

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
December 17, 2002

Meeting called to order by Chairman Fenske. Members present: Buysse, Fenske, Gladis (after 9:45), Goodenow (after 9:47), 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 the following:

- Consider Quote for Ditch Work
- Consider Amendment No. 1 MnDot Detour Agreement No. 82818
- Consider MnDot Partnership Agreement
- Transportation Funding Discussion
- Consider Setting Public Works Fees for 2003
- Consider Lease Agreement for Ice Facility
- Public Works Building Financial Report – Ed Stec
- Possible Closed Session to Discuss Possible Litigation
- Request Approval of Resolution Dealing w/ Cafeteria Plan
- Additional Tobacco License – This Ol' Place, Garvin
- Discuss Merit System

Ditch Vouchers were presented by Biren in the absence of Hammer. Discussion. Nelson moved, seconded by Buysse to approve the ditch vouchers. All voted in favor.

Biren handed out an update on CD#34 and explained that the viewing process is complete.

Biren handed out minutes from the Ordinance meetings with the townships and cities. Nelson – I think there was a lot of good input. Biren – Our goal is to have this Ordinance approved by the first part of March.

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

Henriksen handed out new information on the OEA grant. Henriksen – It appears that some other counties are not going to participate, but with the changes, maybe they will reconsider. The cash stayed the same, but the in-kind has gone down. Nelson – What happens to the position after two years? Henriksen – That will be up to the County and there could be more grants available. Fenske – Where would the funds come from? Henriksen – The Landfill Service Fees. They would not be levy dollars. Nelson moved, seconded by Buysse to adopt the resolution (on file at the County Administrator's Office) to enter into a grant agreement and sign a grant agreement with the OEA to carry out the project specified in the grant agreement and authorizes the Chair of the Lyon County Board of Commissioners to sign the grant agreement. All voted in favor.

Road and Bridge Vouchers were presented. Nelson moved, seconded by Buysse to approve the road and bridge vouchers. Discuss Dulas Construction bill for the Cottonwood Shop. All voted in favor.

Benson – Hammer received an estimate from Schlemmer Tiling in the amount of \$7551.90 for the repair of 700 feet of tile on JD#15 R&L located in the SE ¼ Section 14 of Clifton Township (Gale Thorstenson land). Hammer also received an estimate of \$2,500 for the removal of a portion of the farm grove that was planted over the county tile 30 years ago. The removal of trees would be 40 feet on both sides of the existing tile route. He recommends that the landowner be responsible to pay for the removal of the trees that will be within 40 feet of the new tile. Fenske – This ditch has a negative balance. Has it been assessed for next year? Van Overbeke – I will have to check on that. Fenske – Hammer is recommending we go ahead. Nelson moved, seconded by Buysse to approve the tile repair on JD#15 R&L contingent on the landowner removing trees at his own expense. Fenske – How will this be assessed? Van Overbeke – Redwood County will be billed their percentage. Fenske – Will we get into trouble again? Van Overbeke – No guarantees. How much can we approve to spend without letting Redwood know? Maes – I don't know off hand. Nelson – A lot of crop was drown out. Fenske – I don't question whether it is needed, but I want to make sure it is paid for. I would like assurance that this will be paid by the landowners. Maes – You are within the dollar amount for a repair. Nelson – Add to the motion contingent on acknowledgement in writing from the Redwood County ditch inspector accepting responsibility. Buysse – I agree with the addition to the motion. All voted in favor.

Benson – I have talked with MnDot about additional reimbursement for the use of County Roads for a detour while Highway 14 was under construction. They have agreed so I am requesting adoption of the resolution approving an amendment to MnDot Agreement No. 82818. Discussion on additional amount to be reimbursed. Buysse moved, seconded by Nelson to adopt the resolution (on file at the County Administrator's Office) stating that Lyon County approves the amendment to the MnDot Agreement No. 82818 with the State of Minnesota, Dept. of Transportation and authorizing the County Board Chair and County Administrator to execute the Agreement and any amendments to the Agreement. All voted in favor.

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
December 17, 2002

Benson – I have given you a copy of a MnDot Partnership Agreement. This would include all services that may be provided by MnDot without the need for any separate agreements. Rates are not outlined because it is a five year agreement. Just to let you know, 32.2% is the overhead charge and 32% is the materials handling cost. Discussion. Buysse moved, seconded by Nelson to approve the MnDot Partnership Agreement. Fenske – This only applies when we choose to use their services. Benson – We do have them do testing and certification for box culverts. All voted in favor.

Benson – I gave you all a copy of the transportation funding handout that I picked up at the AMC Conference.

Benson – The Ice Facility Board met this morning and made no changes to the lease. I recommend approval. Fenske – It has been reviewed so I think we can act on this. Buysse moved, seconded by Nelson to approve the lease agreement between Lyon County and the Lyon County Ice Facility Board (on file at the County Administrator's Office). All voted in favor.

Van Overbeke presented liquor licenses to be approved. Fenske – Fee? Van Overbeke - \$30. We will be looking at that in the future. Buysse moved, seconded by Nelson to approve the following on/off sale liquor licenses:

Ted Haugen, Tri-State Petroleum  
Larry Fedde, Fedde's Repair

All voted in favor.

