

**Yellow Medicine County Board Meeting Minutes**  
**July 26, 2016**

Chairman John Berends called this regular meeting of the Yellow Medicine County Board to order at 9:00 a.m. with Commissioners Ron Antony, Gary Johnson, Louis Sherlin, Greg Renneke and John Berends present. Also present were County Administrator Peg Heglund, County Attorney Keith Helgeson, Finance Manager Michelle May, Marshall Independent reporter Jody Isaackson and Granite Falls Advocate Tribune reporter Scott Tedrick.

**Pledge of Allegiance**

**Approve Agenda 07-26-16-01** Motion by Commissioner Antony and seconded by Commissioner Sherlin to approve the agenda with the addition of the Minutes from the Emergency Meeting of July 21, 2016 and a grant request to the HMSE. Motion carried with all voting in favor.

**Consent Agenda 07-26--16-02** Motion by Commissioner Sherlin and seconded by Commissioner Johnson to approve the Consent Agenda as follows: approval of the July 12, 2016 County Board Minutes, the MN Counties Computer Cooperative Joint Powers Agreement, and the Homeland Security Emergency Management Grant. Motion carried with all voting in favor.

**Approval of Emergency Meeting Minutes 07-26-16-03** Motion by Commissioner Johnson and seconded by Commissioner Antony to approve the minutes from the July 21, 2016 Emergency Board meeting. Motion carried with Commissioners Berends, Johnson and Antony voting in favor. Commissioners Sherlin and Renneke abstained.

**Citizen Comments** None

**Commissioners' Report** Commissioner Antony reported on Regional Emergency Committee, the TWC train ride, and County Ditch Committee. Commissioner Renneke reported on the County Finance Committee and the Planning and Zoning Commission. Commissioner Berends reported on the Historical Society, the local training for statewide IT Directors, FEMA, Restorative Justice, County Finance Committee, Southern Prairie Community Care, and the Emergency County Board meeting. Commissioner Sherlin reported on Western Mental Health Center and Countryside Public Health Services. Commissioner Johnson reported on the County Ditch Committee, FEMA, Emergency County Board meeting, the TWC train ride, and county parks.

Administrator Heglund's report included meetings attended, a future Broadband meeting, Courthouse demo, Clarkfield School, and budget process for 2017. Administrator Heglund's report is included in the Board packet.

**Regular Agenda**

Finance Manager Michelle May presented the Second Quarter 2016 Budget Report and the 2015 Final Audit Report.

The Board recessed for break at 10:35 a.m.

The Board reconvened at 10:45 a.m.

**Approval to Opt-Out of Family Health Care Dwellings 07-26-16-04** Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the Resolution to Opt-Out of the requirements of Temporary Family Health Care Dwellings as per MN Statute, Section 394.307. Motion carried with all voting in favor.

**Conditional Use Permit Request YM-577-16, Novel Energy Solutions 07-26-16-05** ; request to construct and operate a 5 megawatt Solar Garden on a 71 acre parcel in the north one-half of the southeast one-quarter (N $\frac{1}{2}$  SE $\frac{1}{4}$ ) and the southwest one-quarter of the southeast one-quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 33 in Stony Run North Township T-117-N R-40-W. The site is located in the Rural Preservation Management District. The Yellow Medicine County Land Use and Related Resource Management Ordinance, Section VI, Subdivision 2.0 requires a Conditional Use permit for Solar Energy Farms. Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the CUP as presented with the following Conditions:

1. Except for designated roadways, the project area shall be re-vegetated as a low-growing, pollinator friendly native prairie. The vegetation in the project area shall be maintained to promote the pollinator friendly native prairie and to limit any noxious weeds.
2. Prior to construction, a bond or irrevocable letter of credit in the amount of \$125,000 (5mw x \$25,000) shall be submitted to the Yellow Medicine County Zoning Office to cover the costs of decommissioning and site restoration upon project termination.
3. Upon expiration or revocation of this permit or voluntary termination of the project, the operator and/or landowner shall dismantle and remove from the site all solar panels, mounted steel posts and beams, inverters, transformers, overhead and underground cables, buildings, foundations and roads, within six months of termination.
4. Testing for stray voltage that is a result of the project shall be conducted by a third party consultant at the start of operation and shall be completed annually for three years. After that point, it shall be completed once every five years. Results shall be submitted to the Yellow Medicine County Zoning Office within 30 days of testing. The costs for said testing shall be paid for by applicant and/or operator.
5. Construction shall be limited to daytime working hours.
6. All State and Federal requirements must be met.
7. Applicant/operator must follow all provisions of the Wetland Conservation Act.
8. A 6' high chain link fence shall be installed & maintained surrounding the entire site.
9. The parcel shall not be subdivided to less than 71 acres.

