

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
November 20, 2001

Meeting called to order by Chairman Fenske. Members present: Buysse, Fenske, Gladis, Goodenow, Nelson, County Attorney Maes, County Auditor/Treasurer Van Overbeke and County Administrator Lewis.

Pledge of Allegiance to the Flag.

Agenda approved with the addition of a resolution to approve the legal document dealing with the bonding for the PW/HHW building, request for authorization to advertise for bids for refurbished furniture for the PW/HHW building and a handout on a proposed floodwater retention plan.

Ditch Vouchers were approved. Hammer – On the bill for Rick Jeseritz it says CD#9 and it should be CD#69. Discussion. Goodenow moved, seconded by Buysse to approve the ditch vouchers changing the Rick Jeseritz bill to CD#69. All voted in favor.

Conditional Use Permit for Northern States Power/Xcel Energy presented (see attached). Discussion on where the transmission line would go. Goodenow moved, seconded by Nelson to grant a CUP – Essential Service to Northern States Power Company d/b/a Xcel Energy for a CUP – Essential Service for Transmission line replacement and upgrade. All voted in favor.

Conditional Use Permit for Scott Boerboom presented (see attached). Discussion. Buysse moved, seconded by Goodenow to grant a CUP to Scott Boerboom to operate a business (Used Car Sales) on land zoned agricultural in Grandview Township. All voted in favor.

Hammer – At the last meeting you requested that I check with other counties and see what the rate for overseers is. They are as follows:

Redwood County:	\$20.00 plus mileage
LacQuiParle County:	\$23.50 Head Viewer, \$20.00 viewer
Murray County:	\$115.00 per diems full day; \$60.00 part day
Lincoln County:	\$25.00

Nelson – Do the other counties have a difference between city and county fees? Hammer – No. Goodenow – What about Yellow Medicine County? Hammer – They have not had any viewing done. Gladis – Is it necessary to have a different fee for city and county? Nelson – How many viewers do we have? Hammer – Five accredited viewers. Nelson – There is a 60% increase for overseers. Hammer – They seldom turn in a bill. Goodenow – What about other counties? Hammer – Other counties don't have overseers. Discussion. Benson – Currently there is a different viewing rate for cities and counties. Right now the city rate is at \$25. Discussion. Buysse moved, seconded by Fenske to set the hourly rate for accredited viewers at \$25 for both ag and city land, to set the hourly rate for unaccredited viewers at \$20 for ag and city land and the hourly rate for overseers to \$12.00. Nelson – I hate to see them charge \$75 per hour when all three are out viewing. Voting for: Buysse, Fenske, Goodenow. Voting Against: Gladis. Abstaining: Nelson.

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

Benson – I would like to request approval to advertise for bids on SAP 042-597-01. This is a bridge replacement project over the Redwood River located on River Street in the City of Lynd. The existing bridge is a steel beam span bridge with concrete abutments. The new bridge will be a three span concrete bridge. The project is being financed through bridge bonding funds and a local cost share by the City of Lynd. I recommend the board authorize advertising for bids and set the bid opening date on December 19th at 2:00 p.m. Discussion. Buysse moved, seconded by Goodenow to approve advertising for bids on SAP 042-597-01 (Lynd bridge) and to set the bid opening for December 19th at 2:00 PM. All voted in favor.

Benson – I have given you some information on the proposed low interest loan program for septic system upgrades – Cottonwood and Yellow Medicine River Watersheds. The Board approved acting as a loan sponsor for the implementation of the Cottonwood and Yellow Medicine Rivers Restoration Clean Water Partnership Projects in conjunction with RCRCA and Yellow Medicine River Watershed District as Project Sponsors and the MPCA at the recommendation of the Lyon County Environmental Department. Since that time, the Board before proceeding with implementation of these new programs has requested a more thorough evaluation of the need, costs and benefits to county residents. I held a meeting with Paula Van Overbeke, Auditor/Treasurer; Paul Henriksen, Environmental Office; Todd Hammer, Planning & Zoning Administrator; Jim Doering, RCRCA Executive Director; Terry Renkin, YMRWSD; and Rose Anderson, SWCD to discuss the program. After estimating a cost of implementation, I am recommending that we go ahead with this, but that we monitor it for a year to make sure that the funds are being utilized. The difference in this program and SWCD's is that with this one, it can be assessed to the property taxes. Fenske – How come some systems are not eligible? Benson – This money is targeted for existing systems that need to be upgraded not for new ones being put in with new buildings. Buysse – Is this going to include the Redwood River? Benson – They are going to apply if we are willing to do this one. Two percent of the interest goes to MPCA and