General Revenue Vouchers, Capital Project Funds, Special Water Project vouchers were presented. Van Overbeke – Would like to exclude Gary's Electric bill; the total contract and what have been paid don't come out. I would also like to point out that County Departments are paying labor plus a labor additive of 49 percent for work done by the Highway Department. Discussion. Nelson moved, seconded by Buysse to approve the general revenue vouchers, capital project funds and special water projects excluding the bill from Gary's Electric. Fenske – I know we have to pay for it, but an autopsy transport to Willmar cost \$487. Lewis – You could discuss this with Sheriff-elect Dahl if you would like. All voted in favor.

General Revenue Fund	\$271,740.47
Road and Bridge Fund	\$34,739.15
Landfill Spec. Revenue Fund	\$35,957.31
Water Projects – Spec. Rev.	\$1,441.62
Capital Project Funds	\$22,500.35
Ditch Fund	\$3,728.93
Agency Fund – Taxes/Penalties	\$110.01
Total	\$370,217.84

Beginning Warrant Number: 340496; Ending Warrant Number: 340639.

Auditor's Warrants were presented. Nelson moved, seconded by Buysse to approve warrants 340449 to 340470 dated December 5, 2002 in the amount of \$57,296.93 and warrants 340473 to 340495 dated December 12, 2002 in the amount of \$31,087.58. All voted in favor.

Lewis – We encountered a couple issues during orientation of the cafeteria plan. The first is insurance for married employees. Blue Cross and Ameritas will only allow a married couple that is employed by Lyon County to have single coverage. If one has dependent coverage, than the other is not allowed to have insurance. We are requiring everyone to participate in the minimum requirements for the cafeteria plan, however this particular employee will not be allowed to enroll in health or dental. So how does this employee participate in the cafeteria plan without being discriminated against? One solution is to extract the amount of the \$1000 deductible and the single dental from the total dollars allotted to an employee who takes single coverage and let the employee use the remainder.

Gladis present at 9:45.

Goodenow present at 9:47.

Lewis – Another question is how to handle retirees. Discussion on retiree benefits and how to handle. Goodenow moved, seconded by Fenske to allow retirees, hired before May 1, 1997, four percent per year of service of the single cafeteria amount allotted to current employees. This will be applied to health and dental coverage for the retiree only with no cash out option. All voted in favor.

Married employee's coverage discussed. Goodenow moved, seconded by Fenske to allot an employee, who due to spousal status can not enroll in single coverage health or dental, the total amount for the cafeteria plan for someone with single health coverage excluding the dollar amount of core benefits for single health and single dental. All voted in favor.

Public Works Fees discussed. Benson – The GIS Committee will meet in January to discuss fees. Benson – The labor additive has varied from 49 percent to 56 percent. We set the labor additive for the next year by what it is at the end of the previous year. It is 50.7 percent. Benson – There was an instance where we purchased safety vests with the City of Marshall. Because of

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
 LYON COUNTY BOARD OF COMMISSIONERS  
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
 December 17, 2002

our policy we were required to charge a twenty percent overhead. I sat down with City officials and discussed this. I have decided that in the future if joint purchases are made, I will bring it to the board for possibly waiving the twenty percent overhead. Fenske – How did you resolve the problem with the City of Marshall? Benson – I thought there was going to be a representative here today, but I told them that I could bring it to the Board and request a waiving of the overhead charge on the vests. Lewis – I believe they had other objections also. Benson – Our fueling system is what they had objected to. They had a verbal agreement with the former County Administrator, and the question is do you charge sales tax on an overhead fee. We have checked it out around the State and that is the common practice. Van Overbeke also pointed out that the labor additive is charged to other departments, but they are not charged equipment costs or overhead. Goodenow – Joint purchasing will be handled differently in the future. Lewis – The Board could consider the vest situation. The City has been sent a bill for the cost of the vests plus overhead. Goodenow moved, seconded by Nelson to waive the overhead charge on the vests bought jointly with the City of Marshall and all future beneficial joint purchases will be brought to the board for consideration of waiving the overhead charge. All voted in favor.

Nelson moved, seconded by Goodenow to approve the fees for Public Works. Gladis – I can't vote in favor of raising some of the Planning and Zoning Fees – they were just increased. Biren – The increase is basically the recording fee. They are already charged that, but now it would just be all included. Van Overbeke – It will be extra work for our office if it is only one check. Nelson moved to amend the motion so that the 2003 Planning and Zoning Fees remain the same as 2002 and deal with the recording fee the same way as it has been dealt with in the past, Goodenow seconded the amendment. All voted in favor of the amendment. The fees for 2003 are as follows:

