

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY COURTHOUSE, MARSHALL, MN
February 1, 2000

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

Pledge of Allegiance to the Flag.

Agenda approved with addition of considering award of quote for compensation plan study.

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

Jorgensen - Van Overbeke, Hammer and I went over the CD#7 account. The county will need to loan the ditch another \$30,000. The loan will be at 5 percent over a ten year period. This will take care of the bills for now. Fenske - Then we will have loaned the ditch just about \$240,000. Gladis - Is it going to be affordable to farm this land? Buysse - Some have lost their farms due to ditches. Vandelanotte - There will be some big assessments. Discussion. Buysse moved, seconded by Vandelanotte to approve the resolution (on file at the County Administrator's Office) loaning CD#7 \$30,000 at five percent interest over ten years. All voted in favor.

Hammer - There are public hearings going on dealing with feedlots. Hammer handed out a feedlot rule summary from MPCA. Discussion.

Hammer - I inspected JD#37 R&L and there is only one tree down between here and the county line.

Discussion on inspection of aerators.

Jorgensen - I gave you all a draft copy of the letter to the sportsmen clubs dealing with aerators. Discussion. Buysse moved, seconded by Goodenow to approve the letter to be sent to the sportsmen clubs dealing with aerated lakes. All voted in favor.

Vandelanotte moved, seconded by Goodenow to approve the minutes from the regular commissioner meetings on Jan 4th and 18th and the special meeting on January 25. All voted in favor.

Jorgensen - I have a request for approval of a Charitable Gambling Permit from Southwest Sportsmen Club of rural Minneota. Discussion. Goodenow moved, seconded by Buysse to waive the 30 day waiting period and approve the Charitable Gambling Permit for Southwest Sportsmen Club of rural Minneota. All voted in favor.

Jorgensen - Krause got quotes on the replacement and upgrade of the rolling steel fire doors in the Recorder's Office, Auditor/Treasurer's Office and Assessor's Office. The ones we have currently do not meet OSHA standards. When the fire alarms go off, they just slam shut. The quotes Krause received are from Doom and Cuypers for \$15,198.53 and Bladholm for \$17,525.00. Krause recommends accepting the quote from Doom and Cuypers. Discussion. Goodenow moved, seconded by Vandelanotte to approve the quote in the amount of \$15,198.53 from Doom and Cuypers to replace the rolling steel fire doors in the Recorder's Office, Auditor/Treasurer's Office and Assessor's Office. Buysse - When will this be completed? Jorgensen - There is no specific time. All voted in favor.

Jorgensen - Need to set the hearing date for the Board of Equalization. It can be anytime between Monday, June 12 to Monday, June 19. Champine recommends June 13 at 7:00 P.M. Goodenow - There is Planning and Zoning at 7:30. Vandelanotte - Could we start at 6:30? Discussion. Fenske - The Board of Equalization hearing will be Tuesday, June 13 at 6:30 P.M. in Commissioner Room 3.

Road and Bridge Vouchers were presented. Discussion on bill from Horizons. Gladis moved, seconded by Goodenow to approve the road and bridge vouchers. All voted in favor.

Voigt - I have a couple final payments that need to be approved. They are both for R&G on the Westerheim projects. There was a .9 percent overrun on one and a 2.1 percent under run on the other. Buysse - Has the township paid their share? Voigt - No, they will be billed. Buysse moved, seconded by Vandelanotte to approve a final payment of \$8,494.41 to R&G for project SAP 42-599-122. All voted in favor. Buysse moved, seconded by Goodenow to approve a final payment to R&G in the amount of \$7,650.25 for project SAP 42-599-108. All voted in favor.

Voigt - At the last meeting you authorized the purchase of a used truck/tractor. We found one for just under \$21,000. It is a 1992 Ford LT 9000 with 220,000 miles on it. It has a CAT engine with 350 horsepower. Jorgensen - Did Keith Nelson get a hold of you? Voigt - No. Jorgensen - The city is looking for the exact same thing. I thought there might be a possibility that a truck could be shared. Voigt - Our intent is to have this to haul the big dozer around so we may be able to work something out. I will talk to Nelson.

