

**Yellow Medicine County Board Meeting Minutes
October 13, 2009**

Chairman Gary Johnson called this regular meeting of the Yellow Medicine County Board to order at 9:00 a.m. with Commissioners Louis Sherlin, Gary Johnson, Jane Remiger, 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 Deb Gau.

Approve Agenda 10-13-09-01 Motion by Commissioner Sherlin and second by Commissioner Remiger to approve the agenda with the following changes: add the purchase of tax forfeited property in Canby to the regular agenda; add coyote bounty discussion to other business; add the September 2009 jail, financial and investment reports to the informational items. Motion carried with all voting in favor.

Consent Agenda 10-13-09-02 Motion by Commissioner Remiger and second by Commissioner Wambeke to approve the consent agenda items as follows: minutes of the September 22, 2009, County Board meeting; Wood and Tyson Lakes aeration system permits; application from the City of Hanley Falls for conveyance of tax-forfeited land described as Lots 5 and 6, Block 7, Original Plat, City of Hanley Falls, for an authorized public use; hiring LeRoy Jacobson and Alfrieda Jacobson as non-scheduled part-time jury attendants and Russell Dandurand as a temporary part-time VSO/EM office support specialist. Motion carried with all voting in favor.

Citizen Comments: See regular agenda

Commissioner Reports

Commissioner Antony reported on the CD Coalition and Southwest Regional Landfill. Commissioner Wambeke reported on the 2008 audit review meeting, County HRA, Safe Communities Coalition, Emergency Management Committee and LACC. Commissioner Remiger reported on the 2008 audit review meeting, Minnesota Valley Regional Railroad, County Historical Society and Rural Energy Board. It was the consensus of the County Board to send a letter to the Rural Energy Board stating that Yellow Medicine County was no longer interested in participating in a proposed wind tower project. Commissioner Johnson reported on 6W Corrections, SWCD, RDC, MNRAAA and Prairie 5. Commissioner Sherlin reported on Area II and Western Mental Health.

Department Reports

Veterans Services/Emergency Management Update County VSO/EM Director Michelle Gatz updated the Board on veteran services programs and the H1N1 virus.

10-13-09-03 VSO/EM Gatz stated that the State of Minnesota would soon be conducting its annual review of the County's Emergency Operations Plan and that she needed Board approval of the plan prior to that review. There were no changes to the plan from the previous year. Motion by Commissioner Wambeke and second by Commissioner Antony to approve the County Emergency Operations Plan and supporting documents. Motion carried with all voting in favor.

Regular Agenda

2010 Ditch Repair and Maintenance Lien Hearing 10-13-09-04 Motion by Commissioner Remiger and second by Commissioner Antony to open the public hearing for the 2010 ditch repair and maintenance liens at 10:00 a.m. Motion carried with all voting in favor.

10-13-09-05 County Ditch Inspector John Kolhei reviewed the proposed 2010 ditch liens. No one from the public was present to provide comment. Motion by Commissioner Sherlin and second by Commissioner

Antony to close the hearing at 10:12 a.m.

10-13-09-06 Motion by Commissioner Sherlin and second by Commissioner Antony to approve as presented the 2010 ditch repair liens totaling \$169,660. Motion carried with all voting in favor.

Ditch Inspector Kolhei gave an update to the Board on the status of certain ditch cleaning and repair projects.

The Board recessed for a break at 10:20 a.m.

The Board reconvened at 10:35 a.m.

Citizen Comments: Gloria Johnson Property – Section 8 Stony Run Township Chairman Gary Johnson removed himself from his Chair and Commissioner position on the County Board to present a complaint on behalf of his mother Gloria Johnson. Ms. Johnson's complaint is that her agricultural land located in Section 8 of Stony Run Township has experienced increased wetness due to a wetland restoration project and construction of a clay embankment on the adjacent David Kvam property. The wetland restoration project modified Branch 10 of Yellow Medicine County Judicial Ditch 21. Also present for the discussion was Scott Santjer - BWSR, Lou Ann Nagel – SWCD, John Kolhei – County Ditch Inspector and David Kvam – landowner. Both Mr. Johnson and Mr. Kvam presented information related to the complaint. A report from the Minnesota Board of Water and Soil Resources addressing the complaint was presented to the Board to review. The Board took no action on the matter and requested time to review the report and have BWSR Chief Engineer Allan Kean attend a future Board meeting to further discuss the issue.

