

**Yellow Medicine County Board Meeting Minutes
November 9, 2010**

Chairperson Jane Remiger 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, Commissioner-elect Greg Renneke, Granite Falls Advocate Tribune reporter Scott Tedrick and Marshall Independent reporter Phillip Bock.

Approve Agenda 11-09-10-01 Motion by Commissioner Sherlin and seconded by Commissioner Johnson to approve the agenda with the following changes: meetings to discuss shared services with other counties added to the regular agenda; October 2010 investment report added to the informational items. Motion carried with all voting in favor.

Consent Agenda 11-09-10-02 Motion by Commissioner Johnson and seconded by Commissioner Wambeke to approve the consent agenda items as follows: minutes of the October 26, 2010, County Board meeting; contract for professional services with Doug Parsons to complete Computer Aided Mass Appraisal (CAMA) services; medical director agreement with Affiliated Community Medical Centers; 2011 Parent Support Outreach Grant; State of Minnesota aeration agreement for Wood Lake; Human Services Fund budget reallocation for \$10,500; Revenue Fund budget amendment of \$10,100.99 in revenues and expenses. Motion carried with all voting in favor.

Citizen Comments None

Commissioners' Reports

Commissioner Antony reported on the Southwest Regional Radio Board; CD Coalition, AMC District meeting, Southwest 18 Mental Health and 6W Corrections. Commissioner Wambeke reported on the AMC District meeting and Adult Mental Health LAC. Commissioner Remiger reported on a ditch meeting in District 1, the Planning Commission and Minnesota Machinery Museum. Commissioner Johnson reported on 6W Corrections and the RDC. Commissioner Sherlin reported on the RLF and Area II.

Department Updates

County Engineer Andy Sander met with the Board and presented two final payment resolutions for approval.

Final Payment S.P. 87-618-21 (Bridge Rehab. CSAH 18) 11-09-10-03 Motion by Commissioner Antony and seconded by Commissioner Wambeke to approve Resolution #26-2010 accepting completed project S.P. 87-618-21 and authorizing final payment to Pugh Brothers Excavating, Inc. in the amount of \$2,537.85 for the final contract amount totaling \$50,757.09. Motion carried with all voting in favor.

Final Payment C.P. 10-03 (Grading on CSAH 3) 11-09-10-04 Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve Resolution #27-2010 accepting completed project C.P. 10-03 (S.A.P. 87-603-31) and authorizing final payment to Kockelman Construction, Inc. in the amount of \$3,361.99 for the final contract amount totaling \$67,004.80. Motion carried with all voting in favor.

Department Update County Engineer Sander updated the Board on the status of the 2010 County Highway Department construction projects.

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

The Board reconvened at 10:15 a.m.

Regular Agenda

Chairperson Remiger opened the public hearing at 10:15 a.m. to take comments on the proposed Yellow Medicine County Social Host Ordinance. Those present for the hearing were Chemical Health Coordinator Ann Orren, Restorative Justice Coordinator Julie Marthaler, Yellow Medicine East School Social Worker Margaret Khali and several students from Yellow Medicine East. All those in attendance spoke in support of adopting the social host ordinance. No written comments were provided. Chairperson Remiger closed the hearing at 10:25 a.m.

Resolution Enacting the Yellow Medicine County Social Host Ordinance 11-09-10-05 Motion by Commissioner Antony and seconded by Commissioner Wambeke to approve Resolution #28-2010 enacting the Yellow Medicine County Social Host Ordinance as presented and ordaining the terms therein. Motion carried with all voting in favor.

Published summary: The Yellow Medicine County Board of Commissioners has approved an ordinance entitled: Yellow Medicine County Social Host Ordinance. Due to the length of said ordinance and pursuant to M.S. 375.51, said ordinance is not being published in its entirety as part of the proceedings of the meeting at which the ordinance was enacted. Instead, the title and a summary of the ordinance, in accordance with M.S. 331A.01, subdivision 10, is being published as part of the proceedings. Said summary is as follows:

The Yellow Medicine County Board of Commissioners desires to protect the health, safety and welfare of all persons living in and visiting the County. The use of alcohol by persons under the age of twenty-one (21) is prohibited by State statute. This ordinance prohibits, and establishes penalties for any person hosting an event or gathering where alcohol is present and being possessed or consumed by persons under twenty-one (21) years of age. This ordinance is enacted pursuant to Minn. Stat. §145A.05, subdivision 1.

