

LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY COURTHOUSE, MARSHALL, MN
October 20, 1998

Meeting called to order by Vice-Chairman Goodenow. Members present: Buysse, Gladis, Goodenow, Vandelanotte, and County Administrator Jorgensen. Absent: Fenske and County Attorney Maes.

Pledge of Allegiance to the Flag.

Buysse moved, seconded by Vandelanotte to approve the agenda. All voted in favor.

General Revenue Vouchers were presented. Gladis had a question about a registration fee that was being paid for a conference he attended. Discussion on dry cleaning and meal bills for a deputy. Buysse moved, seconded by Gladis to approve the General Revenue Vouchers. All voted in favor.

General Revenue Fund	\$205,617.22
Road & Bridge Fund	\$106,807.78
Landfill Special Revenue Funds	\$16,015.79
Water Projects-Special Revenue	\$317.00
Ditch Fund	\$10,875.07
Total	\$339,632.86

County Revenue	\$108,606.66
Capital Projects	\$86,868.25
Building & Improvement	\$360.31
E911	\$9,782.00
Total	\$205,617.22

Beginning Warrant Number: 321449; Ending Warrant Number: 321612.

Ditch Vouchers were presented. Discussion on CD#7 attorney bill. Vandelanotte moved, seconded by Gladis to approve the ditch vouchers. All voted in favor.

Hammer handed out a new viewer's report for CD#36. Hammer - We need to set a hearing date. Discussion. Goodenow - Is there enough money in the ditch account to pay for the viewing etc.? Will we need to put a maintenance levy on the ditch at the same time? Hammer - There is not enough money. Vandelanotte - Need to have all assessments done by November 30. Discussion. Vandelanotte moved, seconded by Gladis to set the re-determination of benefits and maintenance levy hearing for CD#36 on November 17 at 9:05 A.M. during the regular Commissioner Meeting. All voted in favor.

Hammer handed out a map of CD#11. Hammer - Would like to consider a clean out of CD#11. There is an assessment for 1999, but the ditch will still be about \$2000 short. I got a quote of 84 cents per foot for 16,600 feet of ditch. The total bill would be around \$14,000. Goodenow - How will the \$2000 be made up? Assess for next year? Hammer - Assessments will be made for 2000 in August of 1999. Jorgensen - The County can loan the ditch money with interest until the assessments come in. Vandelanotte moved, seconded by Buysse to authorize the clean out of CD#11. Gladis - Did you take bids? Hammer - No, that takes more time and money. I got the quote from Conrad Heggeseth. He is about the only one who has the right equipment and would have more than likely gotten the bid anyway. Hegeseth is going to do the lake for the Black Rush Lake project. Buysse - He does a good job. All voted in favor.

Hammer - The viewers have started looking at benefits on JD#9. They have come back and suggested that I talk to the landowners about possible abandonment of the whole East and South part. Jorgensen - Then it would become all private tile? Hammer - Yes. I will be getting input from the landowners on how they feel about this.

A Conditional Use Permit was presented for Discovery Center to operate a business in Lake Marshall Township. Discussion. Gladis moved, seconded by Vandelanotte to approve the Conditional Use Permit (on file at the Planning and Zoning Office) for the Discovery Center to operate a child care facility for infants at the Evangelical Free Church in Lake Marshall Township. All voted in favor.

A Conditional Use Permit was presented for Eickhoff Enterprises to operate a business in Fairview Township. Hammer - Voigt and I are meeting with Mr. Eickhoff on the CR#33 concerns. Gladis moved, seconded by Vandelanotte to approve the Conditional Use Permit (on file at the Planning and Zoning Office) to Eickhoff Enterprises, Inc. to operate a trucking and truck/trailer repair and maintenance business in Fairview Township. Jorgensen - Is Mr. Eickhoff willing to work with you on the entrance onto CR#33? Hammer - Yes. The plan is to have a big parking lot in front of the building so there will be a lot of space. Voigt - The County has the right to grant the access he needs according to County policies and standards. Goodenow made a friendly amendment to the motion to add to the Conditional Use Permit that all entrances must meet existing county standards and policies. All voted in favor.

Discuss upcoming ditch meetings.

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Road and Bridge Vouchers were presented. Discussion. Vandelanotte moved, seconded by Gladis to approve the road and bridge vouchers. All voted in favor.

Voigt - We need to discuss when to hold the meeting on the five year plan. Discussion on when to have the meeting. Discussion on advertising and who should receive invitations. Vandelanotte moved, seconded by Buysse to set the meeting for the five year plan on November 17 at 2:00. All voted in favor.

