

COMMISSIONER PROCEEDINGS
April 13, 2010

Minutes of the Wilkin County Board of Commissioners held at the Courthouse, Breckenridge, Minnesota, on Tuesday, April 13, 2010. All Commissioners were present. Chairman Perry called the meeting to order at 8:00 A.M.

Motion by Blaufuss, seconded by Miranowski and carried, to approve the agenda with additions.

Motion by Folstad, seconded by Blaufuss and carried, to approve the minutes of the March 16, 2010, meeting and the March 23, 2010, special meeting.

Commissioner Blaufuss left the meeting.

Tom Richels, County Engineer, presented a drainage request brought by Mark Blaufuss and Wayne Fuder, to rectify a problem incurred on several occasions in Sections 25,33,34,35,and 36 in Meadows Township and Section 30 of Akron Township. As a result of several meetings with the County Water Committee and residents of that area, the engineer provided a detailed listing of 22 items including the labor, materials, monitoring, and cost estimates needed to arrive at a solution. After discussion, motion by Hovland and seconded by Miranowski to proceed. The motion carried on a 3-0 vote with Commissioner Blaufuss abstaining.

Commissioner Blaufuss joined the meeting.

Motion by Miranowski, seconded by Hovland and carried, to call for bids for the Breckenridge 11th Street Project, to be opened at 8:30 A.M. on June 8, 2010.

An absentee land owner with two parcels of land in the County Ditch 1 B assessment area maintained that they had only received one pre-assessment notice for early payment of the assessment, therefore, paid only the one assessment. The second assessment, not having been prepaid, was added to the annual tax statement with interest. The land owner requested a waiver of the interest, stating they would have prepaid had the notice been received. Motion by Folstad, seconded by Hovland and carried, to waive said interest if the ditch assessment was received in the Auditors Office by May 2, 2010.

Commissioner Miranowski offered the following resolution and moved for it's adoption. The motion was seconded by Commissioner Blaufuss and carried.

RESOLUTION 15-10

IT IS RESOLVED, that Wilkin County enter into Mn/DOT Agreement No. 96535 with the State of Minnesota, Department of Transportation for the following purpose:

To provide for payment by the State to the County for the use of County State Aid Highway No. 16 as a detour route during the grading, pavement mill and overlay construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 210 from 0.14 miles west of Trunk Highway No. 9 to 1.8 mile East of the East Wilkin County line under State Project

No. 5601-31 (T.H. 210=3).

IT IS FURTHER RESOLVED, that the Chairman and the County Auditor are authorized to execute the agreement and any amendments to the agreement.

Adopted this 13th day of April, 2010.

Robert Louis Perry
Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Pursuant to notice duly given, bids for crushing 70,000 tons of gravel were opened, read, and recorded as follows: Central Specialties, Alexandria, Minnesota, \$116,200.00; Mark Sand and Gravel, Fergus Falls, Minnesota, \$146,300.00; Turner Sand and Gravel, Wolverton, Minnesota, \$130,900.00. Motion by Blaufuss, seconded by Hovland and carried, to turn the bids over to the Engineer's Office for tabulation.

Pursuant to notice duly given, quotes for material and equipment for several ditch cleaning projects were opened, read, and recorded as follows:

Comstock Construction Wahpeton, North Dakota	Back Hoe Dozer F & I 24" culvert	\$150.00 per hr. \$100.00 per hr. \$29.70 per ft.
Fridgen Excavating Dumont, Minnesota	Back Hoe Dozer F & I 24" culvert	\$170.00 per hr. \$150.00 per hr. \$42.00 per ft.
Jav Construction Walcott, North Dakota	Back Hoe Dozer F & I 24" culvert	\$185.00 per hr. \$130.00 per hr. \$21.00 per ft.
Jim Riley & Sons, Inc. Morris, Minnesota	Back Hoe Dozer F & I 24 " culvert	\$190.00 per hr. \$165.00 per hr. \$39.48 per ft.

Motion by Blaufuss, seconded by Hovland and carried to accept the quotes to be kept on file in the Engineer's Office.

Motion by Hovland, seconded by Miranowski and carried, to approve the County Engineer's Report.

After discussion, on going forward with a Otter-Tail River watershed petition, there was a motion by Hovland and seconded by Miranowski, to authorize the County Attorney to draft a Wilkin County Board of Commissioners petition to form a watershed district for the Ottetail River watershed area. The motion carried on a 3-2 vote with Blaufuss and Folstad voting no.