The Board of Commissioners of Yellow Medicine County intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The Board of Commissioners of Yellow Medicine County finds that:

(a) Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of twenty-one are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.

(b) Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions.

(c) Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.

(d) Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and, condone the activity, and in some circumstances provide the alcohol.

(e) Even though giving or furnishing alcohol to an underage person is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.

(f) A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption occurs.

A printed copy of the full ordinance is available for inspection by any person during regular office hours at the office of the County Auditor located at the Yellow Medicine County Courthouse, 415 9th Avenue, Granite Falls, MN.

Transition to Housing MOU Monthly Payment Option 11-09-10-06 Human Services Director Peg Heglund presented a memorandum of understanding (MOU) between Yellow Medicine County and the Minnesota River Area Agency on Aging for provisions of transition to housing with services consultations. Motion by Commissioner Johnson and seconded by Commissioner Sherlin to approve the MOU as presented with the monthly payment option of \$73.89 being paid. The motion failed with Commissioners Johnson and Sherlin voting in favor and Commissioners Antony, Wambeke and Remiger voting against.

Transition to Housing MOU Annual Payment Option 11-09-10-07 Motion by Commissioner Antony and seconded by Commissioner Wambeke to approve the MOU as presented with the annual payment option of \$886.67 being paid. Motion carried with Commissioners Antony, Wambeke and Remiger voting in favor and Commissioners Johnson and Sherlin voting against.

Conditional Use Permit Request YM-506-10 Gerald Abels, Burton Township 11-09-10-08 County Planning and Zoning Director Randy Jacobson presented a recommendation from the Planning Commission to approve conditional use permit YM-506-10 for Gerald Abels to place a 16' x 42' Type I mobile home as a dwelling in the Rural Preservation Management District. The site is located in the southeast one-quarter of the southeast one-quarter (SE ¼ SE ¼) of Section 26 in Burton Township T-114-N R-43-W. The Planning Commission also recommended four conditions to include with the permit. Motion by Commissioner Antony and seconded by Commissioner Sherlin to approve conditional use permit YM-506-10 for Gerald Abels with the following conditions:

1. The existing house shall be removed from the building site within one year.
2. An individual subsurface sewage treatment system that is in compliance with Minnesota Rules 7080 shall be installed on this site during the 2011 construction season.
3. The Type I mobile home shall be installed and maintained in such a manner as to comply with all requirements of the Minnesota State Building Code.
4. If and when the Type I mobile home is no longer occupied, it shall be removed from the premises within one year.

Motion carried with all voting in favor.

Shared Services with Other Counties The Board discussed a request to meet with Redwood County to look at possible options for consolidation of services. The Board agreed to send two Commissioners and staff to the meeting. The Board also agreed to attend a meeting with Renville County to discuss a joint recycling and waste-to-energy facility proposal. The Board also requested to contact Chippewa County to see if they are interested in discussing options for consolidation of Veterans Services.

Historical Society Books Discussion on providing an appropriation to the County Historical Society for printing County history books was tabled.

Policy on Replacement of Staff Positions 11-09-10-09 County Administrator Krosch and the Board discussed new options for reviewing the replacement of staff positions. Motion by Commissioner Sherlin and seconded by Commissioner Johnson to appoint a committee made up of two County Commissioners, the County Administrator and the applicable department head to review all position openings and provide a recommendation to the County Board on whether the position should be filled or not. Motion carried with all voting in favor.

Other Business None

Informational The October 2010 investment report was reviewed.

Approval of Disbursements/Review of Auditor's Warrants 11-09-10-10 Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the Commissioner warrants for the following amounts: \$58,321.33 Revenue Fund, \$29,628.77 Road and Bridge Fund, \$24,024.92 Ditch Fund, \$54,773.25 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 11-09-10-11 Motion by Commissioner Wambeke and seconded by Commissioner Antony to adjourn at 11:43 a.m. Motion carried with all voting in favor.

Witness:

Attest:



Jane Remiger, Chair



Lois Bonde, Auditor/Treasurer