

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., February 20, 2007, pursuant to adjournment on February 13, 2007. Commissioners present were: Hajek, Twedt, Barth, Kolbe, and Pekas. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Hajek called the meeting to order.

AGENDA

MOTION by Pekas, seconded by Kolbe to approve the Agenda. 5 ayes.

MINUTES

MOTION by Barth, seconded by Pekas to approve the Minutes for February 13, 2007. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Twedt, seconded by Pekas to approve the following bills totaling \$473,310.89, and February salaries. 5 ayes.

Alliance Communicati	Var. Depts	953.96	Anderson, Scott A.	Plan & Zon	23.00
Arena Motel	Human Svcs	282.00	Argus Leader	Var. Depts	2,197.27
ASDM Treasurer	Museum	100.00	Avera Gutnik & Assoc	Human Svcs	211.19
Avera McKennan Hospi	Var. Depts	3,663.69	Avera Medical Record	Var. Depts	795.30
Avera Pulmonary Asso	Human Svcs	152.08	Al Svc Inc/Laceys Ch	Hiway Cons	80.00
Barth, Jeff	Comm.	170.12	Batteries Plus	Juv Det Cn	149.94
Beck, Pat/Low Eight,	Human Svcs	125.60	Best Business Produc	Reg Deeds	44.13
Blomker, Douglas	Emer Mgmt	72.00	Boyer Trucks Sioux F	Hiway Cons	816.70
Brown & Saenger	Var. Depts	45.56	Bumblebee-Gibson, In	Facilities	765.31
Bureau of Informatio	Var. Depts	1,492.93	Burnette, Sara L.	Court Sys.	437.00
Campbell Supply Co.,	Metro-911	21.95	Carlson, Lisa	Court Sys.	564.70
Cbcinnovis, Inc.	Sheriff	8.15	CBM Food Service	Correction	7,947.03
Century Business Pro	Var. Depts	224.30	Chemco, Inc.	Facilities	2,877.60
Children's Inn	Sheriff	151,124.00	City Centre Hotel Co	Var. Depts	247.07
City of Garretson	Human Svcs	370.00	Cliff Avenue Auto Pa	Hiway Cons	232.77
Cole Papers, Inc.	Hiway Admi	190.79	Colton Farmers Eleva	Hiway Cons	16.73
Communication Servic	Court Sys.	149.05	Cooley, Carla F	Court Sys.	363.00
Crescent Electric Su	Var. Depts	549.55	Crestview Apts-Luv I	Human Svcs	450.00
Culligan Water Condi	Metro-911	48.00	Cumberland Apts. I	Human Svcs	525.00
Curry, William R	Emer Mgmt	72.00	Cutler & Donahoe, LL	Court Sys.	98.80
D & S Rentals, Inc	Human Svcs	450.00	Dakota Data Shred	Facilities	63.44
Dakota Riggers & Too	Hiway Cons	278.95	deCastro Law Office,	Court Sys.	2,234.87
Dell Rapids Ford, In	Sheriff	28.38	Dells True Value / O	Hiway Cons	93.99
Donahue, David J	Human Svcs	900.00	DTN Corporation	Cnty Exten	147.00
East, Paul DBA Cedar	Human Svcs	300.00	Elite Business Syste	Human Svcs	77.50
Family Drug	Human Svcs	864.20	Farnsworth, Michael	Pub. D.	6,375.00
Fastenal Company	Facilities	44.36	Finke, Dennis G	Human Svcs	350.00
Fluth, Rodney P	Human Svcs	350.00	Frontier	Metro-911	175.62
Galland Legal Clinic	Court Sys.	410.40	Gaylord Bros.	Museum	128.21
General Dentistry Lt	Human Svcs	50.00	Genzlinger, Janeen	Court Sys.	114.00
Glory House	Social Ser	1,920.00	Golden West	Metro-911	340.07
Graham Tire Co. - Do	Sheriff	157.47	Graham Tire Co. - No	Hiway Cons	2,090.76
Graybar Electric Com	Facilities	27.73	Great America Leasin	Cnty Exten	278.00
Great Plains Int'l T	Hiway Cons	29.90	Great Plains Psychol	Pub. D.	3,240.00
Groth, Jill	Musm Entpr	500.00	Guzman, Sandra V.	Court Sys.	125.00
Hagen Commercial Rea	Human Svcs	350.00	Hander, Inc.	Hiway Cons	239.80
Handy Man, Inc.	Facilities	11.99	Henkinschultz Commun	Museum	65.00
Hewlett-Packard Comp	Metro-911	124.00	Hidden Meadows, LLC	Human Svcs	255.00
Hills Telephone Comp	Metro-911	208.38	Hobby Lobby Stores,	Var. Depts	53.56
Hoekman, James	Sheriff	280.38	Hofer, Charlotte DB	Human Svcs	237.50
Holcomb Freightliner	Hiway Cons	33.84	Horn, Garrett	Mental Ill	184.20
Hurtgen, Timothy T.	Human Svcs	921.00	Hy-Vee Food Store	Human Svcs	300.00
Hy-Vee Pharmacy	Human Svcs	441.18	Insight Public Secto	Metro-911	393.95

