

**OFFICIAL PROCEEDINGS OF THE YELLOW
MEDICINE COUNTY BOARD OF COMMISSIONERS
GRANITE FALLS, MINNESOTA
May 13, 2003**

The Yellow Medicine County Board of Commissioners met in regular session at 9:00 am on Tuesday, May 13, 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 April 22, 2003 were accepted and approved by the board.

Commissioner Reports were given on the following topics: County Water Plan, Prairie Five Nutrition, Community Corrections, Headstart Evaluation Process, Pioneer Library System, Western Human Redevelopment, Ag Policy Meeting, and Area II.

Michele Caveney requested approval to submit an application for increasing the Emergency Management Grant for the county. Sherlin moved to adopt the following resolution:

BE IT RESOLVED that Yellow Medicine County, hereinafter referred to as the "Applicant" act as legal sponsor for the project contained in the Flood Damage Reduction Grant Assistance Program Application to be submitted and that Michelle Caveney is hereby authorized to apply for the Department of Natural Resources for funding of this project on behalf of the applicant.

BE IT FURTHER RESOLVED that the Applicant has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate acquisition, maintenance and protection of the proposed project.

BE IT FURTHER RESOLVED that the applicant has not incurred any costs, and has not entered into any written agreements to purchase property proposed by this project.

BE IT FURTHER RESOLVED that the Applicant has not violated any Federal, State or Local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the applicant may enter into an agreement with the State of Minnesota for the above-reference project, and that the applicant certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

Anderson seconded, motion carried.

Discussion was held on the application for a hazard mitigation grant, which is required by FEMA in order to receive future emergency funding if needed. It was decided to contract with RDC for assistance in preparing the county all-hazard mitigation plan that meets the requirements of the Disaster Mitigation Act of 2000, at a cost of \$6250 of which one-half will be in-kind services. Antony moved for approval and to split the remaining cost equally between the revenue, highway, sheriff, and ditch funds. Anderson seconded motion, all voted in favor.

Mavis Gustavson reported on the Machinery Museum activities. An assistant has been hired on a part-time basis to help with weekend tours and other duties. A short video on the museum activities and displays was shown. This video is used for promotional purposes.

Curt Johnson presented a comparison of costs and services between Johnson Controls and Chappel Central for furnace and air conditioning work in the building. The cost for renewal of the Johnson Control one year Service Agreement is \$10,784 and only covers the main courthouse. The proposal from Chappel includes the Spring equipment/maintenance checkup for \$2500 and the fall maintenance checkup for \$2,639 for a total of \$5,139. This includes the roof top units, walk-in cooler, air compressor chiller, and control systems in both the courthouse and LEC building. After discussion, Anderson moved to approve the agreement with Chappel Central, Willmar, for \$5,139. Sherlin seconded motion, all voted in favor.

Discussion was held on the courthouse roof repair. Board consensus was that we should look for proposals for both shingling and replacing the roof with tin.

County Assessor Connie Erickson reported that Northern States Power and Peoples Natural Gas had filed a tax petition with the State of Minnesota disputing the tax amount on all their utilities. Because the state sets values on the utilities, the state will defend the lawsuit at their own expense. Since receiving the petitions, we were notified that NSP had dropped the petition.

Action was taken on the following county highway items:
Remiger moved to approve final payment to Duininck Brothers for projects SAP 87-602-18 and 87-618-18 for \$91,879.53. Sherlin second motion, all voted in favor.

Sherlin moved to approve final payment to Central Specialties for projects CP 01-10, 01-11,18-19, & 18-20 for \$35,617.33. Antony seconded motion, all voted in favor.

Sherlin moved to approve the press release issued by the Highway Department, Anderson seconded motion, all voted in favor.

Anderson moved to approve construction of the County Highway Department Web site, Sherlin seconded motion, all voted in favor.

Sherlin moved to set letting date for Project SAP 877-599-40 (Bridge replacement L-7947) for 10:00 am on June 24, Remiger seconded motion, all voted in favor.

A Resolution calling for a Public Ditch Hearing for County Ditch#9 scheduled for Tuesday, June 10, 2003, at 10:00 am was presented.

**Resolution Calling for Public Hearing for
County Ditch No. 9**

WHEREAS, the Yellow Medicine County Highway Department finds it is desirable and necessary to do work on a road designated as Township Road No. 82, and

WHEREAS, such work includes work on or the replacement of a single span steel beam bridge (old bridge no. L-7947) located approximately 1-mile north of Hazel Run, Minnesota, between Section 13, T114N, R41W, and Section 18, T114N, R40W, and

WHEREAS, the work on or replacement of said bridge will result in a minor alteration or change in a public ditch system designated as County Ditch No. 9, and

WHEREAS, the proposed minor alteration or change is generally described as the replacement of old bridge no L-7947, a single span steel beam bridge approximately 37-ft. in length, with a three span concrete bridge approximately 78-ft. in length, and

WHEREAS, the proposed minor alteration or change will not affect the functioning or efficiency of the above named ditch system, and

WHEREAS, the Engineer has presented his oral report supporting the above requests and pursuant to M.S. 163.17:

1. That the Yellow Medicine County Board of Commissioners grant authority for the Engineer to proceed to make such alterations or changes at the sole cost and expense of Yellow Medicine County,
2. That said joint ditch authority determine and damages to be paid as a result of this project.

