 24-26, 2013; and that the convention registration, lodging, and airfare will be paid by Mn/DOT State Aid. Carried unanimously.

Peyman reviewed the Martin County Parks/Trail Committee members with terms ending December 31, 2012 stating that Ken Ringeisen, Bruce Goraczowski, Joe Burns, and Sadie Mosloski are interested in serving additional terms. Peyman noted that Stacie Anderson's term is up in 2013; however, she no longer has time to be on the Park Board and commissioners will need to look for one more At-Large member.

Commissioners reviewed various boards and commissions with members' terms that will expire in December, 2013. Schmidtke noted that Jane Kotewa is willing to serve on the F/M Human Services Board and recommends her appointment. After further review,

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard, Be It Resolved that the Martin County Board of Commissioners, hereby approve the (re)appointments of the following citizens to the following Citizen Advisory Boards/Commissions: Calvin Saxton of Granada, MN and Julie Becker of Fairmont, MN to serve a three year term on the Extension Committee with term ending December 31, 2015; Larry Baarts of Northrop, MN and Dale Schumann of Fairmont, MN to serve a three year term on the Martin County Economic Development Authority Commission with term ending December 31, 2015; Ken Ringeisen of Fairmont, MN, Bruce Goraczowski of Fairmont, MN, Joe Burns of Fairmont, MN, and Sadie Mosloski of Truman, MN to serve on the Martin County Parks/Trail Committee with term ending December 31, 2015; and Jane Kotewa of Fairmont, MN to serve a three year term on the F/M Human Services Board with term ending December 31, 2015. Carried unanimously. Higgins stated each year the Board is required to establish its annual compensation and per diem and other reimbursable expenses for members when conducting their official duties prior to January 1<sup>st</sup>. The Board may increase or decrease the annual compensation. Higgins noted in the past the Board has adjusted by either percentages or dollar amounts. Higgins went on to note a 2% increase has been included in the CY2013 Budget which equates to \$22,040. Higgins continued that the Chairman will receive an additional \$1,000 per year and \$500 per year



additional for Vice Chair and commissioners appointed to the Personnel Committee, and per diem of \$75 each day performing official duties.

Motion by Commissioner Pierce, seconded by Commissioner Potter,

R-#61/'12

RESOLUTION

COUNTY COMMISSIONERS COMPENSATION, PER DIEM & EXPENSES

WHEREAS, Chapter 301 of the Session Laws 1975 provides a method for determining County Commissioners' compensation, per diem pay, and expense allowances, and

WHEREAS, resolution of the County Board establishing the salary, schedule of per diem payments, and expense allowance must be made before January first of each year so as to become effective January first of the next year, and

WHEREAS, the Board of County Commissioners of Martin County after due deliberation and discussion, have determined the annual salary, schedule of per diem payments, and expense allowances that will be effective January 1, 2013 and thereafter, until changed by resolution of the Board in a manner provided by law.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Martin County as follows:

1. That the annual salary of each County Commissioner of Martin County shall be the sum of \$22,040.00 plus an additional \$1,000 per year for the Chairman; and \$500 per year for Vice Chair and/or Commissioners appointed to the Personnel Committee with the exception of the Board Chair, payable bi-weekly, less such deductions as are authorized or required by law, and shall be paid to such Commissioner during such interval as he or she is qualified by law to hold such office.

2. That each individual County Commissioner shall be paid one per diem of \$75.00 each day spent in performing the official duties connected with the office. The per diem pay may be paid to any individual County Commissioner making application therefore, who, by proper designation or authorization, has served or is an alternate on any board, committee, or commission of County government, including committees of the Board or for the performance of service for any of the following work, service or activity.

