

**OFFICIAL PROCEEDINGS OF THE YELLOW  
MEDICINE COUNTY BOARD OF COMMISSIONERS  
GRANITE FALLS, MINNESOTA  
April 8, 2003**

The Yellow Medicine County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, April 8, 2003, in the board meeting room. Present were Commissioners Lynn Anderson, Ron Antony, Jane Remiger, Louie Sherlin and Chairperson Gary Johnson. Also present were County Attorney Thomas Kramer, Deputy County Auditor Lois Bonde, and news reporters Bethany Norgaard, and Dan McGonigle. The chairperson called the meeting to order. On motion, the agenda for the day and the minutes of March 25, 2003 were accepted and approved by the board.

Commissioner reports were given on the following topics: Area II, Prairie Five Nutritional Meals, Eggs & Issues, Out of Home Placement and use of Home Monitors, 6W Community Corrections, Minnesota Machinery Museum, Minnesota Valley Railroad Authority, AMC Legislative Transportation Committee Meeting, ICS, and Southwest Regional Solid Waste Management.

Chief Deputy Blackwelder requested permission to apply for the MN Department of Natural Resources Boat & Water Safety Grant for 2003, which is similar to those we have received in the past. The County will receive \$2,224.00 in funds this year. Sherlin moved for approval, Anderson seconded motion, all voted in favor.

Jolene Johnson, explained the 2003 Natural Resources Block Grant, which will provide funding of \$5,101.00 for Local Water Planning, \$1,374.00 for the Wetland Conservation Act, \$420.00 for the Shoreland Grant, and \$13,624.00 for the Feedlot Grant for a total application amount of \$20,519.00. She reviewed the Water Plan 2002 commitment of \$3,000.00 to Lac qui Parle Yellow Bank Clean Water Partnership. The Commissioners suggested she take question back to the Water Task Force and return with their recommendation. Johnson mentioned that the well sealing program has been discontinued due to lack of funds. Remiger moved to approve submission of the grant, Antony seconded, all voted in favor.

A Public Hearing for the Five Year Road Plan was held at 10:00 A.M. Assistant County Engineer Steve Schaub, along with Foreman Larry Stoks and Highway Technicians Mike Schaffran and Brad Froland reviewed all scheduled road and bridge projects in the County for the next five-year period. There were no members of the public present. After further discussion, Sherlin moved to approve the Five Year Road Plan for 2003 through 2007, as presented by the highway department. Antony seconded motion, all voted in favor.

Antony moved to schedule a bid opening for the grading and aggregate surfacing on CSAH 8 from CSAH 18 to CSAH 17 for 10:00 am on May 27, 2003. Remiger seconded motion, all voted in favor.

Schaub requested permission to purchase a paint sprayer from Diamond Vogel at a cost of \$5,235.00. Remiger moved for approval, Antony seconded motion, all voted in favor. Stoks requested permission to purchase a replacement truck. Remiger moved to table the purchase of a replacement truck until the budget situation has been addressed, Anderson seconded motion, all voted in favor. Stoks then requested permission to purchase a router for crack filling. He estimated that the router would pay for itself in two years by savings in rental fees. Antony moved for approval and set a maximum purchase of \$5,600.00, Remiger seconded motion, all voted in favor.

Schaub reported that the request to move the Memorial Park Trail project to 2004 has been approved by the RDC/TAC Committee. Phase One will be constructed in 2004 and Phase Two in 2005.

two semi-trailers acquired by the County for storage during the 1997 flood. Stoks suggested that the county keep the trailers for future storage use and that they could be parked in the gravel pit should they be needed for another emergency. Antony moved to notify the public that they were not for sale, Sherlin seconded motion, all in favor.

