

**OFFICIAL PROCEEDINGS OF THE YELLOW
MEDICINE COUNTY BOARD OF COMMISSIONERS
GRANITE FALLS, MINNESOTA
February 25, 2003**

The Yellow Medicine County Board of Commissioners met in regular session at 8:15 am on Tuesday, February 25, 2003, in the board meeting room. Present were Commissioners Lynn Anderson, Ron Antony, Jane Remiger, Louie Sherlin and Chairperson Gary Johnson. Also present were County Attorney Thomas Kramer, County Auditor Carolyn Sherlin, and news reporters Bethany Norgaard, and Dan McGonigle. The chairperson called the meeting to order. On motion, the agenda for the day and the minutes of February 11, 2003 were accepted and approved by the board.

Department managers were present to discuss the forthcoming budget shortfall forecast presented by the governor. The board chairperson requested from each department a list of all the mandates that affect our county financially. This list is to be available to the board at the next meeting. An effort will be made to contact the legislature to try to eliminate as many unfunded mandates for county government as possible. Also discussed was the possibility of a 5% decrease for each department.

Deputy Recorder Deb Blood explained that during the emergency absence of the County Recorder, she will need to work additional hours and will be accumulating more than the 25 hours of comp time currently allowed in the Personnel Policy. She requested an exception to the above rule for this period of time. Sherlin moved to allow her to accumulate more than the 25 hours allowed, provided that she does not take leave for a long period of time when using it. Antony seconded motion, all voted in favor.

Commissioner reports were given on the following topics: Western Mental Health, Revolving Loan Fund, AREA II, Day Activity Center, Prairie Waters, Prairie Five Meal Site, Pioneerland Library, RDC, and Regional Railroad.

A conditional use permit request was received from Jim and Nancy Kockelman to move in a 16'x80 Type I Manufactured home as a non-farm dwelling with the Rural Preservation District located Section 34 of Omro Township. This request was heard by the board on January 28 but was sent back to the Planning Committee. The Kockelmans agreed to setting the home on concrete piers but questioned the need to remove the existing dwelling on the building site. Jeff Van De Wiele presented the following recommendation of the Planning Committee:

1. In five years, the Type I Manufactured Home must be upgraded to a permanent dwelling.
2. The existing dwelling on the site will be removed within five years
3. If and when the current owners relocate or move to another site, the Type I manufactured home shall be removed from the premises.
4. Cement piers need to be used to anchor the house according to the State Building Code

After discussion, Sherlin moved to approve the conditional use permit with the above conditions, Anderson seconded motion, all voted in favor.

A conditional Use permit request was received from Dean and Linda Ward to operate a vintage retail/furniture refinishing business with the Rural Preservation Management District located in Section 28 in Norman Township. The business will be housed in a 1550 foot steel building and will need an EPA identification number for the hazardous waste that will be generated. After discussion, Sherlin moved to approve the conditional use permit, Antony seconded motion, all voted in favor.

Remiger stated that the ordinances and plans have been in place for a long time and suggested that a review take place. After discussion, Remiger moved to allow the Planning and Zoning Committee to review them, Antony seconded, motion carried.

Terry Renken, Don Oerter, Jeff Hoffman, Doug Gregoire, and John Boulton representing the Yellow Medicine River Watershed District, presented their annual report and budget. They explained one of their projects, the Clean Water Partnership Implementation. This is a loan program designed to work with landowners to upgrade septic systems. The watershed board procured a \$405,000 loan from the state and dispersed the money in loans to applicants, who will pay back the loans by special assessments applied to their annual tax statements. They expressed their concerns with fallen trees in the river mainly caused by beaver and will begin the tree removal project in the spring of 2003. Johnson questioned the process regarding the issuance of drainage permits. Reports indicate that individual board members often issue the permits and the full board then ratifies the permit after the fact. Renken stated that every permit does come before the board although several have been tentatively approved by individual prior to the full board review because of time and economical costs.

Remiger stated that rural landowners should receive more information on Watershed boundaries in regards to a drainage permit requirements. She requested that more information be sent out to landowners in the Watershed District.

Anderson moved to appoint Ron Antony as board representative to the Yellow Medicine River Watershed Board and to designate a per diem payment for attendance, Sherlin seconded, motion carried.

