

**FILLMORE COUNTY COMMISSIONERS' MINUTES**

**April 6, 2010**

This is a preliminary draft of the April 6, 2010 minutes as interpreted by the Clerk of the Board for use in preparing the official minutes. It is expected that there will be corrections, additions, and/or omissions before the final minutes are reviewed and officially approved by the County Board.

\*\*\*\*\*

The Board of County Commissioners of Fillmore County, Minnesota met in special session this 6th day of April, 2010 at 9:00 a.m. in the Commissioners' Board Room, Fillmore County Courthouse, in the City of Preston.

The following members were present: Duane Bakke, Marc Prestby, Chuck Amunrud, Randy Dahl, and Thomas Kaase. Also present were: Karen Brown, Coordinator/Clerk; Shirl Boelter, Auditor/Treasurer; Daryl Jensen, Sheriff; Karen Reisner, Fillmore County Journal; Lisa Brainerd, Republican-Leader and Laura Horihan, Rochester Post Bulletin.

The Pledge of Allegiance was recited.

On motion by Amunrud and seconded by Prestby, the agenda was unanimously approved.

On motion by Dahl and seconded by Kaase, the Board unanimously approved the following Consent Agenda:

1. March 23, 2010 County Board minutes, as presented.
2. March 9, 2010 Social Services minutes, as presented.
3. Step increase for Elizabeth Eisenbeis, Social Worker, to Merit Grade 7/Step D, effective May 2, 2010 as recommended by the Community Services Administrator.
4. Step increase for Barbara Kerns, Financial Worker, to Merit Grade 4/Step C, effective May 11, 2010 as recommended by the Community Services Administrator.
5. Overnight stays for Veteran Services Officer to attend the National Association of County Veteran Service Officers conference in Bloomington as recommended by the Community Services Administrator.
6. Temporary on-sale liquor license for May 1, 2010 for Preston Servicemen's Club at Eagle Bluff in Lanesboro.
7. Payment of 2nd quarter Economic Development Authority invoice of \$8,596.50 to Southeast Consultants, Inc.
8. Closure of 1st Ave SW/County Rd #35 between Center St W and 3rd St SW in Harmony for the hours of 8:00 a.m. to 8:00 p.m. on Sunday, July 4, 2010 as approved by the County Sheriff and Highway Engineer.

Thomas Boyd, Community Services Administrator; John DeGeorge, Captain; Wendy Ebner, Social Services Supervisor; Elizabeth Eisenbeis and Vicki Giese, Social Workers; and Lee Novotny, Assistant County Attorney, were present.

Community Services Administrator Boyd presented the Social Services portion of the meeting.

On motion by Dahl and seconded by Amunrud, the Board unanimously approved the renewal of the Public Health Waiver contracts effective from July 1, 2009 – June 30, 2011 at the same rates. (On file in the Community Services Department)

There was discussion about combining the Public Health and Social Services committees into the Community Services Committee. Consideration was also given to separate committees for all three including Veteran Services. Combining the committees would eliminate a committee for one commissioner, but it was also noted that there is a need to coordinate the services of the three divisions of Community Services.

The Chair asked for citizens input and closed the same at 9:40 a.m. since no one was present to speak.

The discussion continued about having a separate veteran's committee. Chair Bakke stated his preference for a single Community Services committee. He also stated that committees will be reviewed and some may be reconfigured.

A motion was made by Amunrud and seconded by Dahl to combine Social Services and Public Health into one Community Services Committee, which will include Veteran Services. The Chair called for a vote. Commissioners voting "aye": Bakke, Amunrud, Dahl and Kaase. Commissioners voting "nay": Prestby. The motion prevailed.

Mike Frauenkron, Feedlot, and Ann Koliha, Fillmore Soil and Water Conservation District (SWCD), were present to discuss an upgrade of their engineering software. There are currently problems reading files that are distributed in the upgraded version. If the software, which includes a three year subscription, is purchased now, both the 2010 version and the 2011 version (once it is released) will be obtained at the same price. The software will be purchased with feedlot grant funds with a replacement computer to be purchased by the SWCD. The computer purchase will serve as match for the feedlot grant.

On motion by Dahl and seconded by Kaase, the Board unanimously approved to purchase the upgrade for the AutoCAD software from the Feedlot grant for \$2,735.72 from DLT Solutions with required feedlot grant match to come from the Soil and Water Conservation District purchase of a computer..

