

UNOFFICIAL MINUTES – SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
April 7, 2009

9:00 a.m. - Meeting called to order by Chairman Stensrud. Members present: Fenske, Ritter, Goodenow, Nelson, Stensrud, County Administrator Stomberg, County Attorney Maes, Auditor / Treasurer VanOverbeke.

Pledge of Allegiance to the Flag

Approve Agenda

Stomberg – Under Kanwar’s time the discussion on the eight hour versus ten hour day I would ask that we go into closed session as it is a matter of negotiation with the contract. Four additions under Kanwar’s time. First is to award a gravel crushing bid, second is to accept the resignation of Tim Paradis third to authorize advertising for bids for bituminous materials and fourth is the resignation of Jay Williams. Ritter moved, seconded by Fenske to approve the agenda. All voted in favor.

	Per Diems	Expenses
Stensrud	\$50.00	\$20.40
Fenske	\$230.00	\$55.00
Nelson	\$150.00	\$85.80
Goodenow	\$400.00	\$44.00
Ritter	\$430.00	\$280.78

Consent Agenda:

1. Approve Minutes from March 17, 2009
2. Approve Commissioner Warrants 115869-115989 in the amount of \$235,583.40 date 4/8/09.
3. Approve Auditor Warrants 115806-115815 in the amount of \$12,314.03 dated 3/19/09, 115816-115830 in the amount of \$41,444.91 dated 3/26/09, 115844-115868 in the amount of \$241,940.84 dated 4/2/09, an d115990-116015 in the amount of \$25,758.01 dated 4/9/09.
4. Approve Per Diems & Expenses
5. Authorize Advertising for Bids – SP 42-603-22
6. Authorize Advertising for Bids – SP 42-605-33
7. Receive 2008 Highway Department Annual Report

Nelson moved, seconded by Goodenow to approve the consent agenda. All voted in favor.

Resolution to hire a Peace Officer

Stomberg – When we hire a peace officer we sign a resolution to put that officer into PERA. It is something they require. Fenske moved, seconded by Nelson to approve and authorize the Chair to sign a resolution for a peace officer. All voted in favor.

STS contract review

Brad Odegard – We are here to give an update on STS and give a new contract. The state is interested in continuing this program in Lyon County. Tim Amick – This is the quarterly report ending this past month as well on the back is a report for the calendar year. Last year was a typical year as far as the projects that we have done. Amick gave an update on 2008 STS. Stensrud – Do you keep busy most of the time? Amick – Yes. We have a limited amount of time maybe a day or two a month where we can take on a new project. Fenske – Is it pretty much every day? Amick – Four days a week. The crew gets eight hours and I put in a ten hour day. We do one weekend a month. As far as who benefits it is a valuable tool for the judges also. Discussion. Fenske – So those working off jail time they don’t have to go to jail or how does that work? Amick – I don’t get anyone coming out of the jail to work on the crew. Goodenow – Part of why it works so well is because Amick does an excellent job. Amick works as hard if not harder than the crew. Discussion. Nelson – The cost of this is \$75,989 for two years. Is that paid in four increments? Is it paid ahead? It says 2009. Odegard – My contract does say 2010. That could be a change. Goodenow moved, seconded by Ritter to accept the STS contract and authorize the Chair and County Administrator to sign it. All voted in favor.

Dan DeSmet Update on SW EMS Association

DeSmet – I wanted to give you a quick update. We have been working with Sheriff Mather on the Regional Radio Board. I sit on that as part of the Users Committee. For North Memorial we began working on a statewide strike team where you get different agencies throughout the state that you can find one or two ambulances that are ready to go at all times. We have been working closely

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with the Towards Zero Deaths Committee. We successfully completed the Mental Health Transport contract. We really do a lot of training with all the area agencies out there. Stensrud – How many employees do you have? DeSmet – About 55. About 20 are full time employees the rest are volunteer. Discussion.

Jail Update

Splett – Johnson Nelson has left for a few weeks until we get some nicer weather. The elevator contractor is here and by next week we should have a moving car. The first floor all of the bunks are welded in. In a couple of weeks I will have Bisbee bring in some of the plumbing fixtures. Yesterday we started demo in the existing building.