Motion by Hovland, seconded by Folstad and carried, to approve a Public Health contract with Safe Phone Inc., Ortonville, Minnesota.

Motion by Blaufuss, seconded by Miranowski and carried, to approve a Public Health contract with Ativ Style, Inc., Minneapolis, Minnesota.

Motion by Folstad, seconded by Hovland and carried, to increase the vaccine administration fee to \$14.00 and the foot clinic fee to \$17.00.

Motion by Miranowski, seconded by Folstad and carried, to approve the Public Health Nursing Report.

The Jail Administrator, Matt Brodina, provided a jail status report.

Motion by Hovland, seconded by Miranowski and carried, to accept the low bid from Central Specialties, Alexandria, Minnesota, in the amount of \$116,200.00, for crushing 70,000 tons of gravel in 2010.

Doug Straus, G & R Controls, Fargo, North Dakota, provided a presentation on how G & R Controls could assist the County with energy savings in the Courthouse. No action taken.

Motion by Folstad, seconded by Miranowski and carried, to authorize the Human Service Director to advertise for and fill the vacant position of Adult Mental Health Case Manager.

Rose Ann Hulne, County Treasurer, provided a county finance report. A lengthy discussion followed regarding cash flow which would enable the County to honor summer construction project billings in a timely manner.

Commissioner Folstad offered the following resolution and moved for it's adoption. The motion was seconded by Commissioner Blaufuss and carried.

RESOLUTION 16-10

BE IT RESOLVED, that the Wilkin County Board of Commissioners approve the planning request for Steve Haire (applicant) to mine clay from Tom Haire (owner) property. The property is located in All that part of Auditors Sublot A lying South and West of Hwy 75 in Section 3, Township 134 North, Range 48 West, McCauleyville Township, Wilkin County, Minnesota.

Adopted this 13th day of April, 2010.

Robert Louis Perry
Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

STATE OF MINNESOTA)
)
COUNTY OF WILKIN)

CONDITIONAL USE

Pursuant to a public hearing conducted by the Wilkin County Planning Commission on April 7, 2010, the Wilkin County Board of Commissioner hereby approves a Conditional Use Permit in be half of: Steve Haire (applicant) Tom Haire (owner)

In accordance with the provision in the Wilkin County Zoning Ordinance and pursuant to the requirements of Chapter 394.301, Minnesota Statutes.

The approved Conditional Use Permit authorizes the above named to:

Mine clay from his property on 25 acres that will occur in 5 acre increments.

On the following described parcel of land:

All that part of Auditors Sublot A lying South and West of Hwy 75 in Section 3 Township 134 North, Range 48 West, (McCauleyville Twp) Wilkin County

and subject to the following conditions:

1. Dust complaints and dust management will be the responsibility of the landowner and contractor.
2. Maintain and operate all equipment in a manner that minimizes noise and vibration to the greatest extent possible. Noise levels shall never exceed the acceptable locational thresholds established by the Minnesota Pollution Control Agency (MPCA).
3. Fuel tanks larger than 150 gallons stored on site are required to have an impervious secondary containment.
4. During operation, keep any excavation in such condition as not to be dangerous from caving or sliding banks.
5. A dike shall be installed along the edge of the mining pit of sufficient height to prevent all surface water runoff from entering or exiting the mining pit.
6. All topsoil will be stripped and stock piled for site reclamation. All mined areas will be reclaimed to existing use prior to mining activity (cropland). If there is land that cannot be put back to cropland production, it must be planted to a grass mixture that is beneficial to haying, grazing, or wildlife uses. Grass seed mixtures should be chosen in consultation with staff from the Wilkin Soil and Water Conservation District or Natural Resources Conservation Service.
7. All mined areas must be reclaimed within 6 months of mining termination.
8. The mining pit area and any non-cropland areas will not be used as a dumping ground for any debris. Debris shall be defined as garbage, refuse, used or broken lumber, wreckage from building or other structures, used, broken or junk automobiles, agricultural implements or dismantled parts or bodies thereof, and old or junk iron and other material.
9. Applicant to secure Minnesota Pollution Control Agency Storm-water Permit and provide a copy to the Wilkin County Zoning Administrator.
10. Applicant to provide the Wilkin County Zoning Administrator with a copy of the lease agreement between Applicant/Contractor and Landowner.(Compensation amount can be blanked out)
11. Excavations within 50 feet of County Township road right-of-way must be sloped to 8:1 or greater.
12. No materials, stock piles, equipment or machinery shall be stored adjacent to all public roads that will obscure vehicle visibility or result in a snow removal hazard.
13. At least 3 tree rows must be planted and maintained to screen the proposed property/excavation area adjacent to County Road #1 along the West side of the property. Tree species should be chosen in consultation with the staff of the Wilkin Soil and Water Conservation District.
14. Wilkin County reserves the right to open and review this permit at any time.

