

Yellow Medicine County Board Minutes

May 23, 2006

Chairman Lynn Anderson called this regular meeting to order at 12:13 PM with Commissioners Gary Johnson, Jane Remiger, and Ron Antony present. Administrator John Chattin and Robert Wolfington of the Marshall Independent were also present. Commissioner Louis Sherlin arrived at 12:20 PM.

05-23-06-01 Motion by Mr. Antony and second by Mr. Johnson to approve the agenda with the addition of a Canby Smoke Free Forum. Carried.

05-23-06-02 Motion by Mr. Johnson and second by Mr. Antony to approve the consent agenda consisting of the May 9, 2006 regular meeting minutes, three reallocation requests, and three fireworks permits. Carried.

There were no citizens present to be heard.

Mr. Johnson reported on a Family Services Volunteer Banquet. Mr. Antony covered a Safety Committee meeting, Pioneerland Library, and Rural Minnesota Energy Board. Mr. Anderson discussed meetings of CEE VI Drug Task Force, Prairie Lakes Youth Programs, and Southwest Regional Solid Waste.

Engineer Andy Sander and Assistant Engineer Steve Schaub presented two recommendations for temporary summer help.

05-23-06-03 Motion by Mr. Antony and second by Mr. Sherlin to hire Joseph Miller as an Engineering Tech and Mark Johnson as an Equipment Operator, both positions being temporary summer positions. Carried.

Mr. Sander discussed site work being done on a shop addition and gave updates on projects.

05-23-06-04 Motion by Mr. Antony and second by Ms. Remiger to open the public hearings on County Ditch No. 1B, Judicial Ditch No. 10, and Joint Ditch No. 24 at 1:00 PM. Carried.

Commissioners Phil Nelson and Bob Fenske and Ditch Inspector Todd Hammer, all from Lyon County, were present for the hearings. Mr. Sander, Mr. Schaub, and Yellow Medicine County Ditch Inspector John Kolhei were also present.

A bridge replacement on Judicial Ditch No. 10 was considered first. Project SAP 87-598-08 would replace a steel span bridge with a concrete span structure.

05-23-06-05 Motion by Mr. Antony and second by Mr. Nelson to adopt the following resolution:

WHEREAS, the Yellow Medicine County Highway Department finds it is desirable and necessary to do work on a road designated as County State Aid Highway No. 2; and

WHEREAS, such work includes work on or the replacement of a single span steel beam bridge (old bridge no. 90300) located approximately 5-miles northeast of Wood Lake, Minnesota, near the northeast corner of Section 12, T114N, R39W; 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 Lyon/Yellow Medicine Judicial Ditch No. 10; and

WHEREAS, the proposed minor alteration or change is generally described as the replacement of old bridge no 90300, a single span steel beam bridge, with a single span concrete bridge approximately 73-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 Lyon/Yellow Medicine Joint Judicial Ditch Authority for Judicial Ditch No. 10 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 any damages to be paid as a result of this project.

WHEREAS, The Engineer has on file in his office a plan showing in detail the proposed alteration or change.

WHEREAS, the Engineer has identified in that plan any persons damaged by the proposed alteration or change and estimated the amount of these damages.

WHEREAS, the Engineer has filed a written opinion indicating that the proposed alteration or change will not affect the functioning or efficiency of Judicial Ditch No. 10.

WHEREAS, a hearing was duly noticed and held on May 23, 2006 at 1:00 PM, at the Commissioner's Room in the Yellow Medicine County Courthouse in Granite Falls, Minnesota, and all interested parties were given the opportunity to speak.

NOW, THEREFORE, IT IS ORDERED:

1. That the Joint Ditch Authority for Lyon/Yellow Medicine County Judicial Ditch No. 10 grants authority for the Engineer to proceed to make such alteration or changes at the sole expense of Yellow Medicine County.
2. That the Yellow Medicine County Highway Department shall pay persons the fulling damages by reason of the project in the amounts noted below:

<u>PERSON</u>	<u>AMOUNT</u>
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None

3. That the Engineer shall have on file in his office a map and profile drawn to scale showing the alteration or change as completed.
4. That Judicial Ditch No. 10 shall include the alteration or change as ordered herein.

Carried.