**Environmental Department Fees**

Solid Waste Hauling Fee	\$50.00 + \$25.00/truck
Solid Waste Facility License Appl. Fee	\$250.00
Solid Waste Facility License Fee	\$100.00
Electronic Equipment (not major appliances)	\$10.00 each
<b>Landfill</b>	
MSW – operating/surcharge	\$38.00/ton//\$7.00/ton
Demolition	\$5.00/cy
Major Appliances	\$15.00/each
<b>Tires</b>	
Car & light truck	\$110.00/ton
Truck	\$110.00/ton
Tractor	\$150.00/ton
Heavy Equipment	\$150.00/ton
<b>Fluorescent Light Bulbs</b>	
≤ 4'	\$.50/each (12/1/02 effective)
> 4'	\$.75/each (12/1/02 effective)
Shatter-Shield or Lamp with ballast	\$2.00/each
Ballasts	\$1.00/pound
High Intensity Discharge	\$1.75/each
Compact, U & Circular Shaped	\$.50/each
Broken Bulbs	\$1.00/pound
<b>HHW-VSQG Disposal</b>	
Fuels/Solvents	\$.50/pound
Oil Paint	\$.50/pound
Latex Paint	\$.50/pound
Lab Pack	\$2.00/pound

**Geographic Information Systems Department Fees**

<b><u>Basic Map Printing</u></b>	\$4 Size E 34x44
	\$3 Size D
	\$2 Size C & 11x17
	\$1 8.5x11

The GIS Committee will be establishing a fee structure for map creation services in January of 2003. The above fees are for printing of existing maps, not creating special maps.

**Planning & Zoning Department Fees**

<b><u>Zoning Fees</u></b>	<b><u>Fee</u></b>	<b><u>After the Fact</u></b>
House	\$100.00	\$200.00
Other Structures and Additions	\$ 25.00	\$ 50.00
Conditional Use Permits	\$200.00	\$400.00

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
 LYON COUNTY BOARD OF COMMISSIONERS  
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
 December 17, 2002

Essential Service	\$350.00	\$700.00
Rezoning	\$250.00	\$500.00
Variance Request	\$200.00	\$400.00
Preliminary Plat	\$500.00	\$1000.00
Final Plat	\$300.00	\$600.00
Septic System Permits	\$150.00	\$300.00
Special Hearing	\$500.00	

	<u>Fee</u>	<u>After the Fact</u>
Zoning Permits	\$ 25.00	\$100.00
Conditional Use Permits	\$100.00	\$200.00
Variance Request	\$200.00	\$400.00
Preliminary Plat	\$200.00	\$700.00
Septic System Permits	\$100.00	
Special Hearing	\$250.00	

**Park & Fairground Department Fees**

**Camping**

Without Electricity	\$7.00/night
With Electricity	\$10.00/night

**Warming House Rental**

\$35.00/day

**Tubing**

\$3.00/person if use a tube  
 40 people or \$120.00  
 minimum for a private group

**Off Road Dumping**

\$5.00

**Road & Bridge Department Fees**

**Utility Permits**

1. Underground construction of utilities
  - Liquid and gas line exceeding 6" diameter \$800/mile
  - Electric, telephone, liquid and gas lines 6" or less in diameter \$100/mile
  - Boring or tunneling under roadway \$45/each
  - Open cut crossing roadway \$50/each
  
2. Above ground and Underground  
 Minimum processing fee \$15/permit

**Adopt-a Highway Program**

\$100 deposit  
 (Deposit returned upon returning safety vests)

**Transportation Permits**

Overwidth or Overweight Moving permits \$15/each

**Driveway Permits**

(Deposit returned upon driveway completion) \$50 deposit & \$50 fee

**Construction Project Bidding Information**

Construction Proposal	\$10
Project Plans	\$10-1 to 20 sheets \$15-over 20 sheets
Shipping	\$8

**Fuel System**

All purchasers pay cost of fuel plus 6.5% sales tax on gas.  
 All purchasers pay cost of fuel plus \$.20 Special Fuel Tax as appropriate for diesel.

**Agency**

City of Marshall	\$.05/gallon Plus 6.5% Sales Tax on Overhead fee
Marshall Lyon County Library	\$.05/gallon Plus 6.5% Sales Tax on Overhead fee

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
 LYON COUNTY BOARD OF COMMISSIONERS  
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
 December 17, 2002

Marshall Housing Commission	\$.05/gallon Plus 6.5% Sales Tax on Overhead fee
Marshall Hockey Association	\$.05/gallon Plus 6.5% Sales Tax on Overhead fee
Western Community Action	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
Human Services	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
DAC	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
Group Home	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
SWCD	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
Landfill	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
Government Center	No Charge
Sheriff's Dept.	No Charge
Government Center Maintenance	No Charge
Fairgrounds	No Charge
P&Z,Ditches,&Ag.	No Charge
Highway	No Charge
Parks	No Charge

**Labor Additive**

The labor additive is the percent cost per employee per hour for benefits; ie. health insurance, workers comp. insurance, PERA – employer, social security, liability insurance, vacation, sick leave, etc.. The labor additive varies from year to year based on actual costs. The rates for 1999 through 2001, have varied from 49% to 56%. I recommend the labor additive rate for 2003 be set at the actual rate incurred for 2002 which is estimated through September to be 50.7%. The actual rate will be calculated at year end.