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Voigt - I have a couple resolutions for the Boards consideration. They request MnDot to conduct speed studies on CR#33 and CR#10 going into Minneota. The only concern I have is that they only consider the 85th percentile and once the speed study is done, we have an obligation to comply. So the speed could essentially go up where we would not want it to. They figure where people's comfort level for driving speed is and take the 85th percentile. Goodenow - For CR#33, would it be better to wait until September? Voigt - There is at least a four month wait to get this done. Discussion on CR#33 construction. Voigt - The outcome of the study on CR#33 may not be what MCP wants it to be. Gladis - Couldn't we post it? Voigt - No, we do not have the authority. Goodenow - Do we pay for the study? Voigt - I don't think so. Gladis - I would like to see the construction done on 33 before the study is done. Discussion on CR#10 into Minneota. Buysse moved, seconded by Goodenow to approve the resolutions (on file at the County Administrator's Office) requesting MnDot to conduct a speed study on CR#33 and CR#10 into Minneota. Gladis - Will they take into consideration that there is a school on CR#10? Voigt - Yes. All voted in favor.

Voigt handed out a model Right-of-Way Ordinance from AMC for the Management of the Public Right-of-Way for counties. Voigt - This ordinance would allow counties to maintain control of this. Please review it. Discussion.

Fenske - Have you had a chance to meet with McLaughlin and Schulz yet? Voigt - They were supposed to contact me and they have not yet. I have not attempted to final the project yet and won't until this is settled.

Voigt - I talked to Terry Renkin and all the brush is cleared out of the River by the bridge. If we would dig silt out to the original level, we would have to dig six feet out. There would be a big hole under the bridge which will just fill back in. We could dig out silt bars to match. Buysse - The DNR says that the river will clean itself out eventually. Voigt - My feeling is that the brush has not been cleaned out enough throughout the whole thing. Buysse - I would say take a little out now and see how it goes. Gladis - If you dig a hole under the bridge, the water will just swirl in there and it will fill in quick. Fenske - Do you recommend taking the silt bar out and a little all the way across? Voigt - Yes. Buysse - Cost? Voigt - This was supposed to be in-kind. Fenske - This will cost the County though. Voigt - Yes. It could be a week job if we dig out the six feet or a two day job if we do what I recommend. Fenske - Go ahead with the two day job. Buysse - They estimated that the cost to clean out under the bridge would be \$2,000. Voigt - That would be close if we do the two day job. Goodenow - How will Renkin know what we are going to do? Voigt - I will call. Gladis - We could always dig more later if we have to.

Jeanine Barker, Recorder, met with the board to give an update on UCC. In the past, we had said that we were in favor of being a satellite office. There is supposed to be an amendment to the bill that would add the counties who want to be satellite offices. I have worked with the Secretary of State to make this a less drastic impact. When the fiscal note came out, it basically stated that we would need more technology and no fees would stay within the county. Since then, the Secretary of State has made a 360 degree turn. If they were to take this all on in St. Paul, they would need to hire about 32 new people and need a different facility. Our Association decided not to fight because then the Secretary of State would not have to work with us and then we would have no service out here at all. The Southwest Minnesota Region will lose about \$250,000 in general revenue. The Secretary of State has tried to work with us on every idea that we have come up with. We will still have to provide service without the dollars coming in. I have contacted the legislators about this. Fenske - Who is pushing the changes? Barker - Big banks. They want all states to be able to file the same way. There are only seven states that have accepted this. Vandelanotte - No signatures will be needed then? Barker - No, they keep telling me this is technology. Jorgensen - Essentially there is no point to filing. Barker - I hope our legislators would not pass something that would take \$250,000 out of Southwest Minnesota. Discussion. Barker - Just to let you know, there is one other bill Senate File 223 dealing with the providing of information that the government has accepted. Jorgensen - This goes back to Freedom of Information Act. Barker - I sat on the MACO Committee for land records management and now I am working on this. Fenske thanked Barker for her update.

Meeting Recessed.
Meeting Back to Order.

Discussion on Cluster Joint Powers.

Maes introduced Aaron Duis, the new assistant attorney. Duis gave his background. Fenske - How will he fit in? Maes - I plan to familiarize him with all parts of the office and he will be involved with planning and zoning.

