

Approved Minutes
 LYON COUNTY BOARD OF COMMISSIONERS
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
 July 17, 2012

9:00 AM - Meeting called to order by Chairman Fenske. Members present: Goodenow, Ritter, Anderson, Stensrud, and County Administrator Stomberg, Attorney Maes and Auditor/Treasurer Van Overbeke.

Pledge of Allegiance to the Flag

Approve Agenda

Stomberg: We have three additions to the agenda. One is the RBA to formally appoint Kris Wegner to the Extension Committee. Another is regarding the terms of the lease with the Historical Society. A third is on the terms of the purchase of the Peterson property. The resolution is an addition to the packet and regarding Exhibit C in the Camden Trail Agreement and will authorize the Board Chair and County Administrator to sign. This will be brought forward under Suhail's time.

Ritter moved, Anderson seconded to approve the Agenda with additions. All voted in favor.

Identify any Conflict of Interest

None Identified

	Per Diems	Expenses
Fenske	\$ 100.00	\$ 154.86
Goodenow	\$ 100.00	\$
Anderson	\$ 50.00	\$ 16.65
Ritter	\$	\$
Stensrud	\$ 50.00	\$ 26.64

Consent Agenda:

1. Approve Minutes from July 3, 2012
2. Approve Commissioner Warrants 129944-130049 in the amount of \$223,456.21 dated 7/18/2012.
3. Approve Auditor Warrants 129893-129913 in the amount of \$30,992.30 dated 7/5/2012, and 129914 in the amount of \$67,000 dated 7/9/2012.
4. Approve Per Diems & Expenses

Goodenow moved seconded by Anderson to approve Consent agenda. All voted in favor. Motion carried.

Joint Powers Agreement/Regional Logging Services

The Board is asked to authorize the Chair and Auditor to sign agreement for the creation of a Joint Powers Board to allow Lyon, Murray, Nobles, Pipestone, Redwood, Yellow Medicine, and the cities of Marshall and Worthington to share Regional Logging Services. After cost share and grant money, the cost will be \$9,072.45 per county for shared logging. \$4,000 per year will need to be budgeted for software upgrades, insurance and administrative fees. Discussion – Mather: This is an improvement in our technology and we will be able to share and upgrade the Rescue Star 911 system when necessary. Goodenow: so are there two recording devices, one in Murray County and one in Lyon? Mather: there are two and this is for redundancy in case one fails. Fees are divided by six (instead of 8), is because the counties have the grants. The cities are brought in for insurance purposes. MCIT is more expensive to insure this than the League of Minnesota Cities. Stensrud: when will this go into effect? Mather: we are waiting for a programmer; hopefully this will be done by the end of August. Once we have this programmed, we should be able to bring other counties in as they acquire the system. Ritter- this is a good example of how the counties are working together.

Anderson moved, seconded by Ritter to authorize the Board Chair and Auditor/Treasurer to sign the agreement for the creation of a Joint Powers Agreement for Regional Logging Services.

Lincoln/Pipestone Rural Water Update

Dennis Healy presented a detailed budget overview of the project. Three new communities have been added, resulting in several hundred new users. Hookup costs have not increased since 2010 with no changes in costs anticipated. Right now the basic hookup fee is \$15,000, and if a customer is located far from the line there may be a certain amount per foot added after the first 1,500 feet. Right now, feedlot hookups are more frequent than home hookups and that is expected to remain constant. The project is still searching for water and looking further north to the Dawson/Boyd area. The long term view is to wait for the Lewis and Clark project to reach the area. Healy is looking to retire early next year and the board is starting a search process to fill his position.

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Cottonwood Shop Demo

The Board is asked to accept quotes for the demolition of the Cottonwood Shop and award to the low bidder. This has to include removing everything and capping the utilities to meet OSHA, with completion date sometime in late August.