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November 20, 2001

1.5 percent would come to the County. I estimate over a ten-year period that the county would recover about \$12,500 in interest. Discussion. Goodenow – How would this be administered? Benson – A lot of non-farming residents have to come to Planning and Zoning for permits already so the applications could possibly be located there. If you decide to go ahead, I will meet with Hammer, Henriksen, and Van Overbeke to get things in order. Nelson – There is a difference in risk between the SWCD program and this one. For this one, the county assumes the risk for SWCD's, the Tracy Bank assumes the risk; however, there is an option to deny if it is not feasible. Goodenow – One of the costs not included would be advertising. Benson – RCRCA and the watershed districts will do promotions. Discussion. Goodenow moved, seconded by Buysse to authorize Benson to proceed with the low interest loan program for septic system upgrades – Cottonwood and Yellow Medicine River Watersheds. All voted in favor.

Benson – I am handing you out information on a proposal for an engineering study to identify water retention sites in Lyon County and give a cost benefits analysis and quantify TMDL. Netzke, Area II has submitted a letter of support for this. The Water Task Force will consider some of the funding. In December, I will have a more in depth discussion on this. The watershed districts have looked at this also.

Benson – The board had requested an update on the CSAH 10 & 26 drainage issue. Benson presented a graphic form of square footage between the old and new bridges. Benson – The current bridge was designed for a high water elevation of 1121.5. The design state increase of the river upstream of the bridge is .9 ft. for a 100-year storm and .4 feet for a 50-year storm. This means that in comparison to the bridge and spillway replaced by the 1990 bridge, the level of water during a 100 and 50 year storm event will be respectively, .9 and .4 feet higher on the upstream side of the bridge. Conversely, during higher frequency storm events the water previously restricted by the smaller bridge flow area flows freely through the larger bridge opening. The graph I handed out illustrates this point by comparing the cross sectional area of the old bridge and spillway to the 1990 bridge at elevations ranging from 1116 to 1120. Water begins to flow through the 36-inch culvert at an elevation of 1116.5 and will flow full at an elevation of 1119.5. The low point of CSAH 10, which is approximately 200 feet north of the 36-inch culvert, has an elevation of 1121.2. This was known when the bridge was constructed and it was permitted by the DNR. If a water retention structure were to be installed to an elevation 1 foot below the low point of CSAH 10, the top of the riser would be at an elevation of 1120.2. This would result in a riser .4 feet or 4.8 inches above the top of the existing 36-inch pipe. I have talked with a property owner on JD#7 and he can not see how JD#7 is being damaged. The Watershed District board will meet on November 26 at 8:00 PM to discuss the addition of a riser. Gladis – I had a landowner call me wondering who would put the riser in if the watershed approves it. He is concerned about a lawsuit. I think the majority of the ditch is against this. Fenske – Benson, your feelings? Benson – I would be opposed. I am very concerned about the precedence it would set. The Watershed Board is aware that my recommendation is to leave it alone. Buysse – The people on top of 7 don't have any water, but the people below have hundreds of acres under water. Goodenow – Could it be billed to the ditch? Benson – I think the landowners would pay for this one. Maes – I think the position of the board is that you are not interested in putting a riser in. Also, I think you open yourself up for a lawsuit if you put a riser in. Benson – If a riser was approved, it would still have to be approved by the DNR. Fenske – It is the board's consensus that we are not in favor of putting a riser in.

Landfill Vouchers were presented. Buysse moved, seconded by Goodenow to approve the landfill vouchers. Fenske – What is SEH working on? Henriksen – The permitting issue. All voted in favor.

