

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
March 4, 2008

9:00 AM - Meeting called to order by Chairman Goodenow. Members present: Fenske, Ritter, Goodenow, Nelson, Stensrud, and County Administrator Stomberg, Attorney Maes and Auditor/Treasurer Van Overbeke.

Pledge of Allegiance to the Flag.

Approve Agenda

Ritter moved, seconded by Stensrud to approve the agenda with the following additions:

- Add proposed landfill staffing under Henriksen's time
- Add work request GIS contract
- Add request for letter of support under Stomberg's time
- Add Tim Thompson at 11:00 am to discuss staffing with proposed jail

Goodenow – Under my time I would like to give an update on library funding.

All voted in favor.

The following per diems and expenses were presented:

	Per Diem	Expenses
Fenske	\$150	\$42.50
Stensrud	\$100	
Goodenow	\$250	
Ritter	\$200	\$11.11
Nelson	\$100	\$79.80

Consent Agenda

1. Approve Minutes from February 19, 2008
2. Approve Commissioner Warrants 111185 to 111254 in the amount of \$192,191.69 dated 3/5/08.
3. Approve Auditor Warrants 111158 to 111171 in the amount of \$128,603.02 dated 2/21/08 and 111173 to 111184 in the amount of \$20,056.37 dated 2/28/08.
4. Approve Per Diems & Expenses
5. Consider Quotes - Disc Mower

Stensrud moved, seconded by Ritter to approve the consent agenda. All voted in favor.

Resolutions and Contracts

Stomberg – This is a contract with Lincoln, Lyon, and Murray Human Services for services. I would recommend approval. Fenske moved, seconded by Ritter to approve the 2008 contract for services with Lincoln, Lyon, and Murray Human Services effective 1/1/08 – 12/31/08 for data processing services. Fenske – The regular budgeted cost is there a certain amount we pay plus hourly? Stomberg – That is more of an exception it is used so seldom. Ritter – When it was okayed at Human Services I don't know why there is a nine month clause. Stomberg – We did negotiate less with the AS400. All voted in favor.

Quotes for Monitoring Wells at Demolition Landfill

Henriksen - As part of the re-permitting of the Lyon County Demolition Landfill, located near Russell, the installation of two additional monitoring wells was required. These monitoring wells are needed to monitor the down gradient groundwater flow, which has changed over the past few years. The following quotes were received for the installation of these wells and the abatement of DMW-1.

Aqua Plus Inc.	\$3,490.00
American Engineering Testing	\$3,500.00
Trant Well	\$4,380.00
Thein Well Company	\$4,414.00

The Environmental Office is requesting approval of Aqua Plus, Inc. quote of \$3,490.00. The original budget request anticipated these requirements. We also have some confined space we need to work with and Aqua can do that too. Ritter – They are out of the cities. Randall Sippel (R.W. Beck) – Yes the north side. Ritter – I looked at this and for \$10 more American Engineering is local. Sippel – Aqua is doing work in the Dakota's so they can work it in. Ritter moved, seconded by Fenske to approve the quote from Aqua Plus, Inc. for \$3,490.00, to install two monitoring wells at the Lyon County Demolition Landfill. All voted in favor.

