

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
December 6, 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 addition of a letter of recommendation for Rick Maes, discussion on landfill stipulation, and discussion on scheduling a planning meeting.

Fenske moved, seconded by Goodenow to all sign a letter recommending Rick Maes as a good candidate to fill the position of judge being vacated by Judge George Marshall. All voted in favor.

Buysse moved, seconded by Nelson to approve the minutes from the regular commissioner meetings on November 6th and 20th. All voted in favor.

Ditch Vouchers were presented. Discussion on not having enough money for attorney bill. Van Overbeke – After the first of the year, we will need to get some paperwork done and look at levies. Goodenow moved, seconded by Buysse to approve the ditch vouchers. Voting For: Buysse, Fenske, Goodenow, Nelson. Opposed: Gladis.

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

Benson discussed the handout from the Transportation Alliance on funding.

Benson – I have given you a partial copy of the proposed Public Works Fees for 2002. We will need to set a hearing date for December 18th. It is incomplete right now, but I will have it done by the 18th. Fenske – On December 18th during our regular meeting, we will have a hearing on fees.

Benson – I would like to hire a temporary equipment operator in case of snow. One of my workers had surgery and will be gone for about a month. I have made arrangements with someone in that district that does motorgrader work for the townships. He will give Lyon County top priority in case of snow. He has agreed to a wage of \$10.00 per hour. Goodenow moved, seconded by Nelson to approve the Public Work's Director hiring a temporary equipment operator for about one month at \$10.00 per hour, to be used if needed for snow removal. All voted in favor.

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

Henriksen – Need to certify that Albert Kerkaert is operating the land by the landfill on a cash lease basis and sign the form agreeing to let him have all the farm program payments. Buysse moved, seconded by Nelson to approve the owner's consent form stating that Albert Kerkaert operated the land on a cash lease and he will be receiving all the farm program payments. All voted in favor.

Henriksen – I attended a meeting with the MPCA on leachate re-circulation. They said if we want to be part of the pilot project we must be willing to pay the staff overtime. It could amount to around \$5,000 to \$10,000. If we don't get involved, it could be five to ten years before we could do it. Fenske – We would more than make up the cost by doing the re-circulation. The other thing they said is that the stipulation agreement needs to be signed. Goodenow moved, seconded by Gladis to enter into the pilot project for leachate re-circulation. Goodenow – We pay taxes for this kind of stuff and I don't think it's right that we have to pay, but we need to be involved in this project, it's good for the environment. Discussion. All voted in favor.

Maes explained the stipulation agreement and changes made. Discussion. Maes – I would request that you authorize the chair to sign the Stipulation Agreement after I have carefully looked it over. Gladis moved, seconded by Buysse to authorize the chair to sign the final stipulation agreement after the County Attorney has received it and looked it over thoroughly to make sure agreed on changes are included. Voting For: Buysse, Fenske, Gladis, Nelson. Opposed: Goodenow.

Benson – Just to let you know that BWSR is pushing for new wetland replacement rules. Right now when a wetland is created, it counts acre per acre. BWSR would like a created wetland to count .75. So you would need more created wetland acres. Their justification is that a created wetland is not as good as one that already exists. This is something that the County Engineer's Association is opposing. I have been working with Soil and Water and Henriksen trying to get the wetland credits figured out for Black Rush Lake. Discussion.

Lewis – We could discuss the Adult Education Lease issue. They apparently have a chance at more funding so would like a break on their rent. Currently First Call for Help is occupying some of the space that Adult Education leases and they pay no rent themselves. They have presented the following options for consideration:

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1. Lyon County to waive \$10,000 of rent payments for the lease period; 12/15/01 to 12/14/02, with the expectation that this amount would be caught up or made current by increasing the rent payments over and above the amounts provided in the Lease Agreement by \$5,000 per year in each of the next two years: 12/15/02 – 12/14/03; and 12/15/03 – 12/14/04. This option also provides that it would be understood that if the Adult Education Program experienced \$8,000 in revenue shortfall, rather than \$10,000 (or whatever the actual amount is); then a waiver of that amount would be made with the expectation that \$4,000 (or whatever the actual amount divided by two is); per year in each of the next two years, as described, would be paid to fulfill the lease payment terms.
2. Lyon County to provide First Call for Help Southwest office space at no cost to this private non-profit organization. The space occupied for the operations of this organization, including space needed for the anticipated expansion to 2-1-1 center operations in 2002 totals 493.5 square feet of the premises in the above-referenced Lease Agreement. At the rate per sq. ft. of \$10.75 from 12/15/01 through 12/14/02, this donated space amount is \$5,305.12 for the 12 month period; At the rate per sq. ft. of \$11.29 from 12/15/02 – 12/14/04, this donated space amount is \$5,571.62 per year for each of the two years. Since costs for this space occupied by First Call for Help Southwest are currently included in the lease Agreement and paid by the Adult Education Program, a donation by Lyon County for its portion of the space outlined in the Lease Agreement would have the overall effect of lowering Adult Education Program expenses.
3. Lyon County to waive rent costs for the portion of the square footage referenced in the lease which represents common space or hallway areas. This space is approximately 315 sq.ft. At the rate per sq.ft. of \$10.75 from 12/15/01 – 12/14/02, this common space amount is \$3,386.25 for the 12-month period. At the rate per sq.ft. of \$11.29 from 12/15/02 – 12/14/04, this common space amount is \$3,556.35 per year for each of the two years.