Interstate Office Pr	Var. Depts	1,901.65	J.C. Penney Company,	Juv Det Cn	260.97
Jacobsen, Harlan	Human Svcs	425.00	Janitor's Closet, Lt	Hiway Admi	147.91
Jefferson Partners,	Correction	22.40	Kennedy, Renee S.	Court Sys.	326.80
Kings Inn Hotel & Co	Comm.	69.95	KKLS Radio	Metro-911	3,000.00
Koopman & Sons Gas C	Hiway Admi	180.00	Lafayette Instrument	Sheriff	107.85
Language Line Servic	Court Sys.	272.95	Lassegaard, Samuel C	Human Svcs	1,175.00
LCM Pathologists, P.	Var. Depts	2,780.00	Lewis Drug Stores	Metro-911	12.27
Lexis-Nexis / Reed E	Var. Depts	1,971.00	Liben, Liben	Court Sys.	25.00
Linweld, Inc.	Facilities	10.75	Lou Properties LLC	Comm.	90.00
Ludoc Enterprises, L	Correction	222.00	Marshall, Kent	Musm Entpr	100.00
McGowan Law Office	Court Sys.	792.56	Medical X-Ray Center	Var. Depts	513.76
Menards - East	Facilities	59.07	Menards - West	Hiway Cons	18.18
Merrow, Danielle L	Human Svcs	225.00	Michaelson, Shirley	Human Svcs	350.00
Midamerican Energy C	Var. Depts	4,884.02	Midcontinent Communi	Human Svcs	2,058.60
Midwest Boiler Repai	Facilities	2,295.00	Midwest Land Surveyi	Hiway Cons	911.38
Midwest Oil Company,	Hiway Cons	334.82	Monarch Sales	Metro-911	249.56
Monick Pipe & Supply	Facilities	13.14	Motorola, Inc.	Metro-911	263.00
Motz DDS PC DBA	Human Svcs	368.61	Muhmel, Kim/Peggy	Human Svcs	450.00
Murray Construction	Human Svcs	320.00	Nelson, Pam	Treasurer	27.98
Nguyen, Lam	Court Sys.	50.00	North Central Heart	Human Svcs	241.01
Northern Truck Equip	Hiway Cons	253.07	Novak Sanitary Servi	Var. Depts	1,073.54
Nyberg's Ace Hardwar	Var. Depts	95.07	Orthopedic Institute	Human Svcs	106.45
Oscar's Mini-Storage	Museum	35.00	Palisades Oil Compan	Sheriff	12.00
Person, Ronald E & P	Metro-911	1,800.00	Petco Animal Supplie	Sheriff	29.99
Pontiac Cadillac of	Sheriff	37.64	Preferred Management	Human Svcs	854.00
Priority Dispatch	Metro-911	4,795.50	Qwest	Var. Depts	7,113.93
Radio Shack Corporat	Sheriff	247.94	Record Keepers, Inc.	Court Sys.	3,335.50
Redi Towing	Metro-911	290.00	Richard-Ewing Equipm	Facilities	43.50
Roelofs, Leigh	Human Svcs	245.00	Ronning Commercial,	Human Svcs	775.00
Sacred Heart Hospita	Human Svcs	2,288.89	Schempp, Laurie	Elec Audit	57.25
SD Network, LLC	Metro-911	7,516.17	SDSM&T-Concrete Conf	Hiway Admi	95.00
Shipley's Laundry &	Musm Entpr	19.06	Sigler Fire Equipmen	Sheriff	32.00
