

UNOFFICIAL MINUTES-SUBJECT TO CORRECTIONS
 LYON COUNTY BOARD OF COMMISSIONERS
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
 June 19, 2012

9:00 a.m. Meeting was called to order by Commissioner Stensrud. Members present: Goodenow, Ritter, Anderson, County Administrator Stomberg, County Auditor/Treasurer Van Overbeke, and Attorney Maes. Chairman Fenske will arrive late.

Pledge of Allegiance to the Flag

Approve Agenda

Stomberg – addition of SPHPA Office space request.
 Goodenow moved, seconded by Ritter to approve the Agenda. All voted in favor.

Identify any Conflict of Interest

None Identified

Present Per Diems and Expenses

	Per Diems	Expenses
Fenske	\$	\$
Goodenow	\$ 100.00	\$
Anderson	\$ 150.00	\$ 101.01
Ritter	\$ 200.00	\$
Stensrud	\$ 150.00	\$ 55.50

Consent Agenda

1. Approve Minutes from June 5, 2012
2. Approve Commissioner Warrants 129574 - 129694 in the amount of \$336,570.56 dated 06/20/12.
3. Approve Auditor Warrants 129368-129374 in the amount of \$2,172,677.11 dated 06/05/12, 129500-129552 in the amount of \$279,480.81 dated 06/08/12, 129553 - 129554 in the amount of \$26,000.00 dated 06/11/12, 129555 - 129573 in the amount of \$272,373.69 dated 06/14/12,
4. Approve Per Diems & Expenses
5. Approve the new purchase of a new computer and monitors for the GIS Department using the Recorder's Unallocated Fund. HP Compaq 8200 at \$1,078.37 and four HP 24" monitors at \$242.00 each from the WSCA contract.
6. 3rd Quarter appropriations
 - Marshall Lyon County Library - \$20,833.33 monthly
 - LLM&P Public Health - \$55,000 quarterly
 - Lyon County Historical Society - \$6,500.00 quarterly
 - Lyon Soil & Water Cons District - \$21,875.00 quarterly

Ritter moved, seconded by Goodenow to approve consent agenda. All voted in favor.

Resolutions/Contacts

1. **IT Services Contract – SWHHS**
 In 2011 during preparation for 2012 budget, the board approved \$50,000 for IT services from SWHHS to help support the hiring of an additional staff member. The additional hire, Scott Chelsey was hired in May 2012. Lyon County's share for the remainder of 2012 is pro-rated.

Mark Goodenow moved, seconded by Rick Anderson to approve the pro-rated share for 2012. All voted in favor.

2. **Workforce Investment Act Joint Powers Agreement**

Goodenow moved, seconded by Ritter to approve the Workforce Investment Act Joint Powers Agreement. All voted in favor.

3. **GIS Service Agreement with Lac qui Parle County**

This agreement will allow Lyon County GIS staff to provide GIS services to Lac qui Parle County in the following areas:

City of Madison E9-1-1 Road Centerline Creation

City of Madison E9-1-1 Address Point Creation

Ritter moved, seconded by Goodenow to approve the GIS Service Agreement with Lac qui Parle County and authorize Chairman to sign the GIS Service Agreement. All voted in favor.

4. **Authorize Board Chair to sign contract with DNR**

The contract explains and allows DNR and County to replace Restoration Trail with an upgraded section to connect to the Camden to Marshall Trail. City of Marshall forces will be building this segment.

Discussion: Anderson – I'm uncomfortable not having all exhibits to look at. Kanwar - this is covered under a blanket permit. Anderson - I want to talk to Commissioner of Parks and Trails about this. Ritter - I want to see the agreements before signing this contract.

Anderson moved, seconded by Ritter to table until July 3rd Board meeting. All voted in favor.

Southern Prairie Health Purchasing Alliance (SPHPA)

On June 5th, the Board asked that details of the financing arrangement be brought back to the board for discussion. Chris Sorenson from SWHHS updated the Board on the county's share of the Southern Prairie Health Purchasing Alliance (SHPA) budget.

Sorenson stated that the funding is seed money so risk and margin are shared both by provider and county group. This holds a no risk against the counties. Once there is shared savings, the money would be returned to the counties. SPHPA intends to transact business for the purchasing alliance, so it makes sense that SPHPA will provide the payments to Rock, Murray, Lyon, and Lincoln counties. Chippewa County is the fiscal host and this is potentially just a three year model. If profitable then we would move toward permanent managed care. The plan is to start January 1, 2013. Prime West is a similar program and is now successful. Right now, the model is in Itasca County and is working very well. Counties involved in this are definitely seeing a savings of money because of centralized services and this will benefit the twelve counties that participate.

SHPHA Office Space

Stomberg reported that SPHPA interim director Mary Fisher has requested space in the Lyon County Government Center.

Anderson moved, seconded by Ritter to lease office space to SPHPA for \$1.00.

Courthouse Security Cameras

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Sheriff Mather presented two bids for courthouse security cameras and to allow purchase of security camera(s) from criminal justice account for courthouse.

Bid 1: Living Connected – 16 camera DVR and 8 used county owned cameras: \$6,527.00 with installation.

Bid 2: Dakota Security – 16 camera DVR and 8 new cameras with monitor and installation: \$7,848.88 with warranty. They will also connect courthouse with Justice Center.

Recommendation is to install new equipment and monitor from Dakota Security. Ritter moved, seconded by Goodenow to accept \$7,848.88 bid from Dakota Security. All voted in favor.

Mather stated eventual plan will look to place cameras in Highway Building. The DVR from Dakota Security will handle 8 more cameras.

9:30 Chairman Fenske joined the meeting.

Lyon County Historical Society - Jennifer Andries: Director, Neal Engebretson: President

Neal Engebretson thanked the county for its support. Jennifer Andries was introduced as the new Historical Society Director. Neal Engebretson reported that the moving process is beginning and looking to the possibility of opening in October. He encouraged anyone to stop by anytime to see the progress. Chair Fenske inquired as to the status of the building purchase and closing date. Administrator Stomberg reported that a closing date is not definite but anticipates finalization in July.

County Ditch 10 Improvement/Impounding Petition

9:45 Commissioner Stensrud adjourned the Lyon County Board Meeting.

Commissioner Stensrud Constituted the Ditch Authority.

As the Drainage Authority, the Board is asked to accept Petition and appoint Bolton and Menk, Inc. as the engineer to examine the drainage system and make an improvement report. County Ditch 10 is located west of Russell along County Road 2. The current tile system is not sized for today's agricultural needs. Preliminary engineering suggest incorporation a downstream wetland restoration into the improvement could create an adequate outlet for upstream tile improvements. This proposal may eliminate the need to enlarge the outlet of County ditch 10. Several landowners have met and hired Kurt Deter from Rinke Noonan Law Firm and Duane Hansel from Bolton and Menk, Inc.

Auditor/Treasurer Van Overbeke has already received \$10,000 from Williams Farms. SWCD Administrator Biren outlined the process. This is cheaper than digging a ditch and also allows for a retention pond and has the potential to be very positive. Water capacity is substantial and the project is anticipated to begin next year.

Petition has been given to County Attorney Maes and he has a 30 day window to review. He wants to caution as this for improvement only, not impoundment. If this report comes back as impoundment then will need additional petition. It meets the 26% petition signage requirements and Maes suggests meeting with engineer to determine project details.

Ritter moved, seconded by Goodenow to approve the petition for improvement. All voted in favor. Goodenow moved, seconded by Ritter to appoint Bolton and Menk, Inc. as the engineer to examine the drainage system. All voted in favor.

10:30 a.m. Stensrud adjourned the Ditch Authority meeting
10:30 a.m. Stensrud called Lyon County Board Meeting back to order

10:30 a.m. Meeting Recessed

10:45 a.m. Meeting called back to order with Chair Fenske presiding.

Lyon County SWCD Cooperative Agreement

The SWCD is acting on a cooperative agreement during a special meeting that was scheduled on Thursday, June 14th, 2012. This agreement is brought before the Board for approval. Stensrud moved, seconded by Anderson to accept Cooperative Agreement with a January 1, 2013 start date.

1st Change: financial responsibility

2nd Change – employees.

3rd change – equipment shared

4th change – effective date to January 1st.

Discussion: Biren - Need to determine staffing needs, we will hire conservation tech but county board will hire this person for the remainder of the year. This includes salary and benefits. Stomberg - will we do the remainder of the year with the appropriation as well? Biren - Yes. Alan Deutz - we want to get started on a good foot and move forward and expand conservation projects for the county. The money will be put back into the county. Ritter - I appreciate the thorough documentation regarding the expenses. Stomberg - are we looking to bring SWCD employees on board as county employees this year? Maes – MCIT has concerns. They are looking to a dual employment or independent contract regarding these employees because all liability will go Lyon County. MCIT recommends this be drafted as an independent contractor. This may also become an issue of MN Data Privacy Act violation in the interview process. A solution to this would be making the interview process a public one. Stomberg - MCIT raises awareness that potential issues exist. It is understand that concerns exist regarding interview committee, yet it is felt that risks can be minimized.

Stensrud moved, seconded by Anderson to accept the Lyon County SWCD Cooperative Agreement.

2012 Legislation Session Update

Joel Carlson reported. The stadium consumed much of the time in session and this was also a very bitter and partisan session. Last year legislation passed a bill to speed up the landfill permitting process and changed from 5 to 10 year permits. This streamlined the permitting process greatly. New district boundaries were set in mid-February and resulted in Greater Minnesota losing three full districts statewide. A significant number of legislators are freshmen, and it is expected the number to increase with upcoming 2012 election. The Board thanked Joel for his update.

Quote for Cleaning Leachate Collection Lines

Environmental Administrator Henriksen reported that quotes were requested from five firms to clean the leachate collection lines. The Phase 9 lines will also require television inspection via camera. The five firms were:

- Superior Jetting
- CEDA
- Veit
- Enviro-Pump
- Premium Services (Tracy)

Superior Jetting was the only firm which provided a quote at \$11,530.00. The Environmental Office recommends approval of the quote from Superior Jetting. Stensrud moved, seconded by Ritter to accept quote from Superior Jetting for the amount of \$11,530 to clean leachate collection lines. All voted in favor.

Sale of Wetland Credits

Frank Harris is requesting the purchase of 0.38 acres of wetland credits. The price is based on current value established by the MN Board of Water & Soil Resources. The 2012 Base Value is \$24,846/ac. Cost to Frank Harris is \$9,441.48. The Wetland Bank currently has 12.63 acres available. It is understood the Board wishes to maintain 10 acres for future county use. This is first step to approve the purchase agreement. The second step is to approve Application for Withdrawal of Wetland Credits from the Minnesota Wetland Bank.

Anderson moved, seconded by Ritter to approve the sale for 0.38 acres from the Lyon County Wetland Credits Bank to Frank Harris. All voted in favor.

Cottonwood Fire – Insurance Settlement

MCIT is offering the following settlement for the loss of equipment:

2011 Truck	\$105,000.00
2006 Truck	\$ 62,500.00
2004 JD Tractor	\$ 72,333.33
2000 Chev PU	\$ <u>5,063.33</u>
<u>Total</u>	<u>\$244,896.66</u>

Discussion on Insurance Settlement: Stomberg - we have received a check for the building and contents. We could get more if we built on site because we would get replacement value.

Stensrud – I feel the values established on the 2011 and 2006 trucks are too low. Stomberg – I can call Jerry Conway regarding the value on the 2011.

Stensrud moved, seconded by Ritter to accept value of 2006, 2004, 2000 vehicles. All voted in favor.

Cottonwood Shop

After the fire in February, the City of Cottonwood has approached the county about the possibility of a county and city shop facility. The city is considering a purchase of a suitable building for the facility and will be asking the county for a commitment to lease/buy a portion of it. The Kerkhardt Building is recommended with approximately 1/3 of the available space (5,200 ft.) suitable for the county facility.

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Discussion: Stomberg and Commissioner Stensrud - Kerkaert and Hydroswing building have been looked at. Kerkaert building (650,000) is recommended. The portion the county would need is 5200 square feet (about a third of available space) to be leased at \$1,100 per month. Fenske- how does city feel about buying building and the county paying lease? Kathy Dahl, Cottonwood City Administrator – we want the county to help to get citizen support for this and upcoming projects. This project is needed and county presence is desired. Appraisal is set up for Kerkaert building, and will go forward if approved at Cottonwood City Council meeting tonight. (Tuesday, June 19, 2012) Ritter- let Cottonwood City Council meet and move forward with the purchasing in the building and bring back details for board when approved by city council meeting. Stensrud – they need to know we are on board now. Stensrud motioned to move forward and work with the 5200 sq. feet at \$1100 / month. Discussion followed on actual dollar amount and questioning if county is committed to lease at \$1,100/month. Stensrud - we will commit up to \$200,000 plus the monthly lease. Kanwar- why are we leasing and not owning if we need to provide up front funding plus monthly lease? Ritter – who will pay for repairs? Kanwar – will we get the ultimate benefit for the county if we commit to this location in Cottonwood? Stensrud withdrew motion. Stomberg – this is a policy decision. Do we want all our county buildings in one city or spread out in the county? Then, figure out if we want to own or lease. Stensrud – we owe every part of our county good service. Having multiple locations to house equipment is sensible. Stensrud motioned to pay one third of purchase price of the building and own the one third. Motion died for lack of second. Goodenow moved, seconded by Anderson to work with City of Cottonwood for up to one third of the purchase price and lease price to be negotiated...contingent upon city of Cottonwood acquiring financing and purchasing the building. All voted in favor. Stomberg will work with MCIT regarding building cleanup from fire.

Gap financing of a fiber to the home project

Woodstock Telecom was awarded a stimulus package from the Federal Govt. in the amount of \$1.5M to bring high speed internet to underserved parts of Rock, Pipestone and Lyon Counties. The project is short \$6M. The three counties benefited by this project could assist Woodstock Telecom in filling the gap at little risk to the counties if they choose.

Discussion: Stomberg - Is Lyon County interested in participating? It would be a complex financing structure, should the county be involved in this? Goodenow – this is beneficial to small communities. Fenske- what if individuals don't sign up for this? Stomberg – real issue is do we want to get involved in the utility business? This would entail the county co-signing the loan for Woodstock. No action taken.

Auditor's office resignation

The board accepted the resignation of Kelly Deutz, Elections/Driver's License Clerk in the Auditor/Treasurer office The Board is asked to authorize the replacement of the part-time position from the current applicant pool. Stensrud motioned, seconded by Anderson approved authorization to replace the position from the current applicant pool. All voted in favor.

Landfill operator position

Staff recommends replacing the vacant landfill worker position with an operator. This will allow more flexibility in the operations of the landfill and more opportunity for segregation of the office duties. Stomberg- this position is not funded by tax rolls but rather through Enterprise funds. Stensrud motioned, seconded by Goodenow to authorize and advertize the position. All voted in favor.

Commissioners Business

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Review Meeting Schedule

Commissioners Report

Goodenow reported on Library and Fair Board.

Ritter reported on Rural Energy Board production tax.

Anderson reported on Historical Society, SHPA, and JD 24.

Stensrud reported on RCRCA, Soil and Water, and Cottonwood shop.

Fenske reported on Fairview township meeting and Skunk Hollow Road.

Ritter moved, seconded by Anderson to adjourn. All voted in favor.

1:00pm Meeting adjourned.

WARRANTS FOR PUBLICATION

Warrants Approved On 6/19/2012 For Payment
6/05/2012

<u>Vendor Name</u>	<u>Amount</u>
SCHOOL DISTRICT 2167 TREASURER	\$ 220,961.37
SCHOOL DISTRICT 2902 TREASURER	69,609.93
SCHOOL DISTRICT 2904 TREASURER	143,595.95
SCHOOL DISTRICT 413 TREASURER	1,445,371.32
SCHOOL DISTRICT 414 TREASURER	190,670.05
SCHOOL DISTRICT 415 TREASURER	98,950.51
SCHOOL DISTRICT 635 TREASURER	3,517.98
Final Total:	\$ <u>2,172,677.11</u>

WARRANTS FOR PUBLICATION

Warrants Approved On 6/19/2012 For Payment
6/08/2012

<u>Vendor Name</u>	<u>Amount</u>
AAMODT/GERALD O	\$ 28,787.00
AAMODT/STANLEY G	6,106.30
ANDERSON JASPERSON/EILEEN F	5,280.80
ANDERSON/LOREN	2,842.30
BOEHNE/EDWARD G	2,842.30
BOEHNE/SCOTT	2,474.30

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BOT/DONALD CHARLES	9,694.80
COMPUTER PROFESSIONALS UNLIMITED INC	4,166.44
COTTONWOOD COUNTRY CLUB, INC.	4,766.30
DAHL/MARK	2,391.00
DOOM/LEON	2,978.20
DOOM/STEVE	14,009.40
ERICKSON/CLAIRE	2,139.20
GNIFFKE/ BRIAN	3,833.70
LALEMAN/GEORGE H	9,095.50
LALEMAN/MARK	9,535.60
LAVOY/EARL J	4,360.80
LOE/MELISSA	2,125.70
LOE/RUTH	33,842.90
LOVSNES/REED	9,963.50
LYON-LINCOLN ELECTRIC COOP INC	3,934.95
MARSHALL LYON COUNTY LIBRARY	20,833.33
MARSHALL PARKWAY TOWNHOMES	4,387.06
NISSEN/MARILYN	2,631.20
OLMSTEAD/REBECCA L	11,896.60
RIALSON/JOHN W	7,407.20
SCHOOL DISTRICT 2904 TREASURER	9,914.52
SCHWAN'S SHARED SERVICES, LLC	18,362.04
TIMMERMAN/RONALD	3,982.60
TOM HODGES CONSTRUCTION AND	26,000.00
23 Payments less than 2000	8,895.27
Final Total:	\$ <u><u>279,480.81</u></u>

WARRANTS FOR PUBLICATION

Warrants Approved On 6/19/2012 For Payment
 6/11/2012

<u>Vendor Name</u>	<u>Amount</u>
TOM HODGES CONSTRUCTION &	\$ 12,500.00
TOM HODGES CONSTRUCTION AND	<u>13,500.00</u>
Final Total:	\$ <u><u>26,000.00</u></u>

WARRANTS FOR PUBLICATION

Warrants Approved On 6/19/2012 For Payment
 6/14/2012

<u>Vendor Name</u>	<u>Amount</u>
BLUE CROSS AND BLUE SHIELD OF MN	\$ 2,388.00
MADISON NATIONAL LIFE	2,824.62
MARSHALL MUNICIPAL UTILITIES	23,711.02

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MII LIFE - VEBA	13,320.00
OLSON & JOHNSON INTERNATIONAL INC	226,590.43
14 Payments less than 2000	<u>3,539.62</u>
Final Total:	\$ <u><u>272,373.69</u></u>

WARRANTS FOR PUBLICATION

Warrants Approved On 6/19/2012 For Payment
 6/20/2012

<u>Vendor Name</u>	<u>Amount</u>
A'VIANDS, LLC	\$ 16,495.74
ADVANCE OPPORTUNITIES	2,046.00
ALPHA WIRELESS INC	3,195.23
BALATON PUBLISHING COMPANY	12,555.41
FARMERS COOP ASSN	38,725.64
FERGUSON WATERWORKS	11,810.98
FRONTIER PRECISION INC	20,042.65
FRONTIER PRECISION, INC	12,058.06
GEOCOMM INC	2,070.00
KETTERLING SERVICES INC	5,900.00
LYON COUNTY HIGHWAY DEPARTMENT	22,812.61
MAGELLAN MIDSTREAM PARTNERS, L.P.	55,300.00
POWER PROCESS EQUIPMENT, INC	3,359.53
PRAIRIE PRIDE	25,301.32
PROACTION SAFETY & SALES	2,947.73
ROCK COUNTY TRANSFER STATION	9,280.00
RUFFRIDGE JOHNSON EQ COMPANY	2,144.47
SIOUX FALLS WINPUMP CO.	4,284.00
SOUTHWEST FARM TILING LLC	7,065.45
SUPERIOR JETTING INC	3,228.72
THERMO BOND BUILDINGS, LLC	4,394.00
WASTE MANAGEMENT	23,002.00
WEST CENTRAL SANITATION INC	2,361.22
WESTMAN FREIGHTLINER	3,483.29
97 Payments less than 2000	<u>42,706.51</u>
Final Total:	\$ <u><u>336,570.56</u></u>