- |                          |                             |
|--------------------------|-----------------------------|
| Region Nine Delegate     | Workforce Council           |
| F/M Human Services Board | County Planning Commission  |
| Prairieland Joint Powers | County Water Plan Committee |
| Delegate to M.V.A.C.     | GBERBA Board                |
| Building Committee       | A.M.C. Delegate             |
| Personnel Committee      | County Park Board           |

MN Extension Service	Community Corrections
Region Nine E.M.S.	Minnesota River Basin JPB
County Highway Liaison	Law Library Board
Three Rivers RC & D	MAAH
SouthCentral HRA Board	Economic Development Board County
Insurance Committee	County GASB Committee
Transit Advisory Comm. (TAC)	Soil & Water Conservation Dist. Liaison
Dist. 1, 2,3,4,5, Ditch Insp.	Library Board
South Central Finance Committee	Public Relations Campaign Comm.
Jail/Justice Center Committee	County Solid Waste Committee
Investment in Current/Future Emp.	Highway 15 Coalition
Martin Co. Recreational Trails Comm.	MCIT Delegate
Labor Management Committee	County Strategic Planning Committees
GIS Committee	Iowa Lakes Regional Water Advisory Comm.
Library Board Alternate	Rural Minnesota Energy Board (RMEB)
Drug Court Representative	South Central Minnesota Radio Board
Bureau 14 (Chamber of Commerce)	State Health Improvement Plan (SHIP)

Activities relating to Ditches under the Jurisdiction of the County Board, or under Jurisdiction of a Joint County Ditch Authority.

For such committee, board, or commissioner work or meetings which may be required by law or which is authorized by the Board of County Commissioners, providing that such work, service or activity is authorized by Board action prior to the performance of such work, service or activity.

3. No Commissioner may receive an amount greater than one full per diem payment on any one day. A Commissioner may accept or claim less than the full per diem. If a per diem is paid by another entity or authority for work, service, or activity permitted by this resolution, MartinCounty shall not pay a per diem for the same work, service or activity.

4. That in addition to the salary and per diems set forth herein, each individual CountyCommissioner may be paid his or her actual and necessary expenses and the County mileage allowance, according to CountyPolicy when traveling on official business authorized by Board action.

Motion was made by Commissioner Pierce, seconded by Commissioner Potter, and unanimously carried, for the adoption of said resolution.

Dated this 6<sup>th</sup> day of December, 2012.

BOARD OF COMMISSIONERS  
MARTINCOUNTY, MN

---

Steve Donnelly, Board Chair

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

Roll Call AYES: Commissioners Pierce, Potter, Belgard, Schmidtke, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of December, 2012.

Higgins stated the Board has authorized the recruitment of a coordinator for the Supervised Visitation Program/Center. There were a total of seven applications received and five interviews were conducted. Higgins stated staff is recommending the hire of Kimberly Smith, effective December 11, 2012 contingent upon receiving background checks that are satisfactory to the County.

Motion by Commissioner Belgard, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the hire of Kimberly Smith as Coordinator for the County's Supervised Visitation Program/Center effective December 11, 2012 at Grade 8 Step 1 at \$13.32/hour, average of up to 15 hours per week; and not eligible for full benefits, subject to serving a twelve (12) month probationary period; and is contingent upon receiving background checks that are satisfactory to the County. Carried unanimously.

Higgins stated as a result of a WIC audit on the handling of WIC clients, it was determined that there was a need for increased privacy for the clients. Human Services staff is requesting remodeling of office space on the second floor of the Human Resource Building. The estimated cost of the remodeling project is \$35,757. It is expected that federal funding will be received for 92% of the project (\$32,757) and the local share would account for 8% (approximately \$3,000). Higgins went on to state per the lease agreement with the F/M Human Services agency; alterations by the Lessee will need the Board's approval for proposed changes to the facility. Additionally, it has been asked if the County will cover the local share of the remodel expenses (\$3,000). According to the lease agreement, it may be the expense of Human Services.

Motion by Commissioner Pierce, seconded by Commissioner Belgard, Be it Resolved that the Martin County Board of Commissioners, hereby approve the proposed WIC office remodel project in the Human Resource Building in an estimated amount of \$35,757 with the cost of the project to be covered by Federal Dollars of 92% of the project, estimated at \$32,757, and the local share of 8% of the project cost, estimated at \$3,000 to be paid by the F/M Human Services Agency. Carried unanimously.

Forshee recommended a second year-end bill payment cycle in December, 2012. Forshee stated the cut-off date is December 21, 2012 at 5:00 p.m. for vouchers with checks mailed out on December 27, 2012.