Steve Schaub and Larry Stoks reviewed various Highway Department Activities. The following resolution was introduced:

**RESOLUTION of LEGISLATIVE PRIORITY
STATE LEGISLATIVE ACTION IN 2003 TO APPROVE FUNDING FOR CONSTRUCTION OF
NEW TRUNK HIGHWAY 212 IN THE SOUTHWEST METRO AREA**

WHEREAS, state Trunk Highway 212 is a critical transportation corridor serving the economic interests of Southwest Minnesota from the Twin Cities to the South Dakota border, and

WHEREAS, the United States Congress has designated TH 212 as part of the National Highway System, and the Minnesota Department of Transportation has officially identified TH 212 as a critical inter-regional corridor in the state, and

WHEREAS, reconstruction of TH 212 to a four-lane state highway from the Twin Cities to the South Dakota border has long been recognized as one of the top transportation and economic priorities for Southwest Minnesota, and

WHEREAS, construction of New Highway 212 in the counties of Hennepin and Carver (CR 147 to CSAH 4) represents a critical component in improving transportation service throughout Southwest Minnesota, and

WHEREAS, the section of New Highway 212 from I-494 to Hennepin County Road 4 has been completed and opened to traffic, and

WHEREAS, the remaining section of the New Highway 212 project is in the design/build process for construction, and

WHEREAS, substantially all required right-of-way for the New Highway 212 project has been or is now been acquired, and

WHEREAS, the remaining section of the New Highway 212 project is scheduled to be ready for construction in the 2004-05 time period, and

WHEREAS, over \$100 million has already been invested in New Highway 212 in acquiring right-of-way, design, and construction, but the full benefit of this investment will not be realized until the remaining section of the realignment project is constructed and operational, and

WHEREAS, the Minnesota Department of Transportation has designated the New Highway 212 project as the state's top highway expansion projects and the first projects to receive necessary state funding when such funding is available, and

WHEREAS, due to insufficient state highway funding, construction of New Highway 212 is currently scheduled to begin in 2013, **which is a schedule considered unacceptable by this Board and the citizens it represents**, and

WHEREAS, construction of New Highway 212 could be advanced from 2013 to 2004-05 with approval of sufficient state funding by the 2003 Minnesota Legislative,

NOW, THEREFORE, BE IT RESOLVED, the Yellow Medicine County Board of Commissioners has established as its top legislative investment priority for 2003 approval by the Minnesota Legislature and Governor Tim Pawlenty of sufficient additional state transportation funding to advance construction of New Highway 212 from 2013 to 2004-05.

Anderson moved to approve the above resolution, Sherlin seconded motion, all voted in favor.

The Agreement with the Upper Sioux Community for snowplowing CSAH 44 and Prairie's Edge Lane was reviewed. Snow removal operations shall consist of snowplowing/removal and placement of salt/sand for snow and ice control with the following provisions:

1. Yellow Medicine County will perform snow removal operations on CSAH 44 on their regular schedule with no extra operations being performed, unless in case of emergency as determined by the Sheriff's Department
2. Yellow Medicine County will perform snow removal operations on that portion of Prairie's Edge Lane designated as CSAH 44 as a part of their regularly scheduled trips, and will continue along Prairie's Edge Lane to its junction with 560th Street, if snow removal operations have not already been performed on this section of Prairie's Edge's Lane by the Upper Sioux Community.
3. The Upper Sioux Community will perform snow removal operations on the entire length of Prairie's Edge Lane, including that portion designated as CSAH 44, on a schedule that they deem appropriate for their operations, if snow removal operations have not been performed by Yellow Medicine County. All snow removal operations shall meet the minimum standards as set out in YMC Highway Department Snow and Ice Removal Policy.
4. As the frequency and extent of the snow removal operations will vary greatly due to road, weather and traffic conditions along with the timing of the snow removal operations, no charges will be made by either party for recovery of cost associated with these operations on those portions of Prairie's Edge Lane and CSAH 44 under their respective jurisdictions unless addition aid is required and requested by either party.
5. All other highway maintenance activities shall be the responsibility of the respective highway owners. This agreement, including Appendix A - Hold Harmless and Identification, shall be in effect until such time as either party requests, in writing, a review and/or modifications of this agreement.

Sherlin moved for approval of the above agreement, Remiger seconded motion, all voted in favor.

Information was received that all activities for the Memorial Park Trail Project has been delayed until 2005. The county will re-apply for Phase II at that time.

Permission was given to send three highway employees to a three-day training seminar sponsored by Case. All expenses associated with this training will be covered by the company.

Anderson reported that the Joint County Interview Committee for a new county engineer met in Benson on February 20 & 21. Four candidates were interviewed and the selection committee made a decision to offer the county engineer position to John Johnson. Mr. Johnson did accept the job offer and will begin work on April 7, 2003. After discussion, Sherlin moved to concur with the decision of Swift County to hire John Johnson as County Engineer for the shared position in the counties of Swift and Yellow Medicine. Anderson seconded motion, all voted in favor. The joint county agreement calls for Yellow Medicine to pay a minimum of 40% of the cost of his salary and benefits.

