

**Yellow Medicine County Board Meeting Minutes
November 24, 2015**

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

Pledge of Allegiance

Approve Agenda 11-24-15-01 Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the agenda with the following additions: add E-911 system quotes to Regular Agenda, add Justice Center furniture discussion to Regular Agenda and add tax statements to Regular Agenda. Motion carried with all voting in favor.

Consent Agenda 11-24-15-02 Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the consent agenda items as follows: approval of the November 10, 2015 County Board meeting minutes; hiring of Brian Rosenau as Deputy Assessor/Appraiser, his salary will be grade 17, step 6, his start date is December 14, 2015; hiring of Conrad Osland as Chemical Health Coalition Specialist, his salary will be grade 15, step 1, his start date is November 30, 2015; hiring of Deena Okebiro as a Social Worker in the Children's Unit, her salary will be grade 19, step 3, her start date is December 14, 2015; hiring of Janis Shea as a Social Worker in the Children's Unit, her salary will be grade 19, step 3, her start date is December 14, 2015; extension of Aramark contract through December 31, 2016. Motion carried with all voting in favor.

Citizen Comments

Commissioners' Report

Commissioner Johnson reported on 6W Community Corrections, Area II, Prairie Lakes Youth Program, Milan Bridge meeting, Planning & Zoning Commission, Area Transportation Partnership, Prairie V and department head interviews. Commissioner Berends reported on Fatal Review, Restorative Justice Advisory Committee, Historical Society and Southern Prairie. Commissioner Sherlin reported on Area II, RCRCA, Western Mental Health Center and Sportsman's Club land sale. Commissioner Renneke reported on Personnel Committee, department head interviews, HRA and Planning & Zoning Commission. Commissioner Antony reported on Southwest 18 Adult Mental Health, Canby DAC, HRA and Chemical Health Coalition.

Area II Joint Powers Agreement 11-24-15-03 Motion by Commissioner Antony and seconded by Commissioner Johnson to grant permission to Commissioner Sherlin to sign the joint powers agreement with Area II. Motion carried with all voting in favor.

Administrator Heglund reported on AMC conference in December, Prairie Waters Tourism, court security group, property tax statements, and Swift County Broadband Grant. Janel Timm, Property & Public Services Director, presented information on property tax statements and truth in taxation notices.

Regular Agenda

Open Public Hearing 11-24-15-04 Motion by Commissioner Antony and seconded by Commissioner Sherlin to open the public hearing regarding the tobacco ordinance at 10:00 a.m. Motion carried with all voting in favor.

Liz Auch and Katrina Henry, Countryside Public Health, presented information on updates to tobacco ordinance.

Close Public Hearing 11-24-15-05 Motion by Commissioner Antony and seconded by Commissioner Sherlin to close the public hearing at 10:35 a.m. Motion carried with all voting in favor.

Tobacco Ordinance 11-24-15-06 Motion by Commissioner Sherlin and seconded by Commissioner Antony to include e-cigarettes and associated products to now be subject to compliance requirements according to Minnesota Statute.

Motion by Commissioner Berends to table the vote on Commissioner Sherlin's motion to allow for further research prior to the vote being taken.

Due to concern with the legitimacy of Commissioner Berends' motion, County Attorney Helgeson was asked to research proper protocol prior to moving forward.

The Board recessed for break at 10:40 a.m.

The Board reconvened at 10:47 a.m.

Upon recommendation by County Attorney Helgeson, Commissioner Berends withdrew his motion.

Commissioner Sherlin withdrew his motion. Administrator Heglund will work with Liz Auch to bring the issue back to the Board at a later date.

Sheriff Flaten presented quotes for a fence or building to store confiscated property. A decision was tabled until a second quote could be acquired for the fence and new building.

Sheriff Flaten presented quotes for upgrades to the E-911 system.

E-911 System Quotes 11-24-15-07 Motion by Commissioner Sherlin and seconded by Commissioner Antony to accept the quote by Independent Emergency Services, LLC for E-911 hardware in the amount of \$99,223.05. Motion passed with all voting in favor.

E-911 System Support Services 11-24-15-08 Motion by Commissioner Antony and seconded by Commissioner Sherlin to accept the quote from Independent Emergency Services, LLC for E-911 support services in the amount of \$46,956.50 and RFAI SIP Implementation, support, and warranties in the amount of \$12,089. Motion passed with all voting in favor.

Porter Shop Construction 11-24-15-09 Larry Stoks, Maintenance Supervisor, presented an update on the status of the construction of the Porter shop. Motion by Commissioner Sherlin and seconded by Commissioner Antony to waive the penalty for late completion. Motion passed with Commissioners Sherlin, Antony, Renneke, and Berends voting in favor and Commissioners Johnson voting against.

Highway Bidding Procedures 11-24-15-10 Motion by Commissioner Johnson and seconded by Commissioner Berends to meet with the Highway Committee to review highway bidding procedures and penalty requirements. Motion carried with all voting in favor.

