

REGULAR MEETING OF THE BIG STONE COUNTY BOARD
May 1, 2012

The Big Stone County Board of Commissioners met in the Commissioner's Room at 8:30 AM on Tuesday, May 1, 2012. Chairman Wulff called the meeting to order with Commissioners Athey, Berning, Olson and Sandberg present. Also present were numerous citizens, Strata Corporation representatives, Mike Swenson of the Ortonville Independent, Sheriff John Haukos, 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 April 17th regular meeting and the April 17th special meeting.

Motion by Olson, seconded by Athey and carried to approve the agenda.

Commissioners reported on the following committees:

Sandberg – Audit; Food Shelf; Property

Athey – Prairie 5

Wulff – RLF; Toqua Park

Berning – Countryside; Property

Olson – PLS; RDC; Collaborative

Environmental Officer Darren Wilke arrived at the meeting.

Attorney Watson asked that the Board review the Legend of Documents regarding the Strata Corporation Conditional Use Permit (CUP) Application. Following review, motion by Olson, seconded by Sandberg and carried to adopt the information listed in Legend as part of the official record for the application.

Attorney Watson reviewed the CUP application process with those present. He stated that after consulting with a land use attorney, the recommendation was made that the Board proceed with acting on the application per the Ordinance. If no action is taken by the extended deadline of May 21, 2012, the application is deemed to be approved. Attorney Watson then read the criteria from the Ordinance and stated that the Board should discuss the elements of each criteria for the record. Environmental Officer Wilke reported that the alternative railroad design would need to be added to the conditions, if approved. This alternative design would take the place of condition #2. Chairman Wulff read the conditions as recommended by the Planning Commission. Motion by Olson and seconded by Sandberg to approve the following:

2012-09

WHEREAS, Strata Corporation has applied for a conditional use permit dated December 22, 2011 on property owned by Gayle Hedge and Colleen Hedge described in Exhibit A attached hereto; and

WHEREAS, the Big Stone County Planning Commission conducted a public hearing on January 5, 2012 that was continued until February 2, 2012; and

WHEREAS, at the February 16, 2012 Planning Commission meeting, the Planning Commission, having found the conditional use permit criteria had been met, passed a motion recommending approval of the application with conditions; and

WHEREAS, the Big Stone County Board of Commissioners conducted a hearing on April 17, 2012 and left the record open for submittal of additional evidence on or before April 25, 2012 at 4:00 p.m.; and

WHEREAS, the Board approved information received and listed in the Legend of Documents as part of the record; and

WHEREAS, the Board discussed the conditional use criteria contained in the Big Stone County Land and Related Resource Ordinance Section 11.5 and found that the applicant had met the criteria.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the application of Strata Corporation for the conditional use permit referred to herein is approved with conditions as recommended by the Planning Commission, subject to an amendment dealing with an alternative rail design, which impacts condition #2 of the conditions of the Planning Commission.

BE IT FURTHER RESOLVED, that specific findings and written permit shall be prepared by Environmental Officer Darren Wilke and Big Stone County Attorney William J. Watson and submitted to the Board by the May 15, 2012 meeting for consideration by the Board for formal adoption.

Motion carried unanimously.

VSO Dan Meyer provided information on his office's activities during the past month for the Board's review. He provided information on the State Soldiers Assistance Program and reported that he filed several applications this past month.

Linda Norland from Countryside Public Health was present to provide an update on their agency.

US Fish & Wildlife representative Cheri Sloneker was present to request certification of acquisition of lands for a habitat easement in Artichoke Township. Royce Wellendorf was also present. Motion by Sandberg, seconded by Olson and carried to certify for acquisition the following described property: T122N, R44W, 5th P.M., Section 17, part of the SW1/4.

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

Bituminous Paving	\$ 44,612.25
BSLA Sno Riders	7,797.30
Haukos Electrical Service	2,319.80
Kandiyohi County	28,691.12
L.G. Everist	2,390.33
M-R Sign Co	6,905.07
Tri City Paving	17,358.84
William Watson	4,145.05
53 Payments Less Than \$2,000	<u>12,035.57</u>
Total	\$126,255.33

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

2012-10

BE IT RESOLVED that Big Stone County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for Maintenance of snowmobile trails managed by Big Stone Lake Area Sno Riders.

BE IT FURTHER RESOLVED that upon approval of its application by the state, Big Stone 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 regulations as stated in the agreement.

BE IT FURTHER RESOLVED that the Chair of the Big Stone County Commissioners is authorized to sign such an agreement with the Department of Natural Resources.

BE IT FURTHER RESOLVED that the County Auditor is authorized to serve as the fiscal agent for the above-mentioned project.

BE IT FURTHER RESOLVED that Big Stone County act as legal sponsor for 32 miles of snowmobile trails in Traverse County beginning north of Graceville and extending north through Wheaton to the White Rock Dam.

BE IT FURTHER RESOLVED that Big Stone County act as legal sponsor for 2 miles of snowmobile trails in Traverse County beginning west of Beardsley and extending west to Browns Valley.

Discussion was held on the grounds maintenance proposals received. Only one proposal met the requirements. However, because of the concerns with the overall condition of the courthouse grounds, an additional proposal was submitted to rectify the issues. Motion by Sandberg, seconded by Berning to approve both proposals which were submitted by Snortums Landscape.