Quotes – Building demolition and removal – Cottonwood Shop

Name	Amount
Rogge Excavating, Inc.....	\$4,000.00
D&G Excavating, Inc.....	\$23,900.00
Jeseritz Construction, Inc.	\$24,500.00

Fenske: have you talked to Rogge? Thomasson: no. Ritter: where will this go, to the landfill? Thomasson: it must be an OSHA approved disposal. Ritter – who is going to monitor this? Stensrud: if the bid is accepted, it will be their problem. The Board then discussed who is liable for materials. Ritter: the concrete is the issue. Goodenow: Does anyone buy old concrete? Anderson: there is a person in Tracy who grinds up concrete. Fenske: maybe Rogge is a low price because of selling concrete? Regardless, we need to keep on top of this. Goodenow moved, seconded by Stensrud to accept the low quote from Rogge Excavating, Inc at \$4,000.00 according to the terms of the quote. Motion carried.

4-Wheel Drive Tractor Bid

The Board is asked to accept low bid for the purchase of a used tractor with loader and mower for Highway Department. One bid was received and opened at the designated time. There were three other bids that were received after the time of bid opening and they were not accepted or considered. These bids will be returned.

Dealer	Equipment	Price	Tax	Total	Explanation
Diamond Mowers Tea, SD	Used JD 7130	\$62,000.00	\$6,618.37	\$108,439.37	Used tractor. new mower and loader
	w/new Diamond DDR-C mower and loader	+ \$39,821.00			
	Pretax Total	\$101,821.00			

Stensrud: do we need a brand new mower? Thomassen: the old one is wearing on the gear/wear plates. Diamond Mowers will only sell this as a package. Goodenow: so this is our only bid unless we open this up again? Thomassen: yes. Goodenow, I'm concerned this is only one bid, why are we getting only one bid, is it our specs? Ritter: this seems like a reasonable bid. Thomasson: this is very similar to what we lost. Stensrud: we need to train staff more on the mower so we don't have equipment repair issues. Goodenow: do we want to rebid? Maes: we would have to go through the process again. Ritter motioned, seconded by Stensrud to re-advertise the bid. Anderson, can we have the bid broken out as separate items? Thomasson: yes we can change the wording on the bid. Maes: we need to reject this bid and rebid with a breakdown of equipment. Ritter moved, seconded by Stensrud to reject and re-advertise with equipment separated as tractor, loader and mower out in the bid. Motion carried.

Thomasson; I also want to ask for direction regarding FEMA money received from the Amiret building. We have received the check and want to put this towards the air conditioning in the Marshall shop. Do we bid this out? Anderson: what is the cost? Thomasson: \$ 25,000, the check was around \$13,000. Ritter: when is this to be done? This should be on the agenda for next meeting. Goodenow: we need bids or quotes so we can get an estimate. Thomasson: this is already done. The Board agreed this is to be an agenda item for next meeting.

Southwest Initiative Foundation

Garrett Backes gave an update on the Southwest Initiative Foundation. Stomberg added that \$7,760 is the budget request.

Single Sort Recycling Contract

The Board is asked to consider signing the single sort recycling contract for 2012. The contractor has provided a \$1,000,000/\$2,000,000 policy with a \$4,000,000 umbrella naming Lyon County as additional insured. Henriksen: liability limits have been changed and not an issue with SW Sanitation. Stomberg, we are already additionally insured through their policy. Stensrud: Minneota is ok with this. Goodenow: when does this began? Minneota picked up their own recycling, are they still doing this? Stensrud: no. Henriksen: they switched over in the last contract. Fenske: so it is clear that they will be in the SW Sanitation Recycling Contract. Anderson moved, seconded by Goodenow to enter contract with South West Sanitation for the recycling contract beginning January 1, 2013. Stensrud, Goodenow, Anderson and Fenske, voted in favor with Ritter abstaining. Motion passed.

10:15-10:23----- Break
Fenske Meeting called back to order at 10:23am

MNDOT Intersection Lighting Contract

The Board is asked to consider signing the State Aid 088-070-035 project contract that was tabled at the July 3, 2012 meeting. This project will provide a new intersection conflict warning system and highway lighting system on TH 23 and CSAH 30.

