

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
July 3, 2001

Meeting called to order by Chairperson Fenske. Members present: Buysse, Goodenow, Fenske, Gladis, Nelson, County Attorney Maes and Auditor/Treasurer VanOverbeke.

Pledge of Allegiance to the Flag.

Nelson – I would like to add an item to the agenda to revisit the decision on the Public Works Building. Chairperson Fenske approved revised agenda.

Buysee moved, seconded by Goodenow to approve minutes from June 1 Special Meeting, June 5 Commissioner Meeting, June 18 Board of Equalization meeting, and September 5, 2000 Maintenance Meeting. All voted in favor.

Buysse moved, seconded by Gladis to approve the ditch vouchers presented by Hammer in the amount of \$1422.45. All voted in favor.

Hammer – The appeal for JD #10 vs. Lyon County #7 is settled. The court of appeals approved \$37,785 in legal fees. This has been going on since 1991 when we met with the ditch petitioners. We also did tile repair for David Norgaard, 860 feet of tile repair. There was roots in the tile.

Thursday, September 6 at 7:00 PM was set for the Ditch Maintenance Levies Meeting.

Buysse – Who's responsible to spray ditches? Hammer – Some townships just do it, or the landowners do it. Is there a specific spot? Buysse – Legally, who's responsible? Do people own the land or does the township own it? Hammer – Landowner. It would be a good item to bring up at the annual township meeting.

General Revenue Vouchers and Trust Fund Payments were presented. Buysse moved, seconded by Gladis to approve the general revenue vouchers.

General Revenue Fund	\$122,303.20
Road & Bridge Fund	\$40,335.87
Solid Waste Management	\$25,356.45
Ditch Fund	\$1,170.01
Forfeited Land	\$1,422.45
Total	\$190,587.98

Beginning Warrant Number:; Ending Warrant Number:.
All voted in favor.

Nelson – The Minnesota River Basin wants to double the amount of annual county dues from \$2,000 to \$4,000. They are short on funds. They've been in existence since 1995. They have not accomplished a lot. Buysse – They first said they weren't asking for any money. Then they asked for \$2,000. Now \$4,000. Nelson – They were given money in their first existence from the Governor's office. Now they aren't getting any appropriations. Fenske – How do they figure the percentage for counties to pay? Gladis – It's based on population. Fenske – Are they expecting an answer? Nelson – They want an answer by August 1. Gladis – Is the Metro Council still funding \$100,000? Nelson – People want money to go to projects, not administration. They take the credit for Area II and RCRCA work that they didn't do. Sort of a cumbersome group with no mission. I recommend we continue funding at \$2,000. Area II is meeting on Thursday in Granite Falls – we can see what other counties are doing. We'll have more information. Nelson moved, seconded by Buysse to table a vote until the next meeting. All voted in favor.

Landfill vouchers were presented by Henricksen. Buysse moved, seconded by Gladis to approve Landfill vouchers. All voted in favor.

Fenske – We need to discuss the recycling contract regarding pop and beer cartons and the fact that they are not able to be recycled now. Henricksen – We've been advertising for as long as we've been doing recycling that we won't accept it. They were taking it, but it wasn't in the contract. The pop and beer cartons are fiber coated and it's a problem in recycling. Boxes that hold liquid have a different paper. The majority of our recycling is commercial. Fenske – 325,000 pounds last year. Goodenow – How is May and June? I just wondered what the trend is. Henricksen – Lower, but it's coming back. It has varied every year since we started recycling. Gladis – What kind of money is generated? Are we spending too much on residential when we should be going after commercial? (Steve Ritter?) – We pick up business recycling as a service to our customers that we do garbage business with. (Currie Sanitation guy?) – We received a letter from the place we send our cardboard to that they will not take pop and beer cartons. We were taking contaminated cardboard and mixing in with the rest. We don't pick up enough raw cardboard, so we have a high percent. We are taking a loss by shipping our plastics. We're baling aluminum and waiting for a better price. The pop and beer containers are called carrier stock. It doesn't break down when wet. Fibers are longer and stronger. This material isn't breaking down, so it's shutting the machine down. We are looking for a place for beer and pop boxes. Steve – We would send it to different markets – not food containers, but shingles. Benson – Our contract says paperboard. It is a general term. Currie did also continue to pick up pop and beer cartons, until the letter came. Maes – I don't see that they are violating the contract. Steve –