Motion by Commissioner Schmidtke, seconded by Commissioner Pierce, Be It Resolved that the Martin County Board of Commissioners, hereby approve a second year-end bill payment cycle; and authorize the Auditor/Treasurer to approve such bill payments for December, 2012. Carried unanimously.

Higgins noted that annually the Board has set the general wage adjustment for non-union employees and elected officials. Higgins went on to note the GWA for union contracts for the year 2013 has been set at 2.0% and has been included in the CY2013 proposed budget.

Motion by Commissioner Schmidtke, seconded by Commissioner Belgard,

R-#63/'12

RESOLUTION  
ESTABLISHING THE 2013 NON-BARGAINING COMPENSATION PLAN AND SALARY  
MATRIX

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

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

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Martin, State of Minnesota, that effective January 1, 2013 the non-union employees shall receive a General Wage Adjustment increase of 2.0% subject to the County's Classification and Compensation plan; and,

BE IT FURTHER RESOLVED, that the 2013 Salary Matrix for the Martin County Classification and Compensation Plan shall be adjusted by 2.0% general increase effective January 1, 2013; and,

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

BOARD OF COMMISSIONERS  
MARTINCOUNTY

\_\_\_\_\_  
Steve Donnelly, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, CountyCoordinator

Roll Call AYES: Commissioners Pierce, Potter, Belgard, Schmidtke, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of December, 2012.

Higgins presented a resolution to approve the Elected Official salaries for CY2013. Higgins stated the listed salaries in the Resolution reflect a 2.0% increase for CY2013.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke,

R-#62/'12

RESOLUTION  
ESTABLISHING MARTINCOUNTY ELECTED OFFICIALS  
SALARIES FOR CY2013

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, to approve and authorize the Board Chair to sign this Resolution (R-#62/'12) setting the salaries for Martin County Elected Officials for 2013:

WHEREAS, the Martin County Board of Commissioners is responsible for setting the salaries of all elected officials in the County including the County Board, County Board Chair, County Auditor/Treasurer, County Recorder, and County Attorney; and

WHEREAS, the Martin County Board of Commissioners appreciates the work performed by all of the elected officials in Martin County.

NOW THEREFORE BE IT RESOLVED, that the annual salaries of elected officials in Martin County for the year CY2013 are set as follows (any rounding will be governed by payroll):

	<u>2013</u>
County Attorney	\$75,779.40
County Auditor/Treasurer	\$85,238.40
County Sheriff	\$87,547.20
County Recorder	\$65,553.36

BOARD OF COMMISSIONERS  
MARTINCOUNTY, MN

\_\_\_\_\_  
Steve Donnelly, Board Chair

ATTEST: \_\_\_\_\_  
Scott Higgins, CountyCoordinator

Roll Call AYES: Commissioners Belgard, Potter, Schmidtke, Pierce, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of December, 2012.

Higgins stated each year the Board procedurally takes action to approve the employee wages for payroll purposes and includes a 2% General Wage Adjustment and step increase if eligible. This typically includes the non-union, Martin County Highway Supervisors Association, Courthouse Union employees, and Law Enforcement Labor Services #115 and #136. Higgins noted the Library Board is responsible for the Library staff and typically follows the County Board's action as it pertains to the Library union contract.

Higgins continued and reviewed a request from the Martin County Recorder for a two-step increase for 2013 for Kathy Simmering due to additional duties deemed supervisory in nature.

After discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the merit increases for the non-union employees (appointed and hired) and eligible AFSCME Courthouse union employees, AFSCME Library 1204C, and LELS #136 and #115, effective January 1, 2013; and after review of the request letter from the County Recorder, hereby deny a two-step increase for Kathy Simmering – Recorder’s Office. Carried unanimously.

Higgins stated as part of the County’s ongoing effort for obtaining property for improvements and until such time in the future that an alternate use is pursued by the County, the Board is being asked to consider purchasing the property located at 117 North Main in Fairmont. Higgins noted the purchase price for the property is \$99,500.