Townships and Municipalities: ( <b>Labor</b> )	Hourly Labor & Equipment +50.7% Labor Additive
Township & Municipalities: ( <b>Purchases</b> )	Cost ,SalesTax,20% Overhead
Individuals: ( <b>Labor</b> )	Hourly Labor & Equipment +50.7% Labor Additive
Individuals: ( <b>Purchases</b> )	Cost ,SalesTax,20% Overhead
Landfill: ( <b>Labor</b> )	Hourly Labor & Equipment +50.7% Labor Additive
Landfill: ( <b>Purchases</b> )	Cost and Sales Tax
County Depts: ( <b>Labor</b> )	Hourly Labor, 50.7% Labor Additive No Equipment Charge
County Depts: ( <b>Purchases</b> )	Cost and Sales Tax
Government Center	
Sheriff's Dept.	
Government Center Maintenance	
Fairgrounds	
P&Z,Ditches,&Ag.	
Highway	

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
 LYON COUNTY BOARD OF COMMISSIONERS  
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
 December 17, 2002

Parks  
 GIS  
 HHW/Recycling

Other Entities ( <b>Labor</b> )	Hourly Labor, & Equipment
DAC	Plus 50.7 % Labor Additive
Group Home	
Marshall Lyon Co Library	
Marshall Public Housing Comm.	
Soil & Water	
Western Comm. Action	
Human Services	
Hockey	
Other	

Other Entities- ( <b>Purchases</b> )	Cost, Sales Tax and
DAC	20% Overhead
Group Home	
Marshall Lyon Co Library	
Marshall Public Housing Comm.	
Soil & Water	
Western Comm. Action	
Human Services	
Hockey	
Other	

All voted in favor of approving the fees.

Ed Stec from E&V explained the Public Works Financial Report. Stec explained that the following items were not included in the budget which contributed to the overrun of the budget:

Bonding Costs and Legal Fees

Bond Costs	\$ 1,434.44	Kennedy & Graven
Legal Fees	\$ 3,469.50	Us Bank Trust
	\$21,682.55	Springsted
	\$ 6,800.00	Moody's Investor's Services
	\$ 108.00	Kennedy & Graven
	\$ 5,000.00	Marshall EDA
	\$ 9,607.33	Faegre & Benson
Subtotal	\$48,101.82	

Owner and Architect unrelated items not in original budget

Telephone Equipment	\$23,831.10	Total for Telephone Equipment
---------------------	-------------	-------------------------------

Note: Electrical Contractor installed infrastructure for system under Bid Division LC-2161

Window Blinds	\$2,502.04	Total for Window Blinds
Phase II Design	\$2,305.01	Over Estimate
Interior Signage	\$1,898.00	Not in Original Budget
Exterior Signage	\$7,610.17	Not in Original Budget
Subtotal	\$86,247.32	

Stec discussed the following Change Orders and explained that these items fell within the original contingency but were unexpected due to soil and water main issues:

D&G Excavating	\$49,460.00	Proposed Request No. 1, Raise Building 1'-6'
Bisbee P&H	\$19,097.00	New Water Main
Subtotal	\$68,557.00	

Stec explained that all other changes and proposal request for the project were normal and customary and that the total unexpected project costs were \$154,804.32 with a project overrun of \$56,620.22. Stec also explained that the County and E&V are in final negotiations with Sussner Construction and D&G excavating on their project related issues and that costs are already included in the overrun amount. Stec further explained that landscaping and artwork costs have not been included but that minimal landscaping will be needed in the Spring and about \$1,000 in artwork will finalize the interior of the building. Benson discussed the following options to cover the anticipated overrun of \$56,620.22.

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
December 17, 2002

1. Utilize some of the remaining funds in PW Facility Budget. This includes \$200,000 from Highway Maintenance intended for future shop expansion project.
2. Utilize reserve funds from the Capital Improvement Fund.
3. Charge the landfill for an appropriate share of the overrun attributed to major change orders.  
50% of proposal request 1 = \$24,730  
25% of Watermain(sprinkler system) = \$ 4,774  
Total = \$29,504
4. Designate all or a portion of the Highway Department outstanding invoice of \$77,837.39 as authorized no charge work. This would effectively write off the work done by the highway department.

Gladis – You could charge back to the landfill and the rest designate as authorized no charge work. I also wish we could have had a straight answer on why the need to raise the building was not discovered in the beginning. Buysse sat there and told you it was going to have to be raised and still it was not figured in and we had to pay a \$50,000 change order to fix it. Fenske – I am not satisfied with the engineering firm. Gladis – We paid them \$50,000 to do the work right the first time, then we had to pay \$50,000 to correct their mistake. Discussion on if window treatments were included in the original budget. Further discussion. Fenske – Was the engineering firm hired by Group II? Stec – Yes. Nelson moved, seconded by Gladis to charge the landfill \$29,504 which is an appropriate share of the overrun attributed to the major change orders and to designate the balance of the \$56,620.22 overrun as authorized no charge work done by the Highway Department. Benson – You could actually write off the entire \$77,837.39. Nelson amended motion to designate the Highway Department outstanding invoice as authorized no charge work, Gladis seconded the amendment. All voted in favor.