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We picked up plastic at a loss. Gladis – You're holding a lot right now? The recycling numbers won't be accurate if it's being held. Receipts go off sold poundage. Currie – If you call any company, they are not going to want pop and beer cartons. Fenske – It's too bad this wasn't in our contract and we wouldn't have this problem. I am so sick of phone calls. Currie Sanitation – If you are getting phone calls, refer them to me. I haven't gotten any calls. I will make personal contact with them. If we get our volume up, we can salt it in. I've gotten a few calls about us leaving the beer and pop cases, but we explain it and they seem fine. Van Overbeke – They've called us, too. Fenske – I will say that I've had positive comments about prices for commercial business.

Gladis moved, seconded by Buysse to approve the road and bridge vouchers presented by Benson. All voted in favor.

Benson – On behalf of the Park Board, Rick Anderson and myself, we would like to thank the board members for attending the Garvin Park Open House. It was a success with over 700 people attending.

Benson – The contract with McNeil Environmental ended on June 30, 2001. The Safety Committee recommended approval of AirTech Environmental – Steve Musser. We don't have to have a three-year contract, we can get out if we are unhappy. Gladis moved, seconded by Nelson to approve AirTech Environmental as Lyon County's Safety Consultant. All voted in favor.

Goodenow moved, seconded by Buysse to approve the change order for leak site #7222 for \$5,937.81. Benson – Some utilities need to be relocated for the Public Works Building. Contaminated soil needs to be removed. Monitoring wells need to be removed. All voted in favor.

Goodenow moved, seconded by Fenske to approve the consultant contract for Development and Response Action Plan Services. All voted in favor.

Benson – Using geo-thermal will give us a 2.5 year life cycle payback. It's more money up front, but it pays off in the long run.

Benson will go to the July 11th planning commission meeting and the July 16th Marshall City Council meeting.

Nelson moved, seconded by Buysse to reconsider the vote of approval for the Public Works Building. Nelson – This approval wasn't related to the current needs of Lyon County. Fenske – Alter it because of the 3rd floor? Nelson – I think 3 stories would look out of place. I do support the basement and the main and 2nd floor. Gladis – If we don't have the 3rd floor, the roof changes. Nelson – 10 to 15 years from now, are we able to get slabs that match? Goodenow – I think the 3rd floor would be a different construction. Nelson – Money for an immediate need is better than a maybe in the future. Buysse – The \$100,000 could better be spent with a cold storage. Benson – We're providing cold storage space for a lot of different entities. Gladis – If we retract our decision, will it be a big cost to change? Benson - Your motion was to go back to just a basement, a main floor and 2nd floor, less footings and a different roof. Gladis – Put on the agenda to vote on next time, but redirect Anita to have the work stopped on the additional 3rd floor, but continue with the basement, main, 2nd floor, elevator and geo-thermal. All voted in favor.

The Road Tour was scheduled for Friday, July 13, meeting at 8:00 AM at the Highway Shop.

Gladis moved, seconded by Buysse to approve a resolution to support Public Health Services to get out of home care in Lyon County. Jay Trusty – Murray and Lincoln County no longer do home health services. It didn't seem to make sense to provide home care only in Lyon County. There are plenty of providers. Fenske – Are Lyon County clients aware of this? Trusty – Medicare requires us to give 30 days notice. Our staff has been approached by different organizations to work for them. All voted in favor.

