

**REGULAR MEETING OF THE BIG STONE COUNTY BOARD**  
**April 5, 2011**

The Big Stone County Board of Commissioners met in the Commissioner's Room at 8:30 AM on Tuesday, April 5, 2011. Chairman Athey called the meeting to order with Commissioners Berning, Olson, Sandberg and Wulff present. Also present were Mike Swenson of the Ortonville Independent, County Attorney Bill Watson and County Auditor Michelle Knutson. The Pledge of Allegiance followed.

Motion by Sandberg, seconded by Berning and carried to approve the minutes of the March 15<sup>th</sup> regular meeting.

Motion by Wulff, seconded by Olson and carried to approve the agenda with noted addition.

Commissioners reported on the following committees:

Olson – Pioneerland; RDC; Center for Small Towns

Sandberg – IT; Property; MSI; RRB

Athey – Prairie 5; WACCO; Toqua Park

Wulff – Toqua Park; RR Basin Conference; MRB; PIC

Berning – Property; Probation

Motion by Olson, seconded by Berning and carried to adopt the following resolution as presented by Attorney Watson:

**2011-17**

WHEREAS, the County of Big Stone, on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Big Stone on behalf of its County Attorney and Sheriff and hereby approved. A copy of the Joint Powers Agreement is attached and made a part of this Resolution.
2. That Sheriff: John Haukos, or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.
3. That County Attorney: William J. Watson, or his or her successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

4. That Wade Athey, the Chairman of the Big Stone County Board of Commissioners, and Michelle Knutson, the County Auditor, are authorized to sign the State of Minnesota Joint Powers Agreements.

Attorney Watson left the meeting.

Following a break, Don Kleven of the US Fish & Wildlife was present to request certification of acquisition of lands for habitat easements in Otrey and Akron Townships. Frank Durbian of US Fish and landowners Harley Helgeson and Randy Rolfsmeier were also present. Motion by Wulff, seconded by Olson and carried to certify for acquisition the following described property:

1. T122N, R44W, 5<sup>th</sup> P.M., Section 35, S½ NW¼, NW¼ SW¼.
2. T120N, R44W, 5<sup>th</sup> P.M., Section 2, part of the SW¼ NE¼; part of the SW¼; part of GL 3 & 4, (aka the N½ NW¼); and part of the S½ NW¼.

VSO Dan Meyer provided information on his office's activities during the past month for the Board's review.

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

BSAG	\$ 7,500.00
Big Stone SWCD	14,375.00
Bituminous Paving	3,823.83
Brock White	11,420.22
CDW Government	2,949.88
KDIO Radio	3,000.00
Midstates Supplies	3,162.37
Ortonville Independent	2,200.00
Parkview Ford-Mercury	22,037.48
Pioneerland Library	15,455.50
University of MN	12,168.75
Sullivan Excavating	2,500.00
William Watson	4,109.88
West Con	7,193.54
71 Payments Less Than \$2,000	<u>23,828.35</u>
Total	<u>\$135,724.80</u>

Auditor Knutson asked for questions and/or comments on the year-to-date financial information provided for the Board's review.

Motion by Olson, seconded by Berning and carried to approve the Consumption and Display Permit and the On Sale Beer License for Graceville Golf Club.

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

**2011-18**

WHEREAS, the County of Big Stone desires to participate in the Minnesota Housing Finance Agency, Renter Rehab Deferred Loan Program (RRDL), and administer it in accordance with all applicable State and Federal regulations; and

WHEREAS, in order to participate in the program it is necessary for the County of Big Stone to file an application signed by the Southwest Minnesota Housing Partnership, Executive Director with the Minnesota Housing Finance Agency; and

WHEREAS, the need for Big Stone County Board approval concerning the submission of Application for Administrative Authority.

NOW THEREFORE, be it resolved by the Board of Commissioners of Big Stone County, that the Southwest Minnesota Housing Partnership, Executive Director is authorized to:

1. file an Application for Administrative Authority with the Minnesota Housing Finance Agency for participation in the Renter Rehab Deferred Loan Program (RRDL); and
2. administer through the Southwest Minnesota Housing Partnership program funds awarded by the Minnesota Housing Finance Agency for the rehabilitation of rental property in the County of Big Stone.

Motion by Olson, seconded by Wulff and carried to establish administrative fees for TIF Districts as follows:

Initial Setup/Certification	\$150.00
Annual Maintenance	\$100.00

Discussion was held on 2010 census results and redistricting.

Following a break, Randy Nelson of Prairie Country RC&D presented an overview of 2010 events and projects.

