

Yellow Medicine County Board Minutes

November 10, 2003

Chairman Gary Johnson called this regular meeting to order at 9:05 a.m. with Commissioners Louis Sherlin, Lynn Anderson, Jane Remiger, and Ron Antony present. Administrator John Chattin, Bethany Norgaard of the Marshall Independent, and Dan McGonigle of the Granite Falls Advocate Tribune were also present.

11-10-03-01 Motion by Mr. Sherlin and second by Mr. Anderson to approve the agenda with the addition of picture taking, status of the Planning and Zoning Administrator search, and abandoned trailers. Carried.

11-10-03-02 Motion by Ms. Remiger and second by Mr. Antony to approve the consent agenda items including the October 28, 2003 regular meeting minutes and a Tobacco Compliance Check Agreement with Countryside Public Health. Carried.

Mr. Johnson reported on: Extension Service's need for members and the advertising for a 4-H Regional Extension Educator: Pioneerland Library where Canby is still part of the system; the Pact 4 annual meeting; Region 6W Community Corrections; Nutrition Program updates; and Area Agency on Aging. Mr. Sherlin reported on Area II Minnesota River Basin Projects and Mr. Antony updated the Board on the Creative Solutions Committee.

11-10-03-03 Motion by Mr. Antony and second by Ms. Remiger to approve the disbursements as presented totaling: Revenue Fund - \$46,377.89; Road and Bridge Fund - \$22,737.26; and Ditch Fund - \$748.94. Carried.

There were no citizens present to be heard.

Mr. Sherlin presented some concerns that the fair board had made him aware of. Those issues were being addressed.

Mr. Chattin noted that new postings had been made for the Planning and Zoning Administrator position. Applications are due by November 26th. On the issue of junk/abandoned trailers, Mr. Sherlin cited some state building code issues and suggested that Randy Vogt, of the Manufactured Structures Division of the Minnesota Building Codes and Standards Division, be contacted.

11-10-03-04 Motion by Mr. Sherlin and second by Mr. Anderson to allow employees to take Christmas Eve afternoon off by using vacation time. Carried.

Tamie Bremseth, Extension Director, presented several documents for the Board's consideration.

11-10-03-05 Motion by Mr. Sherlin and second by Mr. Antony to approve the Memorandum of Agreement between the University of Minnesota and Yellow Medicine County for providing Extension programs locally and employing County Extension staff, as presented. Carried.

11-10-03-06 Motion by Mr. Antony and second by Ms. Remiger to approve the Memorandum of Intent between Yellow Medicine County and the University of Minnesota Extension Service to provide in-kind support to the Nutrition Education Program. Carried.

11-10-03-07 Motion by Mr. Sherlin and second by Ms. Remiger to authorize a letter to the University of Minnesota Extension Service requesting a \$7,404 subsidy for the 4-H Program Coordinator for 2004. Carried.

11-10-03-08 Motion by Mr. Antony and second by Ms. Remiger to purchase the copy machine used by the Extension and Zoning offices in Clarkfield for \$1,293.03. Carried.

It was noted that the hour reductions for Extension support staff was previously approved in September. Mr. Chattin was directed to send formal letters on those reductions to the affected employees.

Auditor Carolyn Sherlin reviewed the need to decertify an unused Tax Increment Financing (TIF) District.

11-10-03-09 Motion by Mr. Sherlin and second by Mr. Antony to adopt the following resolution:

Whereas, the Minnesota Legislature adopted special legislation for the benefit of Yellow Medicine County in Minnesota Laws 2000, Chapter 484, Article 1, Section 3; and

Whereas, this special legislation enabled Yellow Medicine County to establish an economic development authority in the manner provided in Minnesota Statutes, section 469.090 to 469.1081; and

Whereas, the Yellow Medicine County Economic Development Authority was established on August 8, 2000, in the manner prescribed above; and

Whereas, on September 26, 2000, the Yellow Medicine County Economic Development Authority established Development District Tax Increment Financing (TIF) District No. 1-1, pursuant to and in conformity with applicable law, including Minnesota Statutes, Sections 469.001 through 469.1081, for the purpose of establishing a tax increment financing district in order to promote a new business development within the county and to reclaim demolition expenses relating to tax parcel 32-009-2330, located in Clarkfield; and

Whereas, the property, given its current damaged condition, needed a certain level of development in order to become a tax-generating property; and would likely remain vacant if the proposed redevelopment did not go forward; and

Whereas, the proposed redevelopment did not take place as planned due to the economic conditions in the area; and there has been no activity on the property; and

Whereas, Minn. Statute 469.176, subd. 1a. provides the “knockdown” rule whereby if 1) there has been no activity for a period of three years, 2) no bonds have been issued for improvement, and 3) there has been no public improvements constructed on the property; therefore no tax increment shall be paid after three years from the date of certification; and

Whereas, because of the lack of activity on this property within the three-year period, Minn. Statute 469.176 requires that the TIF district shall be de-certified;

Therefore be it Resolved, that the County of Yellow Medicine hereby decertifies Tax Increment Financing District No. 1-1 according to Minnesota Statute and instructions from the Department of Revenue.