NOW, THEREFORE, IT IS RESOLVED:

1. The Yellow Medicine County Auditor shall fix a time and place for a hearing on the proposed minor alteration or change.
2. That 15 days prior to the day of the hearing, the Yellow Medicine County Highway Engineer shall have on file in the Engineer=s Office a plan showing in detail the proposed minor alteration or change.
3. That the plan to be on file with the County Engineer shall identify any persons damaged by the proposed minor alteration or change and the estimated amount of damages to such persons.
4. That 15 days prior to the day of the hearing, the Yellow Medicine County Highway Engineer shall have on file in the Engineer=s Office a written opinion indicating that the proposed minor alteration or change will not affect the functioning or efficiency of County Ditch No. 9.

Remiger moved to set the above Public Hearing for June 10, at 10:00. Antony seconded motion, all voted in favor.

Remiger moved to approve the power line relocation agreement with Minnesota Valley REC for project CP 01-71 for \$39,234. Sherlin seconded motion, all voted in favor.

Discussion was held on whether the county wanted to remain in the Minnesota River Board organization. Sherlin moved to withdraw from the group at the end of our committed term, Antony seconded motion, all voted in favor.

At 11:00 am a public hearing was held to consider the petition from Gilbert Lindsay to outlet the west half of the Northwest quarter of Section 30 of Normania Township into County Ditch #53. Discussion was held on whether this county ditch actually drains into the private ditch nearby. If so, all drainage into the ditch would be affected. Antony moved to direct the ditch inspector to research this issue, Anderson seconded, motion carried. After further discussion, Remiger moved to allow the petition from outlet, Antony seconded motion. Voting yes: Antony, Johnson, Remiger. Voting no: Anderson, Sherlin. Motion carried. Remiger moved to set the outlet fee for the above at \$940, Antony seconded motion, all voted in favor.

A second petition was received from Kris Brusven to outlet the Southwest quarter of the Southwest quarter of Section 20 of Normania Township into County Ditch 53. The ditch inspector explained that the east half of this parcel is outside of the normal watershed line of CD 53, but permission was received from SWCD to allow non-perforated tile. After discussion, Antony moved to approve the outlet, contingent on receiving approval to allow the crossing of the watershed line, Sherlin seconded motion, all voted in favor. Antony moved to set the outlet fee for this parcel at \$2217.60, Remiger seconded motion, all voted in favor.

Ditch Inspector John Kolhei submitted two quotes for cleanout of Branch B of Joint Ditch #23 YM & LQP. Quotes follow:

Jeff Wollschlager, Clean & level 24,700 feet: \$14,820

K & K Tiling, Clean and level 24,700 feet: 14,573

With due consideration, Anderson moved to accept the low quote of K & K Tiling, Sherlin seconded motion, all voted in favor.

Fair Board Rep Menno Fokken, Contractor Heather Redfield and Architect Chad Peterson met to discuss the problems with the new county fairgrounds building. The concrete floor is pitted and cracked, sheetrock was used for the sink backsplash which is against code, and the serving shelving is unacceptable. Public Health recommended a change in the type of sink used which is different from the original plan, thereby making the sheetrock unacceptable. The contractor suggested that a \$5000 deduction from the final cost would be accepted for the deficient concrete work and separate deductions can be made for the other problems. The architect suggested that the group inspect the building later in the day and meet again with the county board on May 27th with recommendations for correction.

Environmental Officer Paul Henriksen reported that the HHW facility in Clarkfield was built so tight that there is currently a mold problem. Sherlin moved to hire Bills Electric to fix the problem with a heat exchanger, Antony seconded motion, all voted in favor.

Henriksen reported that a Household Hazardous Waste collection is scheduled for Clarkfield on May 31 at 10:00 am.

Sherlin moved to grant permission to Commissioner Remiger to sign the RCRCA Joint Powers Agreement for our county at their next meeting. Anderson seconded motion, all voted in favor.

The following resolution was presented:

CLEAN WATER PARTNERSHIP PROJECT
LOAN SPONSOR RESOLUTION

Be it resolved by the Yellow Medicine County Board of Commissioners that, as Loan Sponsor, the Board enters into the attached Minnesota Clean Water Partnership Project Implementation Loan Sponsor, and the Minnesota Pollution Control Agency to conduct the implementation of the yellow Medicine River Watershed District Phase II Implementation Clean Water Partnership Project.

Be it further resolved by the Yellow Medicine County Board of Commissioners that the Board Chairperson, Gary L. Johnson, be authorized to execute the attached Minnesota Clean Water Partnership Project Implementation Loan Agreement for the above referenced Project on behalf of the Yellow Medicine County Board as loan sponsor.

