

## Yellow Medicine County Board Minutes

November 22, 2005

Chairman Lynn Anderson called this regular meeting to order at 12:01 p.m. with Commissioners Gary Johnson, Louis Sherlin, Jane Remiger, and Ron Antony present. Administrator John Chattin and Matt Gilmore of the Granite Falls Advocate Tribune were also present.

**11-22-05-01** Motion by Mr. Johnson and second by Mr. Sherlin to approve the agenda with the addition of a one-day 3.2 liquor license for the Green Door Supper Club and Sheriff Rich Rollins on a squad car replacement and to also approve the consent agenda consisting of the November 8, 2005 regular meeting minutes, additional appropriation and reallocation requests, DAC contracts for cleaning, and the one-day liquor license. Carried.

The Board asked that temporary liquor license applications be changed to reflect a requirement for signage that would state that minors would not be served and that IDs are required.

Mr. Sherlin reported on the Fair Board, Extension, and a Comprehensive Plan meeting. Mr. Johnson commented on Extension, a Public Health Safe Communities meeting, and UMVRDC.

Citizen Burdell Johnson was present to request that a ditch be opened and a culvert cleaned out. He claimed that the culvert was plugged and beaver were a problem. After considering alternatives, the Board directed that the culvert be replaced as soon as possible.

Sheriff Rich Rollins presented quotes, under the state bid, for replacement vehicles. The County's 2004 Chevrolet squad car was totaled when it hit a deer at high speed. There was considerable discussion on purchasing another car versus an SUV.

**11-22-05-02** Motion by Mr. Sherlin and second by Mr. Antony to purchase a 2006 Dodge Durango from Elk River for \$24,565. Carried, with Mr. Johnson and Ms. Remiger voting against the motion.

Sheriff Rollins submitted his resignation as Sheriff effective February 28, 2006.

**11-22-05-03** Motion by Mr. Sherlin and second by Mr. Antony to accept Sheriff Rollin's resignation, with regret, and thank him for his 23 years of service to the County. Carried.

It was suggested that part-time Deputies be assigned the older vehicles to drive.

Planning and Zoning Administrator Randy Jacobson presented two conditional use permit (CUP) applications for the Board's consideration. Both CUPs have been recommended by the Planning Commission. Michael and Robert Verhelst were both present to answer questions about their applications.

**11-22-05-04** Motion by Mr. Sherlin and second by Mr. Antony to approve Michael Verhelst's CUP (YM-436-05) for expansion of his feedlot contingent upon approval of his manure management plan and with the following conditions:

1. Hours of general operation will be from 6 a.m. to 10 p.m.
2. Feedlot operator shall be responsible to control fly and/or rodent infestations at this site to prevent them from becoming a nuisance.
3. Operators are reminded of their responsibility in regards to Minnesota Rules, Chapter 7020.2010, Transportation of Manure, which states that animal manure hauled on federal, state, or local highways, road or streets much be hauled in such a way as to prevent manure from leaking, spilling, or otherwise being deposited in

- the right-of-way. Manure deposited on a public roadway must be removed and properly disposed of by the hauler of the manure.
4. Owner/operator shall use available technology to control offensive odor if deemed necessary by the County Feedlot Officer.
  5. The appropriate steps shall be taken to control runoff from this site as required in Minnesota Rules, Chapter 7020.2125 Manure Stockpiling Sites, which states that manure stockpiling sites must be located and constructed such that manure contaminated runoff from the site does not discharge to waters of the state.
  6. A yearly inspection to ensure compliance of the above conditions shall be conducted by the County Feedlot Officer and a member of the Yellow Medicine County Planning Commission.

Carried.

