

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
July 18, 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.

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

Hammer – I met with five of the landowners on CD#7 and they want all the legal fee reimbursement. They don't want a compromise. Goodenow – Do they realize they will have to pay lawyers? Hammer – Yes, they do.

Conference call with Lincoln County to appoint the joint board for the JD#31 L&L meeting on July 25th. Jorgensen – This call today is to determine the makeup of the joint board. Date of the meeting was confirmed. Norgaard, Lincoln County Commissioner – We nominate Petersen and Schalek to be on the board. Fenske – We nominate Buysse, Vandelanotte and Fenske. Norgaard moved, seconded by Buysse to cease nominations and cast a unanimous vote for the above nominations to the JD#31 L&L Board. All voted in favor. Conference call ended.

Hammer – The Planning and Zoning Board recommends denying a CUP to Thompson Excavation (see attached). The reason is that the site was out of compliance and the additional material was hauled and burned without permits. There was quite a bit of discussion and legal work. The Sheriff delivered letters and I was out there and told him he could not haul and burn without a permit. He did it anyway. There were a lot of things that were not done. One of which was that no asbestos inspection was done. The material was hauled out there and burnt and the nails and ashes were picked up and hauled back into town. I recommend denial of the permit and then a discussion on prosecution. Buysse moved, seconded by Vandelanotte to deny a CUP to Thompson Excavation to operate a demolition permit on land zoned agricultural. Gladis – Where does the MPCA come in? Hammer – The MPCA would have issued a demolition permit if we had issued a CUP. Goodenow – Part of his argument was that he had a burning permit from the DNR and the Sheriff's Department. Hammer – If the CUP is denied today, he can not reapply within six months. Goodenow – The City of Minneota has been talking with us on an unofficial basis. We have told them that we can not do anything within the city limits. Hammer – He has been in the demolition business for years. Goodenow – He claimed that since he burned it, he did not need this permit. Hammer – It doesn't make a difference if he was going to burn, bury or blow it up, he needs a CUP to move it. Goodenow – He was served an injunction after he burnt the first one, but went ahead and burnt the second one anyway. Fenske – Is this on the edge of 68? Hammer – On the old railroad property. He has cleaned it up now. Discussion. All voted in favor of denying the CUP.

Hammer – Need to consider prosecution. Goodenow – Our recommendation to the P&Z board was to start enforcing these things slowly since they really have never been enforced. If the third elevator ends up out there, then we send the sheriff out there with a camera and start counting the days for the fine. Hammer – Actually to do what he is doing out there, it would have to be rezoned. Fenske – We will not do anything now, but if it happens again, there will be fines etc. Goodenow – One of the arguments was that he had a burning permit from the Sheriff's Office. With a permit like that, you just call in and let them know when you are burning so that the dispatcher knows there will be a fire out there.

Hammer – I have an After the Fact Conditional Use Permit for Duininck Brothers (see attached). This was on the County line, two miles west of Garvin. Previously, McLaughlin and Schulz had a CUP for this location. Duininck's has gotten CUP's in the past and they are not sure how this happened. They are actually done at the site and it is all cleaned up. They just wanted this on the record. Goodenow – They were at the meeting. Goodenow moved, seconded by Vandelanotte to grant an After the Fact Conditional Use Permit to Duininck Brothers to extract and crush gravel material and for a recycling asphalt plant on land zoned agricultural. All voted in favor.

Road and Bridge Vouchers were presented by Jim Thomasson in the absence of Steve Johnson. Buysse moved, seconded by Goodenow to approve the Road and Bridge Vouchers. Discussion. All voted in favor.

Thomasson – I have a bill here from the State of Minnesota dealing with the salt shed. They finished putting the bladder on the salt shed and we have a bill for our portion in the amount of \$5,547.00. The contract isn't signed yet, so do we pay it or should we wait? Jorgensen – I think I still have the contract. Maes – We are adequately covered. Buysse – Was the bladder installed according to specifications? Thomasson – I am sure it is, but I can't say who or how it was done. Discussion. Buysse – Does the County own a percent of the building? Maes – Yes, based on the percent of contribution. Vandelanotte moved, seconded by Buysse to pay the bill in the amount of \$5,547.00 for the county's portion of the bladder on the salt shed built by MnDot. All voted in favor.