Voigt - Leroy Hebrank is retiring effective the end of December. He is a truck operator out of the Minneota shop. Goodenow - Have you thought about moving one of your current employees to this job to free up funds to add another position? Voigt - I have thought about all the options and right now with our current status, I need to hire someone for this particular position. Buysse - A lot of people need to get to work and need those roads clear. We need to make sure those roads stay open. Gladis - Is there a way of advertising to get someone that can do more than just drive truck? Voigt - If you mean can we get someone with engineering experience as well as truck driving, probably not. Discussion on rearranging the highway department staff. Buysse - As a representative of the Minneota area, I say we need to keep the roads open. Buysse moved, seconded by Vandelanotte to approve advertising for a truck driver to replace Leroy Hebrank who will be retiring at the end of December. All voted in favor.

Discussion on east main and when and if it will be fixed.

Jorgensen - How does the second phase of the flood control project affect Skunk Hollow Road? Voigt - There is a possibility it could be under water because of where the dike will be placed. The only part of that road that is County road is the straight part after the curve going North.

Voigt - It is probably better that we do not replace the parking lot by the Sheriff's Office this winter. Jorgensen - Will the drains go in? Voigt - Yes, the underground subsurface drains will go in, but we will not tear up the whole thing to pave it until next Spring.

Jorgensen - The DM&E meeting is scheduled for Thursday, October 29th. I have only heard back from James Clark and he will not be able to attend. He is from the western part of Redwood County. Gladis - Which counties? Jorgensen - Redwood, Lincoln, and Lyon.

Jorgensen - I have the draft copy of the resolution to support the DM&E upgrades. The City of Tracy has passed a resolution of support. It is my understanding that Balaton and Garvin will also. Discussion. Buysse moved, seconded by Gladis to approve the resolution (on file at the Auditor's Office) supporting the DM&E upgrades. Vandelanotte - We need this. All voted in favor.

Jorgensen - You need to approve an amendment to the Joint Powers on the Joint LEC. It basically just involves a typographical error. The final payment from the City of Marshall to the County in the year 2004 will be \$127,436.66 instead of what was stated in the original joint powers. Buysse moved, seconded by Vandelanotte to approve the amendment to the Joint Powers agreement on the Joint LEC. All voted in favor.

Jorgensen - I have two bills for the Joint LEC that need to be approved. The first is from Meier Electric in the amount of \$6,158.85. Buysse moved, seconded by Vandelanotte to approve the Meier Electric bill for the Joint LEC in the amount of \$6,158.85. All voted in favor.

Jorgensen - The second is a request for payment Number Three from Holm Brothers Plumbing and Heating in the amount of \$80,491.60. Gladis moved, seconded by Buysse to approve payment request Number Three from Holm Brothers Plumbing and Heating in the amount of \$80,491.60 for work on the Joint LEC. All voted in favor.

Jorgensen - I have a lease extension for the Hockey Association to use the 4-H Exhibit Building. It is the exact same lease as last year with the dates changed. The rental will be \$2000 and I have received their certificate of insurance. Buysse - Did they live up to the agreement last year. Jorgensen - Yes, the specified age groups were the only ones that used it and there was no damage. Vandelanotte moved, seconded by Buysse to approve the lease with the Marshall Hockey Association to use the 4-H Exhibit Building from October 15, 1998 to May 1, 1999. All voted in favor.

Jorgensen - I have a resolution from SWCD which extends the resolution for the SWCD to administer the Wetland Conservation Act for Lyon County. This resolution has to be renewed every three years. What SWCD is suggesting is a continuing resolution in which either party could back out with a 60 day notice. I recommend approving this. Discussion. Gladis moved, seconded by Vandelanotte to approve the continuing resolution (on file at the Auditor's Office) for the SWCD to administer the Wetland Conservation Act for Lyon County. All voted in favor.

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Jorgensen - An issue regarding floating holidays has come up. In late 1996, Columbus Day became a regular work day instead of a paid holiday and in exchange the employees were entitled to use two floating holidays per year. The issue is the time frame when someone gets hired. Are they always entitled to two floating holidays. I have a resolution that would clarify this. It states that if an employee is hired between January 1 and June 30, they get two floating holidays that year. If they are hired between July 1 and November 30, they get one in that year, and if hired between December 1 and December 31 they will get no floating holidays in that year. Buysse will this become part of the policy manual? Jorgensen - Yes. Gladis - That does make sense. Buysse moved, seconded by Gladis to approve the resolution (on file at the Auditor's Office) described above dealing with floating holidays. All voted in favor.

Discussion on whether the employees like having an additional floating holiday or if they would rather have a designated holiday.

Meeting recessed.
Meeting back to order.

Goodenow presented a Special Achievement Award for efforts during the flood in 1997 to Don Stokke and Tammy VanOverbeke. Everyone congratulated them.

Landfill Vouchers were presented. Henriksen - The bill for Sky Printing should be in 607 which is recycling and paid with General Revenue. Gladis moved, seconded by Vandelanotte to approve the landfill vouchers excluding the Sky Printing bill. All voted in favor.

