

**Yellow Medicine County Board Meeting Minutes**  
**July 10, 2012**

Chairman Gary Johnson called this regular meeting of the Yellow Medicine County Board to order at 9:00 a.m. with Commissioners Gary Johnson, Louis Sherlin and Ron Antony present. Also present were County Attorney Keith Helgeson, County Administrator Ryan Krosch, Finance & Administration Deputy Tegan Laleman, Granite Falls Advocate Tribune reporter Eric Monson and Marshall Independent reporter Steve Browne. Absent was Commissioner Greg Renneke.

**Approve Agenda 07-10-12-01** Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the agenda with the following changes: add County Road A3 paving project to the regular agenda. Motion carried with all voting in favor.

**Consent Agenda 07-10-12-02** Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the consent agenda items as follows: June 26, 2012, County Board meeting minutes; June 26, 2012, County Board of Appeal and Equalization meeting minutes; Revised Montevideo Snowdrifters, Inc. snowmobile trail agreement. Motion carried with all voting in favor.

**Citizen Comments** Family Services Director Peggy Heglund introduced part-time Office Support Specialist Karen Hodges to the Board.

**Commissioners' Report** Commissioner Sherlin reported on the West Minnesota Revolving Loan Fund. Commissioner Johnson reported on the Granite Falls Dam and a United Way Grant. Commissioner Antony reported on the Radio Board.

**Department/Program Updates**

Property & Public Services Director Janel Timm was present to give an update on the Property and Public Services Department regarding the upcoming election and the move of vital statistics.

**Regular Agenda**

Veterans Services Officer Michelle Gatz was present to discuss the Veterans concert at Prairie's Edge Casino on Friday, July 20 and the Veterans event in Marshall on Saturday, July 21.

The board recessed for break at 9:55 a.m.

The Board reconvened at 10:01 a.m.

**County Ditch #9 Branch R Preliminary Hearing** Commissioner Johnson opened the County Ditch #9 Branch R Improvement Preliminary Hearing at 10:02 a.m. Those present included several land owners, Petitioner's Attorney Kurt Deter with Rinke & Noonan Law Firm, Engineer Duane Hansel from Bolton & Menk, Inc., Viewer Jim Weidemann and County Ditch Inspector Chris Balfany. Ditch Inspector Balfany reviewed the notice requirements that were mailed and published for the hearing. Petitioner's Attorney Deter provided comments on the purpose of the hearing. The petitioners are requesting the construction of an improved tile system in order to increase the capacity of Branch R on County Ditch #9. Duane Hansel from Bolton & Menk, Inc. gave the Preliminary Engineer's Report. The Preliminary Engineer's Report stated that the proposed improvements to Branch R on County Ditch #9 are feasible and are necessary in order to provide drainage for the cultivation of crops. The Report also stated that the outlet is adequate to handle the discharge from the proposed improvement. There was not a DNR Advisory Report submitted. The hearing was closed at 10:42 a.m.

**07-10-12-03** Motion by Commissioner Antony and seconded by Commissioner Sherlin that the Yellow Medicine County Board of Commissioners, acting as Drainage Authority for Yellow Medicine County Ditch #9, makes the following Findings of Fact and Order regarding Improvement of Branch R of Yellow Medicine County Ditch #9:

1. The proposed drainage project is feasible.
2. There is a necessity for the proposed drainage project.
3. That the Drainage Authority determines that the proposed drainage project will be of public benefit and promote the public health after considering the environmental and land use criteria in Minnesota Statutes 103E.015, Subd. 1
4. That the outlet for the proposed drainage project improvement is adequate.

Therefore, it is hereby ordered that the Engineer's Preliminary Report is hereby approved and the engineer is ordered to proceed to prepare a detailed survey and plans and specifications for the proposed drainage improvement and submit a Detailed Survey Report to the Drainage Authority as soon as possible. That further, Jim Weidemann and two others as determined by County Ditch Inspector Balfany are appointed viewers on this project. Motion carried with all voting in favor.

**County Ditch #9 Outlet Petition Hearing** Commissioner Johnson opened the County Ditch #9 Outlet Petition Hearing at 10:45 a.m. Those present included several land owners, Attorney Kurt Deter with Rinke & Noonan Law Firm, Engineer Duane Hansel from Bolton & Menk, Inc., Viewer Jim Weidemann and County Ditch Inspector Chris Balfany. Ditch Inspector Balfany reviewed the notice requirements that were mailed and published for the hearing. A petition for outlet was submitted by Viola Haaland to drain water from Section 34 in Friendship Township into County Ditch #9. Duane Hansel gave the Engineer's Report on the adequacy of the outlet for handling the drainage that would come from the Haaland petition. The Engineer's Report found that Branch M of Ditch #9 is currently undersized and is not an adequate outlet for the Haaland petitioned acres. A viewer's report was presented explaining the proposed outlet fee and future benefits for the petitioned acres. Several comments were provided by neighboring land owners in opposition to the outlet. Doug Albin, who farms the petitioned acres, spoke in favor of the petition. It was stated that Mr. Albin had already installed the tile and was draining into Ditch #9. The hearing was closed at 11:18 a.m.

**07-10-12-04** Motion by Commissioner Sherlin and seconded by Commissioner Antony that the Yellow Medicine County Board of Commissioners, acting as Drainage Authority for Yellow Medicine Ditch #9, makes the following Findings of Fact and Order:

1. That based on the Engineering Report of Duane Hansel of Bolton & Menk, Branch M of Ditch #9 does not have the capacity to act as an outlet for the petitioned property located in Section 34 of Friendship Township.

Therefore, it is hereby ordered that the Petition for outlet is hereby denied. Motion carried with all voting in favor.

**07-10-12-05** Motion by Commissioner Sherlin and seconded by Commissioner Antony to order the tile that was placed in the petitioned acres and is draining into Ditch #9 be capped within 10 days, that County Ditch Inspector Balfany inspect the capped tile before it is covered and the tile capping be completed by Mr. Albin or Ms. Haaland at their expense and if not completed by Mr. Albin or Ms. Haaland within 10 days the existing tile line will be capped by the County and the costs will be assessed back to the landowner. Motion carried with all voting in favor.

The County Board meeting was recessed at 11:20 a.m. to conduct Yellow Medicine/Lac qui Parle Counties Joint Drainage Authority meetings/hearings for Joint Ditches #23 and #21.

The County Board meeting was reconvened at 12:01 p.m.

**County Road A3 Paving 07-10-12-06** County Engineer Andy Sander and County Maintenance Supervisor Larry Stoks were present to discuss the paving of .30 miles of County Road A3. Two quotes were provided. Motion by Commissioner Antony and seconded by Commissioner Sherlin to approve the quote from Duininck, Inc. for \$46,552.00 (\$64.21 per ton placed). Motion carried with all voting in favor.

**Other Business** None

**Informational** The Board was informed that a fireworks permit was issued to Prairie's Edge Casino for a July 3, 2012 fireworks display.

**Approval of Disbursements/Review of Auditor's Warrants 07-10-12-07** Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the Commissioner warrants for the following amounts: \$77,519.84 Road & Bridge Fund, \$11,700.13 Ditch Fund, \$64,824.21 Revenue Fund, \$59,073.94 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 07-10-12-08** Motion by Commissioner Antony and seconded by Commissioner Sherlin to adjourn at 12:14 p.m. Motion carried with all voting in favor.

Witness:

Attest:

  
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Gary Johnson, Board Chair

  
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Ryan Krosch, County Administrator