**11-22-05-05** Motion by Mr. Antony and second by Mr. Sherlin to approve Robert Verhelst's CUP (YM-437-05) for expansion of his feedlot contingent upon approval of his manure management plan and with the following conditions:

1. Hay grinding will be done between the hours of 6 a.m. and 10 p.m.
2. Routine operations will be conducted between the hours of 6 a.m. to 10 p.m., except in emergency circumstances.
3. Feedlot operator shall refrain from grinding hay when the wind is from the southeast.
4. Feedlot operator shall be responsible to control fly and/or rodent infestations at this site to prevent them from becoming a nuisance.
5. Operators are reminded of their responsibility in regards to Minnesota Rules, Chapter 7020.2010, Transportation of Manure, which states that animal manure hauled on federal, state, or local highways, road or streets must be hauled in such a way as to prevent manure from leaking, spilling, or otherwise being deposited in the right-of-way. Manure deposited on a public roadway must be removed and properly disposed of by the hauler of the manure.
6. Owner/operator shall use available technology to control offensive odor if deemed necessary by the County Feedlot Officer.
7. The appropriate steps shall be taken to control runoff from this site as required in Minnesota Rules, Chapter 7020.2125 Manure Stockpiling Sites, which states that manure stockpiling sites must be located and constructed such that manure contaminated runoff from the site does not discharge to waters of the state.
8. A yearly inspection to ensure compliance of the above conditions shall be conducted by the County Feedlot Officer and a member of the Yellow Medicine County Planning Commission.

Carried.

Theresa Smidt, Program Coordinator for Minnesota Small Business Development Center, reviewed her agency's programs. They provide services for 18 counties in the southwest region and served 270 business clients in 2004.

**11-22-05-06** Motion by Mr. Johnson and second by Mr. Sherlin to reallocate the \$5,000 originally budgeted in 2006 for the Western Minnesota Enterprise Facilitation Network to the Minnesota Small Business Development Center. Carried.

Assessor Connie Erickson reviewed the County's 2006 assessment. Tillable acres are up an average of 20%. The Aquila tax court case has also been settled with a total cost to the County of \$5,261.32.

LeAnn Manor, VSO/EM Administrative Assistant, presented a request to hire an

additional van driver.

**11-22-05-07** Motion by Mr. Sherlin and second by Mr. Antony to hire David Harris as a part-time veterans' van driver. Carried.

Engineer Andy Sander presented bids received for Phase 2 of the Granite Falls Bike/Pedestrian Trail (S.P. 87-090-03).

**11-22-05-08** Motion by Ms. Remiger and second by Mr. Sherlin to award the bid for S.P. 87-090-03 to Duininck Bros., Inc. for \$69,000.90. Carried, with Mr. Johnson voting against the motion.

Head Custodian Curt Johnson reviewed recent maintenance activities and noted that the west entrance door is being replaced and a window is being replaced with a door.

**11-22-05-09** Motion by Mr. Antony and second by Mr. Sherlin to approve Commissioner's Warrants, as presented, totaling \$93,007.30 and acknowledge review of Auditor's Warrants totaling \$149,947.58. Carried.

Upcoming meetings and some correspondence were reviewed.

County Attorney Tom Kramer passed out a Cooperative Agreement Regarding Law Enforcement Between Upper Sioux Community and Yellow Medicine County, Minnesota. This agreement has been negotiated over the last year.

**11-22-05-10** Motion by Mr. Antony and second by Ms. Remiger to approve the Cooperative Agreement as presented. Carried.

Mr. Kramer noted that he has met with Pat Thoma regarding the purchase of her home and will be making some minor changes to the purchase agreement. He also indicated that, if the County Attorney position was made full-time, he would likely run for that position. The Board will be deciding that issue in January.

Ms. Remiger reported on RCRCA activities and Mr. Antony gave an update on Pioneerland Library. Mr. Anderson noted that the meetings he had attended were already covered.

**11-22-05-11** Motion by Ms. Remiger and second by Mr. Antony to adjourn the meeting at 3:08 p.m. Carried.

Witness:

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Lynn Anderson, Chairman

Attest:

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Carolyn Sherlin, Auditor/Treasurer