The Wilkin County Zoning Administrator is herewith directed to issue the appropriate permits to this Conditional Use Order.

Approved this 13th day of April, 2010.

Robert Louis Perry
Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Chairman Perry closed the regular meeting to conduct the scheduled public hearing to amend the Wilkin County Zoning Ordinance. Bruce Poppel, Environmental Office, informed those present that the ordinance will need to be amended because of changes to septic system regulations. Poppel reviewed the changes. The amended ordinance will be presented for adoption at the June 8, 2010, meeting.

Chairman Perry opened the regular meeting.

Rena Niemi, County Recorder, requested that a maintenance contract with West Central Indexing, Alexandria, Minnesota in the amount of \$3,250.00, be paid with funds from the County's Land Enhancement Fund. Motion by Hovland, seconded by Blaufuss and carried, to authorize the Recorder's request.

The County Auditor presented a resolution received from Big Stone County, Minnesota, recognizing and indicating appreciation to the Wilkin County Commissioners and Emergency Management for flood fighting assistance (namely 15,000 filled sandbags, plastic wrapping and one-ton sandbags) during the 2010 flood event.

Motion by Blaufuss, seconded by Folstad and carried, to approve a contract with Mark Sand And Gravel Company, Fergus Falls, Minnesota, for Highway Project No. SAP 84-030-001 and authorized the Chairman and County Auditor to sign said contract.

Motion by Blaufuss, seconded by Miranowski and carried, to change the Wilkin County Safety Committee to the Wilkin County Safety and Wellness Committee.

Motion by Folstad, seconded by Hovland and carried, to authorize training on Arc GIS software, for four (4) County employees at a cost of \$2,400.00, with the funding provided from the GIS budget.

Motion by Miranowski, seconded by Blaufuss and carried, to approve the following 1 year County Ditch Assessments: #9-\$2,800.00, #20-\$4,000.00, #22-\$15,000.00, #25-\$13,200.00, #35-\$2,660.00, #39-\$6,600.00, #40-\$15,000.00, #41-\$5,000.00, #43-\$8,245.00, #44-\$7,860.00, #J-1-\$14,252.07, #J-6-\$2,213.00, #J-7-\$3,802.00, #J-11-\$10,906.00.

The Commission set Wednesday, April 21, 2010, at 8:00 A.M as the date for a tax forfeited property tour.

Motion by Folstad, seconded by Blaufuss and carried, to approve a joint Public Health grant with Clay County for ARRA Operation funding.

Commissioner Folstad offered the following resolution and moved for it's adoption. The motion was seconded by Commissioner Blaufuss and carried.

RESOLUTION 17-10

2010 Memorial Day Appropriation

WHEREAS, Sec. 375.35, Minnesota Statutes, provides that County Boards may appropriate annually to each post of recognized military serviceman's organization incorporated in the State of Minnesota within their respective County, not to exceed the sum of \$100.00 to be used for expenses incurred for Memorial Day Services; and

WHEREAS, Sec. 375.35, Minnesota Statutes, provides that the County Board of each County may appropriate from the Revenue Fund of the County not more than \$400.00 annually to aid in the observance of Memorial Day in commemoration of the noble and valiant deeds of the Nation's soldier dead; and

THEREFORE, BE IT RESOLVED: That the sum of \$100.00 be appropriated to each of the following organizations in Wilkin County to wit: Knud Ellingson Post No. 376, Rothsay, MN; Alfred Lockman Post No. 53, Breckenridge, MN; Nelson-Otteson Post No. 370, Wolverton, MN; Veterans of Foreign Wars #2776, Breckenridge, MN, and the County Auditor be authorized to issue warrants in payment of same.

Adopted this 13th day of April, 2010.

Robert Louis Perry

Chairman

Attest: Wayne Bezenek
County Auditor

(Seal)

Several informational items were shared.

With no further business before the Commission and the next regular meeting set for Tuesday, April 20, 2010, at 8:00 A.M. in the Commissioners Room, Chairman Perry adjourned the meeting at 11:05 A.M.

Robert Louis Perry

Chairman

Attest: Wayne Bezenek
County Auditor

(seal)