

UNOFFICIAL MINUTES

LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
November 21, 2006

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

Pledge of Allegiance to the Flag.

Approve Agenda

Goodenow moved, seconded by Nelson to approve the agenda with the following changes: add “Consider Amendment to MCIT Drug & Alcohol Testing Program Participation Agreement;” add “Personnel Action – Accept Resignation;” add “Consider Comparable Worth Study Results;” and table “Discuss 2007 Budget” until 11/28/06. All voted in favor.

Consent Agenda

The following Per Diems and Expenses were presented.

	Per Diems	Expenses
Fenske		\$35.60
Goodenow	\$80	
Nelson	\$280	\$164.67

Consent Items 1-7 were presented.

1. Approve Minutes from the 11/07/06 Regular Meeting.
2. Approve Commissioner Warrants #105428 - #105528 dated 11/22/06 in the amount of \$137,459.94.
3. Approve Auditor Warrants.
 - a. #105345 - #105375 dated 11/09/06 in the amount of \$187,995.56.
 - b. #105402 - #105426 dated 11/16/06 in the amount of \$260,898.60.
4. Approve Per Diems and Expenses previously presented.
5. Approve Renewal of Welfare Fraud Contract #402 between the Sheriff’s Office and LLM Human Services. For the past several years the Sheriff’s Office and Human Services have worked together jointly by contract to handle Welfare Fraud cases. The contract will be renewed for the period 1/1/07 – 12/31/07 for the amount of \$30,000.00.
6. Renew 113 antivirus software licenses and purchase ten new licenses for \$7,461.38 from Computer Man using funds from the Designated Technology Fund (pricing is set regardless of the reseller).
7. Approve purchase of six replacement computers (\$6,412.88) using funds from the Designated Technology Fund and one replacement computer (\$1,612.08) using funds from the 2006 P & Z budget. All computers will be purchased using the NASPO/WSCA contract with the State of MN using the State recommended standard configurations adopted by the Office of Enterprise Technology.

Fenske moved, seconded by Buysse to approve Consent Agenda Items 1 – 7. All voted in favor.

Authorize Letter to U.S. Fish & Wildlife Service – Black Rush Lake/Landfill Wetland Banking Site

John Biren, Planning & Zoning Administrator, asked the Board to authorize the Chair to request that the U.S. Fish & Wildlife Service inform the County of the status on the development of the Black Rush Lake wetland mitigation bank by 11/30/06. Discussion.

Goodenow moved, seconded by Fenske to authorize the Chair’s signature of a letter to the U.S. Fish & Wildlife Service requesting the status of the development of the Black Rush Lake wetland mitigation bank. All voted in favor.

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Consider Quotes for Survey Work on East/West Twin Lakes

Biren presented two quotes to create a survey which would establish existing property lines and provide a survey drawing of four parcels located between East and West Twin Lakes.

Information from the survey may be used for the creation of a land description. Dakota Land Surveying & Engineering, Inc. of Sioux Falls submitted a quote for \$2,200 and Bueltel-Moseng Land Surveying, Inc. of Marshall submitted a quote for \$3,000. Biren recommend accepting the quote from Dakota Land Surveying.

Nelson moved, seconded by Goodenow to accept the quote from Dakota Land Surveying & Engineering, Inc. in the amount of \$2,200 for survey work on East/West Twin Lakes. Funding is to come from the General Revenue Fund. All voted in favor.

Accept Donation from Southwest Ridge Runners Snowmobile Club

Rick Anderson, Park Manager, stated the Southwest Ridge Runners wanted to help fund new playground equipment for Garvin Park as a way of saying "Thank You" for the help the County has provided them.

Goodenow moved, seconded by Fenske to accept with appreciation the donation toward playground equipment for Garvin Park from the Southwest Ridge Runners Snowmobile Club in the amount of \$1,000. All voted in favor.

Accept Donation from Park Board

Goodenow moved, seconded by Nelson to accept with appreciation the donation toward playground equipment for Garvin Park from the Park Board in the amount of \$190. All voted in favor.