Henriksen – I have volunteered to be involved with solid waste planning. I did get a phone call about possibly purchasing the building site by Highway 23 close to the landfill. They do not have a purchase agreement, but we do have the right of first refusal.

Fenske – I received a letter from the OEA informing us that we will receive the SCORE Block grant. I also received a letter from the MPCA. Maes – I think we are getting very close to an agreement. I am surprised this letter went out at this time. We are looking at resolving the issue to serve the taxpayers and the other counties. There is some negotiation going on concerning the isolated wetland. My feeling is that it should be called what it is. I will be talking with the MPCA a little bit more. Discussion.

Meeting Recessed.
Meeting back to order.

Roger Albertson, State Auditor's Office, met with the board to discuss the 2000 audit exit report. Albertson – At the end of 2000, the county had about 13 ½ months of reserves. The Highway Department had about three months of reserves. Fenske – At what level do you advise counties to maintain reserves? Albertson – At least six months. The landfill had an increase in assets of approximately \$700,000. It operates rather well. It had a \$178,000 operating profit for 2000. We had the following comments and recommendations:

- Departmental Internal Accounting Controls

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
 LYON COUNTY BOARD OF COMMISSIONERS
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
 November 20, 2001

Proper segregation of the accounting functions necessary to ensure adequate internal accounting control is not possible because of limited number of personnel. We recommend that management implement procedures to ensure that the internal control policies and procedures are being implemented by staff.

- County Travel Policy
The board did approve a travel policy in 2001, but we would like employees to submit expenses to their supervisor then it will be approved by them.
- Bank Reconciliation's
They had not been done for a whole year. There was a \$961 difference that was not explained. These were not being reviewed. We recommend that cash is in balance at all times.
- Ditches
Seven of the 93 ditches had a deficit balance at the end of 2000. JD#15 has the largest. Seven have deficit reserves. I think the process you are going through is working well, you are moving closer and closer.
- Travel Allowance and Mileage Reimbursement
The PW Director had a personal vehicle reimbursement of \$550 per month and was getting paid mileage. This can not be done. I saw in your last meeting that you took care of this problem.
- Payment of Claims
The authority to pay claims can be delegated, but should be delegated on an annual basis.
- Payroll
Time sheets in the Sheriff's Department were not being approved. Comp time is not being tracked. Employees estimate hours. There is no lag time from the time worked to the time paid.
- Budgeting
There will need to be more detailed budgeting. Ditch systems will need budgets.
- Capital Asset Accounting System
This needs to be done more on a current basis where people are keeping track of costs etc. Fixed Asset limits should be around \$5,000 for reporting. You will be depreciating fixed assets.

There will have to be big changes made due to GASB 34.

We also suggest that you have some kind of a policy for applying for Grants, on fixed assets, on credit card use, and on cell phone use.

Fenske – How come there are no client responses included? Lewis – We will formulate the responses.

Fenske – Any thinking on payroll? Lewis – I think our insurance team will expand to include this. Has this ever shown up on an auditor report before? Van Overbeke – No.

Loren Pihl met with the board to discuss cocklebur concerns in CD#70. Pihl – From the Klein addition to the Forbes property there are cockleburs. Hammer – Cockleburs are a noxious weed and we do have state rules to enforce. I was not aware of the cocklebur infestation on the Forbes property and in the Klein Addition. At the time you first brought this up to me, you thought they were coming from Lynd, section 24. Pihl – I have walked all the creeks. George Verstraete has some also, but he plans to take care of them. Klein and Forbes have refused to do anything. They say it is the city's problem. Goodenow – This is a noxious weed issue, not really a ditch issue. Hammer – The standing policy is, if you have weeds on your property, you take care of them. Fenske – What happens if the owner does not remove them? Hammer – Then we have the state behind us and we can hire someone to go spray. Then the bill can be assessed to the owner's taxes. Goodenow – The landowner is responsible. Hammer – There will be an inspection so this will be taken care of. Pihl – There is also a thistle problem in Lake Marshall Township. Fenske – We will get this taken care of.

