

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
March 5, 2002

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

Pledge of Allegiance to the Flag.

Agenda approved with the addition of the Vice-chair signing the census maps.

Gladis moved, seconded by Buysse to approve the February 5, 2002 minutes. All voted in favor.

Champine met with the board to request setting a date for the Board of Equalization. He explained when it had to be held. Gladis moved, seconded by Nelson to set the Board of Equalization meeting on June 17 at 7:00 PM. All voted in favor.

Benson – We have discussed the need for turn lanes on CSAH 9 because of the new Lakeview School. This was not in the school's budget. I discovered that Lyon County had no policy on this in the past and it was my proposal that the school district pay for half. When I discussed this with the representatives from the school district, we thought that trails may be a good addition also. I sent the following letter to Mr. Palmer Anderson, Lakeview School Superintendent, outlining the project, cost, and cost participation.

January 15, 2002

Mr. Palmer Anderson
Lakeview School Superintendent
76 West Front Street
Cottonwood, MN 56229

RE: New Lakeview School Project – CSAH 9 Reconstruction

Thank you for inviting Steve and I to meet with you and School Board members last week. I believe the meeting was very productive. The discussion on the feasibility of adding a trail to the project was valuable.

Since our meeting I have thought more on the possibility of adding a trail and have the following recommendations. The County doesn't have a formal policy on cost participation. The cost sharing I am proposing is consistent with my recommendations to be included in the cost participation policy I am developing.

City of Cottonwood

The County can incorporate curb and gutter into our project along the west side of the Highway 9 from Northwood Drive to the south school entrance. A ten-foot wide bike trail could be added five feet behind the curb in the right of way. I need a letter from the City requesting the trail construction be added to the project. The cost share to the City for the trail would be 20% of the cost of aggregate base and paving for the bike trail. This is generally consistent with the City of Tracy's share in a bike trail project to be constructed in 2003. The cost for curb and gutter, grading, engineering and testing would be covered by the County.

Another item the City may wish to consider is whether or not they foresee installing street lighting between Northwood Drive and the schools south entrance. If so, it would be wise to install conduit for the future street light wires with the Highway 9 reconstruction project. This would be a cost to be covered 100% by the City.

Lakeview School District

The School District would be responsible for extending the bike trail from the edge of the road right of way to connect in with the sidewalk along the south end of the school. This would need to be added into your project and designed by your engineers since it is not in the Highway 9 right of way. Whether or not a trail is added to the project I think it would be wise to verify your designer has taken into account the new road grades. We would be happy to meet with them and/or provide them a copy of our plans.

The following is a summary of our best estimates of items for cost sharing.

Note cost estimates are provided for either a bituminous or concrete bike trail. A decision will need to be made by the funding partners which type of pavement is desired. The estimated costs for the school trail are for the portion of the trail on school property to be designed and constructed by the schools engineers. Trail costs for the school only include paving and aggregate

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base. The curb and gutter included under the school is for curb and gutter we recommend in conjunction with trail construction on school property.

	County	City	School
Curb and Gutter	\$7,805	\$0	\$2,415
Trail Bituminous	\$13,508	\$3,377	\$5,236
Trail Concrete	\$28,657	\$7,164	\$11,086
Turns Lanes	\$15,533	\$0	\$49,545

The actual amounts would be determined and billed upon completion of the project which is planned for August 2002. The final amounts will be determined by actual quantities installed.

An resolution/agreement detailing the financial commitments between the School District, the City and the County Board will need to be entered into for the project to proceed. I would like to have a bid letting for this project as soon as possible in order to insure construction can be completed prior to the school year starting and to obtain the best prices for the project.

I appreciate your assistance in moving this road construction project forward. I will be out of the office the week of January 21st. However, Steve Johnson should be able to address any questions you may need answered that week.

