

**OFFICIAL PROCEEDINGS OF THE YELLOW  
MEDICINE COUNTY BOARD OF COMMISSIONERS  
GRANITE FALLS, MINNESOTA  
January 23, 2007**

The Yellow Medicine County Board of Commissioners met in regular session at 12:30 pm on Tuesday, January 23, 2007 with the following board members present: Gary Johnson, Jane Remiger, Louis Sherlin, and Dick Wambeke and Chairperson Ron Antony. Also present were County Auditor-Treasurer Carolyn Sherlin, County Attorney Keith Helgeson, Family Service Director Peggy Heglund, & news reporters Scott Tedrick from the Advocate Tribune. The Chairperson called the meeting to order and on motion the agenda for the day and the minutes for January 2, 2007, were approved.

Johnson reported on the following organization meetings: Community Corrections, RDC Planning Committee, Highway 59 progress, and Prairie Lakes. He also had questions on tax forfeited property.

**1-23-07-1** County Attorney Keith Helgeson reported on the status of a property which was confiscated due to drug violations. The following resolution was introduced in order to conduct the sale according to Minnesota Statue requirements:

**Sale of Confiscated Property**

**Resolution 1-23-07-1**

WHEREAS, the Yellow Medicine County Attorney has pursued a criminal prosecution of David Rudenick for a controlled substance violation and a civil action for the forfeiture of real property owned by David Rudenick;

WHEREAS, said property is legally described as follows:

All that part of the Northeast Quarter (NE ¼ ) of Section Twenty-four (24), Township One Hundred Thirteen (113) North, Range Thirty-eight (38) west of the Fifth Principal Meridian, described as follows, to wit: Commencing at the Northwest corner of the Northeast Quarter of said Section 24, running thence East along the North line of said Section 24 a distance of 505 feet, thence South parallel to the West line of the Northeast Quarter a distance of 431 feet, thence West parallel to the North line of said Section 24 a distance of 505 feet to the West line of the Northeast Quarter, thence North along the West line of the Northeast Quarter a distance of 431 feet, to the point of beginning, said tract containing 5 acres, more or less

WHEREAS, pursuant to M.S. 609.5315, Subd. 1(a) the Yellow Medicine County District Court found under section M.S. 609.5313 that the said property was forfeited and awarded and decreed it to Yellow Medicine County;

WHEREAS, pursuant to M.S. 609.5315, Subd. 1(a)(2) the sale of the said property is permitted where there is no legal requirement that such property be destroyed and upon advice of counsel this board finds there is no such requirement and where the property is not harmful to the public and this board finds no such harm;

WHEREAS, Yellow Medicine County is empowered by M.S. 373.01, Subd. 1(a) (4), to sell real property owned by the county as deemed conducive to the interests of the county's inhabitants and it is so deemed by this board;

NOW, THEREFORE, BE IT RESOLVED, That:

1. A sale of the abovesaid property is authorized and directed.
  2. The Yellow Medicine County Attorney shall proceed with the conduct of the sale and shall make arrangements for publication all in accordance with law.
  3. The Chair of the Yellow Medicine County Board and the County Auditor, Ex-officio Clerk to this Board, are directed to sign such transfer documents as may be necessary to complete this sale.
  4. The net proceeds of the sale shall be disbursed in accordance with law.
- Remiger moved to adopt the above, Sherlin seconded, motion carried.

**1-23-07-2** Remiger moved to approve the agreement with the State Auditor's office for conducting the county financial audit for 2006. Wambeke seconded motion, all voted in favor.

**1-23-07-3** Johnson moved approve the agreement with Maximus for the annual cost allocation audit, Sherlin seconded, motion carried.

Liz Auch, Countryside Public Health Director, presented an update of activities of her organization which included budget and staff. The probability of a pandemic influenza outbreak and the resulting consequences and the effects on day to day living was also discussed.

Randy Fordyce, from Great River Energy, explained the plan for developing electricity for future needs up to 2020. The need for electricity will be increased significantly due to future advances in technology.

**1-23-07-4** Michele Gatz discussed the status of a grant request for expenses associated with moving the historical museum out of the floodplain. She requested authority to electronically sign the grant prior to submission. Remiger moved to grant authority, Wambeke seconded motion, all voted in favor.

Randy Nelson, Prairie Country RC&D, reviewed the 2006 Projects and Activities of his organization. They include Streambank Stabilization, Watershed Projects, Outdoor Learning Centers, Dry Hydrants, and the Glacial Ridge Trail.

**1-23-07-5** County Engineer Andy Sander presented an advance encumbrance resolution to obtain funding from the 2008 State-Aid Regular construction funds for the CSAH 3 project. Sherlin moved, Wambeke seconded, motion carried.

**1-23-07-6** He also requested approval for an advance encumbrance resolution to obtain funding from the 2008 State-Aid Municipal construction funds for the CSAH 24 (Clarkfield) project. Johnson moved, Sherlin seconded, motion carried.

**1-23-07-7** Approval was granted to make the final payment of \$3,701.52 to Duininck Brothers, Inc. for SP 87-090-03, (Memorial Park Trail Project-Phase 2) with a motion by Remiger, seconded by Wambeke and carried with

Johnson voting against the motion. It was noted that the City of Granite Falls is being billed for 1/2 of local costs.

**1-23-07-8** Approval was received to set a letting date for SAP 87-598-08 (Bridge No. 90300 on CR A-5) for March 21, 2007 at 1:00 PM at the County Engineers Office with the award to be granted by the County Board on March 27th. Sherlin moved, Remiger seconded, all voted in favor.

**1-23-07-9** Sherlin moved to approve the Seasonal Bids as presented, Johnson seconded, motion carried. Complete list on file at the County Engineer's Office.

Remiger gave a commissioners report on the Regional Railroad and the county museum. Wambeke reported on Emergency Management and the Granite Falls City Council. Antony reported on Community Corrections, Rural Energy Board and Pioneerland Library.

Consultant Jim Brimeyer reported on the status of the county administrator search. He presented resumes on ten candidates and the board selected five persons to move to the interview process. Candidates and their spouses will meet with Department Managers for lunch on February 2<sup>nd</sup>, then take a bus tour of the city of Granite Falls and a portion of the county, including the courthouse and other county buildings, and then meet with mayors and the news media. Interviews with board members will take place on February 3<sup>rd</sup> and 6<sup>th</sup> and a decision will be made at that time.

**1-23-07-10** Remiger moved to approve the agreement with Lincoln, Lyon and Murray County Human Services for technical support services from January 1, 2007 to December 31, 2007 at a cost of \$47.25 per hour. Sherlin seconded motion, all voted in favor. It was noted that we have a 60 day termination clause.

**1-23-07-11** The auditor-treasurer requested approval of the classification and appraisal of the following parcels, 33-300-1114, 35-300-0908, 35-300-0810, in order to publish the notice of auction and to set the auction date for February 21. Sherlin moved for approval, Remiger seconded, motion carried.

**1-23-07-12** Sherlin moved to approve payment of claims for the following amounts: Revenue: \$207,797.67; R&B \$112,243.42; \$Ditch \$3,575.81. Wambeke seconded motion, all voted in favor. As all business for the day was completed, the meeting was on motion, adjourned.

Witness:

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Ron Antony, Chairperson  
Yellow Medicine County Board of Commissioners

Attest:

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Carolyn Sherlin, Auditor/Treasurer