A bridge replacement on Joint Ditch No. 24 was considered. Project SAP 87-599-115 would replace a timber bridge with box culverts.

05-23-06-06 Motion by Mr. Johnson and second by Mr. Fenske to adopt the following resolution:

WHEREAS, the Yellow Medicine County Highway Department finds it is desirable and necessary to do work on a road designated as Sandnes Township Road No. T-194, and

WHEREAS, such work includes work on or the replacement of a single span timber bridge (old bridge no. L-8997) located approximately 6-miles west of Wood Lake, Minnesota, near the southeast corner of Section 29, 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 Yellow Medicine/Lyon Joint Ditch No. 24, and

WHEREAS, the proposed minor alteration or change is generally described as the

replacement of old bridge no L-8997, a single span timber bridge, with 2 - 12' x 10' precast concrete box culverts, 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/Lyon Joint Ditch Authority for Joint Ditch No. 24 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 any damages to be paid as a result of this project.

WHEREAS, The Engineer has on file in his office a plan showing in detail the proposed alteration or change.

WHEREAS, the Engineer has identified in that plan any persons damaged by the proposed alteration or change and estimated the amount of these damages.

WHEREAS, the Engineer has filed a written opinion indicating that the proposed alteration or change will not affect the functioning or efficiency of Joint Ditch No. 24.

WHEREAS, a hearing was duly noticed and held on May 23, 2006 at 1:00 PM, at the Commissioner's Room in the Yellow Medicine County Courthouse in Granite Falls, Minnesota, and all interested parties were given the opportunity to speak.

NOW, THEREFORE, IT IS ORDERED:

1. That the Joint Ditch Authority for Yellow Medicine County/Lyon Joint Ditch No. 24 grants authority for the Engineer to proceed to make such alteration or changes at the sole expense of Yellow Medicine County.
2. That the Yellow Medicine County Highway Department shall pay persons the fulling damages by reason of the project in the amounts noted below:

<u>PERSON</u>	<u>AMOUNT</u>
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None

3. That the Engineer shall have on file in his office a map and profile drawn to scale showing the alteration or change as completed.
4. That Joint Ditch No. 24 shall include the alteration or change as ordered herein.

Carried.

A bridge replacement on County Ditch No. 1B was considered. Project SAP 87-599-113 would replace a steel arch bridge on with a box culvert.

05-23-06-07 Motion by Mr. Johnson and second by Mr. Antony to adopt the following resolution:

WHEREAS, the Yellow Medicine County Highway Department finds it is desirable and necessary to do work on a road designated as Sioux Agency Township Road No. T-125, and

WHEREAS, such work includes work on or the replacement of a 1 - 10'3" x 6'9" steel pipe-arch culvert (old bridge no. L-7970) located approximately 2-miles northwest of Echo, Minnesota, on the east side of Section 32, T113N, R38W, 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. 1B, and

WHEREAS, the proposed minor alteration or change is generally described as the

replacement of old bridge no L-7970, a single line of 10'3" x 6'9" steel pipe-arch culvert with 1 - 10' x 7' precast concrete box culverts, 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 Ditch Authority for County Ditch No. 1B 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 any damages to be paid as a result of this project.

WHEREAS, The Engineer has on file in his office a plan showing in detail the proposed alteration or change.

WHEREAS, the Engineer has identified in that plan any persons damaged by the proposed alteration or change and estimated the amount of these damages.

WHEREAS, the Engineer has filed a written opinion indicating that the proposed alteration or change will not affect the functioning or efficiency of County Ditch No. 1B.

WHEREAS, a hearing was duly noticed and held on May 23, 2006 at 1:00 PM, at the Commissioner's Room in the Yellow Medicine County Courthouse in Granite Falls, Minnesota, and all interested parties were given the opportunity to speak.

NOW, THEREFORE, IT IS ORDERED:

1. That the Ditch Authority for County Ditch No. 1B grants authority for the Engineer to proceed to make such alteration or changes at the sole expense of Yellow Medicine County.
2. That the Yellow Medicine County Highway Department shall pay persons the fulling damages by reason of the project in the amounts noted below:

<u>PERSON</u>	<u>AMOUNT</u>
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None

3. That the Engineer shall have on file in his office a map and profile drawn to scale showing the alteration or change as completed.
4. That County Ditch No. 1B shall include the alteration or change as ordered herein.

Carried.

05-23-06-08 Motion by Mr. Nelson and second by Mr. Sherlin to close the hearings at 1:17 PM. Carried.

05-23-06-09 Motion by Ms. Remiger and second by Mr. Sherlin to bring Pioneer Power Park, which is on County land, into the County park system. There was considerable discussion on revenues, expenditures, and maintenance commitments that could be incurred. Carried, with Mr. Johnson and Mr. Antony voting against the motion.

Mavis Gustavson, Machinery Museum Director, reviewed tourism activities and their 2005 Annual Report. She also requested some increase be considered for their 2007 budget.

Amy Roggenbuck, with Countryside Public Health, gave updates on the Safe Communities Coalition. She also requested that signage be posted wherever liquor is served requiring checking of IDs. It was noted that the Board has already adopted such a policy by resolution. Mr. Antony discussed the Canby Smoke Free Forum and asked for

Board support for a smoke-free ordinance.

Assistant County Attorney Keith Helgeson was present. Mr. Anderson swore Mr. Helgeson in as the new full-time County Attorney, effective June 1, 2006. Mr. Helgeson will replace retiring County Attorney Tom Kramer.

05-23-06-10 Motion by Mr. Antony and second by Ms. Remiger to adopt the following resolution:

Resolution for Employment of Special Assistant County Attorney

Upon the request of the Yellow Medicine County Attorney and by virtue of the authority vested in the Yellow Medicine County Board by M.S. 388.09, a motion was presented to said board on May 23, 2006, and after due consideration, said motion was duly passed for the appointment of Thomas G. Kramer as Special Assistant County Attorney for Yellow Medicine County. This appointment shall be limited to the following services:

Child support and Paternity services to be provided to the Yellow Medicine County Family Service Center, under M.S. 393.11, Subd. 2, and The appointment shall be effective June 1, 2006, and shall run for an indeterminate term to continue until termination by the County Attorney or resignation by the appointee. A party wishing to terminate service shall do so by providing the other party thirty (30) days written notice of the intent to terminate. The appointee shall file the oath set forth below with the Yellow Medicine County Attorney. Compensation shall be paid at the rate of \$85.00 per hour for these services.

Carried.

05-23-06-11 Motion by Mr. Sherlin and second by Mr. Johnson to set the full-time County Attorney annual compensation at \$80,000, effective June 1, 2006. Carried.

Mr. Helgeson noted that advertising for an Assistant County Attorney is underway.

Curt Berg, with the Snowdrifters of Montevideo, presented a resolution needed to apply for grant funds.

05-23-06-12 Motion by Mr. Sherlin and second by Mr. Antony to adopt the following resolution:

BE IT RESOLVED THAT Yellow Medicine County act as legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for the Snowdrifters of Montevideo, Inc.; and

BE IT FURTHER RESOLVED THAT upon approval of its application by the state, Yellow Medicine County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulation as stated in the agreement; and

BE IT FURTHER RESOLVED THAT the Board Chairperson Lynn Anderson is authorized to sign such an agreement with the Department of Natural Resources; and

BE IT FURTHER RESOLVED THAT County Auditor-Treasurer Carolyn Sherlin is hereby authorized to serve as fiscal agent for the above referenced project; and

BE IT FURTHER RESOLVED THAT Yellow Medicine County act as legal sponsor for snowmobile trails in Yellow Medicine County.

Carried.

05-23-06-13 Motion by Mr. Antony and second by Mr. Sherlin to approve Commissioner's Warrants totaling \$69,373.17 and acknowledge review of Auditor's

Warrants totaling \$30,750.90. Carried.

Ms. Remiger gave updates on Redwood-Cottonwood Rivers Control Area (RCRCA), Minnesota Valley Regional Rail Authority, and Granite Falls Historical Society. Mr. Sherlin reported on Prairie Waters and the Entrepreneur's Assistance Network.

05-23-06-14 Motion by Mr. Antony and second by Ms. Remiger to adjourn the meeting at 2:54 PM. Carried.

Witness:

Lynn Anderson, Chairman

Attest:

Carolyn Sherlin, Auditor/Treasurer