Sincerely,

Anita L. Benson, P.E.
 Public Works Director/County Engineer

CC: Greg Isaackson, City of Cottonwood
 Steve Johnson, Assistant County Engineer

Anderson – We acknowledge and appreciate the cooperation that we received from Benson. We are a two county school district and some residents feel that is would be double taxation to pay for turn lanes when they already pay taxes for the school. Goodenow – The cost of building the turn lanes should be incurred by the school district because they would not be needed if there was not a new school going up. Benson explained the municipal funding for the CSAH 9 project and the policies of Kandoyhi and Blue Earth Counties. Goodenow – Yellow Medicine County is not paying a cent to fix CSAH 9, they are just paying for the turn lanes which are needed because of the school. There will actually be a savings for the turn lanes because we are doing work on CSAH 9. Gladis – Has the engineering and architecture firms been contacted? They should have known that turn lanes would be needed and it should have been in the budget for the school project already. Palmer – They have told us that the main person for our project became ill and communication within the firm broke down. Benson – Engineering and dirt work would be paid for by the County. Goodenow – We are paying some of the expense for the trail that we did not originally have. Benson – The \$49,000 that I have proposed would be the school's share for the turn lanes, which pays for the aggregate base and surfacing for only the width of the turn lanes. David Louwagie, Lakeview School Board – Why are we the first? This has not been done before. Anderson – One thing the residents are wondering about is why it was not handled the same way on County Road 33. Benson – The City of Marshall contributed up to \$500,000 in TIF funds and that road really was not expanded. That was a different situation. Part of the problem here is that there is not past practice and no policy. Goodenow – Will Municipal State Aid work for it? Benson – Yes, it will, but then it takes away money from other cities. Goodenow – We could add the County's share of \$15,533 and the School's share of \$49,545 and half that. Benson – These funds are all eligible, but it takes away from others. Nelson – MnDot requires it to be paid by the facility 100 percent. Goodenow – The difference here is that we do not have a policy in place. Gladis – Maybe you should look at different curb and gutter and is the trail paved or concrete? Benson – Paved. Louwagie – We have had discussion on extending the curb and gutter. Gladis – Then traditional curb and gutter would probably be the way to go. Gladis – I don't want to make a decision today. I would like to have Fenske's opinion. Benson – We will be proceeding with the project regardless of the cost share. The award of bids is supposed to be April 16th. Does the school district need to know soon? Louwagie – Is the \$49,000 the worst case scenario for the turn lanes? Goodenow – Yes and maybe we can try to do something a little better. Buysse – Maybe public and private in the policy should be distinguished. Discussion.

Ditch Vouchers were presented. Hammer – Most of the joint ditch bills are between Yellow Medicine and Redwood. Buysse – Is there enough money in all of the accounts? Hammer – There is money levied for JD#37 R&L. Redwood had a portion of JD#15 R&L cleaned out and there was no conversation between our office and theirs about it, but there really does not have to be. There is pending litigation on JD#15 L&R improvement. Gladis – I am not going to vote to

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pay legal bills or borrow money when there is no money in the account. Nelson – We've done work to the ditch also. Van Overbeke – We have not billed them yet. Nelson – Is it coming to court soon? Hammer – I have not been privy to that information. Gladis – My feeling is that if they want a legal battle, they should have the money to do it. Gladis moved, seconded by Buysse to approve the ditch bills excluding the Quarnstrom, Doering, Pederson, Leary and Murphy bill in the amount of \$564.80. All voted in favor.

Hammer – I am not a county feedlot officer so MPCA requires a public meeting if a feedlot is expanding over 300 animal units. My question is, can Planning and Zoning hold that public meeting? Lewis – I think you need to discuss this with Maes and see if the board can delegate this to Planning and Zoning. If there is a dispute, the attorneys would be looking for anything. Hammer – 60 to 70 percent of the feedlots would be CUP's and that would come to the board. Goodenow – I think that the consensus is that we would like to delegate this to Planning and Zoning, but we need Maes to research it first.

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

Henriksen – We had a leachate re-circulation meeting with the MPCA and now they want mercury testing done. They really have not developed a policy on the testing. The EPA will be testing six landfills throughout the U.S. They want to do it on two landfills involved with the leachate re-circulation program. There was a lot of discussion on this, because it will be expensive. We agreed that all eight landfills (in the re-circulation program) will participate in the cost. It will be about \$1550 per year and Lyon and Nobles Counties have been picked to do it. Discussion.

Henriksen handed out a map showing the supposed wet land at the landfill. The map showed where the restoration project will be. Henriksen – We will do it ourselves this summer and will bring a proposal forward later to develop further wetlands. Discussion.

Meeting Recessed.
Meeting back to order.

Ed Stec, E&V, met with the board to request the signing of contracts for the PW/HHW facility project and approval to execute the contracts. Discussion. Buysse moved, seconded by Gladis to approve the signing and execution of the following contracts:

Doom and Cuypers, Inc. – Marshall, MN
Roadside Developers, Inc. dba Bisbee Plumbing and Heating – Marshall, MN
F.M. Acoustical Tile, Inc. – Sioux Falls, SD
Nationwide Glass of Willmar, Inc. – Willmar, MN
Glewwe Doors, Inc. – Eagan, MN
Gary L. Brink dba Gary's Electronic – Rushmore, MN
Commercial Interior Décor. Inc. – Sioux Falls, SD
Northwest Drywall, Inc. – Redwood Falls, MN
Phil G. Painting, Inc. – Cokato, MN
M.J. Dalsin Co. of S.D. Inc. – Sioux Falls, SD
Overhead Door Company of Sioux Falls, Inc. – Sioux Falls, SD
Dulas Construction, Inc. – Marshall, MN

All voted in favor.

Lewis – The PW/HHW Project Team met and discussed the furniture. Commissioners Nelson and Fenske were present. We do not have to get sealed bids as the furnishings will be under \$50,000 so quotes are enough. The project team discussed the quality of the furnishings and it was decided that steel core furniture should be used and we would use remanufactured where it can be. Halgerson is here to address the cost. Barbara Larsen, Design Center – I am an independent designer I have no connection with any companies. I do what I can to find the best product at the lowest price. The steel core desktop is significant, there are three main manufacturers that carry re-manufactured. We would have new fabric put on the used panels and repaint the desktops. We are selecting a combination of new and previously owned. Larsen gave an overview of the furniture and special specification furniture. Larsen - You had wondered why there was only one bid. This is looked at as a very small project and we allowed re-manufactured which also limits the prospective bidders. To re-bid, we need to change the specs a little. Benson still needs a chair and one more table is needed so these could be added. Lewis – The project team discussed the pros and cons of steel core. Halgerson – We would basically be looking at going through the re-bidding process and we propose hourly rates and expenses. My estimate would be that it will cost around \$1,000. Goodenow – Do you specify a manufacturer? Larsen – We specify and the bidder can deviate from that as long as there is documentation to prove it is the same quality. Larry LaVoie, Bromen Office 1 – Could you explain steel core? Larsen – The core is a blade of steel instead of particleboard. LaVoie – It is a hollow core and steel holds it in place. Hon makes a steel core product. Steel core is good and very durable. A lot of the chairs were specified as certain chairs and everyone's chairs are different. Herman Miller is one company that was left out. I totally disagree that wood edge tables are the best. Wood gets

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marked and scratches very easily. It can be fixed, but laminate edges are better. Discussion on cost for an office using different brands. Gladis – Did you bid steel core in the first place? LaVoie – Yes. Larsen – It was a honeycomb core. LaVoie – It is steel core, it just has something different between the steel. Larsen went over the deviations in the past two bids. Larsen – It was the committee's recommendation to reissue the bid specs with the addition of the chair and table. Goodenow – Everyone that bid on it last time can bid on it this time. Larsen – I have no ties to any manufacturer, I just try to get the best furniture for your money. LaVoie – If you have specifications like this, it will leave the local businesses out. It is pretty hard for us to joint venture with the companies that offer the steel core that you want. Larsen – I have written specs like this before and local businesses do joint venture. Halgerson – If you break up the specs, you may get less interest and spend more money. Gladis – I look at what is our best buy and I am not convinced that Hon is not. Larsen – If you are going to allow Hon to be bid, you must put that in the specifications because Hon is viewed in the business as a lesser quality. Herman Miller is top quality and we are asking for a step down from Herman Miller. LaVoie – What about if you need spare parts for chairs? Will you call someone in Sioux Falls to come and fix it? Buying refurbished is great, but new has a warranty. Larsen – The addendum could be removed. Gladis – Why can't we spec steel core and Hon in two separate requests? I don't like to cut the local guy out. Discussion. Nelson moved, seconded by Buysse to move forward and advertise for quotes on furnishings for the PW/HHW project with the original specs plus the addition of a chair and table. Voting For: Goodenow, Nelson, Buysse; Voting Against: Gladis; Absent: Fenske.

Jeanine Barker met with the board to request approval to hire a full time employee to fill the position that was recently vacated. Barker – I would like to hire Jennifer Brunner at the Sr. Clerk starting wage. Gladis moved, seconded by Nelson to approve the Recorder's Office hiring Jennifer Brunner starting March 25, 2002 at an hourly wage of \$10.17. All voted in favor.

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

Benson – Included in the 2002 Highway Department budget was the purchase of a tractor mower. This will replace Unit 66, which is a 1992 John Deere 2955 tractor w/Tiger Mower attachment. I propose purchasing a John Deere 7210 tractor and Diamond Mower attachment mower using the State bid price. For a 7210 JD, the State bid price is \$51,300. The State bid price for the Mower is \$17,900 plus a \$150 delivery and installation charge. D&M Implement in Marshall has offered a trade-in allowance of \$25,000. The total purchase price for the tractor including the trade-in would be \$28,009.50 including sales tax. Diamond Mowers has offered a trade-in allowance of \$22,000. The total purchase price would be \$31,204.50 including sales tax. The cost for the Diamond Mower DTR-120C Twin Mower is \$18,313.50 including sales tax and delivery from Sioux Falls. I recommend purchasing the 7210 JD tractor from D&M Implement utilizing the trade-in option for Unit 66. I also recommend purchasing the Diamond Mower DTR-120C Twin Mower from Diamond Mowers for \$18,313.50. The combined purchase total is \$46,323. Discussion. Nelson moved, seconded by Gladis to purchase a 7210 JD tractor from D&M Implement trading in Unit 66 which would be a cost of \$28,009.50 and to purchase a Diamond Mower DTR-120C Twin Mower from Diamond Mowers for a cost of \$18,313.50. All voted in favor.