Salt Storage Shed 11-24-15-11 Andy Sander, Highway Engineer, presented bids for a new salt storage shed at the Granite Falls Highway Shop. Motion by Commissioner Johnson and seconded by Commissioner Antony to award the bid to Al's Concrete Products in the amount of \$9,900. Motion passed with all voting in favor.

County Program Aid Resolution 11-24-15-12 Motion by Commissioner Antony and seconded by Commissioner Johnson to approve Resolution #33-2015 in support of changes to County Program Aid. Motion

passed with all voting in favor.

MN River Basin Commissioner Resolution 11-24-15-13 Motion by Commissioner Antony and seconded by Commissioner Johnson to approve Resolution #34-2015 to oppose the creation of a separate group called the MN River Basin Commission. Motion passed with all voting in favor.

Southern Minnesota Tourism Association 11-24-15-14 Mary Gillespie presented on the Southern Minnesota Tourism Association. Motion by Commissioner Johnson and seconded by Commissioner Berends to contribute \$322 to Southern Minnesota Tourism Association in 2016. Motion passed with all voting in favor.

Mitch Paulsen, Contegrity Group and Administrator Heglund presented a budget and construction update for the Justice Center.

Administrator Heglund gave an update on the purchasing process for furniture in the Justice Center.

Approval of Disbursements/Review Auditor's Warrants 11-24-15-15 Motion by Commissioner Sherlin and seconded by Commissioner Berends to approve the commissioner warrants for the following amounts: \$92,365.46 Ditch Fund, \$493,087.77 Revenue Fund, \$62,031.16 Road & Bridge Fund, \$55,796.65 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.

The Board recessed for lunch at 12:07 p.m.

The Board reconvened at 1:00 p.m.

Department/Program Updates

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

Presbyterian Family Foundation 11-24-15-16 Motion by Commissioner Johnson and seconded by Commissioner Antony to approve the 2016 Purchase of Service contract with Presbyterian Family Foundation for Guardian and Conservatorship services. The hourly rate is \$56.65/hour. Motion carried with all voting in favor.

Woodland Centers 11-24-15-17 Motion by Commissioner Antony and seconded by Commissioner Berends to approve the 2016 Purchase of Service contract with Woodland Centers for Detoxification, Adult Crisis Stabilization and Youth Crisis services. Per diems are as follows: Detox \$480, Adult Crisis \$375 and Youth Crisis \$425. Motion carried with all voting in favor.

Child Support 11-24-15-18 Motion by Commissioner Johnson and seconded by Commissioner Berends to approve the 2016-2017 Title IV-D Child Support Cooperative Arrangement with the County Attorney's office and the Sheriff's Department. The attorney rate is \$100 per hour and the service rate for the Sheriff's office is \$75 per hour. The motion also approves the 2016-2017 Minnesota State/County Child Support Program Cooperative Agreement. This is a statewide uniform agreement that cannot be altered by any county entity. Motion carried with all voting in favor.

Master Subscriber Agreement 11-24-15-19 Motion by Commissioner Antony and seconded by Commissioner Berends to approve Resolution #32-2015 which approves the Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies. This will allow the Family Service Center to access the new court records and documents systems through the Office of State Court Administration. Motion carried with all

voting in favor.

Southwest MN Private Industry Council 11-24-15-20 Motion by Commissioner Antony and seconded by Commissioner Berends to approve the 2016 Purchase of Service Contract for the Southwest MN Regional Minnesota Family Investment Program and Diversionary Work Program with the Southwest MN Private Industry Council, Inc. Motion carried with all voting in favor.

Western Mental Health Center 11-24-15-21 Motion by Commissioner Sherlin and seconded by Commissioner Antony to approve the 2016 Purchase of Service contracts with Western Mental Health Center that include:

Family Community Support Program:

Individual \$62.20 per hour (includes direct services/team meetings)
Group \$35.88 per hour (includes direct services/team meetings)
Administrative costs \$13.26 per hour

Support Group: \$12,000 Support Group for family members and friends of persons with mental illness and Leisure/Recreation Group for adults with mental illness

Adult Community Support:

Adult Community Support Program Services, Provided by a Mental Health Practitioner \$62.20/hour
Adult Community Support Program Services, Provided by a Community Service Aide \$25.80/hour
AMHRS Individual service \$62.20/hour
AMHRS Group \$25.80/person/hour
Certified Peer Specialist \$62.20/hour

General Mental Health Services: \$135,044

Adult Outpatient Treatment
Children’s Outpatient Treatment
Adult Crisis Services – Face-to-Face
Children’s Crisis Services – Face-to-Face
Adult Medication Management
Children’s Medication Management
Children’s Diagnostic Assessment
Adult Diagnostic Assessment
Adult Consultation
Children’s Consultation
Community Education
Access and Availability Services
24 hr. Emergency Services
Motion carried with all voting in favor.