Mary McLaughlin & Sheila Leonard, RSVP, gave an update on activities. Goodenow – the Joint Powers agreement is not acceptable. Human Services did not want to have the oversight and the joint powers agreement. I recommend that we withdraw your funding through Human Services and have it come from Lyon County. McLaughlin – Part of the reason we've been kept in the Human Services budget in some counties is because of the extra federal funding that can be available. Goodenow – I think we would rather give money that would go towards an office. Fenske – We could take care of office rent from February when you started paying rent until the remainder of the year which would be \$550. Goodenow – The joint powers agreement will be signed by January 1. McLaughlin – Lyon County is the only county that requires a Joint Powers Agreement. Fenske – The money flows through Human Services. Goodenow – There's a problem between RSVP and Senior Center and a problem between RSVP and Human Services. Fenske moved, seconded by Gladis to appropriate a \$500 lump sum out of contingency for RSVP office rent. All voted in favor.

Ron Krause gave an update on the Lyon County Government Center Facilities Department.

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Gladis moved, seconded by Buysse to approve Tracy Swimming Pool funding of \$10,000 in the year 2002, \$10,000 in the year 2003 and match up to \$15,000 in 2004 of money that would come from ISD #417. Van Overbeke – It would be given as an appropriation, not out of the Improvement Fund. Fenske – If we wouldn't get enough requests for the Improvement Fund, they could use the remainder. Gladis – We need to look at the swimming pool as a county project. Nelson – I would motion to amend the motion to not have the match for Tracy Schools. Tracy school has, in a sense, donated to it as it was an athletic field. They donated school land to the school. Fenske – I don't understand – Marshall schools can contribute to the pool. Goodenow – Community Services fund levies are different from the school levies. Fenske – Hearing no 2nd, the amendment is dropped. Gladis – The Tracy school wants to terminate our joint powers agreement between the school and the Community Education program and the pool is part of that agreement. Gladis moved, seconded by Buysse to withdraw the motion for Tracy Swimming Pool funding. All voted in favor. Goodenow – We need more of a commitment. Gladis moved, seconded by Goodenow to approve Tracy Swimming Pool funding of \$10,000 in the year 2002, \$10,000 in the year 2003, \$10,000 in the year 2004 and a match of up to \$10,000 in 2005 of money that would come from ISD #417. Buysse – Maybe Tracy shouldn't be able to get Improvement Fund money anymore. Fenske – We don't want to discourage them. All voted in favor.

Van Overbeke – We received a \$22,222 Worker's Compensation refund. It will be put into the General Revenue fund for this year.

Gladis moved, seconded by Goodenow to approve per diems for Nelson of \$5.43 for meals, \$210.00 for per diems and \$133.98 for mileage, and \$75.00 for per diems for Goodenow. All voted in favor.

Van Overbeke – We would get a better rate if we bond for the Law Enforcement Center expansion and the Public Works Building at the same time.

Buysse – We need to remember with the new Commissioner that we are the boss and he does what we tell him. Gladis – We need to give him a path to go by.

Maes – The JD #10 and Lyon County #7 case is finished now.

Gladis moved, seconded by Goodenow to approve a grant agreement for juvenile restitution between the Department of Corrections and Lyon County for the 2002-2003 year. Maes – We contribute \$2,000 each year and it's matched by the Probation Fund. All voted in favor.

Joel Carlson, Lobbyist for Solid Waste, gave a legislative update.

Buysse moved, seconded by Gladis to adjourn the meeting to go into a closed session. All voted in favor.

Goodenow moved, seconded by Buysse to come out of the closed session. All voted in favor.

Goodenow moved, seconded by Buysse to ask the County Attorney to respond to amended findings of violation and administrative compliance order on consent. All voted in favor.

Goodenow moved, seconded by Buysse to proceed with the process of permitting the expansion at the landfill. All voted in favor.

Goodenow moved, seconded by Buysse to direct the SHE engineer to continue to proceed with the process of permitting and design of the landfill. All voted in favor.

Buysse moved, seconded by Gladis to adjourn the meeting until Tuesday, July 17, 2001 at 9:00 AM.

Robert Fenske, Chairperson

Attest: _____
Paula VanOverbeke
Auditor/Treasurer