Discussion on the above options and insurance issues. Fenske – I think we would like to hear from First Call for Help to get more information.

Meeting recessed.
Meeting back to order.

Fenske – I received notice about our MCIT dividend payment. What do we do with it? Van Overbeke – In the past, some of it has gone back to the departments and some to a designated sick leave fund. Lewis and I have talked about it and maybe some of it could go into capital improvement. Benson – The Road and Bridge budget has a line item for the MCIT refund.
Discussion.

Review of Public Works Budget. Benson mentioned that if HACA was cut, it would hurt the Road and Bridge budget.

Discussion on Animal Control Services with the Sheriff's Office. Fenske – I think that other than dangerous animals, the county does not have to be involved. Lewis – The \$19,000 designated to the Humane Society could be deleted and it could become a small appropriation item. Gladis – If the Humane Society closes, the cities become responsible for their own animals? Goodenow – Yes. Stokke – I have not talked to any of the cities about this. I will just have to let them know that they will have to find a place for the animals. Fenske – We will discuss this further at the next meeting. Stokke – That will give me a chance to talk to the other cities.

Discussion on LEC and Sheriff's Department Budget. Goodenow – Since the personnel costs were not reflected correctly last year, there is a significant increase. Discussion on Emergency Management position. Marks – The State requires a full time jail programmer. Fenske – If the Emergency Management person was ½ emergency management, ½ something else, what could they do part of the time? Stokke – I have a lot of things that could be assigned. Lewis – Criminal Justice Aid could be cut within the next couple years, so we need to keep this in mind. Fenske – You are required to hire two new jailors because of state mandates. We know there has to be staff added, we really have no choice. Stokke – The State does a lot of unfunded mandates. For example, they have training that is mandated without enough payback. Also, we get minimal money from fines, it goes to State reserves. Discussion continued.

Discussion on County Recorder's budget and making the temporary full time person in the Recorder's office permanent. Barker – In the past, you asked that I come in each year to review this position. There is a need and the workload is increasing. Lewis – If you approved this to be a permanent full-time position, that would not mean that it would not be subject to workforce reduction if it came to that. If we were forced to do workforce reduction, all positions would be considered. Discussion. Nelson moved, seconded by Gladis to approve changing the temporary full time position in the Recorder's Office to a permanent full time position. All voted in favor.

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Van Overbeke – I just wanted to let you know that there are many changes coming to Extension. When the board was presented with the original budget, it was recommended to pay the full amount of money owed for the joint powers. Now, with the changes, it may be suggested to spread that out over six years. If we spread it out, we could lower the 2002 budget by about \$7,000. I would just have to let Extension know that that is what you are going to do. Nelson – I would go to a percentage per year. They have big changes coming so the money they need may change. Discussion on Human Services and Public Health budgets.

Discussion on COLA.

Lori Goelz, Probation, met with the board to request an advance of funds for the Juvenile Restitution Grant. Goelz – We received \$2,000 from the State in July and then matching grants. We can not get that money until after the first of the year. We have a shortfall this year and previously there was a designated fund that the State had in which we could get more money if we needed it, this year there is no more left. So we are asking for an advance from 2002 in the amount of \$2,000. Tina Hanna had talked with Van Overbeke previously and she said the Probation budget could handle it. Goodenow – State funding after January? Goelz – In July. Hopefully there will be some more funds available. Fenske – Can we just advance it? Van Overbeke – Yes. Gladis moved, seconded by Goodenow to advance \$2000 from the 2002 budget to the Juvenile Restitution Grant. All voted in favor.

Further discussion on budget.

Meeting Recessed.
Meeting back to order.

Lois Schmidt, First Call for Help met with the board to discuss funding sources. Schmidt – We have a budget of \$150,800 for 18 counties. Some of that are Federal funds received through Human Services, we get approximately \$22,000 from miscellaneous United Ways. We also qualify for miscellaneous grants with the Adult Learning Center. Fenske – Rent? Schmidt – The Adult Learning Center pays the rent. Fenske – One of the proposals is providing First Call space at no charge. Fenske – What area do you cover? Schmidt – We cover the same counties as the SW MN Foundation. Discussion. Fenske – What do the other counties contribute? The United Ways that contribute are from different counties. Fully, one-third of the calls do come from Lyon County. Pat Thomas, Adult Learning Center explained that revenues for the Learning Center are based on a formula that, in part, uses the agency's total number of recorded student contact hours. Thomas - Generally agencies are held to a growth cap; however, due to new membership to our consortium, the Marshall program will not be held to this mandate for the 2001-02 fiscal year. This allows our program a window of opportunity to potentially double our student contact hours from last year. In order to do this, all possible resources will need to be devoted to staffing costs that will translate into a higher student contact total. In this effort, the request is being made to Lyon County Management to either defer or waive a portion of rental payment for the 2001-02 fiscal year. Discussion. The board thanked them for their information and let them know it would be on the agenda next time.

