

**Yellow Medicine County Board Meeting Minutes
March 22, 2011**

Chairman Dick Wambeke called this regular meeting of the Yellow Medicine County Board to order at 9:00 a.m. with Commissioners Louis Sherlin, Gary Johnson, Greg Renneke, Dick Wambeke and Ron Antony present. Also present were County Administrator Ryan Krosch, County Attorney Keith Helgeson, Granite Falls Advocate Tribune reporter Scott Tedrick and Marshall Independent reporter Phillip Bock.

Approve Agenda 3-22-11-01 Motion by Commissioner Antony and seconded by Commissioner Johnson to approve the agenda with the following changes: add City of Echo attorney contract to other business; add gravel pit reclamation bonds to the regular agenda; add the February jail report to the informational items. Motion carried with all voting in favor.

Consent Agenda 3-22-11-02 Motion by Commissioner Antony and seconded by Commissioner Johnson to approve the consent agenda items as follows: minutes of the March 8, 2011, County Board meeting; Finance Committee recommendations as presented; amendment to the Dept. of Human Services contract for processing MN Care applications; Resolution #06-2011 supporting the SW MN Housing Partnership Renter Rehab Deferred Loan Program; Revenue Fund budget amendments totaling \$65,988 in expenditures, Human Service Fund budget amendments totaling \$26,600 in expenditures, Road & Bridge Fund budget amendments totaling \$19,334 in expenditures, Ditch Fund budget amendments totaling \$590.00. Motion carried with all voting in favor.

Citizen Comments None

Commissioners' Reports

Commissioner Sherlin reported on Area II, Public Health and the RDC Revolving Loan Fund. Commissioner Johnson reported on the Prairie Lakes Youth Program and a Granite Falls flood meeting. Commissioner Renneke reported on the SWCD, Planning Commission, County Historical Society, RCRCA and Finance Committee. Commissioner Wambeke reported on the Finance Committee, Law Library and a meeting with the State Auditor's Office for the 2010 audit. Commissioner Antony reported on the MN Valley Regional Railroad, LQP-YB Watershed, Pioneerland Library and Workforce Council.

Human Services Program Education Deb Sheehan gave a presentation on the PACT for Families services and programs.

Human Services Director Report

Child Abuse Awareness Month 3-22-11-03 Human Services Director Peg Heglund presented a proclamation to designate April 2011 as Child Abuse Awareness Month. Motion by Commissioner Antony and seconded by Commissioner Johnson to approve the proclamation as presented. Motion carried with all in favor.

Day Training and Habilitation Application for Needs Determination 3-22-11-04 Motion by Commissioner Johnson and seconded by Commissioner Antony to approve an application to the MN Dept. of Human Services for a Day Training and Habilitation facility closure in Granite Falls. Motion carried with all voting in favor.

Human Services Director Peg Heglund reviewed the February cash flow report, changes to access transportation services and offered to provide an opportunity for Commissioners to meet with Human Services staff to learn more about the Human Services budget and programs.

The Board recessed for a break at 10:45 a.m.

The Board reconvened at 11:00 a.m.

Regular Agenda

5-Year Road & Bridge Construction Plan 3-22-11-05 Chairman Wambeke opened the public hearing to take comments on the 5-year Road & Bridge Construction Plan. County Engineer Andy Sander, Assistant Engineer Steve Schaub, Maintenance Supervisor Larry Stoks and Engineering Technician Mike Schaffran presented the Plan to the Board and answered questions. No one from the public was present to provide comments. Chairman Wambeke closed the hearing at 11:22 a.m.

Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the 2011-2015 Road & Bridge Construction Plan as presented. Motion carried with all voting in favor.

Seasonal Bids 3-22-11-06 County Engineer Sander presented the 2011 seasonal bid results for bituminous, steel culverts, cutting edges, road salt, pavement striping, gravel materials, equipment rental, weed spraying and calcium chloride dust control. Motion by Commissioner Sherlin and seconded by Commissioner Johnson to approve the 2011 seasonal bids as presented. Motion carried with all voting in favor. Bids are on file at the County Highway Department office in Granite Falls.

