

**REGULAR MEETING OF THE BIG STONE COUNTY BOARD**  
**April 21, 2009**

The Big Stone County Board of Commissioners met in the Commissioner's Room at 8:30 AM on Tuesday, April 21, 2009. Chairman Olson called the meeting to order with Commissioners Athey, Berning, Sandberg and Wulff present. Also present were Mike Swenson of the Ortonville Independent, HR Director Sue Schultz, County Attorney Bill Watson and County Auditor Michelle Knutson. The Pledge of Allegiance followed.

Motion by Athey, seconded by Wulff, and carried to approve the minutes of the April 7<sup>th</sup> regular meeting and April 9<sup>th</sup> emergency meeting.

Motion by Sandberg, seconded by Berning and carried to approve the agenda.

Attorney Watson reported that he is reviewing the contract with Main Street Industries for cleaning services.

Attorney Watson reported that he has received a letter from Attorney Charlie Glasrud regarding a grant application for a multi-county victim witness assistance program. Board consensus was to go ahead with the application process.

Attorney Watson reported on a recent meeting with the Assistant Attorney General regarding hiring another expert for a County case.

Motion by Sandberg, seconded by Berning and carried to adopt the following resolution:

**2009-17**

WHEREAS, the Big Stone County Board of Commissioners has reviewed the proposed Agreement and Resignation of Gayle Robinson.

NOW THEREFORE, BE IT RESOLVED by the Big Stone County Board of Commissioners, as follows:

1. The Board hereby approves the Agreement and accepts the resignation of Gayle Robinson.
2. The Board Chair and Board Clerk are hereby authorized to sign the Agreement on behalf of the County.
3. The Board Clerk is hereby directed to have a copy of this Resolution and the Settlement Agreement mailed to Robinson and to carry out the terms of the Agreement as set forth therein.

Motion by Berning, seconded by Wulff and carried to adopt the following resolution:

**2009-18**

WHEREAS, the Big Stone County Board of Commissioners has reviewed the proposed Agreement Reinstating Leslie Smith.

NOW THEREFORE, BE IT RESOLVED by the Big Stone County Board of Commissioners, as follows:

1. The Board hereby approves the Agreement.
2. The Board Chair is hereby authorized to sign the Agreement on behalf of the County.
3. The Board Clerk is hereby directed to have a copy of this Resolution and the Agreement mailed to Smith and to carry out the terms of the Agreement as set forth therein.

Motion by Sandberg, seconded by Wulff and carried to ratify the emergency hiring of Gale Mittelstaedt as a temporary Interim Director/Social Services Supervisor at Grade 14, Step 9 effective April 14, 2009.

Motion by Berning, seconded by Sandberg and carried to ratify the emergency hiring of Maggie Novak as a temporary Office Support Specialist at Grade 4, Step 1 effective April 15, 2009.

Motion by Sandberg, seconded by Berning and carried to execute the agreement with the Minnesota Department of Human Services as a result of the DD Waiver Audit.

Motion by Sandberg, seconded by Wulff and carried to approve the second change order related to total project cost and the amount of bond required of the contractor for the Family Services building project.

Gary Hoffman of SWCD was present to discuss with the Board the Wetland Conservation Act and the increased work load this year as a result of changes being implemented. The Environmental Committee will meet with representatives from SWCD and Kane Radel of BWSR to discuss administration alternatives.

Environmental Officer Darren Wilke reported that the final plat for Ridge Creek Second Addition has not been received so he will revisit it at the next meeting.

Environmental Officer Wilke distributed a schedule of upcoming collection dates.

Commissioners reported on the following committees:

Athey – Fair Board; WACCO; West Central Regional Juvenile Center

Wulff – RC&D; Mental Health Consortium

Berning – Supporting Hands Partnership; Property

Olson – SWCD; Collaborative; Pioneerland Library; Personnel

Sandberg – Audit; Historical Society; Property; Personnel

Ortonville Librarian Vicki Grimli reported that Ortonville and Graceville Libraries received the Gates Computer Grants. She also reported that the Ortonville Library has received notice that they will be receiving a \$48,519 grant for a media center. They are only waiting for the Commissioner of Education's signature for final approval.

Commissioner Berning left the meeting.

