

**Yellow Medicine County Board Meeting Minutes
January 26, 2010**

Chairperson Jane Remiger called this regular meeting of the Yellow Medicine County Board to order at 12:00 p.m. with Commissioners Louis Sherlin, Gary Johnson, Jane Remiger, Dick Wambeke and Ron Antony present. Also present were County Administrator Ryan Krosch, County Attorney Keith Helgeson and Granite Falls Advocate Tribune reporter Scott Tedrick.

Approve Agenda 1-26-10-01 Motion by Commissioner Sherlin and seconded by Commissioner Wambeke to approve the agenda with the following changes: Add final payment resolution for S.P. 87-608-24 (CSAH 8) and a hold harmless agreement with Canby Farmers Grain Company to the consent agenda; move the fairgrounds building rental discussion to after citizen comments; add Mr. Larry Danielson to citizen comments. Motion carried with all voting in favor.

Consent Agenda 1-26-10-02 Motion by Commissioner Johnson and seconded by Commissioner Wambeke to approve the consent agenda items as follows: minutes of the January 5, 2010, County Board meeting; 2010 pay equity implementation report; advertisement for 2010 Highway Department seasonal bids with bids due March 4 and bid approval on March 9; Resolution 04-2010 accepting completed State Project 87-608-24 (CSAH 8) and authorizing final payment to Duinick, Inc. in the amount of \$51,170.04 for the final contract amount totaling \$971,055.76; hold harmless agreement with Canby Farmers Grain Company for storage of grain on the fairgrounds property. Motion carried with all voting in favor.

Citizen Comments

1-26-10-03 Mr. Larry Danielson was in attendance to discuss a legal bill he incurred regarding a right-of-way dispute with the County along County Road 8/19. County Engineer Andy Sander was present to explain that the Highway Department researched the property in question and had determined that it was Yellow Medicine County road right-of-way and the property owned by Mr. Danielson had an easement recorded on it. Engineer Sander explained that the road right-of-way is located in a neighboring county and that both the Yellow Medicine County and neighboring county's recorder offices had no documentation showing the property was ever vacated. Commissioner Johnson stated that he informed the Engineer that there had been issues with the property in the past and we should not send a letter until we were sure about the right-of way. Subsequently, Engineer Sander sent Mr. Danielson a letter asking him to remove his fence located on the right-of-way property. After the letter was sent it was then discovered by the neighboring county's engineer that there was an attempt to vacate the property at one time but the vacation was never recorded. Mr. Danielson requested Yellow Medicine County to pay the legal bill he incurred after receiving the letter to remove his fence. Motion by Commissioner Johnson and seconded by Commissioner Antony to reimburse Mr. Danielson \$140 for the legal expenses he incurred over the right-of-way dispute along County Road 8/19 because the dispute was caused by an error in properly recording the ownership of the property. Motion carried with Commissioners Sherlin, Johnson, Wambeke and Antony voting in favor and Commissioner Remiger voting against.

Regular Agenda

Fairgrounds Building Rentals 1-26-10-04 Administrator Krosch and Attorney Helgeson discussed with the Board liability issues with renting out buildings at the fairgrounds for weddings, anniversaries and other events. The Board was asked to decide how much liability insurance they wanted renters to provide the County prior to the rental of the buildings. Motion by Commissioner Sherlin and second by Commissioner Antony to require renters of a fairgrounds building to provide the County with proof of insurance equal to the County's statutory liability limits when alcohol is served or the renter must hire a vendor who is properly licensed and has adequate liquor liability insurance to sell liquor on the premises. Motion carried with all voting in favor.

1-26-10-05 Motion by Commissioner Antony and seconded by Commissioner Wambeke to require renters of a

fairgrounds building to purchase a minimum of \$250,000 of general liability insurance coverage for use of a fairgrounds building with the County reserving the right to increase this minimum general liability insurance amount at any time or for any use. Motion carried with all voting in favor.

The Board recessed for a break at 12:45 a.m.

The Board reconvened at 12:50 a.m.

Department Reports

Sheriff's Office and Jail Update County Sheriff Bill Flaten updated the Board on the Sheriff's Office and County Jail. Sheriff Flaten also discussed with the Board the purchase of a public safety records management system.

Countryside Public Health Update Countryside Public Health Director Liz Auch updated the Board on their services and programs.

Regular Agenda Continued

Recycling Agreement 1-26-10-06 Paul Henriksen with Lyon County Solid Waste and Recycling presented a new agreement for collection of recyclables in Yellow Medicine County. The previous agreement expired at the end of 2009. Motion by Commissioner Sherlin and seconded by Commissioner Johnson to approve the recycling agreement as presented with Olson Sanitation and West Central Sanitation to provide recycling services in Yellow Medicine County with the agreement running from January 1, 2010 to December 31, 2012. Motion carried with all voting in favor.

Mr. Henriksen also updated the Board on the County's rural recycling containers. The Board also asked Mr. Henriksen to have the annual appliance and recycling collection events scheduled during May each year.

Voting by the Board Chair 1-26-10-07 Administrator Krosch discussed with the Board their policies regarding the Board Chair voting and making motions and recommended the Board consistently apply these policies. Robert's Rules of Order states that in a small board, the chairperson can participate in debate just as any other board member and, subject to the customs of the particular board, can also make motions and vote on all questions. Administrator Krosch informed the Board that after talking to several counties in the area most allow the board chair to make motions and vote on all questions. Motion by Commissioner Johnson and seconded by Commissioner Wambeke to establish a policy that the County Board Chair shall vote on all questions before the Board, shall cast the last vote on all questions and shall be allowed to make motions by passing the gavel to the Vice Chair to call the question and conduct the vote. Motion carried with Commissioners Sherlin, Johnson, Remiger and Wambeke voting in favor and Commissioner Antony voting against.

Commissioner Reports

Commissioner Sherlin had no reports. Commissioner Johnson reported on the Countryside Public Health SHIP Program, RDC, Restorative Justice, Prairie Lakes Youth Program and the Safe Communities Committee. Commissioner Remiger reported on the County Museum, Wood Lake Battlefield Association, SWCD, AMC Redesign meeting, Countryside Public Health and the MN Valley Regional Railroad. Commissioner Wambeke reported on the Safety Committee and AMC Redesign meeting. Commissioner Antony reported on the Workforce Council, ICS and Pioneerland Library.

Other Business None

Approval of Disbursements/Review of Auditor's Warrants 1-26-10-08 Motion by Commissioner Sherlin

and seconded by Commissioner Antony to approve the Commissioner's warrants for the following amounts: \$105,276.09 Revenue Fund, \$50,454.68 Road and Bridge Fund, \$44,942.88 Ditch Fund; and acknowledge review of the Auditor's warrants. Motion carried with all voting in favor.

Informational The Board reviewed the 2009 jail report.

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

Adjourn 1-26-10-09 Motion by Commissioner Sherlin and seconded by Commissioner Wambeke to adjourn at 2:45 p.m. Motion carried with all voting in favor.

Witness:

Attest:



Jane Remiger, Chair



Lois Bonde, Auditor/Treasurer