Carried.

11-10-03-10 Motion by Mr. Anderson and second by Mr. Antony to name Carolyn Sherlin, Gary Johnson, Jane Remiger, Louis Sherlin, Lynn Anderson, Ron Antony, John Johnson, and Peggy Heglund as the County’s voting delegates to the AMC Annual Conference. Carried.

11-10-03-11 Motion by Mr. Anderson and second by Mr. Antony to have Peggy Heglund replace Sharon Schuler as the alternate MCIT delegate. Carried.

Michelle Caveney, VSO/Emergency Manager, and LeAnn Manor, Administrative Assistant, presented quotes for a new Veterans’ Service van. Only two of the bids were less than \$20,000, both under the state bid. The Veterans’ Administration will be funding 65% of any van purchase and there is currently \$20,000 in designated funds for a van.

11-10-03-12 Motion by Mr. Antony and second by Ms. Remiger to purchase a 2004 Chevrolet Venture extended minivan for \$17,493. There was considerable additional discussion, primarily about the safety ratings of the vans. Mr. Sherlin noted that the Chevrolet Venture van had one of the lowest safety ratings and the Grand Caravan was rated one step under the highest rated vans. The motion to purchase was defeated with Mr. Anderson, Mr. Antony, and Mr. Sherlin voting against the motion.

11-10-03-13 Motion by Mr. Anderson and second by Ms. Remiger to purchase a 2004 Dodge Grand Caravan extended minivan for \$18,477. The motion carried with Mr. Antony and Mr. Johnson voting against the motion. [Later reconsidered under motion 11-10-03-15]

Ms. Caveney asked if, since the Board was purchasing a new van, they would be keeping the funding for van drivers. The consensus was that they would.

A short video on letter and briefcase bombs was presented. Ms. Caveney encouraged the Board and all department heads to attend an improvised explosive device seminar to be held on November 22nd from 8:00 a.m. until noon. The Board asked Mr. Chattin to send a letter encouraging department heads to attend.

There were many questions on the need for a mutual aid resolution presented. It would allow Mr. Chattin or Auditor Carolyn Sherlin to deploy County assets, during an emergency, with Ms. Caveney's recommendation.

11-10-03-14 Motion by Mr. Antony and second by Ms. Remiger to adopt the following resolution:

Whereas, the County Board finds that instances have occurred in the past, and can be anticipated in the future, wherein there is a danger, by fire, hazard, casualty, or other similar occurrences taking place or occurring outside the territorial limits of the County of Yellow Medicine and by the suddenness thereof it would be impossible or impractical for the County Board to meet and authorize the dispatch and use of County equipment and personnel to combat such fire, hazard, casualty, or other similar occurrence thereof;

Be It Hereby Resolved, that the Yellow Medicine County Board finds it desirable and necessary to authorize the County Administrator or Auditor, upon the recommendation of the County Emergency Management Director, to exercise discretion, considering at all times and in each case the internal needs of the County of Yellow Medicine and its inhabitants, in dispatching County equipment and personnel as deemed necessary to combat such occurrence whether it takes place within or without the County boundaries; and

Be It Further Resolved, that such dispatch and use as directed by the County Administrator or Auditor shall be fully authorized as an act of the County and all provisions for compensation of personnel, rental of equipment, liability insurance coverage, or worker's compensation and all other safeguards and matters pertaining to the County, its equipment, and personnel shall apply in each case as if specifically authorized and directed by the County Board at such time, whether or not the governing body or authority of the place in which the fire, hazard, casualty, or other similar occurrence exists, has previously requested and provided for assistance and the use of the equipment and personnel under a mutual protection agreement or other type protection agreement with the County; and

Be It Further Resolved, that the County Administrator or Auditor, when recommended by the County Emergency Management Director, shall recall, order, or

terminate the use of such equipment and personnel when the need for their use no longer exists, or earlier, when at their discretion it appears in the best interests of the County.

Carried.

Mr. Sherlin stated that he wanted to vote against the purchase of the Grand Caravan and questioned the procedure required. Parliamentary procedure was reviewed to determine the correct process.

11-10-03-15 Motion by Mr. Sherlin and second by Mr. Antony to reconsider motion 11-10-03-13. The motion carried with Mr. Johnson voting no.

