

LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
August 6, 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 following changes: Representative Peterson will not be able to make it, discuss lease between Fair Board and Ice Facility, Request from Custer Township for Deer Warning signs, request approval of grant for VSO and Recorder requesting approval to hire part time staff.

Nelson moved, seconded by Goodenow to approve the minutes from the regular Commissioner Meetings on July 2<sup>nd</sup> and July 16<sup>th</sup> and the Special meeting on July 30<sup>th</sup> changing the July 30<sup>th</sup> minutes so that Gladis is not seconding the adjournment. All voted in favor.

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

Hammer – Would like to purchase two new computers – one for me and one for the Planning and Zoning Administrator. It will be \$1803.02 per computer. I currently have \$2,500 in my budget and would like to request the remainder come out of the Technology Fund. Discussion. Buysse moved, seconded by Goodenow to approve Planning and Zoning's purchase of two computers for \$3,606.04 of which \$2500 will come out of the budget and the balance will come from the Technology Fund. All voted in favor.

Hammer – I am having a hard time finding someone from the townships (Fairview, Lynd, and Lake Marshall) to take an active part on the Task Force for the P&Z Ordinance Rewrite. I will write to the township clerks and see if they can appoint someone. Fenske – Do they have to be from those townships? Hammer – Those are the ones that are most affected, but if we can't find anyone than we will find others. Discussion. Chairman Fenske appointed Goodenow and Nelson to represent the County Board on the Taskforce for the P&Z Ordinance Rewrite along with the members of the Planning and Zoning Commission and an additional three members to be appointed on August 20. Goodenow moved, seconded by Fenske to amend the 2002 per diem schedule to include the Taskforce for the P&Z Rewrite with mileage to be paid also. All voted in favor.

Hammer – There has been a request made for an outlet into CD#68. The outlet would be for the Evelyn Demuth land that is farmed by Ed Verly. I talked with the overseer of that ditch and he did not see a problem. It is a big ditch and it will only drain about 10 acres that are not in the watershed. The only concern Maes had was that the petition does not state that the petitioner will pay all the costs. Maes – In the petition that is approved, that could be added which would be a good idea. Hammer – That won't be a problem. Goodenow – There does not have to be grass strips? Hammer – No, the viewers will go out and make recommendations on outlet fee etc. and then the viewer's report will be amended. We will have the hearing on the outlet petition for CD#68 on September 17, 2002 at 9:15 A.M.

Hammer – I put a letter in your packet that will be sent out to the landowners on CD#34. I am requesting to meet with the landowners to discuss the tile repair needed and the cost. This will not be a hearing; I just want to try to get a consensus from the landowners. Goodenow – Has it been re-determined lately? Hammer – No, probably only when it was built in 1915.

Hammer showed a picture of what is draining into JD#10 that is not assessed. Maes – How much is in Redwood County? Hammer – About two sections. Nelson – This is as close to an engineer's estimate as we are going to get? Hammer – RCM did this for the court case. Fenske – We need to send a copy to Yellow Medicine and Redwood County Commissioners and Ditch Inspectors with a break down and basic cost estimate. After they have time to look at the information, a joint meeting should be set up.

Benson introduced John Biren, the new Planning and Zoning Administrator. Fenske welcomed him.

Jeanine Barker, Recorder – You had previously approved a new part time position and the advertising to fill. I have conducted interviews and would like approval to hire Wendy Fricke. Gladis moved, seconded by Goodenow to approve the Recorder's Office hiring Wendy Fricke as a part-time Sr. Clerk to begin August 12<sup>th</sup> at the starting wage of \$10.17 per hour. All voted in favor.

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

Benson – I am requesting recommendation to MnDot for the award of bid for SP 42-602-30 (CSAH2 from Amiret to the East county line). This is a Federal Aid Project. There will be an aggregate base this Fall and it will be paved next Spring. Bids were opened on July 30<sup>th</sup> and they are as follows:

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Central Specialties – Alexandria, MN	\$813,928.25
Rupp Construction – Slayton, MN	\$820,822.00
McLaughlin & Schulz – Marshall, MN	\$876,824.25
Duininck Bros. – Prinsburg, MN	\$942,000.00
Engineer's Estimate	\$1,035,467.80

Benson – I recommend that the Board make a recommendation that MnDot award the project to Central Specialties. They anticipate to start sometime in September. Gladis moved, seconded by Goodenow to recommend that MnDot award project SP 42-602-30 to Central Specialties for the amount of \$813,928.25. All voted in favor.

