

**REGULAR MEETING OF THE BIG STONE COUNTY BOARD**  
**December 15, 2015**

The Big Stone County Board of Commissioners met in the Commissioners' Room at 8:30 AM on Tuesday, December 15, 2015. Chairman Sandberg called the meeting to order with Commissioners Athey, Berning and Olson present. Commissioner Backer was absent. 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 Olson, seconded by Berning and carried to approve the minutes of the December 1<sup>st</sup> regular meeting and December 2<sup>nd</sup> special meeting for the CD 30 public hearing on redetermination of benefits.

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

Commissioners reported on the following committees:

Berning – Countryside; Pomme de Terre

Olson – CD 30 Hearing; PrimeWest; AMC Conference

Sandberg – CD 30 Hearing

Athey – HRA (2); Personnel; Fair Board; Prairie 5; CD 30 Hearing

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

**2015-27**

WHEREAS, the County of Big Stone, on behalf of its County Attorney, desires to enter into a Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies with the State of Minnesota, Office of State Court Administration, to use systems and tools available over the State's criminal justice data communications network and State Court System for which the County is eligible; and WHEREAS, the Agreement, and its amendments thereto, provide the County with the efficient performance of its governmental duties as required or authorized by law or court rule in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State or local court or agency, or before any self-regulatory body.

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

1. That the Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies by and between the State of Minnesota, Office of State Court Administration, and the County of Big Stone, on behalf of its County Attorney, is hereby approved. A copy of the Agreement is attached and made a part of this Resolution.
  
2. That County Attorney William J. Watson, or his successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is authorized to sign the Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies, and any 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.

Motion by Athey, seconded by Olson and carried to authorize payment of the

following claims as presented by Auditor Knutson:

American Welding & Gas	\$ 9,800.00
Computer Professionals	4,337.00
John Cunningham	2,080.21
Fridgen Excavating	15,660.00
L & O Acres Transport	3,288.45
MAXIMUS	3,350.00
Rick's Heating & Air Conditioning	4,980.20
49 Payments Less Than \$2,000	<u>19,732.46</u>
Total	\$63,228.32

Motion by Berning, seconded by Olson and carried to authorize the following internal transactions:

Family Services to Highway	\$ 77.71
General to Highway	\$ 2,508.51
Ditch to Highway	\$ 8,496.61
County Ditch 2	\$ 77.92
Joint Ditch 7	\$ 162.58
Combined Ditch 10/11	\$7,632.84
County Ditch 13	\$ 87.32
Joint Ditch 24	\$ 176.26
County Ditch 30	\$ 359.69

Motion by Olson, seconded by Berning and carried to authorize the Auditor to pay any claims received by December 31<sup>st</sup> so as to account for them in the current year's business.

Motion by Olson, seconded by Sandberg and carried to execute the audit engagement letter with the Office of the State Auditor for the 2015 audit.

Auditor Knutson reported that no bids had been received on the 1998 Expedition. Motion by Berning, seconded by Olson and carried to leave it on the surplus list on a first come first serve basis.

Kevin Beyer from Federated Telephone was present to ask for a revised repayment schedule on their loan agreement from monthly to semi-annually when the County's bond payments are due. Following discussion, motion by Olson, seconded by Athey and carried to amend the repayment schedule to require payments 30 days prior to the bond payment due date.

Mr. Beyer provided an update on the status of the fiber project.

Motion by Berning, seconded by Athey and carried to execute the Line Installation Permission Agreement which allows Federated to install a fiber connection on property that is in the project area owned by the County. The Agreement was sent with Mr. Beyer.

4-H Program Coordinator Suzanne Souza provided an update on the Aquatic Invasive Species (AIS) Robotics Education program. Souza also reported on the County's enrollment compared to the other surrounding counties and that the County is going to be a pilot for Agralite for an LED bulb program.

Motion by Olson, seconded by Athey and carried to appoint DJ Haggerty to the Extension Committee for a 3-year term and Tyson Karsky as the youth representative for a 2-year term effective 1/1/2016.