Following a break, Don Kleven of the US Fish & Wildlife was present to request certification of acquisition of lands for easements in Artichoke and Ortonville Townships. Steve Delehanty and Cheri Kromann of US Fish were also present. Motion by Wulff, seconded by Sandberg and carried to certify for acquisition the following described property:

1. T121N, R46W, 5<sup>th</sup> P.M., All that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 22, lying SWly of Trunk Hwy #75, less Railroad ROW.
2. T122N, R44W, 5<sup>th</sup> P.M., Section 23, part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , part of GL 1, part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  and part of GL 2 together with an easement for ingress and egress over and across the E 33' of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ .
3. T122N, R44W, 5<sup>th</sup> P.M., Section 14, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , GL 5 & 6 and Section 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

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

General	\$45,105.77
Highway	12,100.51
Ditch	982.50

Taxes & Penalties	5.00
State	<u>90.00</u>
Total	\$58,283.78

Motion by Sandberg, seconded by Wulff and carried to authorize the following internal transactions:

Ditch to Highway		\$5,044.10
CD #2	\$2,630.79	
CD #5	\$ 60.47	
CD #10/11	\$ 272.09	
CD #20	\$ 256.88	
CD #21	\$ 536.64	
JD #24	\$ 483.72	
JD #4	\$ 803.51	
General to Highway		\$4,515.89
Family Service to Highway		\$ 241.84

Motion by Wulff, seconded by Sandberg and carried to execute the engagement letter with Dorsey Whitney for bond counsel representation.

Motion by Athey, seconded by Wulff and carried to approve the Off Sale Beer License for Lakeshore RV Park.

Motion by Athey, seconded by Sandberg and carried to approve the Consumption and Display Permit for Graceville Golf Club.

Motion by Sandberg, seconded by Athey and carried to execute the township maintenance agreements as presented by County Engineer Nick Anderson.

Engineer Anderson provided an update on the status of the petition for an improvement on County Ditch #13 and a drainage issue in Otrej Township.

Discussion was held on County Road #63 and the concerns with the contractor. Board consensus was to authorize Attorney Watson and Engineer Anderson to do what is necessary to get the project underway.

Discussion was held on updating the County's cell phone policy to address a reimbursement policy and personal use. The Technology Committee was assigned with the task of reviewing and drafting a new policy to incorporate the changes. Motion by Wulff, seconded by Athey and carried to reimburse Maintenance Supervisor Gary Haugen \$15/month while the policy is being reviewed.

Motion by Athey, seconded by Wulff and carried to authorize \$2,000 to be expended on County Ditch #15 for approximately 1000 feet of tiling on Branch 6.

Engineer Anderson reported on the meeting he attended with area counties on possible sharing of services. The next meeting will be discussing law enforcement. Commissioner Olson will attend as Big Stone County's representative.

Vince Robinson of BSAG was present to request the Board appoint a replacement for Scott Maas on the BSAG Board. Motion by Sandberg, seconded by Athey and carried to appoint Vicki Oakes.

Discussion was held on a request to abate property taxes on a proposed new structure to be built in Beardsley. Motion by Wulff, seconded by Olson and carried to adopt the following resolution:

WHEREAS, Robert Haukos, dba Valley Grain Company Trucking has expressed a desire to construct a new building in the City of Beardsley; and

WHEREAS, the County Board wishes to consider utilization of a tax abatement to assist with financing infrastructure extensions of water and sewer to the building, as authorized under the authority of Minnesota Statutes 469.1812 to 469.1815 (the "Abatement Law"); and

WHEREAS, prior to approving an abatement resolution and the use of tax abatement the County must hold a public hearing.

BE IT RESOLVED by the Board of Commissioners that a public hearing be held on the use of tax abatement for the proposed project at 9:00A.M. on Tuesday, May 19, 2009 at the Commissioners Room of the Big Stone County Courthouse, Ortonville, Minnesota.

Attorney Watson left the meeting.

Motion by Sandberg, seconded by Wulff and carried to establish new County license fees as follows effective May 1, 2009:

On Sale Beer	\$50
Off Sale Beer	\$25
On Sale Liquor	\$750
Off Sale Liquor	\$250
Consumption & Display	\$50
Sunday Liquor	\$50
Wine	\$50

These fees are above and beyond any State fees.

Motion by Athey, seconded by Wulff and carried to advertise for the sale of the 2003 Ford Crown Victoria from the Sheriff's Department.

The Board received notice that the Toqua Troopers 4-H Club will be receiving a 2009 AMC 4-H Community Leadership Award for their "Community Garden Project." The Board officially commended them on receiving this award.

Motion by Athey, seconded by Sandberg and carried to reappoint Kathy Morrill to the Local Social Service Agency Board for another 2-year term.

Auditor Knutson reported that the Big Stone Lake Area Sno Riders are applying for additional grant funds to add miles to their current trail system.

Chairman Olson adjourned the meeting at 11:10 AM.

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Brent Olson, Chairman

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