Benson – I would like authorization to advertise for bids on SAP 42-602-31 which is the reconstruction of five miles of CSAH 2 from CSAH 9 to the East County line. Reconstruction of Bridge Number 42557 over the Redwood River, one mile east of CSAH 9 is included in the project. A separate Federal Aid project will be let later this summer for the aggregate base and bituminous surfacing for the same length of roadway. Nelson moved, seconded by Buysse to authorize advertising for bids on project SAP 42-602-31 and set the bid opening for April 12th at 1:30 in Commissioner Room 3. All voted in favor.

Benson – This summer MnDot will be performing bituminous mill and overlay, edge drain, culvert and turn lane construction on TH 14 from TH 59 to .1 mile west of County Road 73. They will use CSAH 11, 14, and 29 near Tracy as a detour. There are two methods to figure out compensation – one is the gas tax method and the other is the equivalent overlay method. I recommend that the County pursue the equivalent overlay method for establishing the compensation amount. Nelson moved, seconded by Gladis to adopt the resolution (on file at the County Administrator's Office) to provide compensation to Lyon County from MnDot for the use of CSAH 11, 14, 29 as a detour for TH 14 and to authorize the vice-chair to sign the agreement relating to this. All voted in favor.

General Revenue Vouchers, Special Water Projects and Capital Projects were presented. Discussion on bill from Group II for services performed in 1999. Gladis – I would like more information on this bill. Van Overbeke – Paradis did look and this bill has never been paid. Gladis – I think this should be discussed with Group II. Van Overbeke – The bill from MCCC is for a new fixed asset program. I took it out of my budget, but it was not budgeted for. We need this for GASB34 compliance. Gladis – Wouldn't this be considered technology? Lewis – It is technology and it will affect all county offices. Van Overbeke – There will also be a monthly bill for it. Gladis moved, seconded by Buysse to approve the general revenue vouchers, special water projects, and capital projects; the MCCC bill will come out of the technology fund and the Group II bill will be omitted at this time until it can be researched further. All voted in favor.

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General Rev. Fund	\$104,550.15
Road & Bridge Fund	\$23,503.49
Landfill Spec. Rev. Funds	\$14,127.07
Water Projects – Spec. Rev.	\$9,719.00
Capital Project Funds	\$278,907.81
Ditch Fund	\$8,023.49
Total	\$438,831.01

Beginning Warrant Number: 337120; Ending Warrant Number: 337195.

Gladis moved, seconded by Nelson to approve Auditor Warrants 337077 to 337090 in the amount of \$19,176.96 dated February 21, 2002 and Auditor Warrants 337093 to 337117 in the amount of \$7309.54 dated February 28, 2002. All voted in favor.

Lewis – Greg Dobrenski from the Relay for Life requested that fees be waived excluding the bathrooms and damage deposit like they were last year. Discussion. Gladis moved, seconded by Nelson to waive the fairground fees per day but keep the bathroom fees per day and the damage deposit for the Relay for Life to be held in August. All voted in favor.

Per Diems and expenses were presented. Buisse moved, seconded by Nelson to approve the per diems for Gladis in the amount of \$90 and expenses in the amount of \$50.82. All voted in favor.

Commissioner Reports:

Gladis – We had a Park Board meeting. It was decided that the Commissioner would be a nonvoting member of the board.

Nelson – Public Health Service has decided to update their e-mail. They are trying to get all four counties equal.

Buisse – I received a letter from David Werner, Extension. Shirley Anderson-Porisch was offered the position of Regional Educator for Family Development, Connie Schwartu was offered Regional Educator for Human Development and Bob Byrnes was offered the position of Lyon-Lincoln County Director.

Goodenow – We need to sign the census maps. Gladis moved, seconded by Nelson to authorize the vice-chair to sign the census maps. Lewis – This shows boundaries of cities, townships etc. Hammer and Winter have looked it over and signed off on it too. All voted in favor.

Lewis – A resolution for the Rural Energy Task Force was just faxed in. Do you want to discuss it at this time? Everyone agreed to put it on the agenda for the next meeting.

Buisse moved, seconded by Gladis to close the meeting to discuss Union Negotiations. All voted in favor.

The meeting was opened.

Buisse moved, Gladis seconded motion to adjourn the meeting until Tuesday, March 19, 2002 at 9:00 A.M.

Robert Fenske, Chairman

Attest: _____
Gregory D. Lewis
Lyon County Administrator