Silchuk, Lyubov	Court Sys.	25.00	Simons, Duane	Human Svcs	450.00
Sioux Empire FCU / V	St Atty	1,087.60	Sioux Empire FCU / V	Emer Mgmt	484.39
Sioux Falls City Fin	Var. Depts	153,368.65	Sioux Falls City Fin	Var. Depts	9,312.49
Sioux Falls Ford, In	Sheriff	697.57	Sioux Falls Humane S	Animal Con	2,975.56
Sioux Falls School D	Metro-911	50.05	Sioux Falls Surgical	Correction	442.00
Sioux Falls Utilitie	Var. Depts	129.31	Sioux Valley Energy	Metro-911	56.68
Sioux Vocational Ser	Emer Mgmt	645.42	Siouxland Oral & Max	Human Svcs	146.02
Solar Gardens, LLC	Human Svcs	525.00	Staab, Matthew G.	Human Svcs	350.00
Stan's Northview Cam	Human Svcs	200.00	Storhaug, Adrean	Human Svcs	700.00
Sturdevant's Auto Pa	Hiway Cons	193.26	SV Clinic Family Pra	Human Svcs	212.32
SV Clinic Surgical A	Human Svcs	2,464.57	SV Clinical Labs	Coroner	599.87
SV Hospital	Emer Mgmt	30.00	Tammen Oil	Sheriff	24.59
TCP Properties, Inc.	Human Svcs	450.00	Thesenvitz, Mickelson	Court Sys.	562.80
Thorin, Deyanira T.	Var. Depts	300.00	Union Telephone Comp	Metro-911	321.91
US Bank-Corporate Tr	Build Fund	580.00	US Postmaster	Dir. Eq.	10,800.00
Valley West Apartmen	Human Svcs	350.00	Vanruler, Eric DBA	Musm Entpr	2,827.26
Vantek Communication	Metro-911	196.40	Velvet Uniforms, Inc	Metro-911	160.00
Volunteers of Americ	Juv Det Cn	2,843.75	Wal-Mart Business /	Metro-911	75.21
Wal-Mart Pharmacy	Human Svcs	1,127.24	Wal-Mart Pharmacy	Human Svcs	218.63
Walgreen Co.	Human Svcs	2,105.51	Waste Management of	Facilities	598.60
Wheeler Trust	Hiway Cons	1,642.26	Wheeler, Harlan	Hiway Cons	2,575.74
Wilson, Chad A	Info Svcs	89.00	Wrac Revolving West	Cnty Exten	25.00
Xcel Energy, Inc.	Var. Depts	6,640.04	Yankton County Sheri	Mental Ill	33.00
Zee Medical Service	Hiway Admi	36.60	Commission	Salaries	16,721.28
Auditor	Salaries	28,605.11	Treasurer	Salaries	45,428.79
Information Svcs	Salaries	47,687.76	States Atty	Salaries	131,206.50
Public Defender	Salaries	97,906.62	Public Advocate	Salaries	24,360.09
Facilities	Salaries	46,320.89	Equalization	Salaries	58,205.77
Register of Deeds	Salaries	31,967.16	Human Resources	Salaries	10,424.21
Sheriff	Salaries	663,193.62	Juvenile Detn Ctr	Salaries	134,674.44
Metro Communications	Salaries	151,356.27	Highway	Salaries	108,993.57
Human Services	Salaries	50,111.22	Museum	Salaries	51,045.04
Planning	Salaries	26,891.61	Extension	Salaries	4,926.73