Benson – I handed out a copy of the lease between the Fair Board and the Ice Facility Board. This is just for your information. I am working on the lease for the property between Lyon County and the Ice Facility. I am getting close to having a draft complete. Discussion.

Landfill Vouchers were presented. Nelson moved, seconded by Buysse to approve the Landfill Vouchers. Discussion on bill for retrieval of data from crashed hard drive. All voted in favor.

Henriksen – I also have a bill from Schmidt Construction that I would like approved. SEH has recommended payment in the amount of \$135,213.50 which has a five percent retainage taken out. Goodenow moved, seconded by Buysse to approve payment of the bill from Schmidt Construction with a payment amount of \$135,213.50. All voted in favor.

Discussion on when to hold Annual Landfill Meeting. September 19<sup>th</sup> was set as a tentative date.

General Revenue Vouchers, Special Water Projects, and Capital Projects were presented. Goodenow moved, seconded by Nelson to approve the general revenue vouchers, special water projects, and capital projects. Fenske – I see we are paying for two autopsies this time. We will have to look at the budget for next year. All voted in favor.

General Revenue Fund	\$124,180.12
Road and Bridge Fund	\$35,911.78
Landfill Spec. Rev. Fund	\$186,581.05
Water Projects	\$1,409.00
Capital Project Funds	\$163,383.57
Ditch Fund	\$220.85
Total	\$511,686.37

Beginning Warrant Number: 338853; Ending Warrant Number: 338997.

Auditor's Warrants were presented. Gladis moved, seconded by Buysse to approve Auditor's Warrants 338804 to 338818 dated July 18, 2002 in the amount of \$219,423.84, Warrants 338819 to 338837 dated July 25, 2002 in the amount of \$613,629.31, and Warrants 338839 to 338851 dated August 1, 2002 in the amount of \$188,953.10. Van Overbeke – I just wanted to point out that the City of Marshall Bond Lease payment was paid in these bills because they got it to us late. It is usually paid with the Commissioner Bills. All voted in favor.

Lewis – Would like to discuss the quotes for the telephone system. When I talked with Access Communications last week after the special meeting, they said they would not be able to get to the Public Works project until September. So I talked with Computer Bay and Fran's Communications, the next lowest bidders, and Computer Bay said August but could not give me a specific date, but Fran DeBaere said he could start August 21. I asked DeBaere to look at the price he quoted for the processor and he came down on that, he also said he could do the installation for \$500 less. Then, Access Communications called back and said they could come the last week in August but could not give me a specific date. I would tend to lean toward Fran's because he has been receptive to Lyon County. Benson – We are comparing a company with experience and someone who does not have experience, but is willing to learn. I don't think a week one way or the other is going to be a big deal. If you would decide to go with Fran's, you might have additional costs associated with consulting etc. Goodenow – I leaned toward the local vendor at first so I would lean toward Fran's. Gladis – I am leaning toward Goodenow's opinion. Nelson – I think we asked for quotes, we accepted the low quote and that is the way it should stay. Maes – I have concerns with the fact that Fran's was able to change their quote. You need to allow the others the same option. Fenske – If we reject the low quote, and it is not for a strong reason, we may not get many good quotes in the future because they will think we won't accept them. Gladis – Call Access during the break and see if you can get a specific date.

Meeting Recessed.  
Meeting Back to Order.

Lewis – To summarize, the County received quotes on a telephone system for the PW Building and Access Communications had the low quote. Per board direction, I called them and they said they could start August 28<sup>th</sup>. Fenske – Is there any further discussion or desire to change? Fran DeBaere – This was not a sealed bid so changes can be made. If there is a major failure, response time is supposed to be within two hours; they are not even that close to Marshall. Also,

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they are not taxpayers. Fenske – This is something new for you. DeBaere – Not new. I could start on August 21 or 22. Fenske – We previously awarded the project to Access Communications. Do we want to change? DeBaere – They have a 48 port listed and it would actually need two 24 ports. Lewis – This was an additional aspect that could have been bid out separately. Fenske – Are there any motions? If there is no action, then the project will remain with Access Communications.