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Landfill Permit Update

Sippel – On the back of the sheet is a time line. Goodenow – There has been quite a bit of compression there? Sippel – There has been 1 foot per year of settlement and this year there is 4 feet. Goodenow – What happens to heavy metals that we use to send to the cities? Sippel – It goes through a process. We leach those that are more mobile so the metals have an opportunity to bond. There is a stability advantage. It is the same concept of putting water through the same coffee grinds it gets weaker. The PCA is doing the final review. The findings of fact have been written and it should be signed by the end of the week. Now we are working on a draft permit and we should have it on public notice by mid-month. CON will also go on public notice with permit. Hopefully by the end of April we should have a plan for expansion. We will not do the bid opening until after the permit is in hand. We are looking at a bid opening of May 6. Goodenow – Do you think that is too fast for contractors? Sippel – I think they will be competitive. There has been one little design change that is reflected on the last page. In figure 1, we had initially thought of building ½ of the 12 acres. We thought it doesn't make sense from an economic standpoint and that it made more sense to build 12 not 6. The PCA said you don't have the waste to build a 12 acre cell so we came up with a compromise and we are building 8 acres. We are not looking at building 4 more acres until 5 to 6 years down the line. It gives us the volume that we need to work at for 5 or 6 years. In addition to 8 acres there will be a leach storage pond and that includes an open pond design like a lagoon pond. As part of the process we aerate it and it creates sludge. Ritter – Where does the sludge go? Sippel – It is very stable. The ponds are drained and we dewater it. It does not test as hazardous. Stensrud – Is there an odor problem? Sippel – A lot of time the rotten egg smell is from hydrogen sulfide and aeration pumps help with that. Fenske – Is that an estimated time schedule? Sippel – Yes there are two things that can cause problems the weather and contracting sub-contractors. Fenske – Are there any penalties for not getting done with in a certain time? Sippel – We put in due dates and there are penalties. Discussion. Ritter – It is important that the liner does not freeze. Sippel – Yes. There needs to be a 4 foot layer of garbage on the liner before winter or another base. We will probably put straw on it to protect it. Discussion. Board thanked Sippel for the update.

Landfill Staffing

Henriksen – Jim Haroldson is retiring on May 9. He is our current Landfill Supervisor. We are looking at an internal promotion. Stensrud moved, seconded by Ritter to accept the resignation of Jim Haroldson effective May 9, 2008. All voted in favor.

Fenske moved, seconded by Nelson to post internally and to authorize advertising, if needed for the Landfill Supervisor Position. All voted in favor.

Goodenow – The third part we don't know for sure if you need a position until you hire a Landfill Supervisor. Stomberg – It would be advertising for a Landfill Operator position contingent upon an internal promotion. All would be subject to the Board's ratification. Ritter moved, seconded by Stensrud, subject to a successful promotion process, to advertise a new landfill operator position at the landfill internally and if there are no candidates then open it to the public. All voted in favor.

Benson – I had one addition a work request with Pipestone County. It is about 40 to 50 hours of GIS work. Pipestone county has approved it. Nelson moved, seconded by Ritter to approve and authorize the Chair to sign a work request by Pipestone County. All voted in favor. Benson – I have a handout here that goes over inflation and I want to give a quick run down on how much money the county will receive with the new bill. Discussion. Nelson – Does the bill have bridge bonding or is it separate? Benson – It is a separate bill but very significant for us. Nelson – Is it in the governor's bonding proposal? Benson – It was. Discussion. Nelson – That bill contains a phase in of a nickel it is not based on the old formula. What is the new formula? Benson – 60% for construction needs and 40% for vehicle registration. Ritter – Does the reconstruction include bituminous and is it 2 or 3 inch? Benson – This is an average cost but it does include a 3 ½ inch minimum.

Out of State Travel Request

Dahl – I have been notified that we have been awarded equipment under the Technology Transfer Program. In cooperation with the Office of National Drug Control Policy Counterdrug Technology Assessment Center, we have been awarded an undercover bug and equipment referred to as "Joey". The training required to obtain this is in Holmes PA, however all airfare, shuttle service and hotel costs are covered. The expense to Lyon County would be meals and Investigator Wallen's time. It would be from April 1 through 3 for a training day on April 2. Fenske moved, seconded by Nelson to approve the Out of State travel for Investigator Eric Wallen to Homes, Pennsylvania. All voted in favor.

Update Mental Health Transports

Sorenson – We did have some concerns that were raised. We met yesterday with Robyn Sykes the Executive Director of MCIT. One of the concerns was how risk is being spread. She felt the risk was not mitigated but more greatly exposed our agencies. Stomberg – If they are a city or