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

Remiger moved to grant permission to Commissioner Sherlin to sign the Area II River Basin Joint Powers Agreement, Addendum No. 1, to extend the effective period of said joint powers agreement to June 30, 2004, at their next meeting. Anderson seconded motion, all voted in favor.

The following resolution was presented:

"Be it Hereby Resolved, that the parcels of land forfeited to the State of Minnesota for nonpayment of taxes, appearing on the list filed by the county auditor, which have been appraised as provided by Minnesota laws, 1935, Chapter 386, as amended, shall be offered for sale by the Yellow Medicine County Auditor, on Wednesday, May 28, 2003, at 10:00 am, who is directed to publish a notice of sale as provided by law."

Sherlin moved for approval, Remiger seconded, motion carried.

At 1:30 pm a representative from Hanratty & Associates presented a different concept for the purchase of employee health insurance. This proposal would cause the county to become partially self-funded by increasing the deductible amount of the health insurance. The presumption behind this proposal is to decrease the cost of our health plan by utilizing the theory that some employees do not maximize the use of all the benefits. The county needs to utilize the 2004 renewal rates, which won't be available until September 1st, to work out the mechanics of this plan.

The following claims were presented for payment:

REVENUE FUND

Affiliated Community Medical C	195.45
Americinn of Detroit Lakes	182.64
Lynn Anderson	213.12
Ron Antony	101.52
Aramark Correctional Services	5,918.24
Bailey's Custom Cap Mfg	298.08
Bills Electric	1,098.50
Breezy Point	446.39
Dr Carter	164.40
CDI Office 1	198.93
Cenex Convenience Card	784.42
Clarey's Safety Equipment, Inc	225.82
Computer Profess Unlimited Inc	2421.22
Consumers Coop Oil Co	123.21
Cooks Inc	270.63
Russell Dandurand	115.82
Daves Family Foods	415.18
Davis Typewriter Co, Inc	476.25
Elan Financial Services	171.71
Karl Erickson D.D.S.	207.00
Connie Erickson	319.32
Farmers Coop Association	1,139.70
First National Bank	1,050.86
Fortier Township	316.00
Fromm Snyder Drug	508.61

Girards Business Machines Inc	786.00
Doug Gregoire	250.00
Jack Hawk	238.33
Heiman Fire Equip Inc	4,665.01
Ikon Office Solutions	233.28
Independent Emergency Services	100.00
The Ink Spot	140.58
Innovative Office Solutions	461.27
J Paul Inc	348.65
Kandiyohi County Sheriff	3,220.83
Keeps Inc	165.90
Kramer Law Office	857.16
Ladner Hardware Inc	108.38
Lqp Yellow Bank Watershed Dist	3,052.24
J Lynner Company	140.00
Mediacom	132.04
MN Sheriffs Assn	500.00
Michelle Molden	109.39
Monte Candy Company	145.00
Murrays Auto Glass	242.35
Office Systems Inc	161.69
Pitney Bowes	282.12
Prairie Lakes Detention Center	2,730.00
Printing Services	105.97
R & D Safety Inc	120.00
Amy Rager	332.87
Jane Remiger	147.96
Amanda Sieling	101.52
Simplex Grinnell	155.00
Sysco MN Inc	220.16
Tri-County Coop Oil Company	941.60
University of MN-AG Ext Serv	2,627.21
US Foodservice	284.62
Walmart Community BRC	106.93
Welker's Inc	209.94
West Central Communication, Inc	141.60
John Wiley & Sons	2,932.46
Payments less than \$100	<u>2,162.22</u>
TOTAL	\$47,023.30

ROAD & BRIDGE FUND

A & J Auto Supply Inc	247.73
Boyer Ford Trucks	285.02
Brock White Company, LLC	1,491.00
Computer Profess Unlimited Inc	338.92
Cottonwood Coop Oil	208.48
Daves Electric Motor	302.19
Farmers Coop Association	106.58
Graham Tire Co., Inc	221.99
IT Solution Group Inc	570.42
Lake Superior College	400.00
M-R Sign Inc	110.59
Martin Marietta Aggregates	4,508.19
Midwest Truck & Parts Inc	406.42
Monson Motors Inc	372.72
Quality Glass	1,070.52
Royal Tire, Inc	1,911.06
Sturdevant's Auto Supply	393.59
Tjosvold Equipment, Inc	312.05
Tri-County Coop Oil Company	501.54
Westmor Industries, Inc	8,201.57
Widseth, Smith, Nolting, Inc	1,050.00
Zep Manufacturing	412.47
Payments less than \$100	<u>793.53</u>
TOTAL	\$24,216.58

DITCH FUND

Cottonwood Coop Oil	124.10
Jeseritz Construction	603.50
YMC Auditor	162.50
Payments less than \$100	<u>138.09</u>
TOTAL	\$1,028.19

FINAL TOTAL **\$72,268.07**

Sherlin moved to approve payment of the above claims, Remiger seconded motion, all voted in favor. As all business for the day was completed, the meeting was on motion adjourned.

Chairperson, Yellow Medicine
County Board of Commissioners

ATTEST:

Carolyn Sherlin, County Auditor
and Clerk to the County Board