Lewis – We can now review the Clark Engineering Report of the Vlaminc property. The board will take no action on this; this will just make the report a matter of public record. Goodenow – It is up to Vlaminc what he wants to do. Fenske – Do you have any comments on the work that they did? Vlaminc – They came and did a walk through and then pretty much went off of the other report. He never had a level or anything with him. I have tried calling him and he has never returned my calls. He used the pictures from the other report. Lewis – His instruction from the county was to give a neutral report. Fenske – For the amount of work Mr. Vlaminc said he did, he is overpaid. Goodenow – I think we should invite the engineer to come to a meeting. Discussion. Fenske – Lewis will communicate with him. Lewis – I will report back.

Lewis – We have the third quarter appropriation for RSVP. Goodenow – I do not like the budget part of the Joint Powers. Fenske – What is wrong with having our own? Maes – I have asked them that and they have said that you would not get near as much if you were not in the Joint Powers. Goodenow – I am not in favor of giving them a dime more than what we budgeted and if we sign the agreement then we will have to make up what we didn't pay this year. The organization is a good thing, but my question is, are we getting as much from them as we are putting in? Discussion on possibly not being a part of RSVP in the future. Goodenow moved, seconded by Fenske to pay the RSVP third quarter appropriation per our budgeted amount. Fenske – I think we should actively explore having our own unless they can prove that we are getting the service for the money. All voted in favor.

Dennis Healy, Lincoln-Pipestone Rural Water, met with the board to request approval of a Joint Powers agreement. Healy – Yellow Medicine County has agreed to be the project sponsor so the Joint Powers authorizes YMC to issue the bonds for the Northeast Phase. Yellow Medicine, Lyon, Lincoln, and Redwood counties will be affected. Yellow Medicine will be the lead county. Each county is agreeing that they will collect the special assessments. Lincoln County has already approved. Construction on the water tower in Minneota has begun. Fenske – Maes has reviewed? Maes – It follows what the statute has set out. Healy - The resolution authorizes the chair and auditor to sign the Joint Powers. Buysse moved, seconded by Fenske to approve the Joint Powers with the counties of Lincoln, Yellow Medicine and Redwood along with Lincoln-Pipestone Rural Water. All voted in favor. Buysse moved, seconded by Goodenow to approve the resolution authorizing the Board Chair and Auditor/Treasurer to execute the Joint Powers Agreement mentioned above. All voted in favor.

Lewis – Would like to discuss the Environmental Office staff moving to a 40 hour workweek instead of 37.5. Fenske – This would add approximately a 6 2/3 increase in salary. It is included in this year's budget. I am not against it, but we are taking on additional staff cost. Nelson – Is everyone else at the PW Building on a 40-hour week? Lewis – Yes. This will affect Henriksen, Lasnetski, Schroeder and Grahn. Discussion. Goodenow moved, seconded by Nelson to adjust the hours of the Environmental Office employees to 40 hours per week and adjust the salaries as needed beginning August 1, 2002. All voted in favor.

Lewis – VSO, Jim Hubley, is applying for a grant for a computer upgrade. The Board must adopt a resolution to approve his application. Buysse moved, seconded by Goodenow to adopt the resolution allowing the Veteran Service Officer to apply for a grant for a computer upgrade. All voted in favor.

Meeting Recessed.  
Meeting Back to Order.

Commissioner Reports.

Gladis reported on PHS meeting and other meetings attended.

Nelson reported on Soil and Water and Cluster Meetings. Nelson – I also attended the RC&D Steering Committee Meeting. Eight counties are in so far. For 2003 the dues will be \$300 and there will be meetings on the fourth Wednesday of every month. Buysse – Do they have an office yet? Nelson – They don't yet. Nelson also mentioned a letter from the MN River Basin Joint Powers Board.

Fenske – I received a letter from MCIT stating that our dividend will be \$73,783.

Fenske – We have a request from the Custer Township Board to have deer warning signs put on Highway 59 North and South of Garvin Park. Goodenow moved, seconded by Nelson to request that MnDot put deer warning signs on Highway 59 North and South of Garvin Park. All voted in favor.

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Buyse – At the Water Plan Meeting I was able to voice my opinion on how bad it is to have trees on the banks of rivers etc. Buyse reported on Area II and YMRWS Board Meetings.

Goodenow – We don't have any signs in the Courthouse that state it is a smoke-free building and that there is no smoking at any of the entrances. I would like the board to approve signs being put up and to enforce the policy. Goodenow moved, seconded by Buyse to have signs posted on all doors stating that there is smoking only in the designated area outside of the building, that this is a smoke-free building and that the policy should be enforced. All voted in favor.

