

LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
October 3, 2006

9:00 AM – Meeting called to order by Chair Ritter. Members Present: Fenske, Goodenow, Nelson, Ritter, Administrator Stomberg, Attorney Maes, and Auditor/Treasurer Van Overbeke. Absent: Buysse.

Pledge of Allegiance to the Flag.

Approve Agenda

Goodenow moved, seconded by Nelson to approve the agenda with the following changes: add "Consider Aeration Permits;" add "Personnel Action – Resignation;" and pull consent agenda item #5 to the regular agenda. All voted in favor.

Consent Agenda

The following Per Diems and Expenses were presented.

	Per Diems	Expense s
Fenske	\$200	
Goodenow	\$120	\$55.05
Nelson	\$90	\$51.18
Ritter	\$160	\$28.00

Consent Items 1-7 were presented.

1. Approve Minutes from the September 19, 2006 Regular Meeting.
2. Approve Commissioner Warrants #104830 - #104921 dated 10/05/06 in the amount of \$252,907.01.
3. Approve Auditor Warrants.
 - a. #104718 - #104745 dated 9/21/06 in the amount of \$235,614.58
 - b. #104787 - #104802 dated 9/28/06 in the amount of \$29,488.16.
4. Approve Per Diems and Expenses previously presented.
5. Accept Tracy American Legion Post 173 Donation.
6. Consider Final Payment to Fairway Construction, Inc. in the total amount of \$8,616.52 for aggregate processing.
7. Approve agreement with Lois Novosad to handle the rental of space at the Fairgrounds for winter storage from October 15, 2006 to May 1, 2007 compensated at 10% of the total rental fees paid.

Fenske requested that item #3 be pulled for further discussion. Nelson requested that item #5 be pulled for further discussion.

Fenske moved, seconded by Goodenow to approve Consent Agenda Items 1, 2, 4, 6, and 7. All voted in favor.

Auditor Warrants (Pulled from Consent Agenda)

Fenske requested clarification on Auditor Warrants #104720 to Fredrickson & Byron PA for K-Mart Tax Court and #104724 to Laitala/Carol & Walter Baker, Attorney for Sunrise Court Tax Court. Maes said that fees would be evenly split and that the Auditor/Treasurer will be working with the City for reimbursement.

Fenske moved, seconded by Goodenow to approve Consent Agenda Item #3. All voted in favor.

Accept Tracy American Legion Post 173 Donation to Fair Board for Rodeo Sponsorship (Pulled from Consent Agenda)

Nelson, on behalf of the Fair Board, acknowledged a second \$500 donation by the Tracy American Legion Post 173 to the Fair Board for Rodeo Sponsorship. This donation was received on 7/28/06.

Nelson moved, seconded by Fenske to accept the Tracy American Legion Post 173's second donation of \$500 to the Fair Board for Rodeo Sponsorship. All voted in favor.

Consider Solid Waste Joint Powers Agreement w/Yellow Medicine County

Paul Henriksen, Environmental Administrator – The Lyon County Environmental Office provides solid waste services for Yellow Medicine County through a Joint Powers Agreement between Lyon County and Yellow Medicine County. The Joint Powers is renewed on a yearly basis. The hourly rate is increased by \$1.00 to \$35.00. Lyon County will provide up to 425 hours of service.

Fenske moved, seconded by Goodenow to approve the Joint Powers Agreement with Yellow Medicine County for Solid Waste Program Services. All voted in favor.

Consider RFP – Single-Sort Residential Recycling Program

Henriksen presented a draft Request for Proposal (RFP) and a draft contract for the collection, transportation, and processing of a single-sort, residential recycling program. Fenske – Will it (the RFP) eliminate bidders? Henriksen said that bidders would be able to subcontract. Nelson – Will this eliminate a transfer station? Henriksen – Yes. Fenske – We have a hauler in the audience, would you be able to bid? Dan Ritter of Southwest Sanitation – The County wants to maintain ownership of recyclables? Henriksen – Yes. Fenske – So Millennium will pay us for the recyclables? Henriksen – Yes. But a possible downside is we might instead have to pay Millennium to process it. Steve Ritter – Let's start at the beginning.