Goodenow: so only the road back from Lynd will have a lighted stop sign? Suhail: I did ask why not at both ends of the loop, but the north end is what MNDOT chose. If we don't want this MNDOT will take this project to another county. All we have to do for this is to provide power.

Goodenow: why isn't this solar? Stensrud: most of these lights are solar and don't use power.

There may be something other than just a flashing light. Goodenow, I make a motion to approve and see what this looks like. Ritter, I second for discussion. I know we have a power cost

commitment but what is the meter charge? Suhail: between \$5 and \$10 per month. Stensrud: it states the county upon completion will own and maintain the lighting system and be responsible for future system replacement. Once we put it in, it is ours. If this is determined as a safety issue it is not explained well. Ritter: there is an "out" clause. Ritter: I have a question for Co. Attorney

Maes; have you read this? Maes, this is a standard mutual agreement of the parties. Goodenow: I would like to have the Cottonwood intersection evaluated. Why do we have a safety issue on this intersection and not on the Cottonwood one? Stensrud: if the state thinks this is a safety project then we should go ahead with this. Ritter: I will rescind the second, and ask for more information at the next meeting. Stensrud: if we turn this down, then the state will go elsewhere. Ritter: it wouldn't hurt to have more info. Suhail: my suggestion is that we accept and get more information later. Ritter: it would be nice to have questions answered now. Goodenow and Ritter withdrew the previous motion. Goodenow moved seconded by Ritter to table to next meeting and request more information. All voted in favor, motion carried.

Goodenow, can we talk about the widening of 23 by Cottonwood (or making it safe), and putting in a decent intersection? Suhail: I will request the Safety Engineer to be here to answer these questions. Goodenow: with two fatalities this year we need to ask this question.

Authorize Board Chair to sign contract with DNR

Authorize Board Chairman to sign a contract with DNR to build a paved bike trail inside Camden Park. This Contract helps DNR and County to replace Restoration Trail with an upgraded section to connect the Camden to Marshall Trail. The City of Marshall forces will be building this segment. Discussion-Suhail, I am requesting that we go forward with this and get the commitment with DNR. This is just a contract to allow County to build the trail inside the park. Anderson: we don't have to do this part of the trail this year. Stensrud: if we don't have grants, we cannot go forth with anything. Goodenow: this is just the permit to allow us to start the process.

Goodenow moved, seconded by Ritter to approve the resolution to be signed by the Chair. All voted in favor. Motion carried and resolution approved.

Update on Parks and Fairgrounds

Carol Oakland reported working on the grandstands and getting bids. So far only two demo bids have been received. Jeffery Gay presented information to the Board to negotiate a price for the use of the fairground and Grandstand, 4-H Building, Commercial building, and VFW building for the Veteran's program on Thursday, August 16th.

Anderson moved, seconded by Goodenow to set fees at \$175 dollars plus deposit for the Veterans Event at the Fairgrounds. All voted in favor. Motion carried.

The Rolle Bolle Tournament does not have a certificate of insurance. Discussion - Goodenow: either they have insurance or we do. Everyone else takes care of their own insurance. To reinforce Carol's position, if an organization doesn't have the insurance or licensure, then they don't do the event out there.

Natural Resources and Recreation Board

The Board is requested to set a joint meeting with the Natural Resources and Recreation Board (Park Board) on Thursday, August 16th at 6:00pm.

Pickup Purchase

The County and Judicial Ditch assessments set during the levy hearings held in 2011 included the cost to purchase a pickup. The minimum requirements for the vehicle: Fleet ½ ton single cab 4-W drive pickup truck. A minimum mileage rating of 18 mph highway; larger 6 cylinder motor or a smaller 8 cylinder motor is needed. A new or used low mileage (year 2008 or newer and 50,000 miles or less) truck meeting or exceeding the basic requirements will be considered. Quotes were received by Thursday July, 12.