Benson updated the Board on the unsettled issue on winter conditions. Benson – I made an offer to Sussner and they come back with another offer. Initially we offered \$13,000 and he wanted \$27,000, we revised our offer to \$19,000 and he is at \$23,000 and says he will not accept anything lower. I do not recommend accepting the counteroffer. Dan Sussner has told me if the Board turns down this offer that he would like to meet with the Board. Stec – He is the only contractor who did not submit a schedule for the contract. There is a change order that he has refused to sign. I did receive it back, but changes had been made on it. I believe the offer that we have presented is a fair one. Maes – It is likely that this could go to arbitration and there will be cost associated with that. Benson – He does want a chance to present his case to the Board. We have met with Mr. Sussner, Maes has reviewed the project documents and I feel the offer of \$19,000 is more than generous. Fenske – Does anyone want to make a motion to pay Sussner's bill? Fenske – No motion is forthcoming. Stec – We have a couple issues to clear up, and then we will be done. It has been a pleasure.

Joel Dahl met with the board to update on tobacco compliance checks. Dahl – Four out of the seventeen establishments that were checked sold to a minor. This is an unfunded mandate and we have had cases that have gone to court, which costs us money. The Ordinance states that a hearing officer can be appointed and I would like the Board to consider this. Someone from Public Health could be appointed. Dahl explained how they do the checks. Goodenow – Do you do checks more than once a year? Dahl – We are only required to do them once a year and since it is an unfunded mandate, we tend to do them only once per year. Discussion.

Dahl – I would like approval of a resolution to accept a \$3,000 Traffic Safety Award. We need to use it by June of 2003. It is the State's way of awarding us for working with them on traffic safety. Discussion. Goodenow moved, seconded by Buysse to approve the resolution (on file at the County Administrator's Office) accepting the Traffic Safety Award. All voted in favor.

Gladis moved, seconded by Buysse to approve the following Tobacco Licenses:

Finnegan's Super Value – Minneota  
Farmer's Coop Association – Minneota  
Farmer's Coop Association – Ghent  
Stafne's 66 – Balaton  
Municipal Liquor Store – Balaton  
Countryside Golf Club – Minneota  
Bubba's Bar – Minneota  
Di's Lakeside – Balaton  
West End Bar – Taunton  
Steele's Service – Taunton  
Knight Enterprises dba CJ's Bar & Grill – Minneota

Fenske – Dahl, have there been any serious problems with any of these establishments? Dahl – No, some have had violations, but the purpose has been to charge the offender. All voted in favor.

Lewis – Need to discuss what we will do with the insurance for the Enterprise Development Corp. Discussion. Goodenow moved, seconded by Gladis to continue with past practice for the Enterprise Development Corp until further information can be gathered. All voted in favor.

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
December 17, 2002

Lewis – Would any of you be interested in having a swearing in ceremony on January 6<sup>th</sup>? Discussion. It was decided that swearing in would be done on the morning of the January 7<sup>th</sup> Commissioner Meeting as it has been done in the past.

Lewis – What are your thoughts on the orientation for new commissioners? Discussion. Nelson – I think it is a very good idea for the newly elected Commissioners and the returning Commissioners could go along if they want. Fenske discussed orientation with the Commissioners-elect and they thought it would be very beneficial. Lewis – I will get a schedule out to you.

Fenske – Do we need to appoint an acting Sheriff from January 1<sup>st</sup> to January 7<sup>th</sup>? Van Overbeke – Isn't that what the Chief Deputy is supposed to do? Lewis – That is possible, I have asked Stokke to check with Maes.

Discussion on \$70 insurance benefit for employees hired before April 1, 1985. Fenske gave a history of the \$70 per month compensation. Goodenow – The Commissioners at the time were doing a good thing for the employees, but it should have had a sunset. Lewis – It shows up on the pay stub as miscellaneous pay. Goodenow – It should have been phased out. It was a payment to help move from one insurance plan to another and it should not be part of the new plan. Maybe it could sunset in five years – reducing it by 1/5 per year. Nelson – They have been very well reimbursed. There are 70 some employees that don't have this benefit, but they have the same insurance. It should be terminated. Goodenow – It is pretty drastic to do it all at once. Gladis – Insurance has increased. I just don't know how it can be justified over that period of time. Health costs keep going up and some employees get \$70 more a month to help with that. If reducing this keeps the staff at the current level that it is, then maybe it's the way to go. Fenske – Eventually this will go away. Barker – It was the same initiative you have now if you switch to the \$1,000 plan. I would at least like to see it go into the cafeteria plan. Goodenow – Why not put it in the salary? Barker – The reason was so the employees did not receive COLA and merit on that amount. This way it was considered more financially efficient. Discussion. Nelson moved, seconded by Buysse to eliminate the \$70 per month payment for insurance for employees hired before April 1, 1985. Fenske – I have thought about this a lot. If it is sunset, it should probably be done gradually. Goodenow – Spread it out a little. Gladis – I read all the histories that were given to us and have also thought about this a lot. Nelson – They have been compensated \$14,000 over seventeen years and the County has always absorbed all the increases. We are phasing in a new insurance plan and it is time to sunset this. It costs us about \$27,000 per year. We could lose a lot of funds from the State. Fenske – It was really a good deal for the employees at the time. Champine – Going to a deductible did save the County quite a bit of money at the time. Fenske – They are key employees who have been here for a long time and have done a lot for the County. Voting For: Nelson and Buysse. Voting Against: Goodenow, Fenske, Gladis. Nelson moved, seconded by Buysse to eliminate the \$70 per month payment to employees hired before April 1, 1985 over the next three years effective January 1, 2003. The payments will be as follows:

2003 - \$52.50/month  
2004 - \$35.00/month  
2005 - \$17.50/month  
2006 - \$0/month

Voting For: Fenske, Buysse, Nelson and Goodenow. Voting Against: Gladis.