Henriksen went through the RFP and the contract paragraph by paragraph. Henriksen noted that the contractor will conduct all operations to minimize non-processables to a level not to exceed 15% of materials collected.

Goodenow – Who provides the approved containers? Henriksen – We provide the originals. Goodenow – It would be a large expense to replace them when they are worn-out. Henriksen – They could use any container as long as it is marked as “recyclables.” Goodenow – If the contractor wanted to use automatic collectors, they could say the County has to provide them. Henriksen – It says that we have provided them. Dan Ritter – All of the towns already have them. Henriksen – Yes, all of the towns but Minneota. Anita Benson, Director of Public Works/County Engineer – We could define what the container is. These are the dimensions of the container...any deviation from this would need to be approved by both parties.

Goodenow – Do we still need the sheds? Benson – Insert a definition of “drop-off center” to enable a change to dumpsters. Steve Ritter stated there needed to be language revisions.

Dan Ritter – Minneota will incur no cost to transfer their recyclables? Henriksen – Lyon County would pay for the transport from the transfer site to the Material Recycling Facility. Dan Ritter – Does the County Board have any preferred MRF in mind? Steve Ritter – We've only heard Millennium's proposal. Fenske – So the bidder has to contract with the MRF? Henriksen – Yes. Fenske – So there is no definite MRF. Steve Ritter asked about a timeline. Henriksen – We could get the revisions done and advertise next week. Bids could be opened on November 14th and awarded on November 21st. Fenske suggested that staff fill in the “penalties” section on page 8. All of the other Board member agreed.

Fenske moved, seconded by Goodenow to authorize advertising the Request for Proposals for the Collection, Transportation, and Processing of a Single-Sort Residential Recycling Program.

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Bids will be opened at 10:30 AM on Tuesday, November 14, 2006 in Conference Room 3 of the Government Center. Recommendation for award of bid will be at the regular meeting on November 21, 2006. All voted in favor.

HVAC Project Update – Mike Hubbard, Johnson Controls

Mike Hubbard, Johnson Controls said his last update was mid-project where he had discussed the chillers and structural steel. Now, the HVAC project is at substantial completion; only a few items remain to be done. Hubbard said completion was delayed by five months due to a shortage on steel for the chiller and variable air volume boxes that were missed by their technician during his audit. All of these issues have been addressed, and final documentation will be presented soon. Hubbard did a walk-through last week with Stomberg and Facilities Manager Ron Krause.

Nelson asked if a new jail addition could be heated from our current capacity. Hubbard speculated a new addition could be heated without using the second boiler. Ritter – How much money have we saved on our utility bills? Hubbard – It is premature to say yet. We would want a year up and running. Fenske – You'll come back and give us a presentation? Hubbard – Yes, maybe next spring.

Meeting recessed at 10:00 AM.
Meeting was called back to order at 10:15 AM.

Lyon County Development Corporation Update – Nort Johnson, Director

Nort Johnson, Executive Director of the Lyon County Development Corporation, reported on his first month's activities, upcoming activities, and strategic plan development. Johnson said he would report quarterly.

Consider Aeration Permit Applications

Todd Hammer, Asst. P & Z Administrator/Ditch Inspector, requested approval of permit applications for aeration on Yankton, Rock, East & West Twin, East Goose, Clear, Cottonwood, Lady Slipper, and School Grove Lakes. Hammer – Lyon County permits the aeration for the sportsman's clubs on certain lakes. Funds from Resource Development are given to the clubs to offset electricity costs of \$291.67 per aerator.

Goodenow moved, seconded by Fenske to authorize the Chair to sign the aeration permit applications for the following lakes: Yankton, Rock, East Twin, West Twin, East Goose, Clear, Cottonwood, Lady Slipper, and School Grove. All voted in favor.