Discussion ensued regarding purchase price. After further discussion,

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the purchase of property located at 117 North Main in Fairmont, MN in the amount of \$99,500; and authorize the County Attorney to proceed with paperwork; and authorize the Board Chair to sign the purchase agreement. Carried unanimously.

Higgins reviewed the Communications Facility Agreement between the State of Minnesota Department of Transportation (Mn/DOT) and County of Martin, MN. Higgins stated the purpose of the agreements are to permit non state owned communications equipment on the Mn/DOT owned towers, land, building, or other structures which are under the jurisdiction of the Commissioners of Transportation and include the Sherburn, Fairmont, and Truman, MN towers. Higgins went on to state the term of the agreement is for ten (10) years (January, 2013 through December, 2022); the agreement renews automatically, unless otherwise terminated by one or both parties with a thirty (30) day written notice; and that Martin County agrees to pay annually for the number of base stations as follows: 1-2 \$300 per year, 3-4 \$400 per year, and 5 or more \$500 per year.

Motion by Commissioner Belgard, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair and/or Sheriff Jeff Markquart to sign the Communications Facility Agreement between the State of Minnesota Department of Transportation (Mn/DOT) and County of Martin, MN. The purpose of the agreements are to permit non state owned communications equipment on the Mn/DOT owned towers, land, building, or other structures which are under the jurisdiction of the Commissioners of Transportation; and agree to pay annually for the number of base stations as follows: 1-2 \$300 per year, 3-4 \$400 per year, and 5 or more \$500 per year; and that the term of the Agreement is for ten (10) years (January, 2013 through December, 2022) and is to be

renewed automatically, unless otherwise terminated by one or both parties per the Agreement, effective January 1, 2013. Carried unanimously.

Forshee presented the annual resolution Order Fixing Ditch Repair and Maintenance Levies and Assessments on County, Joint County, and Judicial Ditches of Martin County, MN for 2013.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter,

R-#64/12

**RESOLUTION**

**ORDER FIXING DITCH REPAIR AND MAINTENANCE LEVIES AND ASSESSMENTS ON COUNTY, JOINT COUNTY, AND JUDICIAL DITCHES OF MARTIN COUNTY, MN:**

WHEREAS, ditch repair and maintenance expenditures having been made, or to be made, on various County, Joint County, and Judicial Ditches located wholly or partly within Martin County, MN and it appearing that there are not sufficient funds to the credit of the ditches to finance said repairs and maintenance expenditures; therefore the Martin County Board of Commissioners do hereby, by resolution; levy and assess the following ditch fund accounts to pay for current expenditures for repairs and maintenance or to reimburse other funds where monies have been or will be loaned to the ditch fund, or for the designated purpose of payments on future repair and maintenance expenditures, and

WHEREAS, the various drainage system levy and assessments hereby made by the County Board of Commissioners shall be apportioned and assessed pro rata upon all lands, corporations, and municipalities which have participated in the total benefits theretofore determined; and such levy and assessments for repairs and maintenance of any one ditch system be limited in any one calendar year based upon pro rata percentage of the original calendar year based upon pro rata percentage of the original benefits of that particular drainage system thereof in Martin County, MN under the provisions of Minnesota Statutes Annotated 103-E.

THEREFORE, BE IT RESOLVED, by the Martin County Board of Commissioners of Martin County, MN that the following County, Joint County, and Judicial ditches hereby levied and assessed in the amounts so indicated as sufficient to take care of their obligations for repairs and maintenance heretofore made, or to be made, and equal installments be spread and made payable where necessary, with and made payable where necessary, with and as apart of the Real Estate Taxes in the indicated as follows, to-wit:

**DITCHES LEVIED FOR ONE YEAR PAYABLE 2013:**

<b>NUMBER</b>	<b>DITCH</b>	<b>AMOUNT</b>
1001	CD #1	\$30,000.00

1003	CD #2	\$10,000.00
1008	CD #9	\$ 5,000.00
1011	CD #13\$ 1,000.00	
1015	CD #19	\$ 1,000.00
1018	CD #23 \$10,000.00	
1019	CD #24	\$50,000.00
1020	CD #25	\$10,000.00
1022	CD #26\$ 5,000.00	
1025	CD #29	\$35,000. 00
1030	CD #31	\$ 5,000.00
1037	CD #38	\$ 2,000.00
1039	CD #41\$ 2,000.00	
1042	CD #44	\$ 5,000.00
1044	CD #47\$ 1,000.00	
1051	CD #55\$ 5,000.00	
1056	CD #60\$ 2,000.00	
1058	CD #62	\$ 2,000.00
1059	CD #63	\$ 5,000.00
1060	CD #64	\$ 1,000.00
1065	CD #70	\$ 5,000.00
1066	CD #71	\$ 2,000.00
1069	CD #74	\$ 2,000.00
9012	JD #8\$10,000.00	
9138	JD #9	\$10,000.00
9022	JD #13	\$ 1,000.00



9027	JD #17	\$ 2,000.00
9040	JD #26 M & F	\$ 1,000.00
9139	JD #28\$25,000.00	
9067	JD #44	\$10,000.00
9075	JD #51\$ 5,000.00	
9088	JD #70\$ 5,000.00	
9091	JD #73\$10,000.00	
9094	JD #76	\$ 4,000.00
9103	JD #85	\$10,000.00
9104	JD #86\$ 5,000.00	
9108	JD #91 M & J	\$10,000.00
9110	JD #93	\$ 2,000.00
9120	JD #104	\$ 1,500.00
9121	JD #105 M & J\$ 5,000.00	
9122	JD # 108	\$ 1,000.00
9123	JD #109	\$10,000.00
9126	JD #111	\$ 4,000.00
9128	JD #116	\$10,000.00
9150	JD #214 M & F	\$10,000.00
9152	JD #414 M & F	\$20,000.00

Upon motion by Commissioner Schmidtke, seconded by Commissioner Potter, and carried, said resolution was duly passed and adopted this 6<sup>th</sup> day of December, 2012.

BOARD OF COMMISSIONERS

---

Steven Donnelly, Chairman

ATTEST: \_\_\_\_\_

James Forshee, Martin County Auditor/Treasurer

DITCHES LEVIED FOR MORE THAN ONE YEAR

Ditch #	Name of Ditch	Year Ending
9026-1	Judicial Ditch #15 M & J	2017
1009	County Ditch #11	2013 (\$ 45,000)
9036	Judicial Ditch #25	2013 (\$ 35,000)
9054	Judicial Ditch #367	2013 (\$ 45,000)
9015	Judicial Ditch #10 (10 years) (2008)	2017 (\$40,000)
1043-2	County Ditch #46 (5 years) 2009	2013(\$ 2,000)
9001-1	Judicial Ditch #1 (15 years) 2009	2023(\$ 75,000)
9005-1	Judicial Ditch #3 (12 years) 2009	2020(\$120,000)
9012-1	Judicial Ditch #8 (12 years) 2009	2020(\$ 65,000)
9015-4	Judicial Ditch #10 (5 years) 2009	2013(\$ 40,000)
9032-2	Judicial Ditch #22 (10 years) 2009	2018(\$ 30,000)
9036-2	Judicial Ditch #25 (12 years) 2009	2020(\$ 20,000)
9063-1	Judicial Ditch #41 (12 years) 2009	2020(\$ 27,000)
9085-1	Judicial Ditch #67 (12 years) 2009	2020(\$ 15,000)
9094-2	Judicial Ditch #76 (5 years) 2009	2013(\$ 2,000)
9095-2	Judicial Ditch #77 (12 years)2009	2020(\$ 5,000)
9097-1	Judicial Ditch #79 (12 years)2009	2020(\$ 5,000)
9111-1	Judicial Ditch #95 (5 years) 2009	2013(\$ 5,000)
9150-1	Judicial Ditch #214(N System)(5years)2009	2013(\$ 50,000)
9152-1	Judicial Ditch #414(S System)(12 years)2009	2020(\$ 90,000)
9069 & 9070	Judicial Ditch #47 2010	2029 (\$695,250.40)