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

General Revenue Fund	\$36,152.72
Road and Bridge Fund	\$45,982.97
Landfill Spec. Rev. Fund	\$65,575.91
Water Projects – Spec. Rev.	\$4,594.50
Capital Projects Fund	\$50,099.83
Ditch Fund	\$4,415.00
Total	\$206,820.93

Beginning Warrant Number: 335855; Ending Warrant Number: 335965.

Lewis – At the last meeting, I had rushed Data Core to get an estimated amount to us so the contract could be approved. You approved it up to \$6,000 and the actual contract is for \$6,500. This is within the budget. Fenske – What was the original estimate? Lewis – Between \$6,000

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
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LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
November 20, 2001

and \$7,000. Buysse moved, seconded by Goodenow to approve the corrected Data Core contract for up to \$6,500. All voted in favor.

Lewis – I have contracts with Sussner, Wells, D&G and MN Elevator for the PW/HHW facility. You have previously approved the bids, this is just to approve the signing of the contracts and they include the bid amounts. Goodenow moved, seconded by Gladis to authorize the chair to sign the contracts with Sussner, Wells, D&G and MN Elevator for the PW/HHW facility project. All voted in favor.

Lewis - We have received the SW/WC Service Coop Dues/Purchasing Contract for 2001 to 2002. This allows us to purchase things such as paper and office products at a reduced rate. It is \$250 for an annual membership. Discussion. Goodenow moved, seconded by Buysse to approve the signing of the 2001/2002 SW/WC Service Coop Dues/Purchasing Contract. All voted in favor.

Lewis – Need to approve the Health/Dental/Life Insurance rates for 2002. We really have no choice for 2002. Our Insurance Team is working on this for 2003. Goodenow moved, seconded by Gladis to approve the following renewal rates for Health/Dental/Life Insurance monthly rates for 2002.

**HEALTH INSURANCE MONTHLY RATES WITH BLUE CROSS/BLUE SHIELD
(11.6% INCREASE)**

\$200 CMM/BLUE CHOICE

SINGLE COVERAGE:	\$333.19
FAMILY COVERAGE:	\$811.93
RETIREE COVERAGES:	
GJK:	\$566.60
ILNQ:	\$811.93
U:	\$233.24
O:	\$466.63
P:	\$799.67

\$200 CMM

SINGLE COVERAGE:	\$351.52
FAMILY COVERAGE:	\$856.46
RETIREE COVERAGES:	
GJK:	\$597.75
ILNQ:	\$856.46
U:	\$246.09
O:	\$492.30
P:	\$843.61

**DENTAL INSURANCE MONTHLY RATES WITH AMERITAS
(5.2% INCREASE)**

SINGLE COVERAGE:	\$26.84
FAMILY COVERAGE:	\$69.72

**LIFE INSURANCE MONTHLY RATES WITH MINNESOTA MUTUAL
(NO CHANGE)**

BASIC LIFE (\$10,000)	\$1.70
AD&D (\$10,000)	\$.30
DEPENDENT (\$1,000)	\$.36

All voted in favor.

Lewis – Would like to request approval to advertise for bids for refurbished furniture for the PW/HHW facility. Discussion. Goodenow moved, seconded by Gladis to advertise for bids for new and used furniture for the PW/HHW Facility. All voted in favor.

Van Overbeke – We are down to six parcels of land for the forfeiture sale. Soil and Water and the DNR have approved. Discussion. Buysse moved, seconded by Gladis to approve advertising the Forfeited Land Sale to be held December 27, 2001 at 9:30 AM. All voted in favor.

Van Overbeke – Would you like me to advertise the list of other land that is available too? Gladis – I think that would be a good idea. Van Overbeke – The chances are by the time we have the sale, there will only be three parcels for sale. The list will be available on our website also.

Per diems and mileage were presented. Goodenow moved, seconded by Buysse to approve the following per diems and expenses.

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
November 20, 2001

Gladis	\$ 85.00 per diem
	\$ 42.90 mileage
Fenske	\$120.00 per diem
	\$ 54.12 mileage
Buysse	\$ 24.75 mileage

All voted in favor.