JD 20 LMR Update

Hammer stated he would be meeting with engineer Duane Hansel (Bolton & Menk, Inc.) on Friday, October 6, 2006.

Rental Space Update

Stomberg - Appletree Institute has approached the County about the possibility of renting office space on the top floor of the Public Works building. They are also interested in renting space in the Government Center on a temporary basis until a long-term lease can be negotiated and the finishing construction can be completed in the Public Works building. The proposed short-term solution is to move 4-H/Extension Office to the unused space in the old Highway Department office building. 4-H/Extension will move out to the fairgrounds location on or about October 16. Appletree will move into the space vacated by 4-H/Extension on or about October 28. This arrangement is acceptable to Public Works, 4-H, Regional Extension Office, and Appletree.

Stomberg - Due to the need to determine the cost of finishing the top floor, this request is for the temporary lease of the government center space vacated by 4-H/Extension. Once a remodeling plan has been approved by the Board and the costs associated with that plan have been determined, a long-term lease will be negotiated with Appletree before the awarding of any construction contract.

Goodenow moved, seconded by Fenske to authorize the County Board Chair and the County Administrator to negotiate a short-term lease with Appletree Institute for short-term office space. All voted in favor.

Fairgrounds Parking Lot Update

Nelson – Has the “infield” parking lot been paved yet? Benson – No. It won’t be done this year. The contractor interprets the contract differently. We will do it next year.

Consider Fiber-Optic Capacity Agreement with MMU

Shawn Strong, IT/GIS Coordinator – The County currently pays \$348/month to the Office of Enterprise Technology for a T-1 Data Circuit and \$639 to Qwest for a T-1 Voice Line for a total of \$987/month. These ongoing operational costs can be avoided by participating with Marshall Municipal Utilities (MMU) to connect both Public Works and the Government Center to MMU. Fenske – Timeline? Strong – Originally, we were looking at next spring, but hopefully it could be completed yet this fall.

Details and funding sources were discussed.

Goodenow moved, seconded by Fenske to participate with MMU in the agreement for sharing of fiber-optic capacity with the funds to be taken from the Capital Improvements Fund. The Auditor/Treasurer and the Public Works Director are to account for the repayment of the construction costs back to the Capital Improvement Fund. All voted in favor.

Consider Truth-in-Taxation Meeting

Stomberg – This year, a TnT meeting is optional for Lyon County. If held, the State requires that it be held after 5:00 PM on Thursday, December 7, 2006.

The Board discussed times and advertisement of the meeting.

Ritter set the time of the Truth-in-Taxation Meeting to be 7:00 PM, on Thursday December 7, 2006.

Nelson moved, seconded by Goodenow to advertise the TnT Meeting in all of Lyon County's newspapers. All voted in favor.

Consider Personnel Action

Goodenow moved, seconded by Nelson to accept the resignation of GIS Specialist Charlie Teff as of 10/27/06. All voted in favor.

Goodenow moved, seconded by Fenske to authorize the IT/GIS Coordinator to advertise, interview, and offer (contingent on the approval of the Board) for the position of GIS Specialist. All voted in favor.

Consider Payment of DWI Training

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Maes requested payment of annual DWI Training from the Criminal Justice Fund.

Fenske moved, seconded by Goodenow to approve payment of DWI Training out of the Criminal Justice Fund. All voted in favor.

Commissioners' Business

Meeting schedule was reviewed.

Goodenow reported on the DAC, Library, Plum Creek Library System, and the EDA.

Nelson reported on the landfill meeting, LLMP, and a public health conference.

Ritter reported on LLMP.

Fenske reported on the landfill meeting and the Rural Energy Board.

Ritter adjourned the meeting at 11:45 AM until Tuesday, October 17, 2006 at 9:00 AM.

Stephen W. Ritter, Chairman

Attest: _____
Loren Stomberg, Lyon County Administrator