Discussion with Representative Seifert. Seifert thanked the Board for inviting him. Seifert – The budget has been and will be the topic of all meetings. The State spends more per day than they bring in in revenues. There has been more entitlement spending than predicted so eligibility requirements are going to have to be changed. The State relies very heavily on income tax. Capital gains are not being realized. On January 10<sup>th</sup>, they will be proposing a budget. Fenske – HACA and local government aid. I ask that cities get treated the same as the counties. For example if the counties lose 50% of their HACA, then the cities should lose 50% of their aid also. Goodenow – Should cut aid, but cut sales tax also. Discussion. Goodenow – What about levy limits? Seifert – The talk that I have heard is that they will probably go away, but could be a reverse referendum that could bring a levy to voters. We are looking at doing what is necessary, not what is nice. Goodenow – Reverse referendums tend to get very expensive. Fenske – We can take a cut, but not year after year. Nelson – Lyon County has discussed having an EDA, do we need legislation? Seifert – I will look into it. Just to let you know, all States are facing this problem. Discussion. Fenske thanked Seifert for coming.

Seifert thanked Gladis and Goodenow for their years of service.

Discussion on 2003 budget. Fenske – The City raised the library budget 3.5 percent. Goodenow – We pay half of what the city does. Discussion on where cuts can be made. Van Overbeke – The \$70 per month benefit was reduced today so there are some savings there. Nelson – We should also include the Tracy Community Band. Fenske – Would they be satisfied with \$1,000? Nelson – I am sure they would be. Gladis moved, seconded by Goodenow to approve the following budget for FY2003 with a levy amount of \$7,465,940.

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
 LYON COUNTY BOARD OF COMMISSIONERS  
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
 December 17, 2002

<b>1 General Revenue Fund</b>			
<b>Dept #</b>	<b>Department</b>		<b>2003 Final</b>
2	Commissioners	Revenue	\$ -
		Expenditures	\$ 151,631
		Total	\$ 151,631
31	Administrator	Revenue	\$ -
		Expenditures	\$ 128,205
		Total	\$ 128,205
43	Auditor/Treasurer	Revenue	\$ 55,800
		Expenditures	\$ 378,106
		Total	\$ 322,306
50	Assessor	Revenue	\$ 8,000
		Expenditures	\$ 153,600
		Total	\$ 145,600
63	Elections	Revenue	\$ 1,500
		Expenditures	\$ 21,497
		Total	\$ 19,997
91	Attorney	Revenue	\$ 75,000
		Expenditures	\$ 259,076
		Total	\$ 184,076
101	Recorder	Revenue	\$ 175,000
		Expenditures	\$ 270,252
		Total	\$ 95,252
111	Facilities	Revenue	\$ 122,108
		Expenditures	\$ 398,383
		Total	\$ 276,275
112	Bldg & Improvement	Revenue	\$ 71,589
		Expenditures	\$ 180,000
		Total	\$ 108,411
121	VSO	Revenue	\$ -
		Expenditures	\$ 63,973
		Total	\$ 63,973
122	Coronor	Revenue	\$ -
		Expenditures	\$ 16,300
		Total	\$ 16,300
201	Sheriff	Revenue	\$ 294,000
		Expenditures	\$1,122,638
		Total	\$ 828,638
202	Law Enf. Center	Revenue	\$ 78,000
		Expenditures	\$1,173,456
		Total	\$1,095,456
205	E-911 System	Revenue	\$ 46,500
		Expenditures	\$ 26,000
		Total	\$ (20,500)
258	Probation	Revenue	\$ 63,223
		Expenditures	\$ 232,110
		Total	\$ 168,887
281	Emergency Service	Revenue	\$ 5,000
		Expenditures	\$ 47,615
		Total	\$ 42,615

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
 LYON COUNTY BOARD OF COMMISSIONERS  
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
 December 17, 2002