Gravel Crushing bids opened:

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The bids are as follows:

Conteck Enterprises, Inc. – Zimmerman, MN	\$62,000.00
County Line Contractors – Truman, MN	\$79,875.00
Fairway Construction, Inc. – Hector, MN	\$44,200.00
Rupp Construction – Slayton, MN	\$43,558.50
WM Scepaniak, Inc. – Holdingford, MN	\$44,800.00
Sterzinger Construction – Taunton, MN	\$47,925.00

Fenske – Who did it last year? Thomasson – Rupp. Fenske – Did they do satisfactory work? Thomasson – They cleaned up very well and did a good job. Gladis moved, seconded by Buysse to accept the low bid from Rupp Construction for the gravel crushing bids. All voted in favor.

Jorgensen – I would like to request that you close the meeting to briefly discuss a personnel issue.

Goodenow moved, seconded by Vandelanotte to close the meeting to discuss a personnel issue. All voted in favor.

Gladis moved, seconded by Vandelanotte to reopen the meeting. All voted in favor.

Gladis – Have you talked to anyone about getting the extra dirt at the fairgrounds? Thomasson – No, I have not and Johnson is on vacation this week. We are hauling from Garvin right now so we could bring it here for a day. Gladis – I believe all of the permits for the City have been taken care of. Jorgensen – I am not sure about that. Discussion. Fenske – Has the board approved this yet? Vandelanotte – No, but if we can use the dirt when they are done, it would not be so bad. Thomasson – We could probably pile it there and use it for the expansion. Discussion on the Fair Board and Ag Society. Jorgensen – I just want to make sure that everyone knows who is responsible for what. Gladis – I will have Tom Meulebroeck make up a list of everyone’s responsibilities. Jorgensen – You could approve the project based on a satisfactory set of guidelines that Gladis and I can work on. Goodenow moved, seconded by Vandelanotte to approve the Highway Department moving dirt to the fairgrounds for the fair contingent on a satisfactory set of guidelines as determined by Jorgensen and Gladis. All voted in favor. Buysse – What would be a cost estimate? Thomasson – Roughly \$600.

General Revenue Vouchers and special water projects were presented. Buysse moved, seconded by Gladis to approve the general revenue vouchers and special water projects. Discussion. All voted in favor.

General Revenue Fund	\$37,794.41
Road and Bridge Fund	\$52,434.29
Landfill Special Rev. Fund	\$43,569.29
Water Projects – Spec. Rev.	\$713.99
Ditch Fund	\$983.50
Total	\$135,495.48

Beginning Warrant Number: 330323; Ending Warrant Number: 330441.

Jorgensen – We have the countywide stationery quotes. They are as follows:

Cimarron Printing	
Regular Paper	\$6,638.50
Recycled Paper	\$6,767.60
Henle Printing Co.	
Regular Paper	\$7,438.34
Recycled Paper	\$7,546.57
Tracy Publishing Co. Inc.	
Regular Paper	\$7,551.99
Recycled Paper	\$8,446.58

Jorgensen – In the past few years at least, the Commissioners have gone with recycled paper. Assuming that is the way you would like to go this year, I would recommend accepting the low quote from Cimarron Printing. Vandelanotte moved, seconded by Goodenow to accept the low quote on recycled paper from Cimarron Printing for countywide stationery. All voted in favor.

Jorgensen – Just a reminder, the Humane Society Meeting is Thursday at 5:00.

Jorgensen – The MPCA is letting their five-year strategic planning meeting be open to the public if anyone is interested in going.

Jorgensen – I gave you all a copy of the application and the general policies and procedures for the Improvement Project’s Fund. I have not sent any of these out yet, but I know there are projects. I would like to know if you would like any changes made. Goodenow – Should be some accountability included. Maybe a report on how the money was spent. Gladis – I think we had decided previously that they could request money for the same project in two consecutive years. Jorgensen – Yes, I think we did, I can

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change that. I have stated that they would get ninety percent of the money up front and the last ten percent upon satisfactory completion of the project. Buysse – How will everyone be notified? Jorgensen – A letter will go out to city clerks and townships. Buysse – How will we know if there has been satisfactory completion? Jorgensen – They will have to submit a report and show me or a county official what they have done. Discussion. Goodenow moved, seconded by Gladis to approve the policies and procedures for the Improvement Project's Fund with editing and a two-year funding cycle. All voted in favor.