Discussion was held on the rock wall in the alley behind the south Courthouse lawn. It has been determined that it is on city property so therefore the City of Ortonville is responsible for it.

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

Motion by Sandberg, seconded by Olson and carried to execute the 6-month lease agreement for a storage shed at Big 12 Storage for April through September.

Chairman Wulff called the hearing to order for the purpose of considering preliminary plans for the redistricting of Big Stone County Commissioner Districts at 10:00 AM. No plans from the public were received. Auditor Knutson reviewed the plan previously handed out that meets all of the redistricting requirements. Following discussion, Chairman Wulff adjourned the hearing at 10:08 AM.

Motion by Olson, seconded by Athey and carried to adopt the following resolution for adoption of County Commissioner Districts:

2012-11

WHEREAS, M.S. Chapter 375 establishes the procedure and requires a process for redistricting County Commissioner districts based on population figures from the Federal Census; and

WHEREAS, M.S. 204B.135, subd. 2 requires that County Commissioner Districts be redistricted within 80 days of when the legislature has been redistricted or at least 15 weeks before the state primary election, whichever comes first; and

WHEREAS, pursuant to these statutes the 2010 Federal Census population figures shall be used to redistrict Big Stone County Commissioner Districts by May 1, 2012, and that Commissioner Districts shall be bounded by town, municipal, or precinct lines; and

WHEREAS, the Big Stone County Board of Commissioners has considered the possibility or potential for maximizing minority representation on the board of commissioners; and

WHEREAS, Big Stone County published a three week notice in the newspaper having the contract for publishing the commissioner's proceedings for the county for 2012; and

WHEREAS, Big Stone County conducted a public meeting on redistricting on May 1, 2012.

NOW, THEREFORE BE IT RESOLVED that the Big Stone County Board of Commissioners hereby redistricts the County of Big Stone, following town, municipal, city district, or precinct lines as reestablished in May, 2012 and reestablishes the length of terms as follows:

District 1 – City of Barry, Toqua Township, City of Graceville, Graceville Township, City of Johnson, Moonshine Township (2-year term, 2012 election)

District 2 – City of Beardsley, Browns Valley Township, Foster Township, Prior Township, Big Stone Township (4-year term, 2012 election)

District 3 – City of Clinton, Almond Township, Malta Township, Otrej Township, Artichoke Township, City of Correll, Akron Township (4-year term, 2012 election)

District 4 – City of Ortonville Precinct 1 (continuation of current term, 2014 election)

District 5 – City of Ortonville Precinct 2, Ortonville Township, City of Odessa, Odessa Township (4-year term, 2012 election)

BE IT FURTHER RESOLVED that the redistricting plan be filed with the County Auditor by May 1, 2012, to be effective on June 22, 2012, for the 2012 primary and general election and published in the Ortonville Independent.

BE IT FINALLY RESOLVED that the districts are, for illustrative purposes, identified in a map of the County attached hereto and marked Exhibit A which by reference is hereby made a part hereof.

Motion by Athey, seconded by Sandberg and carried to execute the Cooperative Agreement with the State of Minnesota for the Big Stone Lake-Meadowbrook-Public Water Access road and parking lot improvements as presented by County Engineer Nick Anderson.

Attorney Watson left the meeting.

Motion by Athey, seconded by Berning and carried to ratify the \$3,500 in expenditures to repair the County Ditch #16 tile.

Engineer Anderson reported that buffer strips will need to be reseeded on County Ditch #8 and Combined Ditch #10/11. Motion by Olson, seconded by Sandberg and carried to reseed the buffer strips and bill the expense to the landowners who were at fault.

Following discussion on the request for support on a truck hauling agreement in Big Stone County, consensus was that the County does not wish to weigh in on the truck hauling agreement sought by Minnesota ARM, the SD Ready Mix Association, and L.G. Everist for hauling aggregate from Big Stone County's L.G. Everist Quarry into SD. The Board trusts that Mn/DOT will come to the appropriate conclusion and they do not wish to influence any Mn/DOT decision made for trunk highways in Minnesota on this issue.

Motion by Sandberg, seconded by Berning and carried to execute the gravel crushing contract with Hard Rock Screening.

Engineer Anderson presented the memo he will be sending to the Townships regarding the new requirements for sign reflectivity and replacement.

HR Director Sue Schultz and Emergency Management Director Jim Hasslen were present to discuss emergency management staffing and responsibilities. Motion by Sandberg, seconded by Athey and carried to approve the following staffing plan as recommended: Dispatcher Dawn Koch will move to full-time and spend one day per week assisting with emergency management duties; Jim Hasslen will retain 1/5 time as Emergency Management Director, not including conferences and trainings.

Motion by Olson, seconded by Athey and carried to approve moving Diana Hults to Financial Assistance Supervisor at Grade 11 Step 10 presented by HR Director Schultz effective upon final approval by Merit System and the Union.

Discussion was held on staffing in the Treasurer's Office during tax time. Motion by Olson, seconded by Wulff and carried to hire Holly Wellendorf at Grade 6 Step 3 as intermittent part-time help for the Courthouse effective May 1, 2012.

Chairman Wulff adjourned the meeting at 10:44 AM.

Walter W. Wulff, Chairman

ATTEST: _____
Michelle R. Knutson, Auditor