Shirl Boelter, Auditor/Treasurer, presented information on the purchase of a Model 100 Precinct Ballot Counter. Boelter reported that the cost of \$4,250.00, plus tax, is currently discounted by \$750.00 and will be available on a "first come - first served." She explained that the centralized counting of absentee ballots requires an additional machine due to separate computerized counting of these votes.

On motion by Dahl and seconded by Kaase, the Board unanimously approved the purchase of the Model 100 Precinct Ballot Counter for the sum of \$4,250.00, plus tax, from ES & S to be paid for from Help America Vote Act funds.

Auditor/Treasurer Boelter reported that the Passport Day on Saturday, March 23<sup>rd</sup> was well received.

Boelter also reported that Minnesota is slightly behind its neighbors on return of Census 2010 forms. She encouraged residents to complete the Census and said that replacement forms are available at libraries.

On motion by Kaase and seconded by Dahl, the Board unanimously approved the payment of the following Commissioners' warrants:

#### WARRANTS

The Auditor's warrants were reviewed.

John Grindeland, Engineer; Thomas Miles, Assistant County Engineer; and Brent Kohn, Maintenance Superintendent, were present.

Christopher Graves, Zoning Administrator, was present.

On motion by Amunrud and seconded by Bakke, the following resolution was unanimously adopted:  
**RESOLUTION 2010-019:** Ostrander Coop in City of Wykoff rezoning of Parcel 30.0222.000

On motion by Dahl and seconded by Amunrud, the following resolution was unanimously adopted:

**RESOLUTION 2010-020:** Ostrander Coop in City of Wykoff rezoning of Parcel 30.0223.000

On motion by Kaase and seconded by Amunrud, the following resolution was unanimously adopted:

**RESOLUTION 2010-021:** Conditional Use Permit for Renee Haugerud, Section 10, Carimona Township, to operate an Ag commodity trading business

On motion by Amunrud and seconded by Prestby, the following resolution was unanimously adopted:

**RESOLUTION 2010-022:** Amendments to Wind Energy Conversion System Ordinance to correct references to State statutes and the Zoning Ordinance

Graves reported that a moratorium on the large assembly ordinance has been in place for about one year. The committee organized to study this subject spent significant time reviewing and studying feasibility and public safety. The committee recommended that it was in the best interest of the public to prohibit large assemblies. He noted that many citizens' letters were received in support of this prohibition.

Board members discussed the current threshold of 500 for the definition of a large assembly. After consideration of regular township events such as field seed days, dairy days, church events that are not held on church property, etc., it was suggested to increase the threshold to 1,000. The committee and members of the public were thanked for their contribution to this review.

A motion was made by Kaase and seconded by Dahl to adopt the following resolution:

**RESOLUTION 2010-023:** Amendments to Fillmore County Zoning Ordinance making Large Assemblies a prohibited activity

On motion by Dahl and seconded by Kaase, the Board unanimously approved to amend the zoning ordinance amendment resolution to change the threshold for the definition of a large assembly from 500 to **1,000** or more persons.

The Chair asked for discussion and vote on the main motion as amended. The motion to adopt the resolution as amended prevailed unanimously. Members thanked the committee and the public for their input into the process to consider this amendment to the Zoning Ordinance.

On motion by Amunrud and seconded by Kaase, the Board unanimously approved the annual Minnesota Boat and Water Safety Grant agreement for \$1,847.00 as recommended by Sheriff Jensen and authorized signature of same. (Agreement on file in the Sheriff's Department)

On motion by Dahl and seconded by Kaase, the Board unanimously approved the Board of Water and Soil Resources Natural Resources Block Grant agreement for subsurface sewage treatment systems of \$9,931.00 and authorized signature of same. (Agreement on file in the SWCD office)

The Chair asked that the disposition of highway projects with State aid funds for the future be moved to the next meeting in the interest of time. Grindeland distributed Capital Improvement Plan (CIP) handouts. Announcements and committee reports were given: Amunrud – concerns about sex offender costs being assigned to counties; Kaase – Public Safety Answering Point meeting; and Bakke – Joint Board of Health and Township meetings.

John Grindeland, Engineer; Thomas Miles, Assistant County Engineer; Brent Kohn, Maintenance Superintendent; Ashley Stinson, Human Resources Officer; Neil Woellert and Steve Rahn, Maintenance Specialists III and Union Stewards; and Eugene Grover, Local #49 International Union of Operating Engineers, were present. Negotiations continued for the 2010 Local #49 labor agreement.

On motion by Amunrud and seconded by Prestby, the Chair adjourned the meeting at 12:14 p.m.