

The Pipestone County Commissioners met with Chairman Les Nath, Commissioners Chris Hollingsworth, Luke Johnson, and Bruce Kooiman. County Administrator Sharon Hanson was also present. Commissioner Wildermuth Absent for beginning of meeting. Chairman Nath called the meeting to order at 9:00 AM with the Pledge of Allegiance to the Flag.

AGENDA

Motion by Kooiman, seconded by Hollingsworth to approve the agenda. Yeas: Hollingsworth, Johnson, Kooiman, Nath. Nay: None. Absent: Wildermuth. Motion carried.

CONSENT AGENDA

Motion by Johnson, seconded by Kooiman to approve the consent agenda as follows:

1. Approve Minutes of July 11, 2017
2. Hospital Warrants in the amount of \$709,293.90
3. Beef Barn Donations-J. Larry Goelz \$1,000
4. Auditor Warrant for Wayne Drew VISA bill in the amount of \$244.75

Yeas: Hollingsworth, Johnson, Kooiman, Nath. Nay: None. Absent: Wildermuth.

Motion carried.

PLUM CREEK LIBRARY ANNUAL UPDATE AND FUNDING REQUEST

Jim Trojanowski, Plum Creek Library Director, provided an update on services provided by the Plum Creek Library System and requested an increase in County funding for 2018 to equate to the previous funding provided in 2016. Director Trojanowski was joined by Pipestone Meinders Community Library Director Jody Whacker who explained what the increased funding would provide in library programming.

Commissioner Wildermuth joined the meeting.

Director Trojanowski answered Commissioner questions on the status of the facility in Worthington.

TAX ABATEMENT PUBLIC HEARING

Chairman Nath opened the Home Tax Abatement Public Hearing at 9:23 a.m. County Auditor Tyler Reisch explained the following tax abatement applications for board consideration pursuant to Minnesota Statute 469-1812 to 469-1815: Danny Dykstra, for Parcel ID 05.021.0200 located in Elmer Township; Michael and Kathryn Hachmann for Parcel ID 05.032.0400 located in Elmer Township; and Gregg Buttman for Parcel ID 12.112.0700 located in Troy Township.

It has been proposed that the Board of Commissioners of the County of Pipestone grant a Property Tax Abatement on the three properties in an amount not to exceed 100 percent (%) of the County's portion of the real estate taxes related to new residential home construction on the subject properties for a period not to exceed three (3) years. The estimated value of abatement for Danny Dykstra is approximately \$1,618.00 over three years. The estimated value of abatement for Michael and Kathryn Hachmann is approximately \$2,296.00 over three years. The estimated value of abatement for Greg Butman is approximately \$2,053.00 over three years. Hearing no comments, Chairman Nath closed the public hearing 9:25 a.m.

RESOLUTIONS 59-27-17, 59-28-17, 59-29-17

Motion by Kooiman, seconded by Hollingsworth to adopt Resolutions 59-27-17, 59-28-17 and 59-29-17 whereas Danny Dykstra, for Parcel ID 05.021.0200 located in Elmer Township; Michael and Kathryn Hachmann for Parcel ID 05.032.0400 located in Elmer Township; and Gregg Buttman for Parcel ID 12.112.0700 located in Troy Township, has applied for a Home Tax Abatement pursuant to the County's Home Tax Abatement Initiative. The County Board of Commissioners grants abatement of property taxes levied for property by the County for three (3) years, commencing with taxes payable for the assessed value related to the capital improvements outlined. The Abatement may be modified or terminated at any time by the Board of Commissioners. Motion carried unanimously.

