

APPROVED MINUTES
 LYON COUNTY BOARD OF COMMISSIONERS
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
 August 21, 2012

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

Pledge of Allegiance to the Flag

Approve Agenda

Additions per Stomberg: under HR note the RBA with personnel shift from SWCD to Lyon County, and the shift from Legal Clerk with the County Attorney to Senior Clerk in Recorder's office. Accompanying this shift is approval to post Legal Clerk position opening.
 Also, request to discuss naming of the Ice Arena.
 Stensrud motioned to approve agenda with additions, seconded by Ritter. All voted in favor, motion carried.

Identify any Conflict of Interest - None identified

Present Per Diems and Expenses

	Per Diems	Expenses
Fenske	\$ 190	\$
Goodenow	\$ 50	\$
Anderson	\$ 100	\$ 112.11
Ritter	\$ 280	\$
Stensrud	\$	\$

Consent Agenda:

1. Approve Minutes from August 7, 2012
2. Approve Commissioner Warrants 130355-130463 dated 08/22/12 for \$285,260.97.
3. Approve Auditor Warrants 130263-130282 dated 08/09/12 for \$24,398.74, 130295-130330, dated 08/16/12 for \$136,017.77
4. Approve Per Diems & Expenses

Anderson motioned, seconded by Stensrud to approve consent agenda. All voted in favor, motion carried.

Resolution for Forfeited Land

Consider approval of Forfeited Land List Resolution of Parcels that needs DNR approval. The parcels listed have already been approved by Lyon County Soil and Water.

Resolution No. *22/12*

**Forfeited Land
List**

THEREFORE, Be it resolved that the LYON County Board of Commissioners hereby certifies that all parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01 subd. 8282.018 and the 1991 Laws of Minnesota Ch 354, Art. 10, Sec 9, amending M.S. Sec 282.018, Subd. 2 (1990). The County Board of Commissioners hereby certifies that either the County Land Commissioner or the Soil and Water Conservation Board of the district in where the land is located has reviewed the attached land sale list and identified any and all nonforested marginal land and wetland.

Dated: 08/21/2012 - LYON COUNTY COMMISSIONER MEETING

Goodenow moved, seconded by Anderson

Anderson, Goodenow, Ritter, Stensrud, Fenske Voting for

None voting against

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 Chair, Board of Commissioners
 Robert Fenske

Attest Loren Stomberg
 County Administrator
 Loren Stomberg

PARCELS LISTED BELOW:

09.102041.0	15.100025.0
21.114013.0	24.100040.0
27.127002.0	27.129002.0
27.763002.0	27.885002.0
27.885004.0	27.885006.0
27.885007.0	27.885008.0
27.885009.0	27.885010.0
31.100093.0	30.100014.0
31.104067.0	31.104065.0
31.104221.0	31.104173.0

Out of State Travel Request

The Board is asked to consider approval for Paul Henriksen to attend the third Global Waste Management Symposium in Phoenix, AZ. This will focus on landfill technologies and alternatives. Henriksen has not attended the symposium since 2007. Estimated cost will be between \$1,800 to \$2,000.

Ritter motioned to approve for discussion, seconded by Anderson.

Discussion: Ritter-this may give guidance on how to combine this region regarding sharing Landfill resources. All voted in favor, motion carried.

Resignation of FT 911 Dispatcher

The Board is asked to accept the resignation of Christine Boklep. Ms. Boklep's last day of employment will be September 9, 2012. Ms. Boklep will be accepting a position as a Probation Officer. Sheriff is requesting Board approval to fill said position as soon as possible and requests Human Resources to start search process with final recommendation of the Board.

Goodenow motioned to accept the resignation of Christine Boklep, seconded by Stensrud. All voted in favor, motion carried

Anderson motioned to immediately begin the 911 Dispatcher hiring process, seconded by Goodenow. All voted in favor, motion carried.