9001	Judicial Ditch #1	2011 (3 years)	2013 (\$20,000)
9040	Judicial Ditch #26 M&F	2011 (3 years)	2013 (\$3,000)
9042	Judicial Ditch #27 M&F	2011 (3 years)	2013 (\$3,000)
9143	Judicial Ditch #34	2011 (5 years)	2015 (\$50,000)
9055	Judicial Ditch #37	2011 (5 years)	2015 (\$20,000)
9074	Judicial Ditch #50	2011 (10 years)	2020 (100,000)
9079	Judicial Ditch #59	2011 (5 years)	2015 (\$40,000)
9092	Judicial Ditch # 74	2011 (3 years)	2013 (\$6,000)
9100	Judicial Ditch #82	2011 (7 years)	2017 (\$225,000)
9117	Judicial Ditch #101	2011 (5 years)	2015 (\$10,000)
9128	Judicial Ditch #116	2011 (7 years)	2017 (\$200,000)
9054	Judicial Ditch #367	2011 (3 years)	2013 (\$75,000)
9151	Judicial Ditch #314 (middle)	2011 (3 years)	2013 (\$15,000)
1001	County Ditch # 1	2011 (3 years)	2013 (\$20,000)
1005	County Ditch # 3	2011 (3 years)	2013 (\$13,000)
1009	County Ditch #11	2011 ( 5 years)	2015 (\$300,000)
1052	County Ditch #52	2011 (5 years)	2015 (\$20,000)
1009	County Ditch #11	2012 (5 years)	2016 (\$95,000)
1048	County Ditch 53	2012 (3 years)	2014 (\$20,000)
1051	County Ditch # 55	2012 (2 years)	2013 (\$5,000)
1055	County Ditch #59	2012 (5 years)	2016 (\$10,000)
1067	County Ditch #72	2012 (5 years)	2016 (\$35,000)
1068	County Ditch #73	2012 (3 years)	2014 (\$5,000)
9007	Judicial Ditch #4 (301) M&W	2012 (5 years)	2016 (\$6,000)
9008	Judicial Ditch #6	2012 (5 years)	2016 (\$10,000)

9009	Judicial Ditch #7 M&F	2012 (15 years)	2026(\$150,000)
9015	Judicial Ditch # 10	2012 (3 years)	2014 (\$50,000)
9021	Judicial Ditch #12	2012 (5 years)	2016 (\$12,000)
9036	Judicial Ditch # 25	2012 (5 years)	2016 (\$30,000)
9041	Judicial Ditch #27	2012 (5 years)	2016 (\$25,000)
9139	Judicial Ditch #28	2012 (5 years)	2016 (\$30,000)
9066	Judicial Ditch #43	2012 (3 years)	2014 (\$10,000)
9073	Judicial Ditch #49	2012 (2 years)	2013 (\$10,000)
9092	Judicial Ditch #74	2012 (20 years)	2031(\$100,000)
9105	Judicial Ditch #88 M&W	2012 (3 years)	2014 (\$5,000)
9113	Judicial Ditch #97	2012 (3 years)	2014 (\$5,000)
9130	Judicial Ditch #202 M&F	2012 (5 years)	2016 (\$10,000)
9151	Judicial Ditch #314 M&F	2012 (2 years)	2013 (\$10,000)
9054	Judicial Ditch #367	2012 (20 years)	2031 (\$100,000)
1009	County Ditch #11	2013 (3 years)	2015 (\$100,000)
1034	County Ditch #35	2013 (3 years)	2015 (\$10,000)
1040	County Ditch #42	2013 (5 years)	2017(\$60,000)
1047	County Ditch #52	2013 (10 years)	2022(\$31,000)
1064	County Ditch #69	2013 (5 years)	2017(\$75,000)
9002	Judicial Ditch #2 M & F	2013 (15 years)	2027 (\$435,000)
9007	Judicial Ditch #4 M & F	2013 (15 years)	2027(\$60,000)
9025	Judicial Ditch # 15 M&J	2013 (10 years)	2022(\$60,000)
9031	Judicial Ditch # 21	2013(10 years)	2022(\$125,000)
9155	Judicial Ditch #390(open)	2013 (10 years)	2022(\$100,000)
9156	Judicial Ditch #391(West)	2013 (5 years)	2017 (25,000)