CONDITIONAL USE PERMIT – WOODSTOCK HILL PROJECT

Environmental Administrator Kyle Krier presented the Findings of Fact and Recommendations from the Pipestone County Planning and Zoning Commission for the application from The Woodstock Hills, LLC wind project which is proposing to decommission the existing seventeen wind turbines that have been operating at the site since 1999 and replace them with a Wind-Solar Hybrid technology project consisting of four GE 2.3MW Wind Turbines and 1200 kW (DC) of Trina 315w Solar PV panels. The recommendation of the Planning Commission is to approve the Conditional Use Permit with the following conditions:

1. The Solar and Turbine Projects are to be constructed and operated as presented.
2. A power purchase agreement be obtained prior to construction.
3. The decommissioning plan be amended with component removal to 3 feet subgrade.
4. The project shall comply with all other Federal, State, and Local requirements.

Motion by Kooiman, seconded by Wildermuth to accept the Findings of Fact and Recommendations of the Pipestone County Planning and Zoning Commission to approve the Conditional Use Permit to Woodstock Hills, LLC for construction of four wind turbines and a

solar array in Pipestone County. Motion carried unanimously.

Administrator Krier announced that the public meeting on the Buffer Ordinance will take place at 6:30 p.m. on August 14, 2017 in the Commissioners Room.

FEEDLOT PUBLIC MEETING – KYLE KRACHT – 9:35AM

Kyle Kracht joined the meeting with Environmental Administrator Kyle Krier. A feedlot public meeting was held for the following feedlot application: Kyle Kracht, for a proposed modification of his feedlot located in the SE Quarter of Section 25 in Elmer Township.

PERSONNEL

Motion by Wildermuth, seconded by Hollingsworth to approve the policy deviation to allow up to three hours of paid time to County employees who attended the funeral of Sergeant Derek Wellnitz on Monday, July 19, 2017. Motion carried unanimously.

Motion by Hollingsworth, seconded by Kooiman to accept the resignation of Taylor Swenson effective July 11, 2017. Motion carried unanimously.

TRANSIT BUS PURCHASE

Motion by Hollingsworth, seconded by Kooiman to rescind the June 13, 2017 motion that set a \$1,000 minimum bid for a 2007 Transit bus as surplus to sell at an upcoming County and approve the sale of the surplus 2007 Transit bus to the City of Jasper for \$1.00. Motion carried unanimously.

TERMINATION OF QUONSET LEASE

Administrator Hanson requested authorization to provide notice to Norm Van Dyke of Van Dyke Sanitation ending the agreement for use of the Quonset building located on the Pipestone County Fairgrounds. The agreement requires a 60-day notice of termination. Motion by Wildermuth, seconded by Hollingsworth to approve the termination letter dated July 20, 2017 which serves as a 60-day notice to end the agreement with Van Dyke Sanitation for use of the Quonset Building at the Pipestone County Fairgrounds. Motion carried unanimously.

GERONIMO SUBSCRIPTION SERVICE AGREEMENT

Motion by Johnson, seconded by Hollingsworth to authorize Board Chair signature on a Geronimo Subscription Service Agreement that transfers the existing subscription agreement from the County's facility on 425 8th Ave SE to the County's facility on 600 4th Street NW. Motion carried unanimously.

CLEAN INDOOR ACT PUBLIC HEARING – 10:00AM

Chairman Nath opened the public hearing on the Clean Indoor Air Act at 10:00 a.m. Ann Orren, SWHHS Community Public Health Supervisor, joined the meeting. Hearing no public comment, Chairman Nath closed the public hearing at 10:07 a.m. Motion by Kooiman, seconded by Johnson to approve the Clean Indoor Air Act Ordinance and publish required ordinance summary as follows:

A summary of the ordinance is hereby published as authorized by Minn. Stat. §375.51, Subd. 3

The purpose of this Ordinance is to protect the health, safety and welfare of the people of Pipestone County from the adverse effects of secondhand smoke by better ensuring their ability to breathe air that is uncontaminated by secondhand smoke and vapor produced by electronic delivery devices (more commonly known as e-cigarettes); to affirm that the right to breathe has priority over allowing people to smoke or vape; and to protect vulnerable populations, including employees, children, the elderly, and those with chronic health conditions from the adverse effects of secondhand smoke or e-cigarette vapor, pursuant to the powers granted under Minnesota Statutes, Chapters 145A and 375.