REPORTS

The following reports were received and placed on file in the County Auditor's Office: The Register of Deeds Official Statements of Recording, Transfer, Marriage, and Express Fees for January, 2007.

PERSONNEL

MOTION by Pekas, seconded by Kolbe to approve the following personnel changes. 5 ayes.

1. To accept the retirement of Kathryn Zwak as Deputy Sheriff Lieutenant for the Sheriff's Office effective 2-16-07.
2. To hire Kathryn Zwak as part-time Civil Process Server (9/3) for the Sheriff's Office at \$16.166 per hour effective 2-26-07.
3. To transfer Vicki Hicks to Administrative Sergeant (16/6) for the Sheriff's Office at \$24.369 per hour effective 2-17-07.
4. To hire Cody Schulz as STI Security Officer (10/1) for the Sheriff's Office at \$15.843 per hour effective 2-24-07
5. To correct the new hire of Ryan Baker as Correctional Officer for the Sheriff's Office on memo dated 2-13-07.
6. To hire Ryan Connor as Correctional Officer (9/2) for the Sheriff's Office at \$15.545 per hour effective 2-10-07.
7. To hire Susan Kern as Juvenile Correctional Worker (5/2) for the Juvenile Detention Center at \$11.810 per hour effective 2-20-07.

Step Increases Due:

1. Janet Sternhagen – Communications Supervisor – Metro Communications – 13/10 to 13/11, 2-25-07, \$23.491/hr
2. Deborah McMahon – Communications Assistant Supervisor – Metro Communications – 11/10 to 11/11, 2-25-07, \$21.216/hr

Carey Deaver, Human Resources Director, requested approval of an updated Family and Medical Leave policy for Minnehaha County employees. The proposed updates include more accurate definitions of eligible employees, leave entitlement, and measurement period. MOTION by Twedt, seconded by Pekas to approve the policy. 5 ayes.

ABATEMENTS

The following abatement requests were recommended by Dennis Whitney, Director of Equalization:

MOTION by Kolbe, seconded by Barth to approve the following abatement: Deborah Johnson, ID 23142, 2006 Property Taxes - \$140.12. 5 ayes.

MOTION by Pekas, seconded by Kolbe to approve the following abatement: Lorraine Aune, ID 17163, 2006 Property Taxes - \$943.60. 5 ayes.

NOTICES

MOTION by Pekas, seconded by Kolbe to authorize the Auditor to post Notice of Hearing on March 6th, to consider supplements to various 2007 budgets representing carry-over of 2006 funds. 5 ayes.

PLANNING

Pat Herman, Planner, gave the first reading of a proposed amendment to the Rural Addressing Ordinance. The amendment will rename roads adjacent to the City of Hartford with the existing street names. The roads are located within the designated 2026 growth area for Hartford. MOTION by Kolbe, seconded by Twedt to authorize the Auditor to publish Notice of Hearing on March 6th. 5 ayes.

SUPPLEMENT

MOTION by Kolbe, seconded by Barth to supplement \$1,100 from the Museum Grants Fund to the Museum Grants Budget (ASN 18984) representing a disbursement from the Siouxland Heritage Museums Alliance in support of the volunteer program. 5 ayes.

HS GUIDELINES

Hugh Grogan, Human Services Director, gave the first reading of proposed changes to the guidelines used by the County Human Services Department. The proposed changes will increase the payment amount for rents, utilities, bus tickets, and funerals. These rates have not changed in the past three years. Income guidelines have been adjusted annually. MOTION by Twedt, seconded by Barth to authorize the Auditor to post Notice of Hearing on March 6th, for consideration of proposed changes to the County Human Services Guidelines. 5 ayes.

LEASE

Gordy Swanson, Chief Civil Deputy State's Attorney, reported that pursuant to the Joint Powers Agreement with the City of Sioux Falls, Metro Communications is leasing space in the Public Safety Building from the County. He recommended approval of a lease agreement with Metro Communications through Metro Management Council to operate the 911 dispatch center. The lease will be valid from January 1, 2007 through December 31, 2009 at a rate of \$46,200 per year. MOTION by Pekas, seconded by Kolbe to authorize the Chairman to sign the lease agreement. 5 ayes.

HEARING

Scott Anderson, Planning Director, was present for the scheduled hearing to consider Subdivision Regulations Variance #07-02. The applicant, West Nidaros Lutheran Church, has acquired additional land and would like to re-plat the new parcel into the existing lot. This requires additional right-of-way along County Highway 122. Due to an existing cemetery at the same location, the additional r-o-w is not available. The Revised Subdivision Ordinance requires that 100' of r-o-w be dedicated unless strict application of the Ordinance would result in a substantial hardship. The Commission could then approve a modification based on the recommendation of the Planning Commission. The applicant is able to dedicate 90' of r-o-w on the south side of the road. Staff feels that a hardship exists due to the inability to obtain the additional 10' because of the existing cemetery location and supports waiving the requirement. The Planning Commission approved the variance at their January 22nd meeting. MOTION by Kolbe, seconded by Twedt to approve Subdivision Regulations Variance #07-02. 5 ayes.