602	Extension	Revenue	\$ 765
		Expenditures	\$ 141,393
		Total	\$ 140,628
606	HHW	Revenue	\$ 132,766
		Expenditures	\$ 132,766
		Total	\$ -
607	Recycling	Revenue	\$ 314,238
		Expenditures	\$ 314,238
		Total	\$ -
657	Water, Nat'l Res, Flood	Revenue	
		Expenditures	\$ 25,000
		Total	\$ 25,000
658	Local Water Impl	Revenue	
		Expenditures	\$ 7,500
		Total	\$ 7,500
125	Tech Department	Revenue	\$ -
		Expenditures	\$ 100,600
		Total	\$ 100,600
860	Memorial Day		\$ 2,000
860	Ag Society		\$ 17,000
860	Economic Dev & EDA		\$ 30,000
860	Historical Society		\$ 19,500
860	Historical Soc Proj		\$ 2,500
860	Tracy Bank		\$ 1,000
860	Soil & Water		\$ 71,200
	<b>SUB-TOTAL APPR.</b>		\$ 143,200
801	Non-Departmental	Revenue	\$ 576,936
		Expenditures	\$ 446,121
		Total	\$ (130,815)
	<b>SUB-TOTALS</b>	<b>REVENUE</b>	\$2,020,425
	<b>GENERAL REVENUE</b>	<b>EXPENDITURES</b>	\$5,933,660
		<b>TOTAL</b>	\$3,913,235
<b>13</b>	<b>Highway Department</b>		
	Administration	Revenue	\$ 2,500
		Expenditures	\$ 114,921
		Total	\$ 112,421
310	Highway Administration	Revenue	
		Expenditures	\$ 186,793
		Total	\$ 186,793
315	Construction	Revenue	
		Expenditures	\$2,991,449
		Total	\$2,991,449
325	Maintenance	Revenue	
		Expenditures	\$1,746,429
		Total	\$1,746,429
330	Equipment Maint & shop	Revenue	
		Expenditures	\$ 673,058
		Total	\$ 673,058

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
 LYON COUNTY BOARD OF COMMISSIONERS  
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
 December 17, 2002

801	Non-Departmental	Revenues	\$3,915,234
		Misc Expend	
	Taxes	Revenues	
	Aids	Revenues	
	<b>SUB-TOTALS</b>	<b>REVENUES</b>	\$3,917,734
	Safety to PW		
	<b>ROAD &amp; BRIDGE</b>	<b>EXPENDITUR ES</b>	\$5,712,650
		<b>TOTAL</b>	\$1,794,916
<b>Public Works Department</b>			
1.105	GIS	Revenue	
		Expenditures	\$ 57,865
		Total	\$ 57,865
1.118	P W Building	Revenue	\$ 2,500
		Expenditures	\$ 26,950
		Total	\$ 24,450
1.065	Safety	Revenue	
		Expenditures	\$ 6,900
		Total	\$ 6,900
1.521	Parks	Revenue	\$ 23,533
		Expenditures	\$ 148,893
		Total	\$ 125,360
1.603	Environmental	Revenue	\$ 12,600
		Expenditures	\$ 35,175
		Total	\$ 22,575
1.604	Fairgrounds	Revenue	\$ 5,000
		Expenditures	\$ 35,616
		Total	\$ 30,616
1.605	Weed Inspector	Revenue	
		Expenditures	\$ 12,461
		Total	\$ 12,461
1.611	Ditch Inspector	Revenue	\$ 22,691
		Expenditures	\$ 22,691
		Total	\$ -
1.618	Planning & Zoning	Revenue	\$ 29,425
		Expenditures	\$ 150,166
		Total	\$ 120,741
	<b>SUB-TOTALS</b>	<b>REVENUES</b>	\$ 95,749
	<b>PUBLIC WORKS</b>	<b>EXPENDITUR ES</b>	\$ 496,717
		<b>TOTAL</b>	\$ 400,968
	General Revenue		\$3,913,235
	Public Works		\$ 400,968
	Library		\$ 201,647
	LLMP Public Health		\$ 125,664
	Sub-Total General Levy		\$4,641,514
	Road & Bridge		\$1,794,916

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
 LYON COUNTY BOARD OF COMMISSIONERS  
 LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
 December 17, 2002

	LLM Human Services		\$2,131,128
	Total Budget For Levy Purposes		\$8,567,558
	HACA		\$ 994,164
	Criminal Justice Aid		\$ 107,454
	Total Aids		\$1,101,618
	<b>Preliminary Levy 2003</b>		<b>\$7,465,940</b>
	<b>2003 Board Maxim</b>		<b>\$7,465,940</b>
	<b>Current budget under Levy Limit Max</b>		<b>\$ -</b>
	<b>SPECIAL LEVY-PW BOND</b>		<b>\$ 191,535</b>
	<b>SPECIAL LEVY-LLMHS</b>		<b>\$ 53,163</b>
	<b>GRAND TOTALS 2003</b>		<b>\$7,710,638</b>
Reserves	<b>Water &amp; Natural Resource Flood Control Fund</b>		
	MN River Basin		\$ 2,000
	Area II		\$ 19,437
	RCRCA		\$ 15,840
Reserves	<b>Resource Development</b>		\$ 3,500
Reserves	<b>Criminal Justice Fund</b>		
	Court Administrator		\$ 11,855
801	Sentence to Serve		\$ 35,000
	Attorney Contingent if needed		\$ 5,000
	Community Plus Program		\$ 11,500
Reserves	<b>General Revenue Reserves</b>		
	Tracy Aquatic Center		\$ 10,000
	Recreation Facilities		\$ 50,000
	Land Use Comp Plan		\$ 59,400
	SW MN Arts & Human Center		\$ 2,200
	Prairie Ecology Bus		\$ 4,000
	Marshall Area Fine Arts		\$ 2,200
	County Improvement Fund		\$ 15,000
	SW MN Foundation		\$ 2,000
	RSVP		\$ 25,680
	Ag Society-Centennial		\$ 10,000
	RC&D		\$ 300
	Travel Southwest		\$ 1,400
	Ditch Fund	Revenue	\$ 43,609
	Ditch Fund	Expenses	\$ 150,000
	Sinking Ditch IV	Revenue	\$ 17,000
	Sinking Ditch IV	Expenses	\$ 28,670
	Sinking Ditch V	Revenue	\$ 18,000
	Sinking Ditch V	Expenses	\$ 38,619
	Sinking Ditch VI	Revenue	\$ 58,000
	Sinking Ditch VI	Expenses	\$ 81,375
	Sinking Ditch VII	Revenue	\$ 22,000
	Sinking Ditch VII	Expenses	\$ 51,695
	Sinking Ditch VIII	Revenue	\$ 55,000
	Sinking Ditch VIII	Expenses	\$ 85,073