9157	Judicial Ditch #392(Br O)	2013 (5 years)	2017 (\$20,000)
9063	Judicial Ditch # 41	2013 (5 years)	2017 (\$40,000)
9064	Judicial Ditch # 42	2013 (3 years)	2015 (\$15,000)
9068	Judicial Ditch # 46	2013 (3 years)	2015 (\$20,000)
9069	Judicial Ditch # 47	2013 (3 years)	2015 (\$35,000)
9111	Judicial Ditch # 95	2013 (3 years)	2015 (\$20,000)
9112	Judicial Ditch # 96	2013 (3 years)	2015 (\$15,000)
9114	Judicial Ditch # 98	2013 (3 years)	2015 (\$40,000)
9116	Judicial Ditch #100	2013 (3 years)	2015 (\$10,000)
9127	Judicial Ditch #115	2013 (3 years)	2015 (\$10,000)
9130	Judicial Ditch # 202 M & F	2013 (3 years)	2015 (\$15,000)
9137	Judicial Ditch # 4 (301)M&W	2013 (10 years)	2022 (\$150,000)

\*\*\* The following drainage systems have borrowed from another ditch fund\*\*\*

9001 (701) Judicial Ditch #1 borrowed \$30,000.00 from 9150 ( 850) JD 204 Hugoson Petition

9063 (769) Judicial Ditch # 41 borrowed \$10,000.00 from 9152 (951) JD #204 Br A-38 Petition

1009 (869) County Ditch #11 borrowed \$15,000.00 from 1070 (928) CD #75

This money must be paid back at 6% per annum interest from January 1, 2008 until paid back.

9036-2(739) Judicial Ditch #25 borrowed \$25,000 from Revenue Fund in 2002. Paid back \$15,000.00 in 2009

This money must be paid back at 6% per annum interest from January 1, 2010 until paid back.

Roll Call AYES: Commissioners Belgard, Pierce, Potter, Schmidtke, and Donnelly. NAYS: None. Resolution duly passed and adopted this 6<sup>th</sup> day of December, 2012.

Higgins stated the current contract with Fairlakes Transportation for the JARC Commuter Route will expire December 31, 2012. Higgins went on to state that the required procurement process as established by the Minnesota Department of Transportation, Office of Transit, for obtaining a third party contractor to provide services for the operations of the Martin County JARC Commuter Route public transportation system has been put on hold due to new requirements from the Federal Transit Authority (FTA). Higgins recommends a contract extension at the same

hourly rate of \$31.71 per hour for Fairlakes Transportation to continue their third party operator service until they go through the required official bid process. Higgins noted it is expected that by the end of March, 2013 the bid process will be complete.

Motion by Commissioner Pierce, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, due to the insufficient time to solicit Request for Proposals and enter into a contract for the 2013 operating period, and to complete the bid process as established by the Minnesota Department of Transportation, Office of Transit and Federal Transit Authority in obtaining a third party contractor to provide services for the operations of the Martin County Commuter Service from Fairmont, MN to Jackson, MN and to Blue Earth, MN, hereby approve the extension of the existing contract with Fairlakes Transportation, Inc. (Fairmont, MN), along with final approval from the Minnesota Department of Transportation, Office of Transit (Mn/DOT), to continue to provide services for the operation of the Commuter Service until such time a competitive bid process is completed; at the same hourly rate of \$31.71 per hour as stated in the existing purchase of service agreement, effective January 1, 2013. Carried unanimously.

The Board reviewed 2012 Septic Loan Program information.

Commissioners presented their individual board member reports:

Commissioner Potter stated he attended an Ag Bureau meeting and department director evaluations on November 20<sup>th</sup>; Human Services full board in the morning and department director evaluations in the afternoon on November 21<sup>st</sup>; Rural Minnesota Energy Board at Slayton, MN and MVAC in the evening on November 26<sup>th</sup>; department director evaluations on November 27<sup>th</sup>; AMC Conference December 3-4 in St. Cloud, MN; and Human Services Exec. Board meeting on December 5<sup>th</sup>.

