

UNOFFICIAL MINUTES – SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL , MN
February 19, 2002

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

Pledge of Allegiance to the Flag.

Agenda approved with the following additions – authorize Public Works Director Benson to advertise for bids for SAP 42-609-29, discussion on proposed 5 cent gas tax increase.

Chrystal Dunker appeared to give an update on the Prairie Ecology Bus Center. The bus currently goes to eight schools each year, programs are limited to the first eight schools that apply. The PEBC has not increased the fee in 4 years. PEBC will begin working with pull tabs to help stabilize our funding. Long term goal is to be able to pull ahead far enough to be able to drop program fees. Looking at replacing the Ecology Bus during the next several years. PEBC is planning a fishing contest as a fund raiser on June 23rd.

Hammer presented the ditch vouchers for payment. Buysse moved seconded by Gladis to approve the ditch vouchers. All voted in favor.

Hammer presented two Conditional Use Permits for the Board to approve, Lincoln Pipestone Rural Water and Qwest. Buysse moved seconded by Goodenow to approve the Lincoln Pipestone Rural Water Conditional Use Permit. All voted in favor. See attached.

Discussion on Qwest Conditional Use Permit. Alma Fitsloff and Chris Lanou appeared from Qwest to answer any questions. Location of tower, make inconspicuous as possible. Goodenow-can tower be put on another side of town. Fitsloff- airport a problem. Dick Carrow-Highway 23 area north of city is zoned for commercial use. Fitsloff-also making applications to City of Marshall to put tower on building Qwest owns. Fenske read article in Minneapolis Star on February 12th about Qwest. Discussion on lighting of tower up to FAA. Goodenow-add to stipulations on permit lighting has to meet FAA standards, red light at night if available. Goodenow moved seconded by Gladis to approve Conditional Use Permit to Qwest with added lighting stipulation. Voting for; Goodenow, Gladis, Nelson-Opposed; Fenske-Absent; Buysse. See attached.

Tom Meulebroeck appeared to give update on County Fair. Next year is 100 year celebraton, Gladis and Goodenow on Centennial Fair Committee next meeting March 5th. Button only admissions at front gate, advance tickets to get into grandstand shows will not get you into front gate. Fair Board appreciates Rick Anderson coming to meetings. Considering having sign on Highway 19 for Lyon County Fair, may combine sign with new Public Works/HHW Building. Working on doing something to keep dust down.

Henriksen presented Landfill vouchers for payment. Buysse moved seconded by Gladis to pay Landfill vouchers. All voted in favor.

Henriksen-have four quotes for a used Scrapper.

RDO Equipment	1998 John Deere 862B	\$148,400.00
Ziegler	1997 Cat 6156	158,500.00
Ziegler	1996 Cat 6156	128,295.00
Ziegler	2002 Cat 6156	288,445.00

Henriksen recommends 1998 John Deere 862B, \$148,400 with one year warranty can get additional one year for \$6,000. Discussion by Board and Representative from Ziegler and RDO Equipment. Goodenow moved seconded by Fenske to approve purchase of 1998 John Deere 862B Scrapper. All voted in favor.

Henriksen discuss the proposed purchase of a Buffer for the Landfill, request permission to enter into negotiations for buffer land east of Landfill. Goodenow moved seconded by Nelson to allow Henriksen to proceed with buffer land negotiations.

Henriksen requests Board to reauthorize cash drawer limits for Landfill at \$200 and Hazardous Waste Facility at \$25. Goodenow-can we develop these two into the list for our other cash drawers. Goodenow moved seconded by Gladis to re-approve the cash drawer amounts for the Landfill and the Hazardous Waste Facility. All voted in favor.

Henriksen request Board to approve the Income Agreement for the Landfill leachate recirculation expedited permit application. Goodenow-change wording to we agree to approve not offered. Goodenow moved seconded by Buysse to approve the Income Agreement. All voted in favor.

Henriksen requests approval of a Solid Waste Facility operating license for a facility in Section 29 of Custer Township. MPCA has issued a Demolition permit to D & G Excavating. Planning & Zoning will need to issue a Conditional Use Permit. Henriksen-recommend approval of this operating license and also \$100,000.00 performance bond be required as part of the license. Goodenow moved seconded by Buysse to approve a Solid Waste Facility operating license in Section 29 of Custer Township. All voted in favor.

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Henriksen requests Board to approve HHW Regional Program time extension contract amendments. Gladis moved seconded by Goodenow to approve contract amendments. All voted in favor.

Ed Stec from E & V Consultants appeared to give update on Public Works/HHW Facility Project. Project remains on schedule, possibly three weeks ahead. Anticipated date for Project Punchlist and Owner Occupancy remains at July 15, 2002 and July 29, 2002 respectively.

Meeting recessed.
 Meeting back to order.

Terry Renken from Yellow Medicine River Water Shed appeared to give Board annual report. Discussion on trees in river, serious problem river could move out of its corridor. Lyon County has spent \$35,000 to remove trees from river. Department of Agriculture has limited funding for beaver control.

Bill Otto, Chairman of Southwest Mn Little Britches Rodeo requests waiver of fairground fees for Little Britches Rodeo. Discussion. Board will waive all fees except for damage deposit and bathroom fees. Goodenow moved seconded by Buysse to waive fees except for damage deposit and bathroom fee. All voted in favor.

Larry Vlaminck-discussion on Bridge Repair that damaged his residence on County Road 7. Vlaminck presented compilation of supporting materials for his claim. Vlaminck-movement in house structure, garage mainly. When pounding causing cracks, nails showing through. Swimming pool damage. Vlaminck had structural engineer come out to house to evaluate. Vlaminck-insurance will not cover earth movement. Vlaminck-went to an attorney request \$15,000 to handle it. Discussion on engineers reports received by Vlaminck. Lewis-County learned what had occurred by hiring an engineer to assess. Board requests Lewis to get proposals to do an independent structural assessment. Registered Engineer from structural company no home inspector. Goodenow moved seconded by Buysse to request Lewis to get an independent structural assessment from a registered engineer. All voted in favor.

Dan Babcock-requests County Board to consider a County Animal Control Ordinance. Present policy sheriff is controlling factor of whether animal is to be quarantined and where to be kept. Discussion-choice of quarantine animal. Lewis look at options, draft ordinance share with sheriff and victim then need public hearing. Board will pursue and work on some draft ordinances. Lewis will send drafts to Babcock and sheriff's department.

Brad Marks appeared to request approval of hiring Program Sergeant. Interviews were held February 5th- five interviewed. Steve Erickson chosen. Waiting for DMG Maximus to send figures of beginning level Program Sergeant. Gladis moved seconded by Buysse to start Program Sergeant at beginning level salary with a start date of April 1, 2002. All voted in favor. Goodenow moved seconded by Gladis to hire Jeff Hasch as Jailor/Corrections Officer at beginning level salary with a start date of March 1, 2002. All voted in favor.

Benson presented Road and Bridge vouchers for payment. Discussion Goodenow moved seconded by Gladis to approve Road and Bridge vouchers for payment. All voted in favor.

Benson- authorization to advertise for bids: SAP 42-609-29, SAP 42-599-127, SAP 42-599-129 and SAP 42-599-130. Goodenow moved seconded by Buysse to authorize Benson to advertise for bids. All voted in favor. Benson -authorization to advertise for bids for Bituminous Materials with an April 5th bid opening date. Goodenow moved seconded by Buysse to authorize Benson to advertise for bids for Bituminous Materials. All voted in favor. Benson-authorization to advertise for bids for Bituminous Patching Materials with an April 5th bid opening date. Goodenow moved seconded by Nelson to authorize Benson to advertise for bids for Bituminous Patching Materials. All voted in favor. Benson-authorization to advertise for bids for Aggregate Processing with an April 5th bid opening date. Buysse moved seconded by Goodenow to authorize Benson to advertise for bids for Aggregate Processing. All voted in favor.

Benson-consider quotes for replacement of 3 highway department vehicles, Units 1, 28 and 3. The three lowest quotes for each of the units are as follows:

<u>Vendor</u>	<u>Unit 1</u>	<u>Tax</u>	<u>Unit 28</u>	<u>Tax</u>	<u>Unit 3</u>	<u>Tax</u>
Rochester Ford	\$21,392	\$1,390	\$22,592	\$1,468	\$22,100	\$1,437
H & L Motors-Renville	\$23,749	\$1,544	\$23,999	\$1,560	\$26,148	\$1,700
Lockwood Motors-Marshall	\$24,425	\$1,588	\$24,295	\$1,579	\$25,054	\$1,628

Rochester Ford has the lowest quote for each of the 3 units. Nelson moved seconded by Buysse to accept the quotes from Rochester Ford for the three units. The Highway Department will be trading in two vehicles.