Purchase Metal Detector

Sheriff requests to replace 20 year old metal detector in the courts area. This continues to be a safety and security plan for the government center. This item shall be funded by criminal justice account.

Discussion: Ritter- why is the current detector insufficient? Mather- the current is outdated and inefficient. Stomberg - also newer ones pick up synthetic stocks. Mather - if it catches one person then it is worth the safety. This scanner will show the entire body. We also have a hand wand for added security. Maes - the current scanner is a visual deterrent. Mather - I would like Board to have a tour of the courts area and help create a policy such as hours of operation, exit doors, etc. Goodenow-this will sit where the other one sits or is this more permanent in appearance? What we currently have looks very temporary. Mather - this will count/monitor who walks through the courts area and we need to be cognizant of exit strategies through the area as well.

Goodenow motioned to approve the Detectronix CS 5000 for \$3,995.00 with funds used from the criminal justice account, seconded by Stensrud. All voted in favor, motion carried.

CS 5000 Detectronix 33-zone Walk Through Detector.	\$3,995.00
Garrett Magnascanner MS3500 Walkthrough Metal Detector	\$3,949.00
Ranger Security Intelliscan 33-Zone Walk Through Metal Detector	\$3,990.00

Accept Low Bid for 4-Wheel Drive Tractor with Loader and Mower

Highway Department recommends the low bid from Diamond Mower dealer with New Holland and Diamond Mower.

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Discussion: Ritter-what did we get from insurance? Stomberg - \$72,000.00. Ritter - we lost the mower in the fire, correct? Thomasson - yes, along with the tractor, loader, auxiliary tanks, etc.

Dealer	Equipment	Price (incl. tax)	Delivery Date	Warranty	Notes
Diamond Mowers	2012 NH T6050 Tractor with Loader	\$77,050.47	Feb. 1, 2013	2 yr or 2000 hrs	
Diamond Mowers	2012 Diamond DD 120C Mower	\$27,495.74	Feb. 1 2013	1 yr	Total: \$104,546.21
Diamond Mowers	2010 JD 7130 Tractor with Loader	\$81,325.47	30 days	6 months	Used-500 hrs, meets all other specs, no rear fender control for 3 pt. hitch
Titan Machinery (no bid on mower)	2013 Case IH Puma 130 Tractor w/L755 Loader	\$97,149.38	Late Feb. 2013	Tractor - 2 yr/2000 hrs Loader - 1 yr	Will provide equipment to use until new equipment delivery Meets/exceeds specs
Titan Machinery	2013 Case IH Maximum 125 Tractor w/L76 Loader	\$84,431.25	Late Feb. 2013	Tractor 2yr/2000hr Loader-1yr	Will provide equipment to use until new equipment delivery
Kesteloot Enterprises	2012 McCormick MTX135 Tractor with Loader	\$92,660.63	45 days or less	2yrs or 2000 hours	Transmission-hand park brake exceeds other specs
Tracy Equipment	2012 JD 612R tractor with 2012 Miller G130 loader	\$102,166.09	Mid-Nov. 2012	2 years	Spec sheet not included
Tracy Equipment	2012 Diamond DDR102C Mower	\$27,495.73		2 years	

Stensrud motioned to approve the purchase the NH tractor and Diamond Mower for \$104,546.21, seconded by Anderson. All voted in favor, motion carried.

Legacy Grant Applications

The Board is asked to discuss projects for the legacy grant application. The application requires individual resolution in support of each project. The Park Board has recommended most of these projects and Public Works desires to hire a consultant to write these grants. The July 2012 local match requirements for grant applications have changed from 10% to 0.0% as well as upper limits. A resolution is needed for each request.