Motion by Berning, seconded by Athey and carried to increase Program Coordinator Souza's County credit card to \$1,000 as requested by Souza.

Commissioner Athey left the meeting.

US Fish & Wildlife representatives Blake Knisley, Lynn Sebeck, Bruce Freske and Scott Simmons arrived at the meeting.

Mr. Knisley requested certification of acquisition of land for two habitat easements in Odessa and Otrej Townships. Brad Erickson representing Bentson Bay Farms was also present. Motion by Olson and seconded by Berning to certify for acquisition the following described properties:

1. T121N, R45W, 5<sup>th</sup> P.M., Section 26, Lot E of the E1/2NW1/4 and the W1/2NE1/4, together with an easement for ingress and egress over and across Lot 1 of Lot D of the NW1/4NE1/4.

2. T122N, R45W, 5<sup>th</sup> P.M., parts of Sections 7, 8, 17 and 18 subject to survey.

Discussion on drainage concerns was held. Mr. Freske assured the Board that they will work with landowners on any concerns that arise. He stated that their policy is not to harm others with these easements. Following the discussion and with Mr. Freske's assurances, motion carried.

Ms. Sebeck requested certification of acquisition of land for the purchase of 353 acres from Paul D. Stadem, et al located in Odessa Township and described as follows: T121N, R45W, 5<sup>th</sup> P.M., Section 10, SE ¼ and Section 15, NE1/4SW1/4. Discussion was held regarding future drainage concerns with this purchase. Again, the Board was assured that US Fish & Wildlife will work with the County on any concerns. Commissioner Olson also stated that the County has concerns with these purchases as the County is currently being paid less than 25% of what the payment in lieu of tax should be on US Fish owned properties. Following the discussion, motion by Olson, seconded by Berning and carried to certify the acquisition. Paul, Mark, Becky, and Rebecca Stadem and Paul Maas were also present.

Mr. Maas expressed his concerns with these purchases as well. His family has had issues with drainage once US Fish & Wildlife acquires property. The Board asked that Mr. Freske return to a future meeting to address the concerns.

IT Director Terry Ocaña was present to request authorization to purchase hardware storage for data backup. Motion by Olson, seconded by Berning and carried to authorize the purchase.

Motion by Olson, seconded by Berning and carried to adopt the following resolution as presented by County Engineer Nick Anderson:

**2015-28**

WHEREAS, County SAP 006-606-019, SAP 006-607-015, SAP 006-611-009, SAP 006-621-027, SAP 006-624-004 and SAP 078-615-013 have in all things been completed and the County Board being fully advised in the premises.

NOW THEN BE IT RESOLVED, that the Board hereby accepts said completed projects for and on behalf of the County of Big Stone, and authorize final payment to Central Specialties, Inc. in the amount shown on final pay estimate.

Motion by Berning, seconded by Olson and carried to adopt the following resolution as presented by Engineer Anderson for the Joint Ditch 24 tile project:

**2015-29**

WHEREAS, CP 006-602-014 has in all things been completed and the County Board being fully advised in the premises.

NOW THEN BE IT RESOLVED, that the Board hereby accepts said completed project for and on behalf of the County of Big Stone, and authorize final payment to Koehl Excavating, LLC in the amount shown on final pay estimate.

The Board revisited the County's wetland bank credit discussion from previous meetings. Engineer Anderson stated that LG Everist is looking for 8 credits, but they are also working with Lyon County. Following discussion, motion by Berning, seconded by Olson and carried to sell 3.5 credits to LG Everist for \$35,000 per credit.

Motion by Olson, seconded by Berning and carried that the County is will not sell anymore wetland credits at this time. Engineer Anderson will notify the Board of Water and Soil Resources (BWSR) to take the County off their website for available credits.

Engineer Anderson reported that the Highway Department was not the successful bidder on the tractor from the last meeting. However, they have located three others that are for sale with one of them being the 2014 tractor the County leased previously. It has 270 hours on it, which were the County's, and Schuneman's will sell it for \$94,000. Motion by Olson, seconded by Berning and carried to purchase tractor after the first of the year.

