

**REGULAR MEETING OF THE BIG STONE COUNTY BOARD**  
**September 18, 2007**

The Big Stone County Board of Commissioners met in the Commissioner's Room at 8:30 AM on Tuesday, September 18, 2007. Chairman Tomschin called the meeting to order with Commissioners Athey, Sandberg, Olson and Janssen present. Also present were Robert Meyer, Steve Berkner, Blair Johnson, Mike Dorry, Mike Swenson of the Ortonville Independent, County Attorney Bill Watson and County Auditor Michelle Knutson. The Pledge of Allegiance followed.

Motion by Athey, seconded by Sandberg and carried to approve the minutes of the September 4<sup>th</sup> regular meeting and the September 11<sup>th</sup> special meeting.

Motion by Janssen, seconded by Olson and carried to approve the agenda with noted additions.

Committee reports were presented. Ortonville City Clerk/Administrator David Lang arrived at the meeting.

Commissioner Olson reported on his trip to St. Paul to testify regarding the Department of Human Services' decision to permit additional plans to market a Special Needs Based Care product as originally discussed at the August 21<sup>st</sup> meeting. Motion by Olson, seconded by Sandberg and carried to execute the Professional Services Agreement with Hallelund Lewis Nilan & Johnson to assist with representation.

Discussion was held on the possible need for a position responsible for all of the technology needs of the County. It was decided that the Technology Committee research the feasibility of establishing such a position.

Motion by Athey, seconded by Olson and carried to ratify the execution of the Emergency Management Performance Grant Agreement as requested by Sheriff John Haukos.

Sheriff Haukos reported that Dispatcher Jim Heinecke is resigning effective December 31, 2007. With this development, Sheriff Haukos requested that the Emergency Management Director (EMD) position posting be withdrawn and that the position be reclassified and posted as EMD/Dispatcher. Motion by Sandberg, seconded by Janssen and carried to repost the position with the new job description.

Sheriff Haukos reported that the Department had executed a search warrant and made an arrest for marijuana distribution.

Ortonville Mayor Blair Johnson requested a partnership with the County to hire Steward J Wirth Consulting to provide an analysis of law enforcement contracting services. The services to be provided include education of operational contracting components; collection and analysis of calls for service; feasibility study and cost analysis; comparison of similar jurisdictions including model contracts; analysis of staffing levels; and final recommendations. Mayor Johnson stated that the City had approved the proposal at their meeting. Following discussion, motion by Olson and seconded by Sandberg to fund half of the cost of the study. Following further discussion, motion failed with Commissioners Athey, Janssen and Tomschin voting Nay.

Attorney Watson left the meeting.

Motion by Athey, seconded by Olson and carried to authorize payment of the following claims as presented by Auditor Knutson:

General	\$ 27,081.85
Highway	4,720.51
Ditch	<u>1,186.94</u>
Total	\$ 32,989.30

Discussion was held on a letter received from the RDC requesting funding to organize and host renewable energy forums. Motion by Athey, seconded by Olson and carried to decline the request for funding as the Board feels the need for this information is being met elsewhere.

Due to the Commissioners' attendance at the annual AMC conference, the December meeting dates will be December 11<sup>th</sup> and 27<sup>th</sup>. In addition, the County's Truth In Taxation hearing will be held at 5:00 PM on December 6<sup>th</sup>.

Due to HR Director Sue Schultz's decision to stay on at Big Stone County and her knowledge on writing policies and procedures, motion by Janssen, seconded by Sandberg and carried to appoint her as an additional member to the Audit Committee.

Following a break, Chairman Tomschin called the public hearing to order at 9:30 AM to take public comment on the Land and Related Resources Management Ordinance Amendment. No public comments were received. Chairman Tomschin adjourned the hearing at 9:33 AM.

Motion by Athey, seconded by Olson and carried to adopt the Big Stone County Land and Related Resources Ordinance Amendment and to publish a summary in the official minutes.

**SUMMARY OF AMENDMENT TO THE BIG STONE COUNTY  
LAND AND RELATED RESOURCES MANAGEMENT ORDINANCE, 1998**

6.3 Minimum Requirements - Setback & Height

The following shall be considered as minimum requirements in all Districts:

6.3.1. Front Setback: No structure shall be located less than 150 feet from the center line or 45 feet from the right-of-way line, whichever is greater, of the roads they abut;

6.3.1.1. Where residential structures were erected prior to December 30, 1971, additions including, but not limited to porches, patios, decks, sunrooms and garages may be attached with a setback of 100 feet to the centerline as long as they are outside the right-of-way and do not exceed 1000 square feet in size.

Environmental Officer Darren Wilke presented a preliminary plat of Phase 2 of Paradise Retreat for the Board's review. Motion by Athey, seconded by Sandberg and carried to approve the preliminary plat for Paradise Retreat North as recommended by the Planning Commission. Owners Gary Weber and Bill Doherty were also present.

Motion by Olson, seconded by Janssen and carried to adopt the following resolution:

**2007-28**

WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota to develop and implement a local water management plan; and

WHEREAS, Big Stone County currently has a State approved local water management plan that covers the period of May 2003 through May 2013; and

WHEREAS, this local water management plan contains a Five-Year Focus Plan for implementation, which covers the years of May 2003 through May 2008; and

WHEREAS, the State's Findings of Fact, Conclusion and Order approving Big Stone County's local water management plan specifies that the Five-Year Focus Plan will be required to be updated by May 2008; and

WHEREAS, Big Stone County has determined that the updated Five-Year Focus Plan and continued implementation of a local water management plan will help promote the health and welfare of the citizens of Big Stone County.

NOW, THEREFORE, BE IT RESOLVED, that Big Stone County Board of Commissioners resolve to amend its local water management plan by providing for the required update of the Five-Year Focus Plan.

BE IT FURTHER RESOLVED, that Big Stone County will coordinate its planning efforts with all local units of government within the County, and the State review agencies.

BE IT FURTHER RESOLVED, that the Big Stone County Board of Commissioners delegates the Water Plan Task Force with the responsibility of amending the plan pursuant to M.S. 103B.301 and shall report to the County Board on a periodic basis.

Discussion was held on municipal solid waste and the facility at Redwood Falls. With Board consensus, Commissioner Olson and Environmental Officer Wilke will do further research.

Chairman Tomschin reconvened the hearing on County Ditch #21. County Engineer Nick Anderson reported that the viewers' have not yet finalized their report. Motion by Janssen, seconded by Sandberg and carried to continue the hearing until Tuesday, October 18, 2007, at 10:00 AM to allow the viewers additional time to finalize the viewers' report.

Engineer Anderson reported that US Fish & Wildlife and the DNR are still discussing one item in the Memorandum of Understanding. Once that is settled, it will be brought to the Board for approval.

Motion by Athey, seconded by Olson and carried to close the meeting at 10:08 AM to continue discussions on labor negotiation strategy.

Motion by Olson, seconded by Janssen and carried to reopen the meeting at 10:47 AM.

Chairman Tomschin adjourned the meeting at 10:48 AM.

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Doug Tomschin, Chairman

ATTEST: \_\_\_\_\_  
Michelle R. Knutson, Auditor