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county employee that increases the number of names that can be increased on a lawsuit. The Sheriff does have a moonlighting policy. Goodenow – It all leads back to the same insurance company. Sorenson – Her point is in a worse case scenario you have risk exposure to all three entities. The overarching thing was to simplify it and move to purchase of service arrangement. Goodenow – So if something happened on a trip Western Community Action would be liable? Sorenson – Potentially. Goodenow – Might that be a cost factor for what they would be charging? Sorenson – Yes. It was initially looked at as a service. Goodenow – Is MCIT interested in having a waiver of liability or a hold harmless clause? Stomberg – Our discussion focused on identifying concerns. Sorenson – They are going to give us a narrative from yesterday's meeting. There could be a direct request to state operated services because of lack of ability of inpatient bed units in Southwestern Minnesota. There is a direct connection between bed space and transports. Goodenow – What do you need from us? Stomberg – I think we need to digest some of this and that we have to have a plan that minimizes risks. Discussion. Sorenson – I think it is still worth pursuing though. Goodenow – Right and we also have the quality of service factor.

10:06 Meeting Recessed
10:20 Meeting called Back to Order

Annual Report

Nort Johnson gave the 2007 Annual Report for the Lyon County Enterprise Development Corporation. Johnson – We have several groups including the Trails Coalition, Adolescents Anonymous, Garage Band Project, Branding Project and Workforce Recruiting Team. We are affiliated with other organizations including Junior Achievement, United Way, and other EDA's. Johnson reviewed the goals. Cottonwood, Minneota, Tracy, and Marshall have all agreed to the housing study. Stensrud – You are doing a good job. Goodenow – Johnson has a copy of our strategic plan that we are working on. Johnson – I look forward to those opportunities where we can take the lead and keep building our relationships. Goodenow – One of Johnson's amazing abilities is to get people to talk to each other. Fenske – I want to complement you on all the committees you are involving a lot of people. Board thanked Johnson for the update.

Tobacco Settlement Money

Stomberg – We have purchased two AED's. One is for the Government Center and one is for Public Works. North Memorial can provide training for \$65.00 per person. I visited with the Department Heads and it was brought up to consider using tobacco money to pay for this. According to the State Auditor the money belongs to the County but it needs to benefit health and wellness of employees. The thought was if we can buy the AED's and provide training. Discussion. Two have been purchased and it was suggested to put one in the Public Works Maintenance Garage and the other suggestion is the Landfill. The Landfill is self funding so we would have them purchase their own. We would open with a class of 10 to 20 and if there is a lot of interest we can do more. I think we should dedicate 3 out of tobacco money. Ritter – At the Safety Meeting yesterday it was brought up one being in the lobby and put one on the second floor. Discussion. Stomberg – I think one would be plenty. If we have it in the lobby it is accessible. Discussion. Nelson moved, seconded by Stensrud to purchase three AED's using tobacco settlement money and one AED using landfill money and to provide CPR/AED/First Aid Training to county employees who are not currently certified. All voted in favor.

SWCD Grant

Stomberg – This is a grant request for the Coteau Des Prairies RC & D. The request for financial assistance to provide matching funds for the grazing workshop that Lyon County Soil and Water is holding in June of 2008. Nelson moved, seconded by Stensrud to approve sponsorship and authorize the Chair's signature on the SWCD's grant request of Coteau Des Prairies RC & D to help fund a Grazing Practice Workshop. All voted in favor.

Letter of Support

Goodenow – An additional item is a letter of support. This is somewhat connected to the bicycle trail group. The main goal is to apply for the Wellness Grant. For the most part the grant money would end up at the YMCA they are the administrative agency. Goodenow moved, seconded by Ritter to approve and authorize the Chair to sign letter of support. All voted in favor.

Jail Staffing

Dahl – On February 14, I met with DOC to discuss staffing and transition. He drafted a letter dated February 20th that lays out preliminary information. Thompson – I was asked to come down and answer some questions on staffing and the new jail. Fenske – When you say 28 ½ on staff that is maximum number when jail is occupied? Thompson – What I am projecting today are preliminary numbers. We know when you get to the end and are fully operational you will probably be looking at another clerical position also. Fenske – If we open at 40? Thompson – You are looking at 23 with an additional clerical position. My philosophy on doing these is you need to be aware. Fenske – What about the Assistant Jail Administrator? Thompson – If the