2011 Calcium Chloride Rate 3-22-11-07 Motion by Commissioner Antony and seconded by Commissioner Johnson to set the 2011 calcium chloride rate at \$0.64/linear foot for dust control. Motion carried with all in favor.

Road Closures Engineer Sander discussed County road closures that have occurred due to flooding.

Conditional Use Permit Request YM-508-11, Les Sander 3-22-11-08 County Planning and Zoning Director Randy Jacobson presented a recommendation from the Planning Commission to approve conditional use permit YM-508-11 for Les Sander, Echo, MN; to construct a 51' x 408' confinement barn to house 2,400 finishing pigs. Manure storage will be a 51' x 408' x 8' reinforced concrete pit underneath the barn. This site is located in part of the northeast one-quarter of the southeast one-quarter (NE ¼ SE ¼) of Section 12 in Posen Township T-113-N R-39-W in the Rural Preservation Management District. A conditional use permit is required because this would be an expansion of an existing feedlot to over 500 animal units and the site is located within one-half mile of a neighboring dwelling(s). The Planning Commission also recommended six conditions to include with the permit. Mr. Les Sander was also present to answer questions about the request. Motion by Commissioner Antony and seconded by Commissioner Renneke to approve conditional use permit YM-508-11 for Les Sander with the following conditions:

1. Plant and maintain two rows of fast growing trees and one row of long lived trees on the north side of the driveway, in addition to the row of honeysuckle currently there.
2. Plant and maintain one row of fast growing trees and one row of long lived trees on the east side of the barn, starting at the northeast corner going south to the setback of the property line.
3. Applicant will notify neighbors within a ½ mile radius 24 hours prior to pumping of the pit and spreading of manure.
4. If odor emissions exceed permitted levels determined by MPCA guidelines at any time other than pump out, existing technology must be used to eliminate the unacceptable emission levels.
5. All liquid manure shall be injected. No exceptions.
6. Manure testing and soil analysis shall be completed annually. Manure application shall not exceed MPCA recommended agronomic rates and records shall be provided to the County Feedlot Officer.

Motion carried with all voting in favor.

Gravel Pit Reclamation Bonds Commissioner Sherlin brought up the need to require appropriate bonds or cash from gravel pit owners to assure proper pit reclamation is completed. The County Land Use Ordinance currently does require bonds for pit reclamation. This language will be reviewed the next time the Land Use Ordinance is updated to determine if additional language needs to be added.

SWCD Update SWCD Manager Lou Ann Nagel updated the Board on the SWCD programs and services.

The Board recessed for lunch at 12:02 p.m.

The Board reconvened at 1:00 p.m.

Minnesota Machinery Museum Update Laurie Johnson and Tom Oftedahl from the MN Machinery Museum updated the Board on the Museum's events, changes to the Museum Board's bylaws and improvements to the museum building.

New Veterans Van 3-22-11-09 Veteran Services Officer Michelle Gatz presented a bid from the MN Cooperative Purchasing Venture (MN state competitive bidding) for the purchase of a new veterans van. The purchase would be funded by a grant from the MN Veteran Services Enhancement Grant Program. Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the purchase, with an auditor's warrant, of a 2011 Dodge Grand Caravan Express at a cost of \$20,715.00 plus tax/title/license/fees and approve a budget amendment for the same amount. Motion carried with all voting in favor.

Spring Flooding Emergency Manager Michelle Gatz updated the Board on the projected spring flooding.

Property Valuation and Tax Statement Mailings Auditor/Treasurer Lois Bonde reviewed the new process for mailing property valuation and tax statement notices. The valuation and tax statements will now be mailed together instead of separately. The mailing is also being outsourced to a private company. The cost of outsourcing the mailing can be done much cheaper than doing it in-house.