All voted in favor.

Discussion on applications for boards and committees that citizens serve on and whether to interview. Gladis – I think it would be a good idea to do interviews. Will do interviews for Planning and Zoning on January 7<sup>th</sup> at 2:00 PM.

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
December 17, 2002

Discussion on Chauncey Muedeking reapplying for Planning and Zoning and the fact that his term limit is up. Lewis – We will have Biren prepare a letter for Mr. Muedeking.

Fenske – RSVP? Lewis – I will send a letter to them. Nelson – I have talked to Carmen Marben about it.

Fenske – We need to make a decision on Christmas Eve. Gladis – After reading the proposed policy, I think it either needs to be a holiday or a regular workday. It should be set. Fenske – Every time we do something, we get complaints. Gladis – If you are a shift worker, your salary is set that way. We have a lot of long term employees so our benefits can't be that bad. If I am not happy with my job, I look elsewhere. Lewis – Could leave as a regular work day and review policy at a later date. Goodenow – So if no motion is made, it would stay a regular workday. Lewis – It needs to be stated in the policy manual. Gladis – So if you close at 3:00, those that have to work get two and a half times for that hour and a half. Discussion. Gladis moved, seconded by Fenske to close the Government Center and Public Works Building (including the Highway Shop) at 3:00 on December 24, 2002 (Christmas Eve) and only employees scheduled and required to work from 3:00 to 4:30 will receive holiday pay for that hour and a half. Fenske – We definitely need to get this in the policy manual. All voted in favor.

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

	<u>Per diems</u>	<u>Expenses</u>
Fenske	\$330	\$87.15
Buysse	\$90	
Nelson	\$60	
Goodenow	\$110	
Gladis	\$240	\$249.15

All voted in favor.

Discussion on Commissioner salaries and per diems for 2003. Fenske – I looked at counties similar to Lyon County and the commissioner salaries range from \$14,000 to \$21,000. The median is \$15,976. Currently Lyon County is at \$14,548. I think our salaries should be at the median at least. Discussion. Fenske moved, seconded by Goodenow to adopt the resolution (on file at the County Administrator's Office) setting the 2003 Commissioner's salaries at \$15,262, compensating the Board Chair an additional \$100 per month and keeping the per diems at the 2002 rate. Fenske – A four plus percent increase is more than COLA, but Department Heads will receive the two percent COLA plus 3 to 5 percent in merit. Nelson – In Rochester, Commissioner salaries were raised by 26%. Gladis – Because of the year, I would have proposed no increase, not that it isn't deserved. It would not have mattered if I were reelected or not, I would have proposed no increase. Goodenow – I do believe a \$100 per month compensation is not enough difference for the chair. Buysse – It would be good for the Chair to get more and the Commissioners stay the same. Goodenow amended the motion to \$150 per month for the chair instead of \$100 and Fenske accepted the amendment. Voting For: Goodenow, Buysse, Nelson, Fenske. Voting Against: Gladis.

Fenske – We can discuss the Department Head reviews at the next meeting if there is no objection. Van Overbeke and Barker agreed that they could wait until the next meeting.

Nelson moved, seconded by Buysse to apply COLA first, then merit when calculating the 2003 Department Head salaries. All voted in favor.

Commissioner Reports:

Fenske mentioned correspondence received.

Nelson – I talked with Robin from MCIT about the claim that was refused. It was turned down again by their board. We were supposed to receive something in writing and we have not.

Lewis – I want to be clear on COLA . Did the motion made at the last meeting include department heads and the County Administrator? Fenske – They were all included in the motion.

Buysse – With the school referendums coming up, voters would like to know that the jail won't be discussed. Fenske – We won't be talking about it for awhile.

Fenske – On a personal note, I want to thank Goodenow and Gladis for their great work and service to Lyon County. You have had good input and wisdom and have been outstanding commissioners. You will both be missed. Nelson – I echo that. Gladis – I have really enjoyed serving.

Buysse moved, Gladis seconded motion to adjourn the meeting.

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
December 17, 2002

\_\_\_\_\_  
Robert Fenske, Chairman

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