

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

Meeting called to order by Chairman Fenske. Members present: Buysse, Fenske, Gladis (absent until 10:50), Goodenow, Nelson, County Attorney Maes (absent until 9:20), and County Administrator Lewis. Absent: County Auditor/Treasurer Van Overbeke.

Pledge of Allegiance to the Flag.

Agenda approved with addition of request to sign amendment to the E-911 contract and Ed Stec coming at around 10:15 to give an update on the PW/HHW project.

There were no ditch vouchers.

Conditional Use Permit (see attached) for Greg Taveirne was presented. Hammer – He wants to expand his existing feedlot and it will not comply with setback regulations from an existing rural residence. He is planning to add an additional 180 animal units. It has been approved by the Planning and Zoning Commission and the Rock Lake Township Board. Discussion. Buysse moved, seconded by Goodenow to grant a CUP to Greg Taveirne to expand an existing feedlot on land zoned agricultural in Rock Lake Township. This expansion will not comply with setback regulations from an existing rural residence and an additional 180 animal units will be added. All voted in favor.

Hammer – We have three more feedlot expansions coming up and they all comply with the ordinance. I have discussed it with Asst. County Attorney Zimmer and she discussed it with Maes and they believe that the Public Meeting can be held at a Planning and Zoning Meeting. I believe Maes was supposed to contact Lewis. Lewis – I just wanted to make sure because if litigation would come up the lawyers would look for anything.

Discussion on JD#10. Discussion on needing to meet and reconstitute the board. Discussion on re-determination of benefits and calls from Bob and Joe Matthys. Discussion on not receiving money from the judgement. Hammer – I will talk with Yellow Medicine County's ditch inspector this morning and come back to the meeting to let you know what YMC thinks.

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

Henriksen – Our office has been updating the Southwest Regional Solid Waste Commission Regional Review of Alternatives for solid waste disposal. One of the areas that the OEA required we look at is source separated organic composting. We have been working on it for the past year and have most of it done. We are just waiting for the OEA. The amount of tonnage has gone up. I am also recommending that we have a person that works with all the counties on waste reduction. Schroeder will be traveling to all the counties and trying to help with reduction. It seems to have more impact when someone actually talks to the people. Discussion on possible funding cuts. Henriksen – The OEA wanted us to look at source separated organic composting. Basically a home would have three separate containers – one for recycling, one for garbage, and one for source separated organics. Source separate organics are things like food waste and un-recyclable paper and boxes. We looked at what Hutchinson is doing and revised it to fit our needs. It is expensive so at this point, I would not have any recommendation to do this. Discussion.

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

Benson – There has been a need for some changes to the contract for the Shared Sand/Salt Shed located at the MnDOT Marshall headquarters. The City of Marshall, Lyon County and MnDOT entered into this agreement shortly before I started employment for Lyon County. When the agreement was reviewed by the Attorney General's Office, it was determined that the agreement could not be entered into by the State of Minnesota because of the language in the Termination section of the agreement. The Department of Administration will not approve any contract duration that will exceed the useful life of the facility or commit the State to some future reconstruction of the facility. The Agreement will now be for a period of 25 years. They also changed a few other words, but they really have no impact. Discussion. Benson - I think it is all right except I asked if one part that they left out could be added back in and they agreed. I am just wondering if you want me to proceed or if you think there should be other changes. All the Commissioners agreed that Benson should proceed.

Benson – I have provided you with a very rough draft of the Cost Participation Policy for Road Construction Projects. Keep in mind that it is a very rough draft. Benson gave a summary of the discussion with the Cottonwood School District representatives. I have also estimated that the paving work for the turn lanes would cost \$40,566, the base would cost \$6,000 and that miscellaneous costs would make up the difference adding up to an estimated cost of \$49,545.00. Fenske – I have a problem paying for Yellow Medicine County's School. Discussion on numbers. Discussion on trail. Benson – The City and School have agreed on who will maintain the trail. Benson – It is a MnDOT policy to have the entity pay for turn lanes 100%; however, we do not have a policy at this point. Goodenow – I think Benson did a good job with the numbers. I would

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like to see us contribute a little more. Maybe we could contribute \$9000 more? Nelson – I can see paying for the grading because we are already going to be doing that to the road, but we have to be careful that we are using Lyon County's Aid to benefit Yellow Medicine County. Benson – Once the turn lanes are in, the County will be responsible for maintenance etc. Discussion on why helping with trail. Benson – The trail will keep the kids off of the road, plus Tracy is in a sense getting engineering pro-bono for their trail because of an agreement made before I started employment here. I am trying to keep things as fair as possible. The board agreed they did not want to go less than the \$49,545. Goodenow – I did promise them we would not go over the \$49,545. Benson – That is only an estimate so the numbers could be less. Discussion. Goodenow moved, seconded by Buysse for engineering and grading costs for turn lanes on County Road 9 in front of the new Lakeview High School. The school district will pay up to \$49,545.00 for the turn lanes with the actual cost coming from unit bid costs. If their share would be greater than \$49,545, then the county would cover the difference. Any maintenance such as seal coating, overlay, and reconstruction etc. needed on the turn lanes in the future would be paid by the County. The County/School/City of Cottonwood will participate in the trail and curb and gutter expenses as listed below. (These numbers are estimates). The final amounts will be based on actual unit costs and quantities actually installed on the project.

| | County | City | School |
|------------------|----------|---------|----------|
| Curb and Gutter | \$7,805 | \$0 | \$2,415 |
| Trail Bituminous | \$13,508 | \$3,377 | \$5,236 |
| Turn Lanes | \$15,543 | \$0 | \$49,545 |
| | | | |

Note: The curb and gutter and trail costs for the school are for construction on school property. In addition, construction engineering costs will be charged to the school for this work if the school elects to have this work under the county contract.

All voted in favor.

Gladis present at 10:50.

Benson – There is no urgency on the Cost Participation Policy. I would just like you to look over the rough draft and possibly give me some feedback/suggestions.

Benson presented a Resolution dealing with turkey hunting in Garvin Park. Goodenow moved, seconded by Nelson to adopt the resolution (on file at the County Administrator's Office) to close Garvin Park from ½ hour before sunrise until noon from April 17 to May 21 for the Spring Wild Turkey Hunt. All voted in favor.

Goodenow – Thanks for the Park Board minutes. Benson – You will be receiving them from now on.

Discussion on upcoming meetings.

Ed Stec, E&V Consulting met with the board to give a PW/HHW project update. Stec handed out a March project summary and a monthly project budget. Discussion on plumbing for top floor and heating for basement and top floor. Discussion.

Meeting Recessed.
 Meeting Back to Order.

Stokke – I would like to request approval to advertise to hire a part-time deputy. I have one that is on work comp and I am not sure when he will be back. This deputy would be on an on-call basis. I already have a position like this; we just have not filled it. This should help alleviate overtime. Goodenow moved, seconded by Gladis to authorize advertising to fill a part-time deputy position. All voted in favor.

Stokke – I would also like to request approval for Brad Marks and one other person to travel out of state to the Annual Jail Conference Expo. Right now we have not found anyone else to go, but we are trying to. Last year this was very beneficial and it is in the budget. Goodenow moved, seconded by Fenske to approve Brad Marks and one other person to travel to Wisconsin to the Annual Jail Conference Expo. All voted in favor.

Hammer – I have talked with the YMC ditch inspector and there is a letter drafted addressing the payment of the settlement and they have requested that a phone conference be scheduled to reconstitute the JD#10 Y&L board. I will let you know when they are interested in scheduling that.

Goodenow left to attend another meeting.

Royal Hettling and members of the Veteran's Memorial Committee of Minneota met with the board to request help with funding. Hettling passed out photos of the traveling wall and museum. Gladis – The reason why we did not give you funds from the improvement project fund is that this

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project did not meet the guidelines and really is not an improvement. We do, however, believe that this is a good project. Hettling – We understand that and we thank you for inviting us to come and talk with you. We would like to bring the wall to our region in 2006. We would like to honor American's veterans. We are looking at grants, donations and many fund raising activities. We are trying to have the wall come to Minneota during their 125th anniversary celebration. Once we raise the first phase of money, we will set a date then get a site secured. We have worked very closely with Jim Hubley. Fenske – Will this be publicized countywide? Hettling – Our mailings include every veteran's service in Lyon, Lincoln and Yellow Medicine counties. Jeff Van Keulen – We are trying to have this come at the same time as the 125th celebration because then we think we would draw people that are home for the celebration and there would be more people around because of the celebration. Hettling – We have talked with the people from Elkton who had the wall in the past and they have given us hints on what to do and not to do. Fenske – Do you have a specific amount? Hettling – No, we would just like you to remember us in your budget and give us what you feel you can afford. We are close to reaching our first phase goal so we are looking beyond that. Discussion on how this would work into the budget. Buysse moved, seconded by Fenske to contribute \$3,000 to the Veteran's Memorial Fund of Minneota to help bring the Traveling Wall to Minneota in 2006. Gladis – If we give that much right away, it may discourage other fundraisers. I think we should give a smaller amount and give more over time. Buysse moved to amend his motion to contribute \$1,000 to the Veteran's memorial Fund of Minneota seconded by Fenske contingent on the contract for the Traveling Wall being improved with the understanding that Lyon County will try to provide further support. Voting for: Gladis, Nelson, Fenske, Buysse. Absent: Goodenow.

General Revenue Vouchers and Capital Project Fund Vouchers were presented. Discussion. Nelson moved, seconded by Gladis to approve the general revenue vouchers and capital project fund vouchers. All voted in favor.

| | |
|---------------------------|-------------|
| General Rev. Fund | \$42,188.23 |
| Road and Bridge Vouchers | \$34,259.30 |
| Landfill Spec. Rev. Funds | \$10,433.91 |
| Capital Project Funds | \$4,258.91 |
| Total | \$91,140.35 |

Beginning Warrant Number: 337220; Ending Warrant Number: 337329.

Auditor Warrants were presented. Buysse moved, seconded by Gladis to approve auditor warrants 337196 to 337206 dated March 7, 2002 in the amount of \$7,639.67 and auditor warrants 337207 to 337219 dated March 14, 2002 in the amount of \$152,566.91. All voted in favor.

Lewis – I would like to discuss the personnel projects that have been assigned to me. First of all, the department heads (except Benson who has been taken care of) have not had a performance appraisal. I would like recommendations on what tool I should use for the appraisal process – the one that is currently in place or the one that I have used in the past? I am not advocating the new one; it is there if you want to use it. I have talked with most of the department heads about it. Discussion on which tool to use. Fenske – I am flexible. I believe the tool used should be whatever the administrator is comfortable with. Gladis – Are the department heads ready for the one you have? Lewis – I think they are uncertain about it. They feel it will be more work because they have to come up with a business plan.

Goodenow returned.

Further discussion on what to use for the appraisal. Gladis – Can we use both? Lewis – I could use the current one for evaluation and still have them fill out the business plan. Gladis – I think that would be a good idea, then we can compare them. Fenske – It is the board's consensus that we use both and the present one will be used to figure out the actual merit.

Lewis – You also wanted a market study of the exempt employees. Lewis described what he had done as far as researching the pay scale. Lewis – We need to get closure on the market study. It seems that because of the way Minnesota Laws are, you can not study part of the scale. Discussion on DMG's past study. Fenske – I think we should be able to look at the exempt employees separately. Discussion on pay scales and comparisons. Goodenow – We did make promises that we would look at the exempt scale and I think we need to keep them. Discussion. Lewis – I will do a little more research on the pay equity laws and you can think about it a little more.

Lewis – The State Auditor's Office has requested more space. I would like approval to negotiate with them. They have looked at the Environmental Office because they will be moving out to the Public Works Building this summer. They would only need Suite #202, which is the outer reception area. There would need to be some renovations. Discussion. Gladis – I think it is a good idea to pencil out the costs and talk with the State Auditor's Office. Everyone agreed.

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Lewis – I have an amendment to the E-911 agreement that needs to be signed. Goodenow moved, seconded by Gladis to approve signing the amendment to the E-911 agreement. All voted in favor.

Fenske – You should have received a copy of the Chief Elected Officials Board and Southwest Minnesota Workforce Council Workforce Investment Act Joint Powers Agreement. It needs to be signed. Nelson moved, seconded by Goodenow to approve signing the Chief Elected Officials Board and Southwest Minnesota Workforce Council Workforce Investment Act Joint Powers Agreement. All voted in favor.

Per diems and expenses were presented. Gladis moved, seconded by Goodenow to approve per diems and expenses respectively for Fenske in the amount of \$240 and \$83.65 and Nelson in the amount of \$190 and \$94.50. All voted in favor.

Fenske – We received a copy of the resolution that Lincoln County passed imposing a 60 day moratorium on wind turbines. Discussion. Nelson moved, seconded by Goodenow to adopt the resolution (on file at the County Administrator's Office) imposing a 60 day moratorium on wind turbines. All voted in favor.

Commissioner Reports:

Gladis – I am on the Planning Committee for the Lyon County Fair Centennial. We have kind of mapped things out, and would like to have a ballpark figure on what the Commissioners are thinking about appropriating. I don't need to know now, but I would like to give you a little time to think about it.

Nelson – The funding for Lazurus Creek is on the Governor's desk, the funding for operational dams was rejected by both houses, so Area II's funding is gone for next year. Their budget was cut by \$49,000 by the State. Fenske – Does that mean we have to contribute more for projects? Nelson - Netzke thinks they should have enough right now to be able to operate next year and hopefully they will get their funding back. Also, as I understand it, MN River Basin is not getting any funding. I attended the RC&D (Resource, Conservation and Development) meeting put on by the USDA. They have a lot of latitude in acquiring grants. The office is set up using Federal funds. They will be at the AMC Conference in May so you can hear more about them. I also attended the annual RCRCA meeting and we received the book the Great Oasis.

Goodenow – I did a presentation at the Leadership Conference. Van Overbeke did all of the organizing. Lewis – Yes, she did a great job. Goodenow – The Historical Society meeting was very good.

Fenske – The Insurance Team is working toward a cafeteria plan. We received a thank-you from the City of Ghent for contributing money from the Improvement Fund. We also received a letter from Ghent about the need for some sort of animal shelter. Goodenow – Maybe we could help the cities meet and discuss the situation with the understanding that the county is not going to get involved. Discussion on animal impoundment.

Buysse – We need to pursue a renter for the top floor of the PW Building as soon as possible. Fenske – That is why we want to explore adding the additional plumbing. Buysse – We also need to have a book with all of the polices together. Discussion

Buysse moved, Gladis 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