Agricultural Best Management Practices Loan Program 10-13-09-07 SWCD District Manager Lou Ann Nagel and County Water Plan Coordinator Jolene Johnson presented information on the Minnesota Department of Agriculture's Agricultural Best Management Practices (AgBMP) Loan Program. If funded, the program would allow the County to offer low interest loans to property owners for the purpose of septic system replacement. Repayment of the loans would be paid as an assessment on the landowner's property. The SWCD would apply for the loan funds from the State of Minnesota and Yellow Medicine County would be a local lender. Auditor/Treasurer Lois Bonde was also present to discuss various issues the Board should consider before participating in this program. Motion by Commissioner Sherlin and second by Commissioner Antony to approve the lender agreement between the Minnesota Department of Agriculture and Yellow Medicine County as presented enabling the County to be a local lender under the AgBMP Loan Program. Motion carried with all voting in favor.

Purchase of Tax Forfeited Property in Canby 10-13-09-08 Auditor/Treasurer Bonde presented a resolution from the City of Canby that requests by written application the conveyance of tax forfeited land for an authorized public purpose. Minnesota Statute 282.01, subd. 1d states the County Board needs to approve the written application and determine the appraised value of the property. Motion by Commissioner Antony and second by Commissioner Wambeke to approve the application submitted by the City of Canby as a resolution dated August 18, 2009, requesting conveyance for an authorized public purpose tax-forfeited land described as the Southeasterly 100 feet of Lots 4,5,6, and 7 of Block 64, Ninth Railroad Addition to the City of Canby and the Northwesterly 15 feet of Lot 2, all of Lot 3, and the Southwesterly 25 feet of the Northwesterly 100 feet of Lot 1 of Block 64, Ninth Railway Addition to the City of Canby and to hereby determine that it is advisable to sell said property at the appraised value of \$100.00. Motion carried with all voting in favor.

Conditional Use Permit YM-497-09 – Mark Giese (Hammer Township) 10-13-09-09 County Planning and Zoning Director Randy Jacobson presented a recommendation from the Planning Commission to approve conditional use permit request YM-497-09 for Mark Giese, Canby, MN; to expand his existing feedlot from 433.5 animal units to 750 animal units. The site is located in the Rural Preservation Management District in

part of the southeast one-quarter of the northeast one-quarter (SE ¼ NE ¼) of Section 9 in Hammer Township T-115-N R-45-W. A conditional use permit is required because this is an expansion of an existing feedlot to over 500 animal units and is located within ½ mile of an existing building site. The Planning Commission also recommended that one condition be included with the permit. Motion by Commissioner Sherlin and second by Commissioner Antony to approve conditional use permit YM-497-09 for Mark Giese with the following condition:

1. The existing grass filter strips located to the east and north of the feedlot must be maintained as vegetative cover.

Motion carried with all voting in favor.

MFIP-CCSA Plan 10-13-09-10 Family Services Director Peggy Heglund requested approval of the 2010-2011 MFIP-CCSA Plan. Motion by Commissioner Sherlin and second by Commissioner Remiger to approve the 2010-2011 MFIP-CCSA Plan. Motion carried with all voting in favor.

Other Business

Coyotes Commissioner Johnson discussed with the Board that he has received several calls from constituents concerned about the large number of coyotes populating the County and the impact the coyotes are having on wildlife and pets. The Board discussed past efforts to get a bounty placed on coyotes. County Attorney Helgeson was asked to look into what options the County had for issuing a bounty on coyotes.

Regular Agenda Continued:

Closed Meeting – Labor Negotiations 10-13-09-11 Motion by Commissioner Sherlin and second by Commissioner Remiger to close the County Board meeting to review and discuss labor negotiation proposals from Teamsters Local 320. Motion carried with all voting in favor. The meeting was closed at 12:00 p.m. The closed meeting was held in the County Board Room. Those present for the closed meeting were Commissioners Sherlin, Johnson, Remiger, Wambeke and Antony; County Administrator Krosch and County Attorney Helgeson.