- A. Camden to Marshall Bike Trail
- B. Bathroom and shower facility for new Horse Campground and Upper Campground
 Bathroom retro-fitting for Lower Campground
 Replace two bridges in Garvin Park
- C. Purchase of Peterson property

D. Purchase of Mitchell property between East Twin Lake and Section 31 Lake
 Anderson – The two property purchases should be on hold until we get a master plan from the consultant and then get the development funds. We should wait on the Twin Lakes purchase because we want to move forward with other requests more quickly. Suhail – agreed, but these applications will take time to process. This is a great opportunity because there is no match on this purchase. Anderson- if we wait for the match we have a better chance to get the grant. We need to decide if we want the grant before we go to the work of applying. Fenske- if we got the grants for the Peterson and Mitchell property, would they be sufficient for the purchase price? Suhail – no. Anderson - do we have firm commitment to get the Twin Lakes property?
 Stomberg - no, Peterson wants input from his family. Anderson – I see no need to put in for this property without a reasonable belief we can buy the property. Goodenow - if we put this off we may miss out on the grant. This is a long term process. The Peterson family may say no, but we should be ready to move on this. This property will give us shoreline on two lakes. Suhail – this happens often, where one of the property owners changes their mind. The DNR goes through this a lot. Stensrud- is the Mitchell property even for sale? Suhail - they were talking to DNR but that fell through. Anderson - this particular piece was never in negotiation in DNR. Stensrud - if it's not for sale there is no point to move forward with grant application. Suhail - we should have the money available in order to purchase when it comes up for sale. Goodenow – we don't know the appraisal value, how do we ask for a grant? On the other hand, if we don't have the money, we will never have the option to buy. Stensrud – you need to find out it is for sale before we get an appraisal. Suhail - request to Board that we start the process to be ready when/if the property comes up for sale. This grant will be available in 2013 and have until 2016 to make decisions.

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Ritter- is the Peterson property is on the NE side? I suggest we concentrate on Twin Lakes Park move with the Peterson property and not get into speculation in property. Stensrud - I agree, we need to talk Mitchell property owners and find out if this property is for sale. Ritter - we need to move to getting this park developed. I appreciate Suhail's work on this.

After additional discussion, Goodenow motioned to approve resolution to apply for Legacy Grant for The Camden to Marshall Bike Trail. Goodenow withdrew motion as resolution is not yet printed.

Goodenow motioned that Resolutions A and B be put on the next week's agenda to view at that time and not consider Resolutions C and D. Anderson seconded. Motion carried.

Accept Archeological survey for Twin Lakes Park

Two bids were received for archeological survey for Twin Lakes Park.

Bolton & Menk, Inc. _____	\$3,204.00
Westwood Professional Services _____	\$5,250.00

Goodenow motioned to accept the low bid from Bolton & Menk for \$3,204.00 for the archeological survey for Twin Lakes Park, seconded by Stensrud. All voted in favor, motion carried.

Engineering Staff Request

Engineering staff has been short one position since August of 2011 with the retirement of the Assistant Engineer. At the time of the retirement, the decision was made to wait a period of time to reconsider the need for engineering staff. After a year of the absence it is apparent that additional resources are needed to design projects for the summer construction. Options include hiring an Engineering Tech, a Project Engineer, or contracting with an engineering firm on a per project basis.

Discussion: Goodenow – please clarify educational requirements. Suhail – a four year degree for Project Engineer, two year degree for Engineering Tech. Ritter – what is the wage scale? Stensrud - did our three year wage plan decide we did not need this position? Suhail – no the discussion was referring to Park Department and Highway Department. Goodenow - I know we agreed to not fill this position until the retirement costs were recouped. Stomberg – those expenses will be recouped this September. Fenske – are we looking at highway funds available? Suhail - we have grant money and funds, so we have money available for projects and more staffing. Anderson - what is the current balance available? Suhail – next year we have 4.24M to spend because of money saved from this year's budget. Anderson-we don't have the staff to maintain all of these building projects. Goodenow - actually, this money sitting here tells me we need to get moving on more projects. Goodenow - we may as well go with the four year degree person, the salary is not that much more. Anderson – will the two year degree be sufficient? The CAD degree will be what we want for the drawing/design work. Ritter – has the current Project Engineer passed his PE test? Suhail - he will take the exam this fall. We need to keep the talent we currently have. Fenske - I think the current Project Engineer should be moved to Assistant County Engineer when he passes the test. Ritter - that may give him incentive. If we go with a four year Project Engineer position, that person should have already passed their PE licensure, along with a CDL. Suhail - a CDL within a Project Engineer degree is very uncommon. Ritter - can this be put in the job application? Stomberg – yes. Suhail – these are two different career tracks, but it is doable. Anderson - what are the usual engineering rates for projects? Suhail - DNR 20%, City of Marshall 15%, 10% is minimum. Fenske – the request is to hire an Engineering Tech or a Project Engineer. What action do we take?

