

**UNOFFICIAL MINUTES SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
January 22, 2002**

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 discussing the RSVP joint powers and approval of annual letter from State Auditor's Office also

possibility of Kerry Netzke not being present because of jury duty.

Nelson moved, seconded by Buysse to close the meeting to discuss performance evaluations of Anita Benson and Greg Lewis. All

voted in favor.

Out of closed session.

Goodenow left at 11:00.

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

Hammer - Marv Rialson has retired, he has been a deputy ag weed inspector for about ten years. We were lucky to get him; he started

working part time for me when he retired from the Department of Ag. I would like you to consider approving hiring temporary

help. I will come back at a later meeting with more details on this. Buysse moved, seconded by Gladis to accept the resignation of

Marv Rialson. All voted in favor.

Conditional Use Permit for Dennis Campbell was presented (see attached). Gladis moved, seconded by Buysse to grant a CUP to

Dennis Campbell to operate a business (tree service) on land zoned agricultural in Monroe Township. All voted in favor.

Hammer - We received a letter from the MPCA reminding us about Minn. Stat. 116.07, subd. 7(1) which states that After January 1,

2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing

a feedlot permit for a feedlot facility with 300 or more animal units, unless another public meeting has been held with regard to the

feedlot facility to be permitted. Lyon County is not delegated to administer the feedlot program. I would like to designate Planning

and Zoning to hold the public meetings if needed. The statute states public meeting not hearing so it could be done at Planning and

Zoning. Lewis - We just need to make sure that it can be done that way, with feedlots, things can get difficult. Discussion.

Hammer - I was asked to contact all the current members of the Comprehensive Land Use Plan Task Force to confirm their wishes to

continue to be a member of the Committee. Two current members asked to be dropped and two members were on vacation. I recommend

adding Richard Vroman. He has attended past meetings and brings representation from another area of the county. This

would bring the total to 25 members. Fenske - I think there are too many people, but if they all expressed interest then they should be

on the Task Force. I will appoint the following people to the Comprehensive Land Use Plan Task Force:

Tom Allex Dan Anderson Dave Leversedge Willard Engel
Tom Geske Jim Hey Dan Canton Kyle Magnuson
Paula Boerboom Terry Schrieber Greg Isaackson C.J. Molitor
Don Edblom Tony Doom Richard Vroman Harlan Manguson
Bill Cole Francis Mortier Michael Buesing Mike Johnson
Mark Goodenow Jim Munson James T. Rowe Sandy Ludeman
Lon Huso Alternate: David Josephson

Steve Johnson presented Road and Bridge Vouchers in the absence of Benson. Gladis moved, seconded by Nelson to approve the road and bridge vouchers. All voted in favor. Johnson - Benson is recommending purchasing a motor grader that has been rented by the City of Hibbing. This will replace Unit 31, which we will trade in with a five-year guaranteed repurchase price of \$103,500. Thomasson has checked on it and it has been very well taken care of. It will have between 250 to 500 hours. It will be about \$15,000 cheaper than a new one and the repurchase value for this used one and a new one is the same. The five-year warranty will start when we get the machine. It runs through Ziegler. Nelson - How many hours are on Unit 31, which we are trading in? Thomasson - About 4400. We have done this in the past and it has worked out very well. We tend to stay away from getting machines from cities such as St. Paul because they tend to be covered by salt. Discussion. Nelson moved, seconded by Buysse to approve the purchase of a rental return motor grader off of the 2000 State Bid with an actual out-of-pocket estimated cost of \$68,768 and a five year guaranteed repurchase price of \$92,750. All voted in favor. Dick Carrow met with the board to discuss determination of ag benefits versus residential. Carrow - This is basically the same problem that I had prior to 1996. I own less than ten acres, but I make my living farming. It is just that I rent it all. I have found that I am better off renting than owning. Champine - I sent a letter to Carrow letting him know that the determination would change as of the first of the year. Fenske - So based on this letter, Carrow's land would be considered residential. Champine - When the Department

of Revenue puts out these bulletins, it is my responsibility to follow what they say. Carrow - I make my living from grain farming.

What is the purpose of this tax? I live on the farm and make my living on this farm. I do understand that it is Champine's job, but at what point do we use common sense? Fenske - It is clear-cut that you make your living by farming, but I don't know if we can change

it back to agricultural. Champine - No additional taxes come to the County because of this. We don't look at the occupation of the person. We are directed by the Department of Revenue to do this. They tell us we should step back & Mac189; mile and make our decision. Gladis - Are there any other cases like this? If we change one, we will have to change them all. Champine - We look at what the property is used for and question whether it is just a home or used as part of a farm. Fenske - If we changed it, would we be in violation of the Department of Revenue? Champine - I would have to check and see. Fenske - Will research more and consider it at the next meeting.