Auditor Knutson and Engineer Anderson reviewed the draft 2016 ditch budget with the Board.

HR Director Dawn Gregoire presented the resignation letter from Social Worker Maggie Novak dated December 3<sup>rd</sup>, but effective November 27<sup>th</sup>. Motion by Olson, seconded by Berning and carried to ratify the resignation.

Motion by Berning, seconded by Olson and carried to fill the Social Worker position vacated by Novak.

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

### **2015-30**

WHEREAS, M.S. 375.055 provides that county commissioners shall receive annual salaries for services rendered while serving as a county commissioner and may receive per diem payments and reimbursement for necessary expenses.

NOW THEREFORE BE IT RESOLVED, that the 2016 salary of the Big Stone County Board of Commissioners shall be \$14,332.24 and the per diem rate for service on any board, committee or commission or for the performance of services by individual commissioners when required by law shall be \$50 for in-county and \$75 for out-of-county.

Motion by Berning and seconded by Olson to set the salaries for elected officials for 2016 as follows:

Attorney	\$90,781.60
Auditor	\$81,512.86
Recorder	\$57,087.42
Sheriff	\$74,399.26
Treasurer	\$64,502.10

Treasurer Cindy Nelson was present to express her concerns with her salary increase. Commissioner Olson explained the reasoning behind the Personnel Committee's recommendation for her position. Following discussion, motion carried.

Motion by Berning, seconded by Olson and carried to close the meeting at 10:17 AM for labor negotiations.

Motion by Berning, seconded by Sandberg and carried to reopen the meeting at 10:23 AM.

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

**2015-31**

BE IT RESOLVED that the Big Stone County 2016 budget and levy be established as follows:

	<b>GENERAL</b>	<b>HIGHWAY</b>	<b>FAMILY SERVICES</b>	<b>DEBT SERVICE</b>	<b>DITCH</b>	<b>2016 TOTAL</b>
<b>REVENUES</b>						
Tax Levy & Aids	\$3,109,586	\$920,000	\$807,705	\$93,750		\$4,931,041
Other Taxes	\$10,100	\$60,000				\$70,100
Special Assessments	\$118,000				\$165,500	\$283,500
Licenses & Permits	\$18,400					\$18,400
Intergovernmental	\$509,141	\$2,730,000	\$1,253,851			\$4,492,992
Charges for Services	\$163,350	\$142,000	\$377,750			\$683,100
Investment Earnings	\$12,000	\$2,000				\$14,000
Miscellaneous	\$137,850	\$31,500	\$42,960			\$212,310
Other Financing Sources	\$90,827	\$31,000				\$121,827
<b>TOTAL REVENUES</b>	<b>\$4,169,254</b>	<b>\$3,916,500</b>	<b>\$2,482,266</b>	<b>\$93,750</b>	<b>\$165,500</b>	<b>\$10,827,270</b>
<b>EXPENDITURES</b>						
General Government	\$2,202,488					\$2,202,488
Public Safety	\$1,112,984					\$1,112,984
Highway		\$3,916,816				\$3,916,816
Sanitation	\$197,446					\$197,446
Family Services			\$2,482,266			\$2,482,266
Health	\$110,210					\$110,210
Culture & Recreation	\$192,832					\$192,832
Conservation of Natural Resources	\$351,550				\$89,228	\$440,778
Economic Development	\$62,344					\$62,344
Debt Service				\$86,435		\$86,435
<b>TOTAL EXPENDITURES</b>	<b>\$4,229,854</b>	<b>\$3,916,816</b>	<b>\$2,482,266</b>	<b>\$86,435</b>	<b>\$89,228</b>	<b>\$10,804,599</b>

BE IT FURTHER RESOLVED that the scheduled debt service levy in the amount of \$148,253 for the 2015A GO Abatement Bonds is hereby canceled due to sufficient funds on hand as a result of loan payments received from Federated Telephone Cooperative.

Chairman Sandberg adjourned the meeting at 10:27 AM.

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Roger Sandberg, Chairman

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