Goodenow – I make a motion we hire a Project Engineer and that that person acquire a CDL within one year and that the person will be on probation until the CDL is acquired. Suhail – the current job description states a four year degree only. Ritter - I'll second the motion. Suhail - this will be a very odd requirement for a Project Engineer. Stomberg – the CDL isn't required to start, just to acquire during the first year. Suhail - do we expect our Project Engineer to move snow? Goodenow - no, but if you are engineering projects you should know the other aspect of the job. This will give more flexibility to the position. Anderson - do we need all three engineers? Ritter – we need to be deep in case our Project Engineers move on.

Voting in favor

Goodenow
Ritter
Fenske

Opposed

Anderson
Stensrud

Motion carried 3 to 2

Jodi Gorres Lyon County Fair Update

Jodi Gorres updated the Board on the Lyon County Fair.

STS Update on Services

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Tim Amick and Carol Oakland gave an update on the STS program and future projects.

SWCD Employee Transfer

In February of 2012 the SWCD Board hired Jeanette Sharp as administrative assistant. The six month performance evaluation has been completed. As per the agreement between the SWCD and Lyon County, Ms. Sharp will become a Lyon County employee beginning September 3rd, 2012 at Labor Grade 10 paying \$12.60/hour. This position is permanent part time (24 hours per week) qualifying for prorated vacation and sick leave, and she will serve a six month probationary period for Lyon County.

Goodenow motioned to accept the permanent part time hire of Jeanette Sharp to Lyon County beginning September 3rd, at \$12.60/hr. Stensrud seconded. All voted in favor, motion carried.

Approve County Attorney Office Legal Clerk Posting

The Board is asked to ratify the conditional offer to Michelle DeSmet the Lyon County Recorder Senior Clerk position. This is a full time position with approximately 37.5 hours per week and classified as a non-limited term and is eligible for the county benefit package. The hourly rate of pay is \$16.83 and will begin on or around September 5th.

Anderson motioned to ratify the offer to Michelle DeSmet the Lyon County Recorder Senior Clerk position at \$16.83/hr. Stensrud seconded. All voted in favor, motion carried.

Approve County Recorder Senior Clerk Hire

The Board is asked to approve to post, interview, and extend conditional job offer for full time Legal Clerk for County Attorney. This is to replace the position vacated by Michelle DeSmet. Stensrud motioned to approve to post, interview, and extend job offer for a full time Legal Clerk for the County Attorney, seconded by Goodenow. All voted in favor, motion carried.

Loren Stomberg - Ice Arena

Naming rights for the Ice Arena have been purchased by Lockwood Motors. The Marshall Hockey Organization can generate money on this as long as Lyon County is acknowledged in the name.

2013 Preliminary Budget

Administrator Stomberg advised the Board on the 2013 budget. EJ Moberg is asked to present the 2011 Audit Report at next week's Budget Meeting on Tuesday, August 28th.

Discussion: Fenske - we used to get monthly budget printouts. Stomberg - I'll check with the Auditor office and look into getting electronic updates. .

Review Meeting Schedule

- 8/22/12.....Lyon and Lincoln Counties Bus Tour
- 8/28/12.....Special Budget Meeting
- 9/20/12.....Landfill Meeting

Commissioners Report

Goodenow- Fair Board Meeting update. Next year's fair dates were discussed. The current rodeo provider and current carnival provider are not available next year during the 2nd week in August. Cover charges and parking fees were discussed. There are many openings on the fair board and perhaps the county could help advertise and advocate joining the Fair Board/Ag Society.