County Extension Director Tamie Bremseth discussed plans for the April 28<sup>th</sup> public meeting on state budget cuts. The consensus of board members was to direct Bremseth to facilitate the meeting. The meeting will be opened with introductions followed by presentations from revenue, highway, and social services. Officials from cities, townships and public schools in the county will then be allowed to give three-minute presentations on their budget problems. The meeting will then be opened to the public for questions. The focus will be on how budget cuts will affect county services and how we might share services in the future. Human Services Director Peggy Heglund prepared a letter to be mailed to city and township clerks, and public school superintendents inviting them to the Open Forum on April 28, 2003 at 7:00 p.m. Dan McGonigle of the Advocate-Tribune volunteered to print a news release in next weeks paper. Bremseth will prepare a news release and fax it to him by Friday, April 11, 2003.

The following resolution prepared by AMC was introduced.

**OPPOSING PASSAGE OF LEGISLATION WHICH  
WOULD INSTITUTE A REVERSE REFERENDUM  
ON TAX LEVY INCREASES**

**WHEREAS**, Article 5, Sec. 1, Subd. 9 of H.F. 751 as introduced in the 2003 session of the Minnesota Legislature calls for creation of law which would implement a reverse referendum procedure on tax levy increases; and,

**WHEREAS**, this reverse referendum requirement could lead to the eventual dismantling of local government services to citizens and to diminishing the quality of life of Minnesotans; and,

**WHEREAS**, said legislation flies in the face of the principles of representative democracy, dating back to the days of Thomas Jefferson and James Madison; and,

**WHEREAS**, the citizens of Minnesota already have an enhanced role through electing local officials to become knowledgeable and to make informed decisions on behalf of their constituents, and through extensive citizen involvement on a daily basis; and,

**WHEREAS**, such a proposal breaks with long-standing historical legislative policy allowing for local control and local accountability, two of the most appropriate constraints on property taxes; and,

**WHEREAS**, the duly elected commissioners of the respective 87 Minnesota counties annually construct and prudently adopt an annual budget which results in property tax levies suited to the needs of the county; and,

**WHEREAS**, ample opportunities to influence the annual property tax levy are granted to citizens through public meetings of budget committees or the full board of commissioners as well as the annual Truth in Taxation process; and,

**WHEREAS**, such a referendum would create an expensive unfunded mandate of a special election which tend to have mediocre voter turnouts and, as a result, the outcome of the vote can be a poor representation of the will of the majority; and,

**WHEREAS**, county commissioners stand before their constituents with a willingness to accept full responsibility for property tax increases that are justified, fiscally prudent, and serve the best long-term interests of the community even if short-term "political" considerations might dictate otherwise; and,

**WHEREAS**, other than raising fees, county governments in Minnesota have only the property tax levy available to meet the inflationary and population-driven demands of the mandated and essential services delivered to citizens; and,

**WHEREAS**, implementation of a local reverse referendum on property tax decisions could seriously jeopardize and cloud bond ratings and the ability to adequately fund debt service on existing debt; and,

**WHEREAS**, the necessary increases in the tax levy do not in and of themselves raise property taxes, which are affected by numerous other factors including class rate reductions, limited market value, programmatic aids, and property tax relief determined by the state legislature:

**NOW, THEREFORE, BE IT RESOLVED** that the Yellow Medicine County Board of Commissioners hereby opposes passage of legislation which would impose a reverse referendum on tax levy increases.

**BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to Governor Tim Pawlenty; Senate Majority Leader John Hottinger; Speaker of the House Representative Steve Sviggum; Senator Larry Pogemiller, Chair of the Senate Committee on Taxes; Representative Ron Abrams, Chair of the House Taxes Committee; local state legislators; and the Association of Minnesota Counties (AMC).

Anderson moved to adopt the above resolution, Sherlin seconded, all voted in favor.

Discussion was held on the MCIT recommendation for the County to obtain proof of insurance and hold harmless statements from citizens prior to anyone renting the buildings at the fairgrounds. County Attorney Thomas Kramer stated the County can choose one of two types of hold harmless agreements depending on the amount of risk the County is willing to assume. The first is an agreement specifying the type and amount of risk coverage the applicant must procure and maintain. It also requires proof of such coverage. The second agreement states that the applicant procure and maintain risk coverage and comply with the liquor liability requirements but does not require proof of such coverage. The County would assume more risk with the second agreement. After discussion it was decided that the county use the second hold harmless agreement as in the past.