Discussion on Budget continued.

Discuss Court Administrator's line item moving to Criminal Justice Aid.

Discuss Tech Department paying for Human Services computer work and GIS being included in the Tech Department.

Discuss facilities and building and improvement funds.

Discussion on bond payments.

Discuss using reserves to purchase the Sheriff's squads.

Discussion on Community Plus.

Discuss Civil Defense/Emergency Management position. It was decided to put \$20,000 in the budget for Emergency Services, which will be a ½ time position. Lewis will work out a job description/plan.

Discuss using about \$59,400 out of reserves and everyone agreed it was a valid use of reserves.

Discussion on Water and use of Flood Control Reserves.

Appropriations Discussed.

Discussion on what reserves are being used for.

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Discussion on Humane Society. Will leave an appropriation at \$6,000 and it will come out of reserves and is only to be used for an operating animal impoundment facility.

Discussion on appropriations.

Discussion on ag society. Decided to appropriate \$17,000 of which \$1,000 is to be used for the 2003 County Fair.

Discussion on economic development and Lyon County Facilitator. Lewis - \$10,000 is added to look into getting HRA or EDA powers. We can take the extra \$10,000 out for now and if needed, will ask for it out of reserves later. It was decided to take the \$10,000 and leave \$30,000 for the Facilitator.

Historical Society discussed. Will appropriate \$19,500 along with \$2,500 for projects.

Discussion on Library.

Further discussion on appropriations. It was decided to appropriate nothing to Travel SW, SWMN Tourism, Pioneer Public TV, The Small Business Development Center, and the SWMN Foundation. Goodenow – The SWMN Foundation is one non-profit collecting from another non-profit and their main office is in Hutchinson. Further discussion.

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

General Revenue Fund	\$86,116.09
Road and Bridge Fund	\$16,815.98
Landfill Spec. Rev. Funds	\$15,275.99
Water Projects – Spec. Rev.	\$6,075.00
Capital Project Funds	\$46,864.45
Ditch Fund	\$10,651.72
Agency Fund – Taxes/Penalties	\$82.82
Total	\$181,882.05

Beginning Warrant Number: 336058; Ending Warrant Number: 336165.

Lewis – Need to discuss possible early closure on Christmas Eve. I believe the past practice was to close at 3:00 PM. Goodenow – Why not close at noon? That way if someone is traveling, it will give them a chance to get going. Gladis – I would suggest 1:00. If anyone is going to do business on Christmas Eve, it will probably be between 12:00 and 1:00. Discussion. Goodenow moved, seconded by Gladis to close County Offices at 1:00 PM on Christmas Eve. All voted in favor.

Lewis – We sent a letter to Reliastar, our LTD company, requesting that renewal begin January 1 instead of April 1. They have sent the amendment and it just needs to be approved for signature. Fenske moved, seconded by Goodenow to approve the amendment to the Long Term Disability Policy with Reliastar setting the renewal date at January 1 of each year. All voted in favor.

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

Gladis	\$150 - per diems, \$140.58 - mileage
Goodenow	\$50 - per diems
Nelson	\$110 - per diems

All voted in favor.

Discussion on Interactive Conference on Homeland Defense to be held December 17 from 9:30 AM to 11:30 AM.

Commissioner Reports:

Gladis – I just have to say that the Annual AMC Conference was a good one.

Nelson – I would agree, it was a very good conference.

Fenske – Something came up at the last minute and I had to miss the conference.

Benson – On Monday, December 10 at 1:00 is the meeting on the 26/10 drainage issue. It will be at the YMRWS Office in Minneota.

Benson – There is a Park Board meeting on December 12th at 7:00 PM. The Water Plan and Comprehensive Plan meetings will be on December 13 at 6:00 PM.

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Benson – There has been some discussion on the snowplowing at the fairgrounds. Lewis, Fenske and I met with members of the Ice Facility committee and it was decided that the County would do the plowing. We will bill for labor and equipment. The Ice Facility operator will let me know how much needs to be plowed. The lease will be amended to reflect this agreement. Discussion.

Lewis – We will discuss setting a date for a planning session at the next meeting.

Buysse moved, Gladis seconded motion to adjourn the meeting until Tuesday, December 18, 2001 at 9:00 A.M.

Robert Fenske, Chairman

Attest: _____
Gregory D. Lewis
Lyon County Administrator