Gladis moved, seconded by Buysse to approve the Sky Printing bill to be paid with the General Revenue Fund. All voted in favor.

Vandelanotte moved, seconded by Gladis to approve the special water projects. All voted in favor.

Henriksen - For your information, we are hauling leachate to Marshall again.

Henriksen handed out a map of the landfill to show where trenches will be dug. Henriksen - Trenches will be dug to drain the water. Vandelanotte - Will the trenches be open? Henriksen - Yes. This draining will make the water lower so we will be ready for the next cell.

Jorgensen - The annual MCIT meeting will be November 30 in St. Cloud. Buysse - Is anyone interested in being on that board? Discussion.

Jorgensen - You need to set the date for the appropriations meeting. Buysse - Is there anyway we can make these people show accountability? Jorgensen - They have to come before the board every year. We could require a quarterly report showing us where the money is being used. Discussion on date. Gladis moved, seconded by Buysse to set the meeting to discuss appropriations on November 10 at 7:00 P.M. All voted in favor.

Paula Van Overbeke, Auditor/Treasurer met with the board to discuss an employee request to carry over six days of vacation time to next year. Van Overbeke - It is this employee's intention to take April, May and June off for maternity leave. She would return to work on July 1 and have 8 days of unused vacation time left. She would like to carry over six days that she has not used this year so she would have extra time for doctor's appointments etc. Goodenow - What is the policy? Jorgensen - The policy states that an employee can carry over no more than two times the amount they have earned. In the three years I have been here, I have never had a request such as this. This is dangerous territory. Does it become the right of every employee to do this? On the other hand you want to be sensitive to your employee's needs also. Discuss Family Medical Leave Act. Jorgensen - My feeling is if she is coming back to work with leave on the books, why does she need the carry over? Buysse - What is the policy on who gets to carry over. Jorgensen - Department head and board approval is needed. I believe to carry over leave, there must be extremely extenuating circumstances. Goodenow - Need to find some way to make the situation unique. Jorgensen - It is my recommendation not to approve this. Buysse moved, seconded by Vandelanotte to deny the employee request to carry over leave time to next year. Gladis - Van Overbeke, what is your recommendation? Van Overbeke - I have a hard time on both sides. I am torn both ways. Jorgensen - I have feelings both ways too, but you need to look at the big picture. Goodenow - Obviously she has been saving for this. I believe it is good for employees to take a break and get away from their job. Voting For: Buysse, Vandelanotte, and Goodenow. Voting Against: Gladis.

Jorgensen - We are having problems with our current flex plan provider. We will probably switch. Buysse - What problems? Jorgensen - There is a service issue. I am looking at a provider that will charge less and do more. I have talked to a couple people and they have been happy with this company.

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Jorgensen - Last week there was a class from the Jr. High here for a tour. A High School Social Studies class came and learned about the justice system.

Jorgensen mentioned a letter from Gene Short.

Jorgensen - We just wanted to bring to your attention the quotes for copy paper for recycled compared to not recycled. Discussion. Gladis - I would suggest buying a few cases of recycled first to try it out, then we can see how it works and if it is all right maybe buy recycled next time. Goodenow - I am surprised recycled is that much more expensive. Buysse - Does ECSU sell paper. Jorgensen - They do if you are part of their Joint Purchasing Agreement and we are not. Gladis - Who will you purchase the paper from? Jorgensen - Though Tony Doom's is not the lowest bid, the total is only \$16 higher than the low and I would assume that the board would want to stay local. The board was in agreement that the copy paper should be purchased from Tony Doom, a local supplier.

Buysse moved, seconded by Gladis to approve the per diems for Gladis (\$35) and Vandelanotte (\$130). All voted in favor.

Buysse - I just want to ask how could we pull all the programs for parenting together somehow? Goodenow - Probation works with the Restorative Justice Coalition. Marshall Area Families is coordinating between many organizations, but Probation is not included. Gladis and I can ask at our next meetings how these classes can be coordinated better.

Commissioner Reports:

Gladis mentioned the group home meeting.

Goodenow mentioned the go-kart meeting and the Planning and Zoning meeting.

Discussion on committee appointments and if should advertise. Discussion on members of Planning and Zoning and make up of the board. Jorgensen - Could set up Joint P&Z boards with the townships and cities. Discuss advisory board.

Buysse - I would just like to mention WESCAP and what they do. They do a lot and do not cost the County a lot of money. They are a big asset and they help people. Gladis - WESCAP receives a lot of private funding.

Buysse moved, Gladis seconded motion to adjourn meeting until Tuesday, November 3, 1998 at 9:00 A.M.

Mark Goodenow, Vice-Chairman

Attest:

Mark R. Jorgensen
Lyon County Administrator