Actuarial Contract

Stomberg – The first item I have is a contract with Hildi, Inc. As you recall we have made some significant changes. One is the move to the Medicare supplement and limiting the retiree insurance. Goodenow – We are required to have that for our bookkeeping. Stomberg – Yes. Goodenow moved, seconded by Nelson to approve and authorize the Administrator to sign a contract with Hildi, Inc. All voted in favor.

Department of Public Safety Grant

Stomberg – This would be to participate in a state grant to study the feasibility of joint dispatch center. This process would go through a study to see if it would make sense to consolidate. Ritter – Is there a match from the county on this? Stomberg – I don't know. Stensrud – It doesn't say. Ritter – It doesn't hurt to look into it. Goodenow – You don't know if they sent the grant in or not? Mather – I am not really sure who is spearheading these consolidations. I encourage the Board to look at the numbers. We run 24/7 365 days a year with 9 dispatchers. Public Safety is one of our core services. Ritter – I agree but I think we still need to look into this. Fenske – It isn't going to hurt to look at. Goodenow – I don't see us dispatching out of Worthington. Mather – We really at this point do have exceptional employees working for us. Last week Mary Gislason, Joe Jensen, and Terri Lovre and I went to the cities and they won an award for the bus crash. If you do decide to move forward on this I would like to be part of the discussion. Discussion. Ritter – I would like Stomberg to bring some more information back at the next meeting.

Consider Award of Annual Cost Plan Contract

Stomberg – These are costs we can recoup. Maximus is the company we have been using for many years. The other company is GMG. Maximus is willing to lock in \$4,000 for four years. I would recommend Maximus. Goodenow moved, seconded by Ritter to approve the contract with Maximus for the years of 2009, 2010, and 2011. All voted in favor.

Feedlot Inventory Work Agreement

Anderson - I brought Mark Meulebroeck and Gary Crowley from the Board. We had discussed this a couple of times with John Biren and we discussed this at our last Board meeting. Goodenow - I thought it would be a little simpler agreement. I thought we would be using your services at a flat \$25.00 per hour. I can see that at \$25.00 per hour we should provide a car. Is there a reason that the information is staying in one place? Anderson – That person has other projects. The \$25.00 per hour rate is strictly for the time that Laura is spending on that. As far as the vehicle goes that was something that the county staff wanted to use. Goodneow – One other question I had is it mentions 200 and 390 hours. That is up to? Anderson – If we are committing to this project we are committing to this and we want the same of the county. Goodenow – And an up to guaranteeing amount? Anderson – If you prefer you can do a dollar amount. The concern to us is there is no commitment to us. Goodenow – I am concerned that we are responsible for this project. Stensrud – The way this is written I can see all kinds of problems. Anderson – What this says is if you are setting up meetings with the townships so that we will be informed in a timely manner so we can have a staff person there also. This was something we discussed early on. Ritter – If you take the 590 hours x 25 that is what we will get reimbursed. I don't recall this at the Board meeting. I would like to see it \$25.00 an hour as needed. Anderson – If you prefer I can put a dollar amount on it. Fenske – The SWDC staff will cooperate with the landowner visits how do you think that will work Biren? Discussion. Biren – In terms of when we first started talking about this we were going to have Laura in our office and things would be streamlined. It will present more of a challenge now to have that staff person housed in a different place. Fenske – How are you going to cooperate with SWDC to set up the times? Biren – We are going to start with Shelburne Township. Much of our information we can get from the GIS Department. Crowley – Is there a reason when you did the first township you could divide them up? Laura would do some and you would do others and you would make your own appointments? Biren – If we are going to work as two different offices that would be the way to do it. Stensrud – We are responsible as Lyon County to get this done. Anderson – I am going to make the comment that we get our work done and if we commit to doing this it will get done. Goodenow – I see your point in having a guaranteed number of hours. Discussion. Goodenow – Is there a guarantee that there will be a certain amount of

