

REGULAR MEETING OF THE BIG STONE COUNTY BOARD
September 21, 2021

The Big Stone County Board of Commissioners met in the Commissioners' Room at 8:30 AM on Tuesday, September 21, 2021. Chairman Backer called the meeting to order with Commissioners Athey, Olson and Sandberg present. Commissioner Klages was participating via TEAMS. Also present were Mike Swenson of the Ortonville Independent, Coordinator Pam Rud and Auditor-Treasurer Michelle Knutson. The Pledge of Allegiance followed.

There were no items for the work session and no public comments were received.

Motion by Sandberg, seconded by Athey and carried to approve the minutes of the September 7th regular meeting.

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

Commissioners reported on the following committees:

Olson – Pioneerland; PrimeWest

Backer – Personnel; BSAG; CPT (2); CEOB

Klages – Personnel; RLF; BSAG

Athey – SWCD; UMRWD

Sandberg – CBSL; HRA; Museum

County Attorney Joe Glasrud provided an update on the use of Toqua Park.

Discussion was held on where to pay invoices related to M.S. 609.35.

Consensus was to pay them out of the Sheriff budget unless family cases, then Family Services.

Attorney Glasrud reported that the Court of Appeals reversed the reestablishment of records for County Ditch 21. Glasrud is still conferring with Rinke-Noonan on what the next step will be.

Motion by Olson, seconded by Sandberg and carried to give permission to use information from the County's website.

Countryside Public Health Administrator Liz Auch reviewed the agency's activities and reported that they are not requesting a budget increase for 2022.

Motion by Sandberg, seconded by Olson and carried to adopt the following resolution to vacate public road rights of way for the Whetstone Restoration Project as presented by Amber Doschadis from the Upper Minnesota River Watershed District:

2021-31

WHEREAS, Big Stone County received a petition for vacation of a portion of CSAH 15; WHEREAS, Pursuant to Minn. Stat. § 163.11, Subd. 4, the County Board may, by resolution, revoke any county highway;

WHEREAS, at the September 21, 2021, regular County Board meeting, the Big Stone County Board adopted the following Findings:

FINDINGS

1. The following described right of way is located within Big Stone County:

CSAH 15

That part of Government Lots 4 and 5, together with that part of Outlots 14, 15 and 19, all in Section 16, Township 121 North, Range 46 West of the Fifth Principal Meridian, Big Stone County, Minnesota, described as follows:

A 66.00-foot-wide strip, centered on the following described line:
Commencing at the southwest corner of said Section 16; thence South 89°43'27" East, along the southerly line of said Section 16, for a distance of 1011.01 feet to a point of intersection with the centerline of County Highway No. 15 and the true point of beginning of the line to be described; thence North 19°35'58" East along said road centerline for a distance of 1018.63 feet to a point of tangential curve to the left, said curve having a radius of 4044.41 feet; thence northeasterly, along said road centerline and along said curve, for a distance of 196.18 feet, through a central angle of 02°46'45", said line there terminating. Said strip shall be lengthened or shortened as necessary to intersect the southerly line of said Section 16 on the south, and to intersect a line which bears North 59°59'08" West passing through the point of termination on the north.

Said strip contains 1.841 acres, more or less.

Along with:

That part of Government Lots 7 and 8, Section 21, Township 121 North, Range 46 West of the Fifth Principal Meridian, Big Stone County, Minnesota, described as follows:

A 66.00-foot-wide strip, centered on the following described line:
Commencing at the northwest corner of said Section 21; thence South 89°43'27" East, along the northerly line of said Section 21, for a distance of 1011.01 feet to a point of intersection with the centerline of County Highway No. 15 and the true point of beginning of the line to be described; thence South 19°35'58" West along said road centerline for a distance of 1400.72 feet, said line there terminating. Said strip shall be lengthened or shortened as necessary to intersect the northerly line of said Section 21 on the north, and to intersect a line which bears North 51°20'59" West passing through the point of termination on the south.

Said strip contains 2.122 acres, more or less.

2. No property will be landlocked if this road is vacated. (See: Minn. Stat. § 160.09.)
3. The portions of CSAH 15 to be vacated do not abut or terminate at any public water. (See: Minn. Stat. § 163.11, subd. 8).
4. Lateral ditches, if any, in the portions of CSAH 15 to be vacated, are not essential for surface drainage of adjacent lands or other public highways, are no longer needed for drainage purposes. (See: Minn. Stat. § 163.111).
5. No Utility Easements are affected by the portions of CSAH 15 to be vacated. (See: Minn. Stat. § 160.29).
6. The County Board finds that it is in the best interest to vacate the above referenced road under Minn. Stat. § 163.11.

THEREFORE, BE IT RESOLVED, that pursuant to Minn. Stat. § 163.11, the Big Stone County Board of Commissioners hereby vacate the following right of way, conditioned and effective upon completion of the proposed alternative route via County Road 47 as outlined in the Whetstone River Restoration Project Plans:

CSAH 15

That part of Government Lots 4 and 5, together with that part of Outlots 14, 15 and 19, all in Section 16, Township 121 North, Range 46 West of the Fifth Principal Meridian, Big Stone County, Minnesota, described as follows:

A 66.00-foot-wide strip, centered on the following described line:

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That part of Government Lots 7 and 8, Section 21, Township 121 North, Range 46 West of the Fifth Principal Meridian, Big Stone County, Minnesota, described as follows:

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Commencing at the northwest corner of said Section 21; thence South 89°43'27" East, along the northerly line of said Section 21, for a distance of 1011.01 feet to a point of intersection with the centerline of County Highway No. 15 and the true point of beginning of the line to be described; thence South 19°35'58" West along said road centerline for a distance of 1400.72 feet, said line there terminating.

Said strip shall be lengthened or shortened as necessary to intersect the northerly line of said Section 21 on the north, and to intersect a line which bears North 51°20'59" West passing through the point of termination on the south.

Said strip contains 2.122 acres, more or less.

IT IS RESOLVED FURTHER, that the Clerk of the County Board shall cause service of the resolution to be made pursuant to Minn. Stat. § 163.11. A copy of the resolution together with proof of service and affidavit of posting shall be filed in the County Auditor-Treasurer's Office.

County Engineer Todd Larson provided an update on highway activities.

Motion by Olson, seconded by Sandberg and carried to award the 1,000-foot paving project on CSAH 6 to Riley Bros Inc. as requested by Engineer Larson.

Motion by Sandberg, seconded by Olson and carried to approve the option to pave 1.3 miles of the USFWS Trail within the refuge and 1 ½" bituminous overlay on the existing 3.3 miles of trail for the Federal Lands Access Program (FLAP) grant application.

Motion by Athey, seconded by Olson and carried to execute the Memorandum of Understanding with the union to make Social Worker Rose Schlieman full-time for October through December of 2021 as presented by HR Director Dawn Gregoire.

HR Director Gregoire provided an update on the status of hiring a full-time Coordinator. Approval of hiring will be on the next board agenda.

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

Allstates Pavement Recycling	\$ 4,000.00
Bituminous Paving	6,774.40

Mark Brown	2,478.98
CPT	5,766.28
James Nitz Construction	19,040.00
Kris Engineering	11,496.79
Lac qui Parle Sheriff	5,818.58
Marco	2,417.41
Milbank WinWater Works	21,207.15
West Con	18,529.94
37 Payments Less Than \$2,000	<u>22,755.47</u>
Total	\$120,285.00

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

General to Highway	\$ 2,076.32
Ditch to Highway – County Ditch 30	\$ 879.60

Auditor-Treasurer 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 Sandberg and carried to authorize Federated Telephone to hold a reduced amount in the collateral pledge account as per the agreement.

Discussion was held on the bill received for the work done on County Ditch 5 at the request of the State for the Highway 12 project. Consensus was to pay the bill to the contractor, but that the Highway Department will work with the State on recouping some of the costs. Motion by Sandberg, seconded by Athey and carried to authorize \$8,480 be paid to Rod Ehrp Excavating as an auditor warrant.

Family Services Director Pam Rud provided a department update.

Motion by Sandberg, seconded by Olson and carried to authorize payment of the Family Services claims.

Rud reported that there was a recent county burial.

Motion by Sandberg, seconded by Athey and carried to approve the purchase of furniture for the Emergency Management office as presented by Coordinator Rud.

Motion by Athey, seconded by Olson and carried to authorize the sale of the old Emergency Management trailer.

Rud reported that the next board work session with the Leadership Team will be held November 30th.

Discussion was held on the 2022 budget. Following discussion, motion by Olson, seconded by Sandberg and carried to adopt the following resolution:

2021-32

BE IT HEREBY RESOLVED, that the proposed 2022 budget be approved and the net levy be established at \$5,512,811.

The public meeting to take comments on the proposed budget and levy was set for Thursday, December 2nd at 6:00 PM in the commissioners’ room.

The start time of the December 2nd board meeting was changed to 6:00 PM to accommodate the public comment period for the 2022 budget and levy.

Discussion was held on the HRA’s levy request. Following discussion, motion by Sandberg, seconded by Athey and carried to adopt the following resolution:

2021-33

WHEREAS, the Housing and Redevelopment Authority of Big Stone County (the "Authority") was created by action of the Board of Commissioners of Big Stone County (the "Board") pursuant to M.S. §469.004; and
WHEREAS, pursuant to such action on the part of the County and M.S. §§ 469.001 to 469.047 (the "Act"), the Authority was granted all of the same functions, rights, and powers, duties, privileges, immunities, and limitations as are provided for housing and redevelopment authorities created for cities under the Act; and
WHEREAS, §469.033, subd. 6, of the Act permits the Authority to levy and collect a special benefit tax of up to .0185% of estimated market value upon all taxable property, both real and personal, within the Authority's area of operation; and
WHEREAS, proceeds of the tax may be extended for the purposes of §§469.001 to 469.047 of the Act, including, without limitation, to pay certain administrative costs of the Authority; and
WHEREAS, the Authority has requested that the Board approve the levy of such a special benefit tax in the amount not exceeding .0185% of the estimated market value of taxable property within the Authority's area of operation contained within the County; and
WHEREAS, the Board has considered such request by the Authority and has determined that consenting to such a special benefit tax levy by the Authority is in the best interests of the County and its residents; and
WHEREAS, the Authority is also required pursuant to §469.033, subd. 6, of the Act to, in connection with the levy of such a special benefit tax, formulate and file a budget in accordance with the budget procedure of the County in the same manner as required of executive departments of the County and the amount of the tax levy for the following year shall be based upon that budget and approved by the County; and
WHEREAS, the Authority has presented to the Board a copy of a proposed budget for its operations for fiscal year 2022.
NOW, THEREFORE, BE IT RESOLVED by the Board that the levy of a special benefit tax pursuant to M.S. §469.033, subd. 6, is hereby consented to with respect to taxes payable in calendar year 2022 in the amount of \$125,000; which amount does not exceed .0185% of estimated market value of taxable property within the Authority's area of operation within the County.

Motion by Sandberg, seconded by Athey and carried to approve loaning the HRA up to \$125,000 as needed with the interest rate to be determined.

Chairman Backer adjourned the meeting at 10:57 AM.

Jay Backer, Chairman

ATTEST: _____
Michelle R. Knutson, Auditor-Treasurer