Consider Bid for Single-Sort Residential Recycling

Paul Henriksen, Environmental Administrator – Bids for the single-sort residential recycling program were opened at 10:30 AM on the 14th of November. Only one bid was received. The bid was provided by Waste Management of Minnesota, Inc., and included the following:

Collection:	\$22,700 per month with fuel surcharge
Transportation:	\$25/ ton per with fuel surcharge
Processing:	20% rebate to Lyon County of blended total value

An estimated total yearly cost for this contract would be \$272,400 plus an additional \$10,000 - \$25,000 depending on the amount transported and the rebate of material sales. In 2005, we paid \$19,468/month or \$233,616/year (\$2.41/housing unit per month) for recycling services provided by Curry Sanitation. The collection portion is estimated at \$2.76/housing unit per month with an estimated total of \$3.02/housing unit per month.

Nelson – Are you satisfied with the 20% rebate? Henriksen – That is about what Millennium originally offered. Fenske – We will want to keep track of the tonnage they are hauling. Henriksen noted that Minneota is not part of the contract. Minneota collects their own single-sort and the County pays the transportation costs for them. SCORE money was discussed. Nelson commented that brown glass could be back-hauled if it becomes acceptable cover for the landfill.

Goodenow moved, seconded by Ritter to accept the contract for Single-Sort Residential Recycling from Waste Management. All voted in favor.

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Consider Resolution of Support and Implementation FY-2007 Burn Barrel Reduction Campaign Grant

Henriksen presented the resolution in support of the Southwest Solid Waste Commission's Burn Barrel Reduction Grant Proposal. The grant would be \$34,860, with \$32,180 in-kind and no cash match. The grant proposal would go to the Commission to implement an education program in its twelve counties.

Fenske moved, seconded by Goodenow to adopt the *Resolution of Support and Implementation FY-2007 Burn Barrel Reduction Campaign Grant*. All voted in favor. Resolution 36-06 is on file with the County Administrator.

Consider MPCA Grant Application for a Landfill Gas-to-Energy Feasibility Study

Henriksen explained that R.W. Beck has prepared a grant application for submittal to the MPCA. The grant amount requested \$30,000 with \$9,000 cash and \$2,000 in-kind match for a total project cost of \$41,000.

Goodenow moved, seconded by Ritter to approve the submittal of a MPCA Grant Application for a Landfill Gas-to-Energy Feasibility Study. All voted in favor.

Consider Solid Waste Service Fee Resolution

Henriksen requested approval of a resolution to revise the rate schedule for the Recycling & Household Hazardous Waste Programs' Service Fee, which is collected through property tax statements. The rate schedule in the resolution is as follows:

Dollar Charge per Residential Unit

Municipal & Unincorporated Area of Amiret & Green Valley:	
Single Family Residential Units	\$25/unit
Duplex & Triplex Living Units.....	\$25/unit
Apartment Living Units.....	\$15/unit
Township:	
Residential & Agricultural Living Units.....	\$15/unit

Goodenow moved, seconded by Fenske to approve the *Resolution for the Adoption of a Solid Waste Service Fee Rate (FY2007)*. All voted in favor. Resolution 37-06 is on file with the County Administrator.

Consider Subordination Agreement on ISTS Note & Lien

Henriksen requested approval of a subordination agreement with First Independent Bank on an Individual Septic Treatment System (ISTS) note and lien.

Goodenow moved, seconded by Nelson to approve entering into a *Subordination Agreement* with First Independent Bank to allow the subordination of a *Note and Septic System Lien* owned by Lyon County for a septic system replacement loan granted to Scott and Carol Myrhe in the amount of \$6,975.00. All voted in favor.

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Approve Quote: Fuel System Replacement – MSHL Shop

Anita Benson, Public Works Director/Engineer, requested approval of the low quote from Sioux Equipment for the replacement of the Marshall Shop’s Fuel System. The following quotes were received.

VENDOR	SYSTEM MAKE/MODEL	TOTAL AMOUNT OF QUOTE
Sioux Equipment Sioux Falls, SD	GASBOY Atlas 9100 TopKAT FMS	\$20,478.25
WestMor Industries, LLC Morris, MN	GASBOY Atlas 9100 TopKAT FMS	\$24,330.00
Dockendorf Equipment Co. Sioux Falls, SD	WayneReliance Series Mechanical or Electronic TopKAT FMS	\$23,095.00

Goodenow moved, seconded by Nelson to approve the low quote from Sioux Equipment (Sioux Falls, SD) for the replacement of the Marshall Shop Fuel System in the amount of \$20,478.25. All voted in favor.

Consider Amendment to MCIT Drug & Alcohol Testing Program Participant Agreement

Benson – We received a notice yesterday from MCIT regarding a price increase for the drug and alcohol testing that we administer to affected employees. We need the Board’s signature to accept the price increases going from \$36.50 to \$39.00 for drug tests and \$30.00 to \$32.50 for the alcohol test.

Fenske moved, seconded by Goodenow to approve the 2006 Amendment to the MCIT Drug & Alcohol Testing Program Participant Agreement. All voted in favor.

Authorize Execution of 2007 Influenza Pandemic Planning Grant Contract

Tammy VanOverbeke, Emergency Manager, requested the Chair’s signature of an influenza pandemic planning grant contract. VanOverbeke said the grant dollars would provide training, equipment, and assistance to governmental agencies on “Continuity of Operations” planning. No local match is required on this grant.

Fenske moved, seconded by Ritter to authorize the execution of the 2007 Influenza Pandemic Planning Grant Contract. All voted in favor.

Meeting recessed at 10:06 AM.
Meeting was called back to order at 10:18 AM.

Fair Board Update

Glenda Vizecky and Bob Rialson from the Fair Board gave an update and presented their annual financial report.

Public Hearing: Final Assessment E-911 Rural Address Signage

10:30 AM – Ritter called the public hearing to order. Benson reviewed the timeline and background leading up to this public hearing. Benson – The proposed Final Assessment Roll has been prepared in accordance with the methodology outlined in the approved Feasibility

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Report. The proposed assessment per property is \$30.17 for properties with one sign per post and \$25.67 per property for properties with two signs per post.

Ritter opened the meeting to public comment. J.V. Christianson, citizen - I received two signage posts at one building site. I'd like to know how the cost's were broken down. The real question here is that I'm the only individual living at the site. We have a tenant house on the site that has not been occupied for 25 years and I'd like to know why I'm being assessed an extra number. Benson – The ordinance requires that a sign be installed on properties that were assigned an E-911 address prior to the adoption of the ordinance. Your property was assigned that address and that is why that was installed. Mr. Christianson requested that he did not want an address for the tenant house because it is only used for storage. Secondly, Mr. Christianson disapproved of the County's communication and the placement of a second post near a 10' railroad tie, already in place.

Benson stated the costs to be \$9.74 for the sign, \$.23 – hardware, \$8.80 – galvanized u-post, and \$11.40 – installation costs for a total assessment of \$30.17. Goodenow – The whole point of having the system is so it is uniform, so everybody can find it. We went through a process of over two years and this is the last of a series of public meetings and notices. So you really can't come in and say that you didn't have information or notice.

Wally Fischer, citizen, expressed disapproval of the signage project.

Nelson – In trying to do this, we looked at what other counties had done. We tried to do a class-act job of putting them in. People like Fed-Ex, UPS, and other delivery systems used to tell us that Murray County was a piece of cake because it was "gridded" both ways. Redwood County uses names one way and numbers the other, and they say that's not quite as good. I'm from the Tracy area and the UPS people there told us that Lyon County was pretty hard to find places. Now that's been rectified.

Fenske moved, seconded by Ritter to approve the resolution adopting the Final Assessment Roll – E-911 Rural Address Signage. All voted in favor. Resolution 38-06 is on file with the County Administrator.

Benson said that she and staff would look at the Christianson location to see if it could be better accommodated within the standard.

11:07 AM – Ritter closed the public hearing.

Consider Resolution Regarding JOBZ Subzone Modifications

Mark Hanson, Marshall Economic Development Director, requested the consideration of a resolution to create two new JOBZ subzones for the expansion of a local company.

Goodenow moved, seconded by Ritter to approve the *Resolution Approving Sub-Zone Modifications and Authorizing Tax Exemptions*. All voted in favor. Resolution 39-06 is on file with the County Administrator.

Consider Lincoln-Pipestone Rural Water Joint Powers Resolution

Stomberg presented for consideration a Joint Powers Agreement between the nine counties serviced by Lincoln-Pipestone Rural Water. The agreement guarantees a \$3,573,000.00 bond to finance upgrades to LPRW's pump stations and ground storage reserves, water exploration, and the costs to issue the bond. The bond will be issued through Nobles County. Lyon County's liability will be limited to the amount of its assessments.

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Fenske moved, seconded by Goodenow to approve the *Resolution Pertaining to Joint Powers Agreement Lincoln-Pipestone Rural Water System*. All voted in favor. Resolution 40-06 is on file with the County Administrator.

Consider Pay Scale for 2007

Stomberg stated the preliminary budget provided for an increase in the minimums and maximums of the pay grades of 3%, which is an amount in line with the current rate of inflation. Stomberg requested the adoption of the 3% adjustment to the pay scales.

Goodenow moved, seconded by Nelson to adjust the minimums and maximums of the pay grades at 3% for 2007. All voted in favor.

Personnel Action – Assistant to Administrator

Stomberg – The third item I have is a resignation letter from Thomas Steffes. Steffes has been employed as a Limited Term employee since December, 2005. In visiting with him, he is willing to make a commitment to Lyon County if his status changes from limited-term to Non-Limited Term. The budget for Administration has a provision for a full-time, 37.5-hour week position. My recommendation is to change his status from Limited Term to Non-Limited Term effective December 1st.

Fenske – Just a clarification, a full-time position will not only be handling the Board materials but also Safety and Policy. Stomberg – Handling the Board materials will be about half of the time. Our proposed budget also provides for the shift of Safety from Public Works to Administration and also the removal of a contract with our current consultant. Fenske – What kind of savings will we get by eliminating the consultant? Stomberg – Net savings of about \$4,500. Bysse – Is there a new job description for this position? Stomberg – The position description was updated when we went through the comparable worth study. At that time, I wanted to get Marg into more Human Resources activities. Fenske – So in addition to the Safety, there will be Benefits and other HR activities. Maes recommended changing the term from Limited to Non-Limited, and then give Tom an opportunity if he would like to withdraw his resignation.

Goodenow moved, seconded by Fenske to change the term of the position of Assistant to Administrator from Limited to Non-Limited. All voted in favor.

Steffes withdrew his resignation.

Fenske moved, seconded by Goodenow to authorize the hiring of Thomas Steffes for the position of Assistant to Administrator at a wage of \$12.27 per hour with a start date of 12/01/06. All voted in favor.

Discuss 2007 Budget

The 2007 budget discussion was moved to Tuesday, 11/28/06, at 9:00 AM.

Consider Comparable Worth Study Results

Goodenow moved, seconded by Fenske to accept the Archer Comparable Worth Report and implement it as of January 1, 2007. All voted in favor.

Personnel Action – Accept Resignation

Goodenow moved, seconded by Nelson to accept the resignation of IT/GIS Director Shawn Strong as of December 8, 2006. All voted in favor.

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Stomberg – We will be discussing options of filling this void and will bring it back at a later date.

Commissioners' Business

Meeting schedule was reviewed.

Fenske moved, seconded by Ritter to authorize Commissioner-Elect Rodney Stensrud to attend the AMC Conference (12/4 – 12/6 in Rochester) at County expense as far as registration, travel, and room & board. All voted in favor.

Goodenow reported on the Marshall-Lyon County Library, Economic Development, and the DAC.

Nelson reported on a financial committee meeting at LLM Public Health. The Jail Committee met with the architect and discussed the 3rd floor Court Administration. Nelson also reported on RCRCA and the MN River Board.

Fenske reported on LLM Human Services, Regional Development Commission, and the Revolving Loan Fund Board.

Ritter adjourned the meeting at 11:47 AM until Tuesday, November 28, 2006 at 9:00 AM.

Stephen W. Ritter, Chairman

Attest: _____
Loren Stomberg, Lyon County Administrator