Building Maintenance Supervisor Jim Hasslen updated the Board on needed repairs to lighting in the Courthouse. The Board directed Hasslen to solicit quotes on the various projects presented.

Discussion was held on various topics regarding the Watershed District. Board consensus was to invite the District Board Managers to the next meeting for an update on permitting.

HR Director Sue Schultz presented an updated job description for the Toqua Park Caretaker position. Motion by Sandberg, seconded by Wulff and carried to authorize hiring a part-time seasonal Toqua Park Caretaker and a fill-in person and to authorize the expenditures for back screenings and background checks.

County Engineer Nick Anderson presented the Highway Department's 2010 Annual Report for the Board's review.

Engineer Anderson presented a map of the various proposed road numbering changes for the Board's approval. Motion by Olson, seconded by Berning and carried to adopt the following resolutions:

#### **2011-19**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

#### **REVOKE COUNTY HIGHWAY NO. 57**

Beginning at a point on TH 28 at or near the SE corner of Section 7-124N-47W; thence along the center line of the established public road described as follows: From said point of beginning extending northerly along or near

the E line of Sections 7 & 6-124N-47W, to a point approximately at the NE corner of said Section 6-124N-47W; and there terminating.  
be, and hereby is revoked as a County Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

**ESTABLISH COUNTY HIGHWAY NO. 59**

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county funds as a County Highway of the County of Big Stone, to be numbered and known as County Highway No. 59.

**2011-20**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

**REVOKE COUNTY HIGHWAY NO. 52**

Beginning at a point on CSAH 35 at or near the SW corner of Section 17-124N-46W; thence along the center line of the established public road described as follows: From said point of beginning extending easterly along or near the South line of Section 17; then curving northerly along the E line of said Section 17-124N-46W; then curving northeasterly along the established public road center line; to a point at the center of CSAH 18 in the NW¼ of Section 16-124N-46W; and there terminating.

be, and hereby is revoked as a County Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

**ESTABLISH COUNTY STATE AID HIGHWAY NO. 22**

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county state aid funds as a County State Aid Highway of the County of Big Stone, to be numbered and known as County State Aid Highway No. 22.

**2011-21**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY STATE AID HIGHWAY NO. 22

Beginning at the West corporate limits of Graceville located at termini of CSAH 18 on the N Side of Toqua Lake in the NW¼ of Section 9-124N-46W; thence along the center line of the established public road described as follows: From said point of beginning extending easterly through the Village of Graceville, MN to a point on TH 75 on the E line of Section 9-124N-46W; and there terminating.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY STATE AID HIGHWAY NO. 18

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county state aid funds as a County State Aid Highway of the County of Big Stone, to be numbered and known as County State Aid Highway No. 18.

**2011-22**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY STATE AID HIGHWAY NO. 18

Beginning at the S termini point of CSAH 20 located in the NE¼ of Section 16-124N-46W; thence along the center line of the established public road described as follows: From said point of beginning extending southerly and then easterly along the center line of the established public road to a point on TH 75 located on the E line of Section 16-124N-46W; and there terminating.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY STATE AID HIGHWAY NO. 20

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county state aid funds as a County State Aid Highway of the County of Big Stone, to be numbered and known as County State Aid Highway No. 20.

**2011-23**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY HIGHWAY NO. 60

Beginning at a point on CSAH 3 at or near the NW corner of Section 36-123N-48W; thence along the center line of the established public road described as follows: From said point of beginning extending easterly along or near the N line of Section 36-123N-48W and continuing along the N line of Sections 31, 32 and 33-122N-47W; to a point approximately at the NE corner of said Section 33-122N-47W; and there terminating.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY STATE AID HIGHWAY NO. 32

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county state aid funds as a County State Aid Highway of the County of Big Stone, to be numbered and known as County State Aid Highway No. 32.

**2011-24**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY HIGHWAY NO. 17

Beginning at a point on TH 7 on the N-S section line between Sections 22 and 23-121N-46W; thence along the center line of the established public road described as follows: From said point of beginning extending westerly along the center line of established public road for a distance of 0.2 miles; and there terminating.

be, and hereby is revoked as a County Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY STATE AID HIGHWAY NO. 5

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with

county state aid funds as a County State Aid Highway of the County of Big Stone, to be numbered and known as County State Aid Highway No. 5.

**2011-25**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY HIGHWAY NO. 67

Beginning at a point on TH 7 at or near the SW corner of Section 19-121N-45W; thence along the center line of the established public road described as follows: From said point of beginning extending northerly along or near the W line of Sections 19 and 18-121N-45W; to a point approximately at the NW corner of said Section 18-121N-45W; and there terminating.

be, and hereby is revoked as a County Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY STATE AID HIGHWAY NO. 17

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county State Aid funds as a County State Aid Highway of the County of Big Stone, to be numbered and known as County State Aid Highway No. 17.