Commissioner Schmidtke stated in addition to those already mentioned that along with Commissioner Belgard and Commissioner Potter attended a Ditch teleconference meeting with Jackson County on November 20<sup>th</sup>; Planning and Zoning meeting on November 27<sup>th</sup>; and AMC Conference December 3-4 in St. Cloud, MN.

Commissioner Donnelly stated in addition to those already mentioned he attended a Building Committee meeting on November 29<sup>th</sup>.

Commissioner Pierce stated he had nothing new to add.

Commissioner Belgard stated he had nothing new to add.

Commissioners reviewed their calendars of upcoming meetings and activities: December 7<sup>th</sup> – Tri County Solid Waste meeting in St. Peter, MN; December 8<sup>th</sup> – Red Bag Pickup for Salvation Army; December 11<sup>th</sup> – Library meeting, Ditch #40 meeting at 9:00 a.m. with Deb Mosloski, Martin County Drainage Administration; December 12<sup>th</sup> – Ag Bureau 14 meeting; December 14<sup>th</sup> – Prairieland meeting, and Ditch #2 meeting before or after the Prairieland meeting with

Faribault County; December 18<sup>th</sup> – regular Board of Commissioners meeting at 9:00 a.m. in the Board Room (Continuation Public Hearing on JD #40 at 10:00 a.m.).

With no further business to wit, Chairman Donnelly adjourned the regular meeting of the Board of Commissioners at 5:17 p.m.

PROCEEDINGS OF THE  
MARTIN COUNTY BOARD OF COMMISSIONERS  
TRUTH AND TAXATION PUBLIC HEARING  
THURSDAY, DECEMBER 6, 2012  
@ 6:00 P.M.

The Truth and Taxation Public Hearing was called to order by Chairman Donnelly at 6:00pm and welcomed those in attendance to the proposed CY2013 budget and tax public hearing.

Commissioners present were Elliot Belgard, Jack Potter, Dan Schmidtke, and Steve Donnelly. Absent: Steve Pierce. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Dan Whitman, Martin County Assessor, Jessica Korte, Accountant, Kylie Saari, Sentinel Newspaper, and twelve (12) members of the public.

The proposed budget information was provided to all those who were present.

Whitman presented the information on the Payable CY2013 Tax Base Analysis. After the report, Chair Donnelly thanked Whitman for the report.

Forshee reviewed the proposed CY2013 budget and levy. The total revenues are projected to be \$21,572,597 (including tax levy). The total expenditures for the CY 2013 budget is projected at \$21,682,462. The tax levy for CY2013 is \$11,444,862, which equates to a 5.95% increase over CY2011.

Chair Donnelly asked for public input. Jack Doolittle, Bruce Ziemann, and Duane Letcher all inquired of their market values. The Chair reminded the public that this hearing was to get input on the CY2013 proposed budget and not a discussion of market values and referred each of them to the County Assessor. Chair Donnelly again asked if there were any questions or input on the proposed CY2013 budget and levy. Doolittle stated his appreciation of the board for their work in keeping the budget within reason and thanked them for the good job they were doing. There was no further public input.

Motion by Schmidtke, seconded by Belgard, Be It Resolved to close the public portion of the Truth and Taxation public hearing. Carried unanimously.

Chair Donnelly opened board discussion on the proposed budget and levy.

Belgard stated that if there was a way to lower the levy and even though the use of reserves was budgeted, what was the projected amount of reserves that would actually be used.

Forshee indicated that further reductions could be made as result of no increase in health premiums; however, there would be projected salary increases that would need to be added due to the recent board action in opening up the additional steps to the county's pay scale. Also, we could run the numbers to determine the projected the amount of fund balance to be used for the current budget year.

No further discussion,

Motion by Belgard, seconded by Schmidtke to set the final adoption of the proposed CY 2013 budget and levy for December 18, 2012, at 9:45am. Carried unanimously.

With no further business to wit,

Chair Donnelly declared the meeting adjourned. The meeting adjourned at 6:40pm.

BOARD OF COMMISSIONERS  
MARTIN COUNTY, MN

---

Steve Donnelly, Board Chair

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