Lewis – The city council will meet on December 3 to discuss the TIF. Perhaps Nelson, Goodenow, Van Overbeke, Champine and I could meet with them before that to discuss it.
Fenske – Goodenow and Nelson are designated to attend a meeting to discuss TIF with the City of Marshall.

Meeting Recessed.
Meeting Back to order.

Jerry Shannon, Springsted, met with the board to discuss the sale of bonds for the PW/HHW facility. Shannon – We sold 1.555 million dollars worth of lease revenue bonds. We had two bids. Dougherty and Company received the bid. The interest rate is 4.29 percent. They received an A3 rating by Moody's. The obligation per year will be \$193,000 per year less the investment earnings. You will enter into a lease agreement with the EDA. The EDA approved entering into the bond agreement with Dougherty and Company. Discussion. Goodenow moved, seconded by Nelson to adopt the resolution to enter into the agreements for lease revenue bonds with Dougherty and Company. All voted in favor. Fenske thanked Mike Johnson and the EDA for their help.

Discussion on jail project. Discuss average daily population projection. Tentative floor plans shown. Discussion of onsite building versus offsite building. Discuss project schedule. Cost estimate for onsite is about \$8,850,000 and for offsite is \$8,000,000 but this does not include the acquisition of land. Discussion on staffing for both sites and advantages to both. Lewis – The project team needs to know which way to pursue. Goodenow – After sitting on the committee, I would recommend offsite. Fenske – Looking at the two options and how much we would save in staffing cost for offsite, I would agree. Are there any real big disadvantages? Stokke – There will be a small cost for transport, but that will be minimal. Discussion on separation of LEC and jail. Fenske – Unless I hear any major disadvantages, I would agree to go offsite. Have you gotten any ideas for sites? Ron Halgerson, Group II – We have looked at about eleven different properties and out of those we have identified three that are strong prospects. These are all within the city limits. Buysse – How many acres are you looking at? Halgerson – At least 10. I have done a little research on land cost and depending on the location and size, it seems like it is costing from \$6,000 to \$8,000 per acre. Fenske – The consensus of the board is to pursue the offsite option for the jail.

Commissioner Reports:

Gladis – I attended the Library Board meeting, Park Board meeting, and the Annual Fair Board meeting. Benson – The Park Board is talking about increasing the role they play for trail planning and park expansion with the comprehensive planning. Discussion.

Nelson – The MN River Basin Joint Powers Board has hired a new executive director. I asked if we would still be members if we did not pay double dues and they said we would. RCRCA has hired a new technician.

Goodenow – The new director is on board at Human Services, his name is Chris Sorensen. I just wanted to mention that I put the smoking ban article in your mailboxes.

Buysse – WESCAP is going through a complete overhaul of all policies and will do a yearly review.

Fenske – I attended the Insurance Team meeting and Western Human Development hired a new director.

Gladis – How did GIS day go? Benson – Chris did a good job. Discussion.

Meeting Recessed.
Meeting Back to Order.

Discussion on Budget.

Discuss Sheriff's Budget. Stokke – We would like to have a full time civil defense person. Gladis – Can we share with other counties? Stokke – I have checked into it and that really is not an option.

Discussion on Equipment.

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
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November 20, 2001

Goodenow – Why is there such a big increase? Lewis – Personnel seems to be the big issue. You added a County Administrator and Public Works Director that get paid quite a bit more than the previous ones. There is a three percent COLA figured in and the 11.6 percent increase in insurance. The way I look at it, the non-personnel aspects have not changed that much. Nelson – Health insurance is going to have to be capped at some point. Gladis – I would like more analysis on the personnel side. Lewis – We will get that for you.

Discussion on Humane Society with Sheriff.

Discuss appropriations.

Further discussion on overall budget.

Buyse moved, Gladis seconded motion to adjourn the meeting until Thursday, December 8, 2001 at 9:00 A.M.

Robert Fenske, Chairman

Attest: _____
Gregory D. Lewis
Lyon County Administrator