Connie Erickson, Assessor, gave an update.

County Attorney Helgeson gave an update on the case filings for the Attorney’s Office.

Regular Agenda (continued)

Conditional Use Permit Request YM-560-15, Stevens Farms LLP 11-24-15-22

Chris Balfany, Planning & Zoning/Ditch Administrator and Jolene Johnson, Planning & Zoning Coordinator presented a recommendation from the Planning Commission to approve conditional use permit request

YM-560-15 for Stevens Farms LLP, Hanley Falls, MN to construct a 51' x 385' confinement barn to house 2,300 head of finishing hogs. Manure storage will consist of a 51' x 385' x 8' concrete pit underneath the barn. The site is located in the northwest one-quarter of the southeast one-quarter (NW¼ SE¼) of Section 8 in Sandnes Township T-114-N R-40-W in the Rural Preservation Management District. A conditional use permit is required because this is an expansion of an existing feedlot over 500 animal units and is within one-half mile of an existing building site.

Motion by Commissioner Sherlin and seconded by Commissioner Johnson to approve Conditional Use Permit YM-560-15 for Stevens Farms LLP with the following conditions:

1. All liquid manure shall be injected.
2. Manure testing and soil analysis shall be completed annually. Manure applications shall not exceed agronomic rates. Records shall be provided to the Yellow Medicine County Zoning Office annually.
3. All dead animal disposal requirements as listed in Section VII, Subdivision 9.0, A, B, C, and D of the Yellow Medicine County Land Use and Related Resource Management Ordinance, adopted October 8, 2013, shall be complied with.
4. Yearly inspections will be conducted by the County Feedlot Officer and a member of the Planning Commission.
5. Plant and maintain two rows of fast growing trees and one row of long living trees to encompass the new building on the south and east sides. Trees must be planted within one year of the start of construction. Tree variety shall be determined by the Yellow Medicine County Soil and Water Conservation District.
6. Plant and maintain two rows of trees on the west side of the new and existing barns, starting at the north edge of the shrub line and continuing to the south end of the shrub line. Tree variety shall be determined by the Yellow Medicine County Soil and Water Conservation District.
7. Will utilize pit additives to control odor and receipts shall be submitted to the Yellow Medicine County Zoning Office annually.
8. DNR Water Appropriations permit must be obtained.

Motion carried with all voting in favor.

Commissioner Sherlin was not in attendance for the remaining portion of the meeting.

Conditional Use Permit Request YM-561-15, Kasota Stone Fabricators Inc. 11-24-15-23

Chris Balfany, Planning & Zoning/Ditch Administrator and Jolene Johnson, Planning & Zoning Coordinator presented a recommendation from the Planning Commission to deny conditional use permit request YM-561-15 for Kasota Stone Fabricators Inc., Mankato, MN to operate a dimensional stone quarry, an extractive use, on a tract of land located in the east one-half of the southeast one-quarter of the southeast one-quarter (E½ SE¼ SE¼) in Section 13 of Sioux Agency Township T-114-N R-38-W. A conditional use permit is required for extractive uses located in the Rural Preservation Management District.

Motion by Commissioner Antony and seconded by Commissioner Berends to deny Conditional Use Permit YM-561-15 for Kasota Stone Fabricators Inc. based on the following Findings of Fact:

1. Be expressly identified in the Ordinance.
-Extractive uses are identified as a Conditional Use in the Rural Preservation Management District.
2. Conform to the conditions enumerated in the Ordinance.
-The request meets the requirements of the Ordinance.
3. Not be injurious to the use and enjoyment of the uses already permitted in the area.
-The proposed quarry will be located in an environmentally sensitive area. Mining at this site will

negatively affect the native plants and wildlife in the area. This project will have a detrimental impact on the existing and future quality of life.

4. Not impede the normal and orderly development and improvement of the surrounding vacant property.
-Surrounding property is vacant and zoned Rural Preservation (ag land).
5. Have or will have adequate utilities, access roads, drainage, and other necessary facilities.
-Yes.
6. Assure adequate measures will be taken to prevent offensive odor, fumes, dust and noise so that none of these will constitute a nuisance.
-Due to the unique characteristics of the acoustics of the Minnesota River Valley, adequate measures cannot be taken to alleviate the offensive noise.
7. Prior to granting a Conditional Use Permit, the County Planning and Zoning Administrator and Planning Commission shall determine that the applicant has obtained all necessary State and Federal permits.
-Yes, all permits have been obtained.

Motion carried with all voting in favor.

Other Business None

Informational October Jail Report

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

Adjourn 11-24-15-24 Motion by Commissioner Berends and seconded by Commissioner Antony to adjourn at 2:15 p.m. Motion carried with all voting in favor.

Witness:

Attest:



Greg Renneke, Chair



Peg Heglund, Administrator