APPEAL

Phil Kappen, Assistant Planning Director, was present to consider an appeal of the Planning Commission

(PC) decision to approve Conditional Use Permit #06-65 for a 999 animal unit Concentrated Animal Feeding Operation (CAFO) in the S1/2 NW1/4 & N1/2 SW1/4 in Section 27-T103N-R50W (2 miles northwest of Crooks) submitted by Scott Swanson. The PC approved the CUP with seven conditions addressing size limitations, zero release of waste into the drainage channel SW of the proposed site, State permit requirements, nutrient management, removal of dead animals, planting of trees, and application of waste. Mr. Kappen briefed the Commission on the applicant's current operation and explained that the move would be to a less environmentally sensitive area closer to the applicant's homestead. On July 18, 2006, the Commission denied a CUP to the same applicant for an open feedlot just south of the proposed site. Mr. Kappen explained that today's request differs from the previous request because the animals would be enclosed inside buildings rather than open lots, and the location has moved to the north. Enclosing the animals will help reduce odor and allows better control of manure on site. He also explained that CAFO's are held to a higher standard than municipalities by requiring zero release of waste and that the proposed site was not within a Water Source Protection District or flood plain. There are two homes, located within the 1980 foot setback distance, both are owned by the Swanson family, and the nearest municipality is further than the required 1 mile distance. Gordy Swanson, Chief Civil Deputy State's Attorney, explained the standard of review for appeal's based on what is followed by the courts giving no deference to the facts as considered by the PC and giving reason if the PC is overturned. Scott Swanson, applicant, introduced his family and experts who will speak in support of his request. Brad Warner, Agricultural Engineer with Eisenbraun & Associates, discussed the separation distance criteria of 1,980' noting that the closest residence was about 2,180' away based on an aerial map distributed by Gary Schumacher, Attorney. The location also exceeds the 1 mile distance from the nearest municipality (Crooks). Mr. Warner explained the proposed layout of the barns, and how his client will meet each of the recommended conditions of the CUP. He also explained that this zero release design would utilize solid manure which would be less likely to be affected by heavy rain events. It is designed for the 25 year 24-hour storm. Solids have the tendency to crust over greatly reducing run-off and odors. Eric Barseness, Agronomist, discussed the nutrient management plan and the criteria used to formulate how much waste will be produced and the number of acres needed to accommodate the waste. He felt that the proposed sight provided ample area and noted that the Conservation District would be working with the applicant on calibrating his equipment for proper manure application. He also addressed the concern of having 3 CAFO's in a concentrated area. Although he was not familiar with the size of the other two operations, he pointed out that they do have permits from the Department of Environmental and Natural Resources which would have required each applicant to have adequate acres to apply the waste produced. Jay Gilbertson with East Dakota Water Development District took no position and spoke on water resource issues. He had no concern on the location and stated that the state general permit would address water quality issues. He reported that Mr. Swanson has applied for assistance as part of a EDWDD program to address water quality along the Big Sioux basin. Steve Dick, Ag United for SD, reported that it was difficult for farmers to make a living on row crops and have been turning to livestock and felt the applicant has met the conditions of the permit. Bruce Burkhart, CAFO farmer, addressed property values, health concerns, size, and financial viability. He stressed the need for value-added agriculture and keeping farms in the family. Kent Boadwine, Boadwine Farms, compared his family's operation to the proposed Swanson operation and addressed the acres needed for waste management. He noted that there were over 23,000 acres total in Lyons Township. The Boadwine operation requires 1,483 acres for its nutrient management plan, Swanson's requires about 450 acres, this, along with acres needed for an existing hog operation, utilize only a small part of the township's area. Bill Beck, Attorney, was asked to speak to some legal issues with this application on behalf of Gary & Mary Brendtro, Joan Eitheim, and Vince & Margie Hanson, county residents. He noted that after the first appeal was considered and denied by the Commission, the applicant's remedy was to appeal to the Circuit Court where the applicant would have had to meet the SD Supreme Court standard that the actions of the board were arbitrary or capricious, based on personal, selfish, or fraudulent motives, false information, or characterized by a lack of relevant and competent evidence. Mr. Beck felt that the applicant did not pursue the Circuit Court appeal because he did not meet this standard and instead came back with a modified proposal. He stated that the changes were to the location, to get away from the setback requirement, and that a roof would be