Bidder	Truck	Price
Kruse Ford GMC Marshall	2012 GMC single cab	\$20,651.00 plus tax and license

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	Sierra 1500	
Lockwood Motors Marshall	2013 Chevy 4WD Silverado 1500	\$24,286.00 plus tax and license
	Also: 2010 Used Ram, V-8 1500 27,320 miles	\$19,835.00 plus tax and license
Salmon Motors Tracy	2011 Used Chevy ½ ton Silverado 6,800 miles	\$21,900 plus tax and license

Discussion –Fenske: who will/can request the usage of this truck? Biren: I will be using this truck day to day and if available, other departments can use the truck.

Stensrud, moved, seconded by Ritter to approve the purchase of the new GMC Sierra 1500 from Kruse Motors for \$20,651.00 plus tax and license. All voted in favor, motion carried.

Further discussion – Biren: also if there is a decision to replace old cars, we can use one.

Ritter: can this pickup be used by Soil and Water? Biren: that is certainly something we can discuss. Also, the Pheasants Forever position has been filled. Introductions to the Board are forthcoming.

CUP Jon Janssen/salvage yard

Ritter moved, seconded by Stensrud to grant a Conditional Use Permit to Jon Janssen to operate a business (salvage yard). The property is zoned agricultural. Tract of land will be purchased from Dave Lustfield who currently operates this salvage yard. The affected property is described as that portion of the Northwest Quarter (NW1/4) of Section Twenty-five (25), Rock Lake Township. With the following stipulations:

1. Conditional Use Permit will be reviewed annually.
2. Site to be used as a salvage yard.
3. Site must be kept clean (weeds controlled).
4. Storage of vehicles is currently screened by trees. If altered, must maintain a visual buffer.
5. On-site premises business sign permitted according to zoning ordinance.
6. Expansion of business onto adjacent land would require a new Conditional Use Permit.
7. Must meet applicable rules and regulations from state and federal agencies.
8. If business is inactive for one year, Conditional Use Permit will be revoked.
9. A copy of the Lyon County Board of Commissioner's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

VOTING FOR: Ritter, Stensrud, Anderson, Fenske, Goodenow

OPPOSED: None

ABSTAINED: None

ABSENT: None

DATED: July 17, 2012

SPHPA JPA

Administrator Stomberg asked the board to consider approving the Joint Powers resolution for the Southern Prairie Health Purchasing Alliance. Mary Fisher brought forward the language of the agreement, and appointment of alternates to the Joint Powers Board. To date all 12 counties have given approval. Follow-ups with other counties are scheduled.

Anderson moved, seconded by Ritter to approve the JPA and to allow Board Chair to sign the JPA. All voted in favor, motion carried.

Chair Fenske will be the voting member and Rick Anderson will be the alternate.

Southern Prairie Community Care is a possible new name.

Extension Committee Member

The Board is asked to appoint Kris Wegner to the Extension Committee. Kris has agreed to serve on the Committee. Chair Fenske appointed Kris Wegner to the Extension Committee.

Historical Society,

The building is insured through MCIT at \$600,000. Discussion – Stomberg: What types of terms are we looking to lease to the Historical Society? Time frames, maintenance, contract term, who is responsible for what, etc. Stensrud: day to day operations should be theirs. Anderson: I've been asked if we had county employee with a boiler license, can we be the inspector. Goodenow: do they need a boiler operator on site? Anderson: The Historical Society knows contents, general

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liability, janitorial, remodeling and snow removal is their responsibility. We are responsible for major upkeep/repairs on building. Stomberg: what about the elevator? Stensrud: they may be responsible for that. Goodenow: we may assist with elevator inspections. Stensrud: we should be responsible for elevator just for liability issues. Maes: what are renewal terms? Ritter: let's go 20 years with revisiting contract terms every five years. The Board agreed that the building rental term is 25 years at \$1 per year in five year increments.

Twin Lakes Peterson Property

Administrator Stomberg requested direction regarding Peterson property at the Twin Lakes Park. He has agreed to sell the 20 acres at \$100,000. Purchase agreement is drafted and title work is completed and the property will be acquired after the crop is out so closing would occur in the fall. The historical soil assessment on the property was discussed by the Board.

Review Meeting Schedule

- **July 24: Library Meeting at 7:30am**
- **August 7: Regular Commissioner Meeting**
 - Appropriations review/presentations
- **August 21: Regular Commissioner Meeting**
 - First budget presentation
- **August 21: Ditch Meeting (1:30, 2:00 and 2:45pm)**
- **August 22: BWSR Board tour scheduled for two commissioners. Commissioners Anderson and Stensrud will attend.**
- **August 28, Tuesday at 9:00: Special budget meeting**
- **September 4: Regular Meeting - September 11 (alternate)**

Commissioners Report

Goodenow reported Library Budget update and Fair Board meeting update.

Ritter discussed registering for the Board of Equalization Training. Question, what are going to do with the lot in Cottonwood? Stensrud: the end of July the appraiser is coming. Ritter: I just wanted to know what was happening.

Stensrud reported on Area Two and RCA update, as well as USDA 150th anniversary open house update.

Anderson reported attending Western Community Action open house with Chair Fenske. Planning and Zoning update. Extension Committee meeting update. Requested a line item permanent part time position level added for salary budgeting purposes. Noted upcoming Regional Advising Committee meeting in Worthington.

Fenske reported on District 8 Land Use and Environmental Committee Meeting. The speaker spoke about energy efficient farms. Update on meeting in Willmar for Supporting Hands at Nurse Family Partnership.

Goodenow moved and Anderson seconded to adjourn the meeting. All voted in favor. Motion carried

12:00pm Meeting Adjourned

Robert Fenske, Chairman

Attest: Loren Stomberg
Lyon County Administrator

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 WARRANTS FOR PUBLICATION

Warrants Approved On 7/17/2012 For Payment
 7/05/2012

<u>Vendor Name</u>	<u>Amount</u>
BEAR GRAPHICS INC	\$ 2,877.89
COMPUTER PROFESSIONALS UNLIMITED INC	4,427.45
LOUWAGIE/MARK AND DIANE	2,814.20
MN STATE AUDITOR	14,520.00
17 Payments less than 2000	6,352.76
Final Total:	\$ <u>30,992.30</u>

WARRANTS FOR PUBLICATION

Warrants Approved On 7/17/2012 For Payment
 7/09/2012

<u>Vendor Name</u>	<u>Amount</u>
QUARNSTROM & DOERING TRUST ACCOUNT	\$ 67,090.00
Final Total:	\$ <u>67,090.00</u>

WARRANTS FOR PUBLICATION

Warrants Approved On 7/17/2012 For Payment
 7/18/2012

<u>Vendor Name</u>	<u>Amount</u>
ADVANCE OPPORTUNITIES	\$ 3,172.88
COMMISSIONER OF TRANSPORTATION	2,192.26
DAKOTA SECURITY SYSTEMS INC	13,056.68
FARMERS COOP ASSN	12,846.08
FARMERS COOPERATIVE ASSOCIATION	5,653.01
FERGUSON WATERWORKS	17,475.40
FIDLAR TECHNOLOGIES, INC.	4,123.10
HEWLETT-PACKARD COMPANY	2,299.11
HODGES CONSTRUCTION/TOM	5,295.00
LYON COUNTY HIGHWAY DEPARTMENT	4,307.87
M-R SIGN CO INC	2,172.82
MOTOROLA SOLUTIONS, INC.	2,003.54
OLSON & JOHNSON INTERNATIONAL INC	5,357.70
POWERPLAN---RDO EQUIPMENT INC	2,701.19
PRAIRIE PRIDE	52,073.30
RON'S APPRAISAL SERVICE	3,796.56
ROYAL TIRE INC	2,322.43
TRUENORTH STEEL	13,935.32
VEOLIA ES TECHNICAL SOLUTIONS LLC	12,145.90
WASTE MANAGEMENT	23,002.00
WHEELS ACROSS THE PRAIRIE MUSEUM	2,100.00
84 Payments less than 2000	31,424.06
Final Total:	\$ <u>223,456.21</u>