Deputy Auditor Lois Bonde reviewed the status of the GASB project and requested approval of the following policies:

- Guide to Capital Assets
- Policy for Revenue Recognition
- Policy for Use of Restricted Funds
- Policy for Elimination of Interfund Activities

Sherlin moved to approve the above policies effective for January 1, 2003, Remiger seconded motion all voted in favor. Remiger moved to appoint Lois Bonde as Audit Officer, Antony seconded motion, all voted in favor.

Scott Larson and John Goodyear, new owners of a business property located in Clarkfield, requested an abatement of the 2002 delinquent taxes on Parcels #32-450-0101 & 32-450-0103. The request for the abatement is based on a hardship situation. They purchased the property last year and have discovered a variety of unpaid bills left from the previous owners including a delinquent water bill that is part of the tax amount due. An offer was made to pay the delinquent amount of \$5,232 and they requested an abatement of the penalty and interest amount of \$831.89. Sherlin moved to abate \$831.89 for the above, Antony seconded motion, all voted in favor.

Johnson discussed the current landfill property lease that will expire this fall. It was the consensus of the board to advertise for bids when the current contact runs out in order to insure that all interested parties will have the opportunity to lease the property. The auditor was directed to send a notice to Mark Westfield informing him of the board's decision.

Remiger moved to ratify the actions and minutes of the February 18th, 2002, Welfare meeting. Anderson seconded, motion carried.

Anderson moved to approve the Liquor and Sunday Liquor licenses for Goodfellows, Montevideo Country Club, and J.B.Yates Supper Club. Remiger seconded motion, all voted in favor.

Sherlin moved to approve payment for 75.05 excess hours for the county attorney in the amount of \$6,337.97. The time was earned during December, 2002. Anderson seconded, motion was carried with Johnson abstaining from voting.

Information was received from the Extension Director on the appointment of a new committee member. Remiger moved to appoint Clara Groenhoff to the YMC Extension Committee for a term of three years. Sherlin seconded motion, all voted in favor.

Sherlin moved to direct the chairperson to sign application for Emergency Management grant paperwork for the Emergency Management Office. Remiger seconded, all voted in favor.

The following claims were presented for approval:

REVENUE FUND

Advocate-Tribune	188.00
American Solutions for Business	318.92
Best, Inc.	2,204.51
Canby Print Shop	331.00
Cenex Convenience Card	1,329.56
Cooks Inc	585.57
CPS Technology Solutions Inc	338.50
Davis Typewriter Co., Inc.	832.66
Wayne DeBlieck	128.68
Docutech Consulting	1,437.75
Fromm Snyder Drug	1,695.38
G & K Services Inc	104.28
General Security Services Corp	185.36
Granite Falls Muni Hospital	372.00
Hutchinson Area Health Care	220.00
The Ink Spot	183.19
Innovative Office Solutions	719.98
K.E.E.P.R.S.	1,721.90
Keefe Supply Co	241.75
Thomas Kramer	2,672.21
Lexis Nexis Matthew Bender	197.30
Loffler Business Systems Inc	689.06
Paul Magnuson	150.38
Mike Martin	144.00
Microtek Solutions	1,778.00
MN Co Attorneys Assn	878.00
MN Sheriffs Assn	788.98
MN State Auditor	1,144.00
Monte Candy Company	331.25

National Pen Corporation	220.89
Pitney Bowes	345.50
Carolyn Sherlin	146.16
Streichers	484.19
Sturdevant's Auto Supply	282.60
Treadway Graphics	145.00
U of MN-CPHEO	100.00
Uniforms Unlimited	356.80
Welker's Inc	373.26
West Central Communications, Inc	1,098.73
West Central Radiology	296.75
YMC Highway Department	213.71
Payments less than \$100	<u>1,514.19</u>
TOTAL	\$27,489.95

ROAD & BRIDGE FUND

AAA Striping Service, Inc	1,262.38
Commissioner of Transportation	548.39
Lawson Products Inc	103.18
Renville County Highway Dept	166.78
YMC Auditor	528.67
YMC Ditch Department	2,223.24
Ziegler Inc	3,808.01
Payments less than \$100	<u>829.08</u>
TOTAL	\$9,469.73

DITCH FUND

MN Drainage Inspectors	80.00
FINAL TOTAL	\$37,039.68

Meals for the Road & Bridge Fund in the amount of \$7.44 were also presented. Sherlin moved to approve payment for the above claims, Anderson seconded motion, all voted in favor. Board members Antony, Remiger, and Sherlin met with Helen Blue and Alan Olson of the Upper Sioux Community to discuss issues pertinent to both parties. The new casino will be open on March 10 and board members will be invited to the Open House scheduled for June. The next meeting of the two entities has been tentatively set for July. As all business for the board was completed, the meeting was adjourned.

Chairperson, Yellow Medicine
County Board of Commissioners

ATTEST:

Carolyn Sherlin, County Auditor
and Clerk to the County Board