The Board ended the closed meeting at 12:13 p.m. and resumed the regular meeting.

Approval of Disbursements/Review of Auditor's Warrants 10-13-09-12 Motion by Commissioner Sherlin and second by Commissioner Antony to approve the Commissioner's warrants for the following amounts: \$77,740.67 Revenue Fund, \$94,778.99 Road and Bridge Fund, \$1,898.27 Ditch Fund; and acknowledge review of the Auditor's warrants. Motion carried with all voting in favor.

Informational: The Board reviewed the September 2009 jail, financial and investment reports.

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

The Board recessed for lunch at 12:17 p.m.

The Board reconvened at 1:37 p.m.

ARMER Radio System Presentation 10-13-09-13 County Sheriff Bill Flaten introduced Tom Johnson – Minnesota Department of Public Safety, Steve Borchardt – consultant for the Minnesota Department of Public Safety and Dennis Hausman – consultant for Federal Engineering. These individuals presented a summary of the "Minnesota Local and Regional Public Safety Interoperable Communications Assessment Project - Radio Systems Needs Assessment and Alternatives Report for Yellow Medicine County (assessment)". The purpose of the assessment was to determine how the County can comply with a Federal Communications Commission

(FCC) mandate that agencies operating radio systems below 512 MHz must modify their radio systems to a narrowband technology before January 1, 2013. This mandate requires that Yellow Medicine County change its radio communications systems to be in compliance and effectively nullifies the existing wideband license. Three options for upgrading the radio system were studied in the assessment. Most counties in Minnesota are electing to go with the 700/800 MHz – ARMER option. It was stated that most of the cost of this radio system upgrade would be paid for with grant funding and dedicated 911 fees collected by the County. Commissioner Johnson stated he supported the ARMER option but wanted to see a more detailed breakdown of the cost. Prior to the presentation being completed Commissioner Sherlin excused himself from the meeting. Motion by Commissioner Remiger and second by Commissioner Wambeke to approve Resolution 30-2009:

BE IT RESOLVED The Yellow Medicine County Board of Commissioners hereby accepts the assessment as an accurate assessment of public safety communication needs within the County and of the alternatives that reasonably exist to replace the public safety communication infrastructure within the County, and be it further;

RESOLVED, that the Yellow Medicine County Board of Commissioners adopt the Allied Radio Matrix for Emergency Response (ARMER) participation alternative specified in the assessment as the most appropriate and best option for the County to replace the public safety communication infrastructure within the County, and be it further;

RESOLVED, that the Yellow Medicine County Sheriff (hereinafter “Sheriff”) is instructed to develop a participation plan (hereinafter “plan”) for the migration of and participation of all county and local governments and public safety agencies located and operating within the County to the ARMER public safety communication system, and be it further;

RESOLVED, that the plan developed by the Sheriff shall include and provide for proposed budgets for the integration of public safety agencies to the ARMER public safety communication system, for competitive bids documents and proposals for local enhancements or improvements required for County participation and proposed contracts for equipment and services necessary to complete the integration of public safety agencies to the ARMER public safety communication system, and be it further;

RESOLVED, the assessment providing the basis of this action shall be submitted to the South West Minnesota Regional Radio Board (SWRRB) with a recommendation that the assessment be incorporated into the SWRRB regional public safety communication plan and that the Sheriff is authorized to submit the assessment and the plan to the SWRRB, to the Minnesota Departments of Transportation and Public Safety and to the Statewide Radio Board, as may be necessary to gain final approval for the County participation in the ARMER public safety communication system as provided for in the plan.

Motion carried with Commissioner Antony, Wambeke and Remiger voting in favor and Commissioner Johnson voting against.

Adjourn 10-13-09-14 Motion by Commissioner Remiger and second by Commissioner Wambeke to adjourn at 3:52 p.m. Motion carried with all voting in favor.

Witness:

Attest:



Gary Johnson, Chair



Lois Bonde, Auditor/Treasurer