After further discussion, Commissioner Antony withdrew his second. After calling three times for a second, Chairman Berends declared the motion died for lack thereof.

Motion by Commissioner Antony and seconded by Commissioner Sherlin to approve the CUP with the following changes to the above Conditions:

9. The parcel shall not be subdivided to less than 40 acres. And

2. Prior to construction, a bond or irrevocable letter of credit in the amount of \$340,000 shall be submitted to the Yellow Medicine County Zoning Office to cover the costs of decommissioning and site restoration upon project termination.

Motion carried with Commissioners Antony, Sherlin, and Berends voting in favor. Commissioner Renneke voting against and Commissioner Johnson abstaining.

Jolene Johnson, Planning and Zoning Coordinator provided the Board with information regarding Ordinances regulating Solar projects.

### **Redetermination of Benefits on Ditches**

**07-26-16-06** Motion by Commissioner Antony and seconded by Commissioner Sherlin to approve the Redetermination of Benefits on CD 15 and JD 13 YM as per Minnesota Statute 103E.351 Subdivision 1 that the original benefits do not reflect the present day land values and benefited or damaged areas may have changed. Motion carried with all voting in favor.

**07-26-16-07** Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the Redetermination of Benefits on CD 31 and CD 56 that flow into JD 10 YM&L as per Minnesota Statute 103E.351 Subdivision 1 that the original benefits do not reflect the present day land values and benefited or damaged areas may have changed. Motion carried with all voting in favor.

**07-26-16-08** Motion by Commissioner Antony and seconded by Commissioner Sherlin to appoint the following Viewers for the above redeterminations: Jim Weidemann, Steve Johnson and Duane Bendixen.

**Hearing date for Consolidation of Ditch Systems of CD9 07-26-16-09** Motion by Commissioner Johnson and seconded by Commissioner Sherlin to set the date for the public hearing for the consolidation of the Ditch systems in CD9 as August 9, 2016 at 10:00 a.m. at the Government Center. Motion carried with all voting in favor.

Liz Auch, Director provided a presentation regarding the Safe Communities Coalition and a 10 year history of the Countryside Public Health Services agency.

The Board recessed for lunch at 12:00 p.m.

The Board reconvened at 1:00 p.m.

Peg Heglund provided the Board with proposed changes to the Fairgrounds Use Policy and Use Agreement. The Policy and Agreement will be brought back to the next meeting with requested changes. No action at this time.

**Approval of Disbursements/Review Auditor's Warrants 07-26-16-10** Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the commissioner warrants for the following amounts: \$14,556.10 Ditch Fund, \$285,703.26 Revenue Fund, \$189,145.06 Road & Bridge Fund, \$45,109.11 Human Services Fund; and acknowledged review of the Auditor's warrants. An itemized listing of all warrants over \$2,000 and an aggregate total for warrants under \$2,000 are published on the County website under the Finance & Administration Department Motion carried with all voting in favor.

**Department/Program Updates**

Rae Ann Keeler-Aus, Family Service Center Director gave an update.

Amanda Stengel and Sam Isfeld, Family Service Center Child Support Unit, provided an information presentation regarding Child Support activities.

Jolene Johnson, Planning & Zoning Coordinator provided an update.

**Future Office of the State Auditor Services 07-26-16-11** Motion by Commissioner Antony and seconded by Commissioner Johnson to notify the Minnesota State Auditor that Yellow Medicine County plans to change auditors from the state auditor to a CPA firm as per MN Statute 6.481, subd. 7. Motion carried with all voting in favor.

**Auditor Services 07-26-16-12** Motion by Commissioner Antony and seconded by Commissioner Johnson to authorize the Finance Manager to enter into negotiations for a three year contract with the private CPA firm of Abdo, Eick & Meyers for Yellow Medicine County audits beginning with the 2017 audit. Motion carried with all voting in favor.

**Change in date of Public Hearing for CD 9 Ditch Systems 07-26-16-13** Motion by Commissioner Antony and seconded by Commissioner Sherlin to change the date of the Public Hearing from August 9 (as set above) to August 23 at 10:00 a.m. at the Government Center. Motion carried with all voting in favor.

**Other Business None**

**Informational June Jail Report**

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

**Adjourn 07-26-16-14** Motion by Commissioner Sherlin and seconded by Commissioner Antony to adjourn at 2:20 p.m. Motion carried with all voting in favor.

Witness:

Attest:



John Berends, Chair



Peggy Heglund, County Administrator