Smoking is prohibited in the following locations:

- A. Public places and places of work;
- B. Outdoor dining or bar areas, including sidewalk seating, of any food establishments that provide wait staff or any other staff services to patrons in those areas; and
- C. Within fifteen (15) feet of entrances, exits, windows, and ventilation intakes of public places and places of work.

The prohibitions of this Section do not apply to the following places or situations:

- A. Private homes, private residences; or private motor vehicles when they are not in use as a place of work, as defined by this Ordinance;
- B. The use of tobacco by an enrolled member of a federally-recognized Indian tribe as part of a traditional Indian spiritual or cultural ceremony;
- C. Twenty (20) percent of the guest rooms offered as sleeping accommodations to guests in hotels, motels, or similar lodging places, provided that:
 - 1) All smoking-permitted guest rooms on the same floor of a hotel, motel, or similar lodging place are contiguous; and
 - 2) All smoking-permitted guest rooms are clearly marked as “smoking permitted” on, or next to, entrances to each room; and
- D. Farm vehicles and construction equipment.
- E. Family farms.
- F. Theatrical productions.
- G. Situations where members of the public are passing through on an outdoor street, alley, or sidewalk where smoking is prohibited by this Ordinance while en route to another location.

The proprietor or other person in charge of a public place or place of work where smoking is prohibited shall conspicuously post a sign at all entrances to the public place or place of work stating: “This entire area is smoke-free.” The sign shall include the universal “no smoking/vaping” symbol.

Proprietor shall ask any person who smokes in an area where smoking is prohibited to refrain from smoking or using an electronic delivery device. If the person does not refrain from smoking after being asked to do so, the proprietor or other person in charge shall ask the person to leave. If the offending party refuses to leave, the proprietor or other person in charge shall handle the situation consistent with lawful methods for handling other persons acting in a disorderly manner or as a trespasser.

Smoking receptacles shall be located at a place and distance that

- a) is at least fifteen (15) feet from the exits, windows, and ventilation intakes of places of work and public places; and
- b) reduces the risk that tobacco smoke, e-cigarette vapor and associated odors will enter such openings to the building.

Motion carried unanimously.

July 25, 2017

Consensus of the Board to revisit County specific policies on tobacco and smoking and bring back to the Board.

VINCE GREEN – STONERAY WIND PROJECT UPDATE

EDF Project Development Manager Vince Green presented updates on the upcoming Stoneray Wind Project in Pipestone County. The Power Purchase Agreement has been signed and starts in the year 2020. Construction is expected to start in Spring of 2018. The project consists of 39-50 wind turbines producing 100 MW of power with the majority of turbines to be located in Pipestone County and some in Murray County.

TRAVIS JASPER-CENTRAL SCHOOL USE

Administrator Hanson asked Mr. Travis Jasper if he wished to be on the Agenda to discuss use of Central School or would he rather speak to Commissioners after the meeting. Mr. Jasper stated he can speak to Commissioners after the meeting.

Motion by Kooiman, seconded by Hollingsworth to adjourn. Motion carried unanimously. Meeting adjourned at 10:28 a.m.

The meeting re-opened as Mr. Jasper spoke with Commissioners Johnson, Hollingsworth, Kooiman, and Nath regarding the recent motion to vacate Central School building by August 1, 2017. Mr. Jasper stated that he has made an investment in equipment and would like to have more time in order to complete his work salvaging some of the materials in the building. Commissioners Johnson, Hollingsworth, Kooiman and Nath stated that they would discuss and bring back to the Board for discussion at the August 1, 2017 meeting.

Chairman Nath adjourned the meeting. The meeting adjourned at 10:45 a.m.

Les Nath
Pipestone County Board Chair

ATTEST:

Sharon Hanson
County Administrator

July 25, 2017