General Revenue Vouchers were presented. Discussion. Buysse moved, seconded by Goodenow to approve the general revenue vouchers. All voted in favor.

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General Revenue Fund	\$58,738.97
Road and Bridge Fund	\$42,731.84
Landfill Special Rev. Vouchers	\$29,131.07
Ditch Fund	\$962.61
Sinking Ditch V	\$375.00
Sinking Ditch VI	\$150.00
Sinking Ditch VII	\$375.00
Total	\$132,464.49

Beginning Warrant Number: 328193; Ending Warrant Number: 328267.

Jorgensen - I recommend hiring DMG Maximus to undertake the compensation review. It will take approximately sixteen weeks and will cost \$22,215.00. I received four proposals ranging from \$17,115.00 to \$42,000. After reviewing all of them, I believe DMG Maximus will meet our needs the best at the lowest cost. Fenske - You budgeted for this? Jorgensen - Yes. Goodenow - For some positions, labor grades could change correct? Jorgensen - Yes, but salaries may not. Fenske - Have they worked with other government entities? Jorgensen - They have done public and government work including Nobles County. This is not the low bid, but I have a greater comfort level with DMG. Discussion. Vandelanotte moved, seconded by Buysse to approve hiring DMG Maximus to undertake the compensation review. All voted in favor.

Jorgensen - Need to finish the board appointments. I received the recommendation from the Library Board to appoint Stan Sitton. Fenske appointed Stan Sitton to the Library Board.

Jorgensen - As for the Park Board, Anderson has talked with Budde and he has said if there if anyone else that would like to be on the board, he would step down as he has been on for a long time. I would suggest asking Budde to be an ex-officio member. Fenske appointed Kevin Henkel and John Vigna to the Park Board along with Betsy Desy directing Jorgensen to request that Budde be an ex-officio member.

Jorgensen - The Yellow Medicine Watershed District has sent a letter requesting that a member of the board be officially appointed to the Yellow Medicine River Watershed Advisory Board. Their legal council feels that they need this to be an official appointment. Fenske - I will appoint Buysse to the YMRWSD Advisory Board.

Jorgensen - I received a letter from AMC discussing county day at the Capitol.

Jorgensen - The Legislative Conference is March 29-30.

Jorgensen - The Garvin Fire Department and First Responders has sent in a request for funds. I will put it in the Improvement Fund file.

Jorgensen - There will be a Regional Jails Meeting on February 9 at the Murray County Courts Building.

Landfill Vouchers were presented. Discussion. Vandelanotte moved, seconded by Buysse to approve the landfill vouchers. All voted in favor.

Henriksen - You should have all gotten a copy of the information sheet that we are going to send out to the cities and whoever deals with the landfill. This will also serve as an invitation to the landfill. Goodenow - Maybe you should have Sharon Root use her clipart to spruce it up a little. Henriksen - I have been trying to get a hold of a teacher from the Redwood Valley School whose class makes videos. They could possibly make a video about the landfill. Fenske - We need to remember that this was a result of the survey.

Henriksen - We have figured out the rebate for July to December from the Greater MN Landfill Cleanup Fee. Gladis - This money goes to? Henriksen - Landfill abatement programs such as HHW and recycling. The landfill Advisory Board has recommended this also. Goodenow moved, seconded by Gladis to approve the rebates as follows from the Greater MN Landfill Cleanup Fee to be used for Landfill Abatement Programs.

<u>COUNTY</u>	<u>TONS</u>	<u>REBATE</u>
Lyon	104155.55	\$22,280.00
Lac que Parle	1519.30	\$ 3,250.00
Lincoln	1117.24	\$ 2,380.00
Pipestone	2548.94	\$ 5,450.00
Redwood	4064.91	\$ 8,690.00
Rock	1635.80	\$ 3,540.00
Yellow Medicine	<u>2062.73</u>	<u>\$ 4,410.00</u>
TOTAL	23364.47	\$50,000.00

All voted in favor.

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Henriksen passed out a copy of a letter that Joel Carlson had composed. It will come from the Landfill Advisory Board and be sent to the legislators on the Landfill Policy Report. Discussion on Recycling. Goodenow - The letter should come from the Board of Commissioner and the Advisory Board. Buysse moved, seconded by Goodenow to approve sending a letter from the board to the legislators dealing with the landfill policy report. All voted in favor.

Jorgensen - We have been working with Stoneberg on purchasing the property to the east of the landfill. Stoneberg has written the proposal and we are proposing to purchase the property for \$350,000. It is basically the same deal we had with the DeVries property. Henriksen - We would be purchasing about a quarter including a building site. Fenske - Appraised value? Henriksen - We will be paying a premium to acquire the land. Buysse - He does not know about this? Henriksen - No. Fenske - Good farm land? Henriksen - Fair. It could be leased out again. Vandelanotte - Does Lyon County want to be a landlord? Henriksen - We already are. Jorgensen - We need approval to sign the purchase agreement which would make the offer. Goodenow moved, seconded by Gladis to sign the purchase agreement offering to buy land adjacent to the landfill for \$350,000. All voted in favor.

Commissioner Reports:

Gladis - I had an Enterprise Development meeting. Jackie is doing a good job. Jorgensen - They have requested to put the Facilitator on the flex plan. This is not going to be a problem, but it is becoming a policy issue. If we continue to allow non-core County groups to jump on our insurance, do we need to start recouping some of our costs? I have told the facilitator that since she has decided to cancel her health insurance with the County, that she will not be able to jump in and out as she wants to. Discussion. Jorgensen - There are a lot of groups out there that may want to get on the County insurance. Fenske - I don't believe having an administrative charge is out of the question.

Gladis - At the Fair Board Meeting, they discussed trying some different things. Fenske - What do they have for reserves? Gladis - I think about \$2,000. Jorgensen - MCIT is giving the fair boards and ag societies their own policies as opposed to coming under the County umbrella. My guess is that they will charge each separately and then the board will come back to the county for reimbursement.

Vandelanotte - Robert Finley has resigned from RCRC.

Jorgensen - The resolution for the name change is still out there. Vandelanotte - I got calls on it and they said to leave the name alone. A couple people said to put it on the ballot. Goodenow - Do we have to ask the City to change the Joint LEC to just LEC? I guess we could just informally call it the LEC. Maes - I received complaints, primarily from attorneys, about changing the name.

Jorgensen - I have the employment agreement for the County Administrator. Fenske - It includes salary etc. Jorgensen - Yes. Fenske - It just puts in writing what we are doing today. Vandelanotte moved, seconded by Buysse to approve the employment agreement for the County Administrator. All voted in favor.

Jorgensen - Tracy has another tax forfeited piece of property that they would like demolished. It is at 78 Morgan St. I will request quotes for demolition. Goodenow - Does Tracy pay for part of it? Jorgensen - Yes, a 50/50 split.

Jorgensen - On February 15, some of the department heads and I will be making a presentation to the Marshall Leadership Academy.

Jorgensen - I sit on the Service Coop Board of Directors as an ex-officio member. I have given you a packet on where things will be going in the future.

Jorgensen - There will be a meeting with Locher Brothers on Thursday morning.

Per diems were presented. Buysse moved, seconded by Goodenow to approve the per diem for Gladis in the amount of \$100. All voted in favor.

Goodenow - The bike trail meeting had a good turn out.

Fenske - RDC has no administrator yet. We have appointed a Department Head as acting administrator until we find one. There has been a director hired for the Prairie Expo Board. Fenske mentioned letter received on emergency management and response personnel. Fenske - Did you get a response from MCIT? Jorgensen - Robin Sykes will take it to MCIT's board of directors. The invoice was paid and a refund may be coming back to the county. Fenske mentioned a letter he had received from MN Sustainable Energy for Economic Development (SEED). Everyone said they had received the same letter.

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Gladis moved, seconded by Goodenow to approve supporting the study of deregulation to get safe guards in place before anything is passed. A response will be sent to MN SEED. All voted in favor.

Fenske - I will not be here for the next meeting.

Buysse - Is DMG going to be disruptive? Jorgensen - They shouldn't be.

Buysse moved, Gladis seconded motion to adjourn the meeting until Tuesday, February 15, 2000 at 9:00 A.M.

Robert Fenske, Chairman

Attest: _____
Mark R. Jorgensen
Lyon County Administrator