11-10-03-13 (Reconsidered) The original motion to purchase the 2004 Grand Caravan was reconsidered and failed with Mr. Antony, Mr. Johnson, and Mr. Sherlin voting down the motion.

Additional information on the vans, including the latest safety statistics, will be brought back for consideration at a future Board meeting.

Lou Ann Nagel, SWCD Manager, requested that two Commissioners be appointed to the Wetland Joint Powers Appeal Board as part of the administration of the Wetland Conservation Act.

11-10-03-16 Motion by Mr. Anderson and second by Mr. Sherlin to appoint Ms. Remiger and Mr. Antony to the Appeal Board. Carried.

Ms. Nagel also reviewed their latest budget revision reflecting a total budget request of \$81,049.

Assignments for the AMC Annual Conference were discussed and volunteers accepted.

Mr. Johnson called for a short break at 10:46 a.m. and reconvened at 10:56 a.m.

Mr. Chattin reviewed his recommendation for combining the offices of Auditor and Treasurer. There was considerable debate on the pros and cons of combining the positions as well as the fiscal impact. Mr. Chattin had reviewed his recommendation with the affected parties.

11-10-03-17 Motion by Ms. Remiger and second by Mr. Sherlin to adopt the following resolution:

WHEREAS, a vacancy has occurred in the office of the Yellow Medicine County Treasurer with the retirement of the last elected County Treasurer;

WHEREAS, it is the intention of this county board to appoint the holder of the office of the Yellow Medicine County Auditor to fill the vacancy for the unexpired term pursuant to M.S. 375A.11, Subd 3;

WHEREAS, the county board does not choose to initiate a referendum by resolution to consolidate the two offices into one elected office;

WHEREAS, the county board wishes to exercise its option pursuant to M.S. 375A.10, to consolidate the offices of County Auditor and County Treasurer and to establish the combined office hereafter as an elective office of Auditor-Treasurer;

WHEREAS, the board's decision to establish the elective office of Auditor-Treasurer without a referendum requires the concurrence of 80 percent of its members;

NOW, THEREFORE, BE IT RESOLVED, that the Yellow Medicine County Board of Commissioners does terminate the separate offices of County Treasurer and County Auditor effective December 1, 2003 and does establish from these offices the single office of Auditor-Treasurer.

BE IT FURTHER RESOLVED THAT the duties, functions, and responsibilities which have been heretofore and which shall hereafter be required by statute to be

performed by the County Auditor and the County Treasurer shall be vested in and performed by the Auditor-Treasurer without diminishing, prohibiting, or avoiding those specific duties required by statute to be performed by the County Auditor and the County Treasurer.

BE IT FURTHER RESOLVED THAT Carolyn Sherlin, the current Yellow Medicine County Auditor, shall serve as the Yellow Medicine County Auditor-Treasurer until the end of the current term when the position shall be subject to election.

The motion carried by a unanimous vote of the Board.

11-10-03-18 Motion by Ms. Remiger and second by Mr. Antony to adopt the following resolution:

BE IT RESOLVED THAT the salary of Joan Johnson, Deputy Treasurer, shall be adjusted to an annual salary of \$32,000 effective August 1, 2003 to reflect the additional services she has provided during the absence of the Treasurer and the additional services she will have in the new Auditor-Treasurer office.

Carried.

11-10-03-19 Motion by Mr. Antony and second by Mr. Sherlin to adopt the following resolution:

BE IT RESOLVED THAT the salary of Carolyn Sherlin shall be adjusted to an annual salary of \$50,000 effective December 1, 2003 to reflect the change in responsibilities with consolidation of the offices of Auditor and Treasurer.

Carried with Mr. Johnson voting against the resolution.

Mr. Chattin updated the Board on his activities including the Clarkfield building, scheduled/pending union negotiations, and budget activities. Although budget review and discussion was scheduled, the Board opted to reschedule further discussion for the November 25th meeting, allowing them time to review the current budget status.

County Attorney Tom Kramer shared comments on who should pay for criminal sexual offender evaluations. This has been a point of discussion with Region 6W Community Corrections. Family Services Director Peggy Heglund will work with Mr. Kramer on this issue.

Mr. Sherlin presented an invoice from the King of Trails Coalition, Inc. for \$25 to support their advertising efforts.

11-10-03-20 Motion by Mr. Sherlin and second by Mr. Antony to approve the \$25 payment to the King of Trails Coalition. The motion failed with Mr. Anderson, Ms. Remiger, and Mr. Johnson voting against the motion.

11-10-03-21 Motion by Mr. Sherlin and second by Mr. Antony to adjourn the meeting at 11:42 a.m. Carried.

Witness:

Gary Johnson, Chairman

Attest:

John Chattin, County Administrator