Per diems and expenses were presented. Goodenow moved, seconded by Buyse to approve the following:

	<u>Per Diems</u>	<u>Expenses</u>
Fenske	\$290	\$71.47
Gladis	\$105	\$73.10
Nelson	\$300	\$173.60

All voted in favor.

Discussion on Budget.

Discuss Sheriff/LEC Budget with Sheriff Stokke and Jail Administrator Marks.

Stokke – We do have a request for an additional deputy, which is not in the budget at this time. We are running very short staffed. Overtime hours are high and we have to supply a certain amount of hours to our contract towns, which are Cottonwood, Lynd and Russell. Fenske – So if you hire a full time person, we should see a reduction in overtime? Stokke – Yes. Gladis – Could you get a part-time one? Stokke – It is pretty hard to find and keep a part-time deputy. Van Overbeke – You should note that I have set the Sheriff's salary at \$60,000 for next year, since Stokke is retiring. Lewis – A car allowance has not been figured in for the new sheriff. It will be a Board decision on car allowance. Discussion on merit and COLA not being included in the first draft budget. Stokke – Overtime should be at \$30,000 at least. Last year we ran at about \$40,000. PERA is not correct either. The vehicles are included this year. Marks – Out of County Board will not go down. Stokke – Out of County Boarding should be \$50,000 or \$60,000. Fenske – Are we full to overfull all the time? Marks – Yes. Buyse – Do we have enough staff? Marks – The Department of Corrections is fairly satisfied except they would like to see additional cook staff. Lewis – The DOC regulates staffing? Marks – Yes. We are operating at their minimum right now. Marks explained what would happen if staffing was decreased. Lewis – The Sheriff give recommendations of Sheriff's Department staff? Stokke – Yes, if we have less, we will pay more overtime because we have to do what we have to do. Gladis – Almost a \$200,000 increase with these two budgets. Stokke – There is not really anything that we can cut. Gladis talked about lights on top of the cars versus on the grill. Lewis' Capital Improvement Program discussed. Discussion on staffing for the proposed new jail. Fenske thanked Marks and Stokke for their time.

Lewis – Discuss 40 versus 37.5 hours per week for Department Heads. The Department Heads currently at 37.5 hours are the Facilities Manager, Auditor/Treasurer, Recorder, Assessor, and VSO. Nelson – Department Heads only? Lewis – Yes. Fenske – Really, the Auditor/Treasurer and Recorder are elected so it is immaterial. Goodenow – I think that 37.5 is enough for the VSO. Lewis – The Assessor and Facilities Manager work at least 40 hours and as far as the elected officials go, they do too. Van Overbeke – Maes was changed to 40 hours and he is elected. What was the reasoning for that? Discussion.

Discuss Sheriff's salary.

Discuss Department Head salaries.

Discuss pay cycle. Goodenow – I believe the most accurate is to pay every other Friday. There would be a little more paperwork involved. This is how Human Services is going to do it. Gladis – I worked in a system where you got paid the middle of the next month and I did not like it. Lewis – I think employees would say monthly because they don't like to change. Gladis – No matter what it will change and the transition period will be the hardest. Fenske – We will need educational work with the employees. Discussion.

Lewis – The reason we showed you a budget without COLA or merit guesses is to show you that the personnel costs are the center of the budget. The way the State dealt with this is by laying off positions. The way your merit system is now, very high increases can be received. Fenske – I think we need to have Lewis present his merit system. Discussion. Buyse – What about capping insurance? Lewis – Yes, we are looking at a cafeteria plan. Fenske – We can cap without a cafeteria plan. Discussion. Lewis – Also, adding COLA to the pay scale is not practiced in most other counties. Discuss merit and additional personnel. Van Overbeke – I will change PERA and overtime in the Sheriff's budget and will add a line at the bottom for COLA etc. Gladis – I would just add four percent. Goodenow – The library did set their budget so you could check with them to see what it is. Buyse – When I was on the school board, we subtracted the health insurance from the COLA.

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Buyse moved, Gladis seconded motion to adjourn the meeting until Tuesday, August 20, 2002 at 9:00 A.M. with a special meeting to be held on August 13, 2002 at 9:00 A.M.

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Robert Fenske, Chairman

Attest: \_\_\_\_\_  
Gregory D. Lewis  
Lyon County Administrator