MN Falls/Excel Energy Dam Legislation 3-22-11-10 The Board reviewed a request from Granite Falls Energy, LLC to support the following legislative action regarding the MN Falls/Excel Energy Dam:

- 1) Immediate action by statute directing the Department of Natural Resources and Xcel to take no action to remove or alter the dam.
- 2) Further Legislative action in the 2012 session to convert ownership of the dam to the State of Minnesota, subject to an agreed upon plan to alter the current dam to an engineered rock rapid system, with further agreement reached between stakeholders, including the State, on contribution/responsibility for the costs of such action. (Such request will include some State bonding and therefore the suggestion that any action on the dam be froze pending further discussion of the parties and Legislative action during next year's bonding session.)

Motion by Commissioner Sherlin and seconded by Commissioner Johnson to approve support for the legislative action as stated above. Motion carried with all voting in favor.

Tobacco Free County Property 3-22-11-11 County Administrator Krosch presented a recommendation from a majority of the County Department Heads to make all county property tobacco free. Reasons for making county property tobacco free include:

- Health concerns and displeasure for County employees and the public caused by exposure to second hand smoke on County property.
- Lost work productivity of County employees that smoke due to time taken for smoking breaks and time needed to monitor smoking break time/frequency by County Department Heads and Supervisors.
- Public perception caused by seeing County employees taking smoking breaks.
- Potential health insurance costs for County employees and the County due to the health risks caused by smoking and tobacco use.
- Not having a good location for a designated smoking area on County property to segregate smokers away from public entrances, office windows, County employees and the public. Also, if a designated smoking area was established it would be difficult to direct the public to these areas and would still cause issues around public perception and lost work productivity for County employees.
- Appearance of County buildings and property due to cigarette butts and smokeless tobacco not being properly disposed of.
- The image and perception that is conveyed, especially to youth, by permitting tobacco use on County property when the County is trying to be pro-active in other areas to encourage youth not to use tobacco, alcohol and drugs.

It was discussed that several private and public entities are making their property tobacco free for the reasons previously mentioned and that the YME School and City of Granite Falls Hospital properties that are adjacent to the County Courthouse are already tobacco free. Commissioners that were opposed to making County property tobacco free stated they didn't want to impose more rules and regulations on people. County employees and staff from Countryside Public Health were also present to state their opinion on the issue.

Motion by Commissioner Johnson and seconded by Commissioner Sherlin to deny approval of the resolution presented making County property tobacco free. Motion carried with Commissioners Antony, Wambeke, Renneke and Johnson voting in favor and Commissioner Sherlin voting against.

The Board asked Administrator Krosch to work with staff and Public Health to come up with some solutions for addressing some of the concerns with tobacco use on County property without making County property tobacco free.

Other Business

City of Echo Attorney Contract County Attorney Keith Helgeson informed the Board that the County Attorney's Office was planning to provide prosecution services for the City of Echo on a contractual basis.

Chemical Health Coalition Commissioner Antony discussed with the Board that grant funding was going to possibly run out by the end of June for the Chemical Health Coalition and that there could be a three-month gap in funding until another grant is possibly awarded. The Board discussed options for keeping the Chemical Health Program running for the three months where there is potentially no grant funding available.

Informational The February 2011 jail report was reviewed by the Board.

Approval of Disbursements/Review of Auditor's Warrants 3-22-11-12 Motion by Commissioner Antony and seconded by Commissioner Sherlin to approve the Commissioner warrants for the following amounts: \$22,148.81 Revenue Fund, \$20,765.10 Road and Bridge Fund, \$3,744.31 Ditch Fund; \$71,659.96 Human Services Fund; and acknowledge review of the Auditor's warrants. Motion carried with all voting in favor.

Review of Upcoming Meetings and Events The Board reviewed upcoming meetings and events.

Adjourn 3-22-11-13 Motion by Commissioner Sherlin and seconded by Commissioner Antony to adjourn at 2:02 p.m. Motion carried with all voting in favor.

Witness:

Attest:



Dick Wambeke, Chair



Lois Bonde, Auditor/Treasurer