placed over the cattle. He did not believe that the concerns from the prior appeal have changed. Those concerns were over compliance issues with the applicant's current operation, convenience to be closer to his homestead, concentration of CAFO's in the area, concentration of people living in the area, and proximity to the City of Crooks. None of these being significant changes to the original application. He asked that the Commission look at this anew and again deny the CUP and that if unhappy with the prior outcome, he should have appealed to the Courts. Mr. Beck reported that by ordinance, in order to obtain the CUP, the applicant must show that he has met the letter of the ordinance and that his use is a harmonious use that would protect and promote the health, safety, and welfare of the county's residents. His last point was that the request has been geared to avoid the setback issue, noting that the Commission could increase the setback criteria based on site specific conditions. Ron Person, county resident, has farmland just east of the proposed site. He spoke on behalf of fifty homes in the surrounding area of the proposed site. He noted that even with the slight modification, the opponents concerns remain the same. Those concerns include inappropriate location and size, threats to the environment, and negative impact to economic and social factors, and health. He asked that the Commission look at the location, as he believed it to be inappropriate due to the growth of Sioux Falls and Crooks noting that this is an area of transition of farm and non-farm homes. Joan Kelly Eitrheim, county resident, presented information on the Federal Clean Water Act, noting that the Big Sioux River and Skunk Creek were on the list showing fecal chloroform bacteria as their main contaminant. She noted that there were two streams, flood plain, and wetlands in the section that the proposed CAFO would sit and stressed the need to enforce compliance with water quality. Mary Gibson, county resident, felt that the site would negatively impact the value of home. She expressed concerns over environmental hazards as her well water has previously tested positive for pollution. Karin Renner, county resident, discussed the applicant's previous application of liquid waste near her home, less than the 50' setback listed in the ordinance. In proponent rebuttal testimony, Mr. Schumacher reiterated that this is a new and different application. Mr. Warner explained the 25 year 24-hour storm design as being the best available with the standards required by the state and federal regulations. Mr. Barseness addressed the application of waste and stated the manure would be spread about every third year due to the ample number of acres available and that finding available acres is not an issue. All waste for this facility would be solid or would be injected and not liquid spray. Mr. Schumacher ensured that the applicant has met all the requirements and will comply with the conditions and DENR requirements. In opponent rebuttal testimony, Mary Brendtro, county resident, showed a map of the applicant's current operation in what was described as a sensitive area and noted that under the General Water Pollution and Control Permit the applicant could stay in his current location with approval by the DENR. She believed the 4% chance of flooding at the proposed site was an unacceptable risk. Through questioning by the Commission, Mr. Gilbertson explained the Big Sioux Study and the findings of elevated bacteria and solids in the streams. He noted they are most likely due to run-off from non-regulated livestock operations and that the EDWDD program was implemented to address those problems and assist landowners to make improvements to their operation in regards to these issues. Commissioner Twedt asked whether the ordinance should address density of CAFO's. Mr. Kappen explained that by requiring an annual nutrient management plan, this issue is self regulated. He also explained how the Planning Department works with the DENR to monitor operations in the county. Commissioner Barth asked if the spray application of hog waste could be prohibited or considered a public nuisance. Mr. Kappen explained that the hog facility in the same area has been grandfathered and county ordinance cannot be applied to this site. Commissioner Hajek questioned if the existing site was looked at and if modifying the setback criteria was reasonable. Gordy Swanson explained that something unique to this site opposed to other sites within the county would need to be determined in order to change the criteria. Commissioners discussed today's regulations of these operations compared to those of the past. Commissioner Pekas expressed concerns over the applicant's previous application of manure and Ms. Gibson's report of contaminated well water. He cautioned Mr. Swanson on following through with all requirements and conditions noting that the opponents will be watching. Commissioner Hajek noted that she was not comfortable with placing a CAFO closer to a municipality and felt the setback criteria wasn't enough. MOTION by Barth, seconded by Kolbe to uphold the Planning Commission decision to approve Conditional Use Permit 06-65. 4 ayes, Hajek – nay. MOTION by Pekas, seconded

2/20/07

11016

by Kolbe to make all handouts part of the official record. 5 ayes.

UPDATE

Ken McFarland, Administrative Assistant, briefed the Commission on proposed legislation affecting county government.

MOTION by Barth, seconded by Twedt to adjourn into Executive Session for personnel and contract discussion. 5 ayes. Following Executive Session, the Commission adjourned until 5:00 p.m.

APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor