

LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY COURTHOUSE, MARSHALL, MN  
April 4, 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 as printed.

Vandelanotte moved, seconded by Gladis to approve the minutes from the regular Commissioner Meetings on March 7<sup>th</sup> and 21<sup>st</sup>. All voted in favor.

Ditch Vouchers were presented. Discussion. Buysse moved, seconded by Gladis to approve the ditch vouchers. All voted in favor.

Hammer - I have a situation on JD#31 that needs to be discussed. There are some repairs that need to be done because of some slide ins. About two miles will need to be cleaned. The system was bonded for previously and right now there is \$2,700 in the account. We will need about \$10,000 to do the repair. Even though 40 percent of that will be Lincoln County's share, there still is not enough money to cover it. I have told the landowners that there is not enough money to do the repairs. Vandelanotte - Could we borrow the ditch some money so the repair can be done. This will only get worse with time. Jorgensen - Yes, we could basically do a one year loan, then an assessment could be put on after that. Goodenow - Does Lincoln County have the money? Hammer - Yes, and if we don't go ahead, Lincoln County will clean the outlet which will cost about \$1,000. Goodenow - I am assuming that we would get a better price if it were all done at once. Hammer - Yes. I have also talked to the overseer and some of the people on the ditch and they have no problem with the monitor going in the culvert. Lincoln County has also talked it over and they have no problem with it. I will bring the resolution for the loan to the next meeting.

The US Fish and Wildlife has contacted me about JD#9 in Black Rush Lake. They would like to give Branch 11 an outlet so there will be no county tile on their land. As far as the abandonment goes, we need a petition from the landowners. Jorgensen - Is anyone going to do it? Hammer - I need to get someone to file the petition. Fenske - How will you proceed? Hammer - I will have to meet with the landowners. Discussion.

Discussion on JD#10/CD#7 appeal.

Road and Bridge Vouchers were presented by Steve Johnson. Discussion. Buysse moved, seconded by Goodenow to approve the road and bridge vouchers. All voted in favor.

Johnson - As far as CR#33 goes, Tom Behm called the MnDot Central Office and got the project memorandum through. Voigt brought it back from the cities after the AMC Conference. It is now back in Behm's office for review. Discussion on administering the project. Johnson - The drawbacks are that the paperwork must be done by us and the biggest drawback is that the money for the contractor must be up front. We would get reimbursed by the State, but not right away. Discussion. Vandelanotte - Is everything worked out with Locher Brothers? Johnson - We are working on it. Jorgensen - I think we may have a feasible solution. Discussion. Jorgensen - I have no doubt that the Lyon county employees can administer the project. Discussion.

Gladis - Three township board members from Custer Township had a question on the ditches along the township road that goes to the power plant. The ditches are higher than the road and the township wants to know if the County could cut them down. Johnson - The township would be responsible for getting permission from the landowners and we would keep track of our hours and bill the township. Gladis - I think this would be an extenuating circumstance and we would not have to bill them back. The members told me that sometimes the power plant has to bring in equipment to clear the road in the winter because the township does not have the equipment or money to do it. Fenske - I think in this case, the county could do something.

Vandelanotte - Ken Craven's who lives in the old Swan Lake Church would like another approach. Johnson - He needs to submit a permit and Voigt will approve or deny. The owner puts in the culvert and gets it all ready. The county would put some gravel on it, but that is all.

General Revenue and Special Water Project Vouchers were presented. Discussion.. Buysse moved, seconded by Goodenow to approve the general revenue and special water project vouchers. All voted in favor.

General Revenue	\$110,087.13
Road and Bridge Fund	\$4,772.23
Landfill Spec. Rev.	\$30,708.34
Water Projects - Spec. Rev.	\$69.00
Ditch Fund	\$153.18
Trust Fund	\$1,175.00
Total	\$146,964.88

Beginning Warrant Number: 328937; Ending Warrant Number: 329021.

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Jorgensen - I gave you all some information from AMC on why the counties should adopt an ordinance to manage their right-of-way.

Jorgensen - I have a bill from Motorola for the upgrade on the radio system in the LEC. It will come out of Criminal Justice Aid. Gladis moved, seconded by Vandelanotte to approve the bill in the amount of \$15,768.13 for radio upgrades in the LEC. All voted in favor.

Jorgensen - All of the counties in Minnesota are part of NACO.

Jorgensen - I received a response from MCIT on my liability insurance question. I will be getting back to Robin Sykes on this again because they say we are considered liable because of a Joint Powers. Discussion. Fenske - How much are we paying? Jorgensen - \$8,000. Fenske - I think we definitely need to investigate further.

Per diems were presented. Buysse moved, seconded by Goodenow to approve the per diems for Gladis - \$150, Vandelanotte - \$40 and Goodenow - \$40. All voted in favor.

Commissioner Reports:

Gladis - The Fair Board Meeting went well. We now have a signed contract with an entertainer. Jorgensen - I talked to Anderson and he said there have been some positive changes. Gladis - The annual meeting for the Lyon County Enterprise Corporation went well. Some of the people that have gotten help from Jackie were there and told us how things were going for them. The contact numbers are up.

Vandelanotte - I went to the meeting that discussed water. Halverson did a good job. Fenske - Some good information was put out from the agencies. Vandelanotte - RCRC has a new director.

Goodenow - I attended the Group Home meeting and they had a health inspection which went very well. However, the new furnace does not have a back draft and the county may have to help pay for one.

Fenske - We received a thank-you from the Balaton Sportsmen Club for the money for the aerators. I am still spending lots of time with RDC. I have received more information from the OEA which we will talk about further with Henriksen. Does Area II have an engineer? Vandelanotte - Bolton and Menk are going to take care of the projects that are ready to go. Buysse - I believe Bolton and Menk are going to work with them until the end of the year on a per project basis. They may find out that is cheaper than actually hiring an engineer.

Meeting Recessed.  
Meeting Back to Order.

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

Henriksen - I sent a memo out concerning the recycling contract. We met in March and discussed different issues. They haulers want basically the same contract except they want to be paid per housing unit instead of a flat rate. Right now if you figure it out, they get paid about \$1.64 per unit. That has been the same since 1994. They are requesting \$2.50 per household now. That would be locked in for five years. Jorgensen - Why not start with a lower rate at the beginning of the five years and build inflation into it every year. Discussion on raising the fees. Goodenow - Does the fee go for recycling? Henriksen - And the HHW program. Goodenow - Offer \$2.05 per housing unit and an inflation adjustment every year during the five year contract. Fenske - Make them a counter offer which includes the inflation adjustment and going per housing unit instead of a fixed rate.

Henriksen - The OEA gave us the CON. The numbers are what we wanted, but we did not get the ten years we requested. We only got until 2006. Fenske read a letter from Sherry Enzler, the director of the OEA. Fenske - Jorgensen has put together a letter to Enzler concerning some of her statements and he has also put together a thank-you to Seifert for his help on this matter.

Vandelanotte moved, seconded by Buysse to approve sending the letter to Sherry Enzler, OEA director and the thank-you to Seifert. All voted in favor.

Jorgensen - I also have a letter to the MPCA that will be signed by myself. This is in response to a claim of violation. The problem is that Grahn took in HHW from the wrong person. We are authorized to accept what he took in and he did everything correctly. The problem MPCA found was that we are only to accept from very small businesses and this business is considered a small business. I am also questioning the timing of the notification. So I have written a response. Discussion.

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Commissioner Reports Continued:

Buysse - The Extension Meeting was structured around nutrition for disadvantaged people.

Buysse moved, Gladis seconded motion to adjourn the meeting until Tuesday, April 18, 2000 at 9:00 A.M.

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Robert Fenske, Chairman

Attest: \_\_\_\_\_  
Mark R. Jorgensen  
Lyon County Administrator