**2011-26**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY HIGHWAY NO. 63

Beginning at a point on CSAH 34 at or near the SE corner of Section 20-122N-46W; thence along the center line of the established public road described as follows: From said point of beginning extending northerly along or near the E line of Sections 20 and 17-122N-46W; to a point at the center of CSAH 38; and there terminating.

be, and hereby is revoked as a County Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY STATE AID HIGHWAY NO. 35

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county state aid funds as a County State Aid Highway of the County of Big Stone, to be numbered and known as County State Aid Highway No. 35.

**2011-27**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

**REVOKE COUNTY STATE AID HIGHWAY NO. 32**

Beginning at a point on TH 7 near the SW corner of Section 4-121N-46W; thence along the center line of the established public road described as follows: From said point of beginning extending northerly along or near the W line of Section 4-121N-46W and continuing northerly along the W line of Sections 33 and 28-122N-46W; to a point approximately at the NW corner of said Section 28-122N-46W; and there terminating.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

**ESTABLISH COUNTY STATE AID HIGHWAY NO. 35**

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county state aid funds as a County State Aid Highway of the County of Big Stone, to be numbered and known as County State Aid Highway No. 35.

**2011-28**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

**REVOKE COUNTY STATE AID HIGHWAY NO. 12**

Beginning at a point on CSAH 10 at or nearly the SW corner of Section 17-122N-45W; thence along the center line of the established public road described as follows: From said point of beginning extending northerly along or near the W line of Sections 17 and 8-122N-45W to a point approximately at the NW corner of said Section 8-122N-45W; and there terminating.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY HIGHWAY NO. 71

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county funds as a County Highway of the County of Big Stone, to be numbered and known as County Highway No. 71.

**2011-29**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY HIGHWAY NO. 71

Beginning at a point on CR 71 at or near the NW corner of Section 32-123N-45W; thence along the center line of the established public road described as follows: From said point of beginning extending easterly along or near the N line of Sections 32, 33, 34, 35 & 36-123N-45W, to a point approximately at the NE corner of said Section 36-123N-45W; and there terminating.

be, and hereby is revoked as a County Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY HIGHWAY NO. 60

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county funds as a County Highway of the County of Big Stone, to be numbered and known as County Highway No. 60.

**2011-30**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY STATE AID HIGHWAY NO. 8

Beginning at a point on CSAH 8 at or nearly the SW corner of Section 5-122N-45W; thence along the center line of the established public road

described as follows: From said point of beginning extending easterly along or near the S line of Sections 5 and 4-122N-45W to a point approximately at the SE corner of said Section 4-122N-45W; and there terminating.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY HIGHWAY NO. 62

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county funds as a County Highway of the County of Big Stone, to be numbered and known as County Highway No. 62.

**2011-31**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY STATE AID HIGHWAY NO. 8

Beginning at a point on CR 71 at or nearly the NW corner of Section 32-123N-45W; thence along the center line of the established public road described as follows: From said point of beginning extending southerly along or near the W line of Section 32-123N-45W and the W section line of Section 5-122N-45W, to a point approximately at the SW corner of said Section 5-122N-45W; and there terminating.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY HIGHWAY NO. 71

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county funds as a County Highway of the County of Big Stone, to be numbered and known as County Highway No. 71.

**2011-32**

WHEREAS, it appears to the County Board of the County of Big Stone that the road hereinafter described should be revoked as a County Highway under the provisions of Minnesota Laws.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Big Stone that the road described as follows, to-wit:

REVOKE COUNTY STATE AID HIGHWAY NO. 8

Beginning at a point on US 75 at or nearly the SW corner of Section 27-123N-46W; thence along the center line of the established public road described as follows: From said point of beginning extending easterly along or near the S line of Sections 27, 26 and 25-123N-46W and the S section line of Section 30-123N-45W, to a point approximately at the SE corner of said Section 30-123N-45W; and there terminating.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

ESTABLISH COUNTY HIGHWAY NO. 60

BE IT FURTHER RESOLVED, that the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained with county funds as a County Highway of the County of Big Stone, to be numbered and known as County Highway No. 60.

Discussion was held on flooding issues related to Joint Ditch 4 and a request for tree removal along Joint Ditch 4.

Chairman Athey adjourned the meeting at 11:17 AM.

\_\_\_\_\_  
Wade Athey, Chairman

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