Chrystal Rhoder, Prairie Ecology Bus Center met with the board to give an update and make a request for continued funding. Rhoder – The schools have been real receptive to using the funds that you have provided. Because of last year's County Fair, we got exposure in South Dakota. Goodenow – Funding for next year? Rhoder – We are looking at different ways of approaching the funding. We are hoping to find an annual sponsor – possibly a corporate one. We are also trying to establish other sources like with charitable gambling. Discussion. Fenske – Economics is a constant problem. The Prairie Ecology Center needs more funding from the other counties. Buysse – How many counties are involved? Rhoder – Twelve. If we go out of that area, then we charge more. Fenske – When the bus goes to a school within those twelve counties, it actually costs the Center money. The schools only pay about fifty percent of the cost. Rhoder – We are also looking at developing a brand new line of programming aimed more at high school students and doing some testing year round. We hope this will make the Center more attractive. Discussion. As you move into budgeting for 2001, please consider us. Fenske – We are supportive of this, we just wish we could get more counties involved. Goodenow – Maybe we could send out letters explaining how we fund the Center. Discussion. Fenske thanked Rhoder for coming and Rhoder thanked the Board for their time.

Meeting Recessed.
Meeting Back to Order.

Jorgensen – I gave you some information, guidelines, and a resolution on the use of credit cards. The county has no policy in place right now. Effective August 1, 2000, the county could start using credit cards. I don't see that there will be a big need for them, but we should have a policy in place. Discussion. Goodenow moved, seconded by Buysse to adopt the resolution (on file at the County Administrator's Office) on county use of credit cards effective August 1, 2000. All voted in favor.

Jorgensen mentioned a letter addressed to Fenske regarding concerns from the disabled American Veterans Chapter in Marshall.

Jorgensen mentioned an ethanol rally sponsored by Congressman Minge yesterday.

Jorgensen – There is a groundbreaking ceremony on August 9 for the Merit Center. If anyone is interested in going, please RSVP to Marshall Area Chamber.

Jorgensen – There is a Marshall Community Center meeting tonight.

Jorgensen – We received a letter thanking Bob Byrnes for his work. He is back full time with the County.

Jorgensen – I have received the quarterly STS reports if anyone would like to look at them.

Jorgensen – If any of you have any agenda items for the Joint City/County meeting, please let me know.

Per diems were presented. Gladis moved, seconded by Goodenow to approve the per diems for Fenske in the amount of \$25 and Vandelanotte in the amount of \$120. All voted in favor.

Discussion on upcoming meetings.

Commissioner Reports:

Vandelanotte – I went to Chaska for the Mn River Basin meeting for a tour. Area II will be having a bus tour showing all the projects. I think that the soil and water districts, RCRCA, and Area II are starting to work together a little more.

Discussion on Prairie Expo grand opening.

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

Henriksen handed out a draft copy of the RFP on the recycling program. Discussion. Fenske – When are you planning on putting this out? Maes – I think this is really pretty standard. Jorgensen – On the proposal sheet, you have space for 2001 and this is a five-year contract. Henriksen – It is stated in the contract that 2001 would be set and for the following years, it would increase by the Consumer Price Index. Jorgensen – If this is the direction the board wants to go, the RFP looks fine. Fenske – The reason we even brought this up is because there is an impasse between what the haulers want and what the County wants to pay. Discussion with one of the haulers. Gladis moved, seconded by Goodenow to approve the

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RFP for the recycling program. Hauler – Is there a deadline? Jorgensen – The current contract is up at the end of the year. Henriksen – We can open proposals at the first meeting in September. Hauler – Will this include the whole county? Henriksen – Yes. Fenske – What happens if a hauler wants work in a certain city? Henriksen – This is for the whole county. Jorgensen – What may happen is that a group of haulers will get together to meet the RFP. Discussion. All voted in favor.

Commissioner Reports cont.

Fenske – The new director of the RDC is on board. His name is Aaron Reeves and he is an SSU graduate.

Goodenow left at 11:50 A.M. to attend another meeting.

Buyse – The YMRWS Advisory Board is meeting in Taunton on the 26th.

Buyse moved, Gladis seconded motion to adjourn the meeting until Tuesday, August 1, 2000 at 9:00 A.M.

Robert Fenske, Chairman

Attest: _____
Mark R. Jorgensen
Lyon County Administrator