

## Yellow Medicine County Board Minutes

August 10, 2004

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

**08-10-04-01** Motion by Mr. Antony and second by Mr. Anderson to approve the agenda with the addition of a grant request under citizen comments. Carried.

**08-10-04-02** Motion by Mr. Sherlin and second by Mr. Antony to approve the consent agenda items including the July 27, 2004 regular meeting minutes and a reallocation request dealing with Market Value Credit Aid. Carried.

Mr. Antony started reports with updates on a Joint Airport Board meeting and a meeting with Lac qui Parle and Chippewa counties on the possibility of joint economic development. Mr. Johnson added some comments on the economic development meeting as well as reports on the Water Task Force and Region 6W Community Corrections. Mr. Sherlin attended Area II Minnesota River Basin Project and Joint Airport Board meetings. Ms. Remiger commented on an Extension meeting.

Upcoming meetings and events were reviewed.

Chief Deputy Richard Blackwelder addressed the Board on a grant available for equipment. The grants will pay up to \$30,000 with a 10% County match required. He was hoping to apply for two patrol vehicles.

**08-10-04-03** Motion by Mr. Johnson and second by Mr. Antony to have the Sheriff's department apply for the grant. Carried.

County Attorney Tom Kramer arrived.

Under citizen comments, Mary Taylor asked to address the pending feedlot conditional use permit (CUP) application. Ms. Remiger said she would be allowed time to speak during those discussions.

Planning and Zoning Administrator Randy Jacobson addressed the Board on the CUP application of Robert Geistfeld. Mr. Anderson asked to be excused, as he felt he had a conflict of interest on this issue, and he left the Boardroom. Mr. Jacobson gave some background on the application. Mr. Geistfeld wanted to expand his feedlot and was required to obtain a CUP as he was within ½ mile from a neighboring residence. Mr. Jacobson read a letter from George Schwint, MPCA Feedlot Engineer, stating that the existing earthen basin was "in good condition" and was "eligible for continued use". Some Commissioners questioned the cost of establishing a manure pit under the proposed nursery. Jeff Lopez, a feedlot consultant to Mr. Geistfeld, commented on those costs. Kevin Stroup, Mr. Geistfeld's attorney, suggested that the Board should be basing their decision on the existing ordinances and not on the costs of a pit. County Attorney Tom Kramer also commented on the current ordinance which, in his opinion, allowed for the CUP. Mary Taylor, of Wood Lake Township and a neighbor to Mr. Geistfeld, was recognized. She read a letter opposing the CUP "because the project does not meet minimum performance standards of our county's ordinance". She stated that she was representing County residents who opposed the CUP. She also commented that she was not opposed to agriculture. Ms. Taylor presented a letter from Peters and Peters, dated August 6, 2004, asking that the Geistfeld CUP be denied. Mr. Stroup offered a lawsuit, free of charge, if the Board did not approve the CUP. Ms. Taylor requested that the issue be tabled. Another resident, Donna Lou Hanson, asked the Board to take the time to read the letter from Peters and Peters.

Ms. Remiger called for a break to read the letter at 10:10 a.m. and reconvened at 10:18 a.m.

There was some discussion on what triggered the CUP and additional questions posed.

**08-10-04-04** Motion by Mr. Johnson and second by Mr. Antony to table the CUP until the August 24, 2004 meeting at 2:00 p.m. Carried, with Ms. Remiger voting against the motion.

Mr. Kramer was asked about getting a second opinion of the Board's authority to grant the CUP. Mr. Kramer will contact Scott Anderson, from MCIT, for that opinion. Mr. Chattin asked if the 60-day rule would be violated due to the delay. Mr. Jacobson stated that the County had until August 26<sup>th</sup> to act.

Ms. Remiger called for another recess at 10:35 a.m. and reconvened at 10:45 a.m.

Mr. Kramer updated the Board on several issues including pending legal actions, budget, and remote access.

Mavis Gustafson, representing the Hanley Falls Museum, updated the Board on their activities and made a \$19,500 budget request for 2005. This was the same as appropriated for 2004.

Julie Drietz, Western Minnesota Prairie Waters Coordinator, and Ms. Gustafson reviewed Prairie Waters activities and goals and made a budget request of \$10,000 for 2005. They received \$7,500 in 2004.

Appointments to joint ditch boards were considered.

**08-10-04-05** Motion by Mr. Sherlin and second by Ms. Remiger to adopt the following resolution:

Be It Resolved, that Yellow Medicine Commissioners Anderson, Antony, and Johnson be appointed as the County's representatives to the Judicial Ditch Authority of Yellow Medicine/Lac qui Parle County Judicial Ditches numbered 1A, 21, 23, and 26.

Carried.

**08-10-04-06** Motion by Mr. Johnson and second by Ms. Remiger to adopt the following resolution:

Be It Resolved, that Yellow Medicine Commissioners Sherlin and Antony be appointed as the County's representatives to the Judicial Ditch Authority of Yellow Medicine/Lac qui Parle County Judicial Ditch number 8.

Carried, with Mr. Antony voting against the resolution.

An organizational meeting with Lac qui Parle representatives will be held on August 24, 2004 at 11:30 a.m., during the next regular Board meeting.

**08-10-04-07** Motion by Mr. Johnson and second by Mr. Sherlin to approve a \$50 sponsorship to the 2004 Meander project. Carried.

**08-10-04-08** Motion by Mr. Antony and second by Mr. Johnson to request bids for County building garbage services. Carried.

Mr. Chattin reviewed the essentials of two proposed Law Enforcement Labor Services (LELS) contracts for 2004 covering Deputies and Jailor/Dispatchers.

**08-10-04-09** Motion by Mr. Sherlin and second by Mr. Anderson to approve the contracts as presented. Carried.

Ms. Remiger updated the Board on a railroad meeting and AMC meetings attended.

Mr. Chattin presented a grievance over health insurance benefits for married couples who both work for the County. The Board did not make any changes to the current policy.

Under disbursements, there were questions on mileage being claimed for trips

downtown by several employees. It was hoped that those trips could be consolidated. An invoice for truck rental was also questioned.

**08-10-04-10** Motion by Mr. Johnson and second by Mr. Antony to approve Commissioner's Warrants as presented totaling \$67,136.84 and acknowledge review of Auditor's Warrants totaling \$96,239.58. Carried.

Ms. Remiger shared some correspondence.

**08-10-04-11** Motion by Mr. Johnson and second by Mr. Sherlin to adjourn at 12:32 p.m. Carried.

Witness:

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Jane Remiger, Chair

Attest:

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Carolyn Sherlin, Auditor/Treasurer