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feedlots done or if it doesn't get done we get it back? It could cost \$100 and we only get \$80. Anderson – The \$25 an hour was a suggestion. Goodenow – Maybe we could work on that at \$80 per feedlot. Nelson – Let's get some continuity to it at first. Stensrud – I think the 590 hours minimum I think we need to go to the \$80. Fenske – As you looked at this do you think you could do it for \$80 for each one? Biren – No. The reason we are able to do this is we are donating our time from Public Works. I do think the feedlots on a confinement unit will take maybe an hour. An open lot that could take six hours. The 590 hours should be a pretty close estimate of what it is going to take. Lyon County will be doing the new permitting. That is about 12 feedlots per year. Fenske – Anything new you will be working on that. Biren – There are about sixty feedlots that have enough information gathered to complete the level 3. Crowley – If you feel that the hours are too high maybe we could cut the minimum hours down so that we have a guarantee. If you are feeling like the 590 hours is adequate to do them all. If you cut that down because we wouldn't be doing them all. I think for a good working relationship you need some guarantee there. Stensrud – I think the \$80 per unit. There is going to have to be some give and take. Kanwar – The first township is a training program. One of the things which isn't covered is who is the lead on this deal. We need to establish that. I suggest that Roger and Laura should be reporting to John. Stensrud – Being Lyon County is responsible I think they need to report to him. Stomberg – Do you want staff to work on some options? Stensrud – I think we need some clarification. Ritter – I don't think the intent was Soil and Water to get reimbursed 100%. I don't think we need to spend all the dollars that come in. Anderson – I would like everyone to agree on now is that we are going to get it worked out but I think they need to start as soon as they can. I think we need to get going on this. Discussion. Biren – The staff could do it but bring it to Soil and Water and then bring it to this Board. Discussion. Fenske – I think it is good to get started on it and we can work it out.

SWCD Annual Report

Anderson discussed the 2008 Annual Report.

10:17 Meeting Recessed

10:30 Meeting Called Back to Order

Family Homeless Assistance Program in Lyon County

Angela Larson – I am the Community Support Director. I am here to talk to you about our family homeless assistance program. It assists people from becoming homeless. We are hoping to apply for this coming year starting July 1. Of that money about \$45,000 is direct assistance dollars. It can also assist people that are already homeless. The majority of the dollars are spent in Lyon County. I am here to ask for your support for the resolution and to ask any questions. Nelson – The resolution I want to clarify the language – the entity to be changed? Larson – It should be charged. Stensrud – Are the numbers growing? Larson – Yes. Fenske – Is the dollar amount you are applying for the same or more? Larson – It is more. Fenske moved, seconded by Goodenow to approve and authorize the Chair to sign the resolution regarding the Family Homeless Assistance Program and for Lyon County to support it. All voted in favor.

CD 4 Cleanout and Crossing Repair

Hammer – We have some money in the account about \$13,000. By the end of the year there should be some money left over. I am asking the Board to authorize to take quotes for the clean out. It was re-determined in 1956 so it does not have a grass strip. Goodenow moved, seconded by Ritter to request bids for the clean out on CD 4. All voted in favor.

CD 18 Cleanout and Tile outlet repair

Hammer – This is just south of School Grove Lake. We did a levy on this ditch system to collect taxes on this last fall. This is really a ditch that I'll have to come back to the recommendation to the Board based on some of the bids. Goodenow – We could do it over two years couldn't we? Hammer – Yes. Fenske – Do you have an estimate on the cost per foot? Hammer – Last year I got a bid of 89 cents per foot but I am thinking \$1.00 to \$1.25 per foot. Fenske – Where does this outlet into? Hammer – JD 3 which goes into the Redwood River. Discussion. Goodenow moved, seconded by Nelson to authorize taking quotes on CD 18. All voted in favor.

Tile Repair CD 34

Hammer – I was hoping to have a couple of quotes. It was repaired in 1991. It is sand that is really deep. There is about 12 feet of fall. Stensrud – There are two areas caved in right now and there was one last year and two the year before. Hammer – About ten years ago Lincoln Lyon Rural Water installed a water pipe above it. I am going to take quotes on this and get an authorization. I am thinking it will cost about \$40 per foot to repair the tile and it is about 600 feet. Discussion. Hammer- I will get quotes and bring it back to the Board. Fenske moved, seconded by Nelson to authorize getting quotes on CD 34. All voted in favor.

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Resignation of Richard Downing

Kanwar – I have asked Boogaard to be here if anyone has any questions on consent agenda item number 7 the Annual Report. The first item I have is accepting Richard Downing's resignation. Goodenow moved, seconded by Nelson to accept Richard Downing's resignation effective March 15, 2009. All voted in favor.

Resignation of Tim Paradis

Kanwar – He worked with us for four months. Ritter moved, seconded by