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average daily operation is 60 you will need an Assistant Jail Administrator. That rule is under review right now. Fenske – We would have to get to that level before it is required? Thompson – Correct. You are not there yet. Nelson – How many staff are you at now? Marks – Twelve including myself. Nelson – You realize this jail started at \$5 million and now it is around \$9 million. It is getting close to pulling the pin. Thompson – That is a decision for the Lyon County Board. Nelson – We were never told it was going to double our staff. Goodenow – Is it based on numbers? Thompson – In the podular design it is 1 staff for 40 inmates but you are not going to have a pod of inmates. They need to be booked and fed. There are other functions. Goodenow – Is that number approximate? Like three on a shift or is that pretty simplistic? Thompson – Pretty simplistic. Right now you are operating 3 for 27. Goodenow – We are not exactly high volume to have someone dedicated for booking is this a requirement or just nice to have? Thompson – We are assuming is you are around 80 your bookings have gone up. Goodenow – We have concentrated on the good news part of 1 to 40 and had not looked at bookings or programs. Thompson – When you get to 30 you need to have a programs person. In the new language if you have 30 plus boarding out 40 you would need an Assistant Jail Administrator because of the number you are responsible for. Stomberg – Would you need that for all three shifts? Thompson – No it is just one person. Discussion. Nelson – We can not adjust staffing? We have to bow down to what you say. Before I vote on the jail I want to see the wages and benefits the whole deal on what it will cost for 28 ½ people. This is going to tip it over as far as I am concerned. Thompson – We recommend when you break ground you have people in place. Write down any function and write down every step and then write out a policy. When you get through that process it is going to take a lot of time to write policies. You are looking at a minimum of three people to write policies. There is a lot of work to be done. Steele County had five people on their Transition Team. Fenske – Have you talked about this? Marks – We have had informal talks. Thompson – You want people to take part in it. People take ownership in what they create. Typically it is your own staff so you need to fill positions that the ones writing policies left. If you do a posting you are lucky to get one or two it is a long process. Hiring a lot of people is good for your economy. Stensrud – Is this a mistake we made? Thompson – We were not called in until now. Nelson – You were at the first meeting. Stensrud – Could this have been determined from the schematic design? Thompson – At the schematic design phase we could have but not through the planning process. Nelson – I want to see the cost of boarding out a prisoner as well as in.

Commissioners Business

Stensrud reported on Soil and Water. Also reported on meeting with Northern Con Agra.

Ritter – Two times that I sat in for Western Mental Health I was going to take a per diem but I was not suppose to be there so I don't want to charge the county for that so please take that off. Reported on Safety Meeting and Public Health.

Fenske reported on PAC. The Airport Commission is meeting tomorrow we have a special meeting. Also reported on the Rural Minnesota Energy Board. There was an interesting presentation from Outland Energy. They provide service for existing wind generators. Currently they have 60 employees and they are looking at expanding 50 more. Discussed the Shetek Wind Project. They would like to build a power line from Shetek to the Twin Cities. They are committed to involve land owners.

Nelson reported on RCRCA. On March 17 is the bid opening for Lake Redwood dredging. Reported on Fair Board and the 501C3 grant they are considering applying for. They acquired a carnival called Superior Equipment, Inc.

Goodenow reported on the EDA, Sammy and the Library Board. We have been doing a lot of work on the Library Board. We presented to Schwan's and we did the project design work. There is approximately a little over \$4 million in the bank. We thought it would cover the building. We're at about \$6.4 when we got the numbers. We are looking at numbers. We are looking at it and we may be talking to Terri Heaton from Springsted. She is willing to talk to us about funding but she wants you to know she may talk to us if you have any concerns about her talking to us please let me know.

Ritter – How did Kanabec County come in? Stomberg – I have the bid sheet in my office. It came in a little under. I want to say 1 or 2 percent. Ritter – I want to make a comment. Mrs. Traen's husband was on the Soil and Water Board for years. I think it is appropriate of this Board to give our condolences. There have been a lot of tragic deaths in the last couple of weeks.

Ritter moved, seconded by Stensrud to adjourn until March 18, 2008 at 9:00 am. All voted in favor.

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Mark S. Goodenow, Chairman

Attest: Loren Stomberg
Lyon County Administrator