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Benson-consider contract with the Lawrence Group for 20,000 official county highway maps at a price of \$14,200. County will have input on what is put on these maps. Mapping to be done by April 30th. Goodenow moved seconded by Buysse to approve the contract with the Lawrence Group for the production of county highway maps. All voted in favor.

Benson-consider pay grade classification change for Senior Landfill Operator. Discussion. Benson request Board approval to present classification change to DMG Maximus. Two individuals involved at Landfill. Board approves Benson to present to DMG-see what they come back with, Board will look at and make recommendations.

Benson presents Public Works Building Site Improvement Update. The site improvements include relocation of utilities,contaminated soil removal, curb and gutter, storm sewer, retaining walls, sidewalks and parking lot aggregate base and paving. Original estimate was \$267,402, HHW share was \$51,833. Estimate has been revised due to change in building elevation and deterioration of the existing pavement under construction traffic to \$328,538. The HHW share increased to \$85,108. Intention is to have highway department employees perform the grading and aggregate base work. The retaining wall, curb and gutter, sidewalk, pavement pulverizing, paving and seeding will be let out to contractors early this spring. The signage work for the building has not been included in the site work estimate.

Benson-road restrictions were posted on February 17th. Discussion on proposed 5 cent gas tax increase. Has not been an increase since 1988.

Lewis presents General Revenue and Capital Project Fund vouchers for payment. Gladis moved seconded by Buysse to approve General Revenue and Capital Project Fund vouchers for payment. All voted in favor.

General Revenue Fund	\$ 37,045.46
Road & Bridge Fund	\$ 33,594.76
Landfill Special Revenue Funds	\$ 11,859.54
Capital Project Funds	\$ 53,893.52
Ditch Fund	\$ 425.60
Total	\$136,818.88

Beginning Warrant Number: 336939; Ending Warrant Number: 337076.

Lewis presented Auditor warrants for payment. Goodenow moved seconded by Buysse to approve Auditor Warrants 336887-336920 dated February 7, 2002 and Auditor Warrants 336921-336938 dated February 14, 2002. All voted in favor.

Van Overbeke-consider Cottonwood Country Club wine license, on-sale and off-sale liquor license. Gladis moved seconded by Buysse to approve the issuance of a wine license and on-sale and off-sale liquor license to Cottonwood Country Club. All voted in favor.

Lewis request approval of per diems for Fenske-\$150, Buysse-\$30; mileage for Fenske-\$52.50, Buysse-\$35; meals for Buysse-\$4.25. Gladis moved seconded by Goodenow to approve payment of per diems, mileage and meals. All voted in favor.

Discussion on two resolutions from Southwest Mn Opportunity Council. Lewis-do not have background on the resolutions, not enough information for Board to act on them. Lewis will ask Council to appear before Board. Gladis will take to Community Health Board.

Discussion on applications from cities for Countywide Improvement Fund. City of Balaton-\$5,000 for parking lot overlay at Knudson-Bosley Memorial Park. City of Cottonwood-up to \$400 for a sliding accordion door for Community Center Kitchen serving counter. Rock Lake Township-up to \$2,000 for Town Hall renovation. City of Ghent-up to \$4,000 for hockey rink repairs. Gladis moved seconded by Buysse to approve the applications of Balaton, Cottonwood, Rock Lake Township and Ghent. All voted in favor. Discussion on funding the half-size Vietnam Veterans Memorial to be brought to Minneota. Board will not fund out of Improvement Fund, it doesn't fall within guidelines. Board request Royal Hettling appear before the Board. Money that isn't spent at end of year falls into general revenue except for 10% carry over.

Goodenow moved seconded by Nelson to close the meeting to discuss labor negotiations. All voted in favor.

Goodenow moved seconded by Nelson to open the meeting. All voted in favor.

Goodenow moved seconded by Buysse to follow 2001 contract with Deputies until such time a 2002 contract is agreed on and approved. All voted in favor.

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Commissioner Reports:

Discussion on Southwest Regional Development as add on to agenda to February 5th meeting. Board should have been given chance to look at proposal

Discussion on financing of new jail.

Buysse moved seconded by Goodenow to adjourn the meeting until March 5, 2002 at 9:00 A.M.

Robert Fenske, Chairman

Attest: _____
Gregory D. Lewis
Lyon County Administrator