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

Henriksen - Would like approval to obtain quotes for a used 16-yard scrapper for the landfill. We need a bigger machine and one with an easier ride. We would trade-in the existing CAT 613 scrapper. This is in our budget for this year. Landfills do not have to advertise for bids and when you are buying used equipment it is better to be able to go and examine it. It is hard to have specs for used equipment. Discussion. Gladis moved, seconded by Nelson to approve obtaining quotes for a 16-yard scrapper for the landfill. All voted in favor.

Henriksen gave an update on the OEA Committee that he is involved with. He also explained that he has been trying to work with the State on the leachate recirculation.

Kerry Netzke, Area II met with the board to give an update on a meeting with the Corps. Netzke - On January 7 Jim Doehring from RCRCA was contacted by the Corps of Engineers and asked if the Redwood River could use the Corps help. There was a meeting that included Anita Benson, other interested parties, and myself. The Corps had been directed to see if there was any local interest. Now

the Corps looks at more than cost/benefit, they also consider environmental impacts. They may be able to help using federal dollars. They are looking at a possible reconnaissance study that would cost around \$100,000, which would all be federal dollars and no match would be needed. We looked at this and decided we were out nothing by trying to get the aid. The Corps sent information back to Washington letting them know that there is interest and possible sponsors. Fenske - What is the Corps involvement? Netzke - The Corps basically does the study. They will look for local input while doing the study, so it won't just be a Corps only study. Fenske - We are a little leery about working with the Corps: we have had trouble with them in the past and they are still causing us problems. Netzke - Benson did explain that at the meeting. Gladis - I think we should send a letter of support so they know we are behind them too. Netzke - Area II and RCRCRA did send letters also. I will send Lewis a copy of the letter that we sent. Fenske thanked Netzke for coming.

Ron Halgerson met with the board to discuss the furniture bids for the PW/HHW project. Halgerson - Just a little background,

Bromen's Office 1 came in with the low bid, but theirs was a voluntary proposal, which had exceptions that had not been approved.

Since they were the low of the two bids received, the interior designer wanted samples, descriptions and specifications of the product they bid. She sent a letter requesting the information to Bromen's and stated it needed to be in her office by yesterday. As of today, she had not gotten any information from Bromen's. She is recommending award to Office Interiors out of Sioux Falls. Lewis - Apparently Bromen's sent the information on Thursday, but it had not reached Sioux Falls as of yet. Gladis - I can not believe we only got two bids and one was voluntary. I think we should be able to do more on this. Halgerson - It is my understanding that the bid from Office Interiors is within the budget. I am not sure if suppliers have specific territories. Fenske - Could the specifications have been set up so that there was only one company able to bid? Halgerson - No. If someone wanted to bid on a substitution, they just had to have it reviewed and approved. It is standard with all bidding processes. The local furniture companies were notified of this project. Discussion. Nelson - We have a long time until we need this, we could bid again. Fenske - We have legitimate reasons why we would reject Bromen's bid. Gladis - I just can't believe we only got two bids and one did not even meet specifications.

Commissioner Goodenow returned at 12:10 PM.

Buysse - At one time we rejected bids and the second set came back higher. Halgerson - That is a possibility also. Nelson moved, seconded by Gladis to reject all furniture bids and refer it back to the committee and the architects. Voting For: Buysse, Fenske, Nelson, Gladis. Abstaining because he was absent: Goodenow.

Lewis - You should have received a copy of the agreement with Lincoln, Lyon, and Murray Human Services for data processing services.

Goodenow - Including the PC direct support is a more accurate way of doing the billing. A lot of what Van Keulen's office does is PC based. Now it will be split out by department. It really does not change our cost too much. Van Keulen - It basically just changes how we allocate the billing. Lewis - I have to say that we really appreciate what they do for us. Discussion. Gladis moved, seconded by Nelson to approve the agreement with Lincoln, Lyon, and Murray Human Services for data processing services. All voted in favor.

Commissioner Gladis left at 12:15.

Recorder, Jeanine Barker met with the board to give an update on electronic real estate recording. Lewis - Before Barker starts, I would just like to mention that she was named County Recorder of the year. Fenske and the rest of the board congratulated Barker. Barker - Lyon County has been chosen by the Electronic Recording Task Force to take part in a survey. A consultant will come in and do walk throughs of the Recorder's and Auditor/Treasurer's Offices and a little bit of the Assessor's Office. They will be looking to see how we can move information electronically without paper. They would like to meet with us on January 30th. Buysse - Cost? Barker - Just Van Overbeke's and my time. Being part of this survey gives us a chance at being chosen as one of the counties that will have a pilot project. Discussion. Fenske - The board agrees that you should proceed with this survey.

Barker - I would like to request to fill a full-time Sr. Clerk position in the Recorder's Office. Vicki Van Hecke has submitted her resignation effective February 1, 2002. Nelson moved, seconded by Buysse to approve the Recorder's Office advertising to hire a fulltime Sr. Clerk. All voted in favor.

Brad Marks, Jail Administrator, met with the board to request approval of two new job descriptions. Marks - The new job descriptions are for an Administrative Sergeant-Corrections and Program Sergeant-Corrections. These have come about as a result of the 2001 jail inspection. The Administrative Sergeant is now called Chief Jailer; however this new job description more clearly reflects his job duties. The Program Sergeant is the Jail Programmer that will now be full-time instead of part-time. They are both considered to be Labor Grade 17. Discussion. Marks - I talked with Maes to see if we needed to advertise or if we could offer it internally first. He said that since we are not really creating a new position, we can advertise internally first. The Administrative Sergeant position is already filled. Goodenow moved, seconded by Buysse to approve the job descriptions of Administrative Sergeant and Program Sergeant at a labor grade of 17. All voted in favor. Fenske - Are there any employees that might be interested? Marks - Yes, there has been some interest. Goodenow - If it is filled internally, just make sure the person is qualified. Discussion. Goodenow moved, seconded by Nelson to advertise internally for the Program Sergeant position and if needed advertise externally. All voted in favor. Marks - We have also had to hire two full-time correctional officers. This is also a result of the 2001 inspection and was included in the 2002 budget. The two we have chosen are Jeff Arendt and Nicole Lang. Buysse moved, seconded by Goodenow to approve the hiring of two full time correctional officers - Jeff Arendt and Nicole Lang - to begin on February 1 with a starting wage of \$11.51 per hour. All voted in favor.

Marks - I would also like to request approval for out-of-state travel to Colorado. I would like to attend the Small Jail Administrator's Conference. The bulk of the cost will be paid by the Department of Justice. Discussion. Goodenow moved, seconded by Buysse to approve Brad Mark's traveling out-of-state to Colorado for the Small Jail Administrator's Conference. All voted in favor.

General Revenue Vouchers, Special Water Projects, and Capital Projects were presented. Buysse moved, seconded by Nelson to approve the general revenue vouchers, special water projects, and capital projects. All voted in favor.

General Revenue Funds \$29,743.05

Road & Bridge Fund \$16,058.64

Landfill Spec. Rev. Funds \$32,301.02

Water Projects ñ Spec. Rev. \$872.86

Capital Project Funds \$29,078.71

Ditch Fund \$316.12

Total \$108,370.40

Beginning Warrant Number; 336573; Ending Warrant Number: 336713.

Auditor Warrants were presented. Nelson moved, seconded by Buysse to approve Auditor Warrants 336534 to 336547 in the amount of \$20,313.34 dated January 10, 2002 and Auditor Warrants 336548 to 336570 in the amount of \$24,630.34 dated January 17, 2002. All voted in favor.

Lewis - Need to approve the annual letter from the State Auditor's Office. It is basically just a formality as we are required by law to have them do an audit. Buysse moved, seconded by Fenske to approve the chair signing the letter with the State Auditor's Office confirming the services that they will provide pursuant to Minn. Stat. 6.48 for Lyon County for the year ended December 31, 2001. All voted in favor.

Lewis - We received a copy of the RSVP Joint Powers agreement. A copy has been given to Maes, but he has not had a chance to review it. Goodenow brought up some changes he would like to see.

Discussion. Van Overbeke - They have already sent in their request for the first quarter. The amount they requested corresponds with what they had requested for an appropriations and is not what was actually approved. I have changed the numbers to match what was actually approved. Would you like a signed Joint Powers before they get their first quarter appropriation? Discussion. Goodenow - They knew in August that we wanted this, but we don't want to hurt them financially either. We will give them their first quarter appropriation then they will not get anymore unless we have a signed Joint

Powers. Discussion. Lewis introduced Joe Sanow who will be working as an intern from SSU. Discussion on county mileage. Lewis - Right now the mileage is set at .33 and .16. Fenske - I brought this up at the last meeting because I do not want to see us get too far from the IRS rate. Goodenow - At Human Services, we adjusted it to the IRS rate. Discussion that the IRS rate is at 36 &Mac189; cents. Nelson moved, seconded by Fenske to increase the mileage when there is no county car available to .35 and when there is one available and the person elects to take their own vehicle to .18 effective January 1, 2002. All voted in favor.

Lewis - I have talked with Todd Peterson about facilitating the planning session. He had said he would do it for \$1500 with an additional \$600 so he can work up to it to get a better understanding of what we are trying to do. It is within what facilitators charge, but sometimes you can find a volunteer. I am trying to get more names, but have not found anyone else. Fenske - Ask Mr. Peterson to facilitate only and no extra for working up to the session. So see if he will do it for \$1,500 only. Buysse - I would like included on the agenda for the planning session a discussion on a manual, which includes all of Lyon County's policies. Per diems and mileage were presented. Goodenow moved, seconded by Buysse to approve per diems for Nelson in the amount of \$50 and Fenske in the amount of \$150 and mileage for Fenske in the amount of \$55.79. All voted in favor.

Fenske The 2002 appointments are as follows:

[Click here to see 2002 Appointments to other County Boards](#)

Commissioner Reports:

Nelson - The RCRCA project engineer resigned. I will be going to Lamberton for the Extension Meeting.

Fenske - I will be signing Certificates of Appreciation for outgoing Committee/Board members.

Fenske - We need to approve the Public Works Director's COLA and merit. Goodenow moved, seconded by Nelson to approve a four percent merit increase effective October 1, 2001 for Anita Benson, Director of Public Works, which will be her merit for all of 2002. Her next performance review will take place in January of 2003. A three percent COLA will also be included using the following formula:

3 months in 2001 at a salary of \$75,000 times 3% divided by 12 times 3 = \$562.50

6 months in 2001 at a salary of \$77,250 times 3% divided by 12 times 6 = \$1158.78

3 months in 2001 at a salary of \$80,340 times 3% divided by 12 times 3 = \$602.55

This will be a COLA of \$2323.83 for 2002. Benson's salary for all of 2002 will be \$82,663.83.

All voted in favor.

Fenske - We will present the County Administrator with his evaluations. Another evaluation will be given in six months. Nelson moved, seconded by Buysse to approve keeping the County Administrator's salary at the 2001 rate to be reviewed in July of 2002. All voted in favor.

Nelson moved, seconded by Fenske to approve a 2 percent merit for Department Heads as of January 1, 2002 until formal reviews are completed (this will be 2 percent of the 2001 salary), to approve a 3 percent COLA for Department Heads (this will be 3 percent of the 2001 salary), and to approve the minimum and maximum salary ranges for department heads. The salaries are as follows:

2002 salary

(until formal performance appraisal salary is completed)

Jeanine Barker \$49,901

Rick Maes \$70,328

Don Stokke \$71,756

Paula Van Overbeke \$50,222

Dean Champine \$49,646

Jim Hubley \$43,937

Ron Krause \$39,449

The salary ranges are as follows:

Department Minimum Maximum
Recorder* \$38,107 \$53,354
Attorney* \$54,570 \$76,395
Sheriff* \$51,792 \$72,511
Auditor/Treasurer* \$45,947 \$64,318
Assessor \$38,107 \$53,354
VSO \$31,590 \$44,230
Facilities Manager \$34,175 \$47,851

*elected position

All voted in favor

Van Overbeke - In the past the County Board has approved sending one person to the Marshall Leadership Academy. I would like you to consider sending two this year. We have new employees that would like to attend. I think Lewis should attend along with one other person that a committee could recommend to the County Administrator to attend. I think Lewis could form a committee to recommend who else should go. The cost is \$249 per person. Also, please keep in mind that County Government night is March 12. Discussion. Goodenow moved, seconded by Fenske to send County Administrator Lewis and one other County employee to the Marshall Leadership Academy with the other employee to be recommended to the County Administrator by a committee. All voted in favor.

Discussion on Union Negotiations.

Buyse moved, Goodenow seconded motion to adjourn the meeting until Tuesday, February 5, 2002 at 9:00 A.M.

Robert Fenske, Chairman

Attest: _____

Gregory D. Lewis

Lyon County Administrator

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