Discussion was held on a bill of sale presented for review by the county attorney. The bill of sale would allow any party willing to remove the mobile home currently sitting on forfeited property in the City of Clarkfield to do so by agreeing to the removal and disposal of it. Sherlin moved to authorize sale of the mobile home in exchange for its removal off of the forfeited property. Anderson seconded, all voted in favor.

County Fiscal Supervisor Lois Bonde reported the need to write a formal policy on the level of unreserved fund balance that should be maintained in the Revenue Fund, the Road and Bridge Fund and the Human Services Fund. She suggested for the year ended December 31, 2002, that the accountants for each fund use their past experience to calculate an amount needed to operate for the first six months of 2003 and that the board designate those amounts at one of the April board meetings. Bonde requested direction in writing the above policy as to whether the board wanted to set the designation annually or appoint someone to make the determination based on board guidelines. Remiger moved to appoint a person to report to the board annually so the board can set the designation. Sherlin seconded motion, all voted in favor.

The county attorney requested permission for the purchase of office furniture for the new assistant county attorney. The county will pay 100% of the cost. Remiger moved to grant permission not to exceed \$1,000.00. Sherlin seconded, all voted in favor.

The following claims were presented for payment:

REVENUE FUND

Advocate-Tribune	4,789.04
Affiliated Community Med Ctr	1,785.67
American Solutions for Business	442.93
Ron Antony	108.72
Aramark Correctional Services	1,941.59
Roselyn Biermaier	100.58
Computer Profess Unlimited Inc	2,657.22
Consumers Coop Oil Co	116.10
County Market	132.69
Daves Family Foods	365.84

Davis Typewriter Co., Inc	161.77
Karl Erickson D.D.S.	140.00
First National Bank	1,289.84
The Ink Spot	128.00
Innovative Office Solutions	491.67
Keefe Supply Co	131.20
Loffler Business Systems Inc	689.06
LeAnn Manor	137.39
Minnesota West TC	671.75
MN Dept of Revenue	105.00
Mobile Computer Support, Inc	481.36
Michelle Molden	207.41
Morris Electronics	300.81
Quigley Concrete & Masonry	1,000.00
Radisson Hotel-St. Paul	265.62
Amy Rager	314.56
Jane Remiger	191.52
Sawmill Builders Supply Inc	283.30
Louis Sherlin	113.76
Streichers	1,904.70
Super Sitters	358.95
Tradehome Shoes	344.97
Tri-County Coop Oil Company	157.88
University Of MN	265.00
U of MN-Ag Ext Service	9,548.47
Walmart Community BRC	121.69
Dr Wang, PA	1,091.00
West Central Communications Inc	2,371.58
Payments less than \$100	2,462.06
TOTAL	\$38,170.70

ROAD & BRIDGE FUND

A & J Auto Supply Inc	416.34
Barco Municipal Products Inc	133.91
Computer Profess Unlimited Inc	338.92
Construction Bulletin Magazine	289.38
Daves Electric Motor	124.71
Independent Oil Co	208.25
Martin Marietta Aggregates	1,199.92
Minnesota West TC	212.75
Runnings Supply, Inc	130.22
Sturdevant's Auto Supply	255.41
Vlaminck Electric	1,432.41
Widseth, Smith, Nolting, Inc.	2,100.00
Payments less than \$100	988.70
TOTAL	\$7,830.92

**FINAL TOTAL** **\$46,001.62**

Meals & Per diems for the Revenue Fund in the amount of \$978.58 were also presented. Sherlin moved to approve payment for the above claims. The John Meyer claim will be held pending receipt of supporting information. Antony seconded motion, all voted in favor. As all business for the day was completed, the meeting was on motion, adjourned.

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Chairperson, Yellow Medicine  
County Board of Commissioners

ATTEST:

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Carolyn Sherlin, County Auditor  
and Clerk to the County Board