Ritter- Gave an update on the Canvassing Board meeting attended with Commissioner Anderson and Court Administrator. Update on Ditch 48 and associated funds. Update on State Commissioner of Revenue's visit to the Library.

Anderson – Update on Southern Prairie Health Alliance meeting with State Health and Human Services Commissioner Jesson. Updates on NRCS, Park Board, and Historical Society.

Fenske- Joint Park Board meeting update. Water Retention project update. Update on State Auditor meeting.

11:55am - Meeting was recessed until 1:30pm.

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WARRANTS FOR PUBLICATION

Warrants Approved On 8/21/2012 For Payment
 8/09/2012

<u>Vendor Name</u>	<u>Amount</u>
JOHNSON CHARITABLE TRUST/CHESTER	\$ 2,408.00
RITTER/DAN	13,000.00
SECURE BENEFITS SYSTEMS	5,435.90
17 Payments less than 2000	<u>3,554.84</u>
Final Total:	\$ <u><u>24,398.74</u></u>

Warrants Approved On 8/21/2012 For Payment
 8/16/2012

<u>Vendor Name</u>	<u>Amount</u>
BLUE CROSS AND BLUE SHIELD OF MN	\$ 2,388.00
COMPUTER PROFESSIONALS UNLIMITED INC	4,132.44
HEALTH PARTNERS	4,000.96
LYON-LINCOLN ELECTRIC COOP INC	4,741.29
MARSHALL AREA CHAMBER OF COMMERCE	2,500.00
MARSHALL MUNICIPAL UTILITIES	30,825.52
MC LAUGHLIN & SCHULZ, INC	15,774.78
MEDICA	2,805.00
MII LIFE - VEBA	25,140.00
MN SECRETARY OF STATE	3,107.45
MN STATE AUDITOR	14,566.50
MURRAY COUNTY SHERIFF'S OFFICE	3,650.50
SHETEK CONSULTING SVCS LLC	10,000.00
SYNERGY GRAPHICS INC	5,041.21
21 Payments less than 2000	<u>7,344.12</u>
Final Total:	\$ <u><u>136,017.77</u></u>

Warrants Approved On 8/21/2012 For Payment
 8/22/2012

<u>Vendor Name</u>	<u>Amount</u>
A'VIANDS, LLC	\$ 16,592.16
ALPHA WIRELESS INC	8,824.48
FARMERS COOP ASSN	7,104.94
FLINT HILLS RESOURCES LP	130,549.47
FRANK'S ELECTRIC, PLBG, & HTG INC	4,258.92
KETTERLING SERVICES INC	10,000.00
MC LAUGHLIN & SCHULZ, INC	24,760.84
OLSON & JOHNSON INTERNATIONAL INC	9,896.58
POWER PROCESS EQUIPMENT, INC	3,798.63
POWERPLAN---RDO EQUIPMENT INC	8,572.46
R & G CONSTRUCTION INC	2,244.00
ROCK COUNTY TRANSFER STATION	6,960.00
SOUTHWEST MN DAIRY ASSOCIATION	4,975.00
SUPERIOR JETTING INC	11,642.50
95 Payments less than 2000	<u>35,080.99</u>
Final Total:	\$ <u><u>285,260.97</u></u>

 Robert Fenske, Chairman

 Attest: Loren Stomberg
 Lyon County Administrator

Upcoming Meetings:

- 8/21/12.....Ditch Levy Meetings 1:30 p.m. CR 1&2
- 8/22/12.....Lyon and Lincoln Counties Bus Tour
- 8/28/12.....Special Budget Meeting 9:00 a.m. CR 1&2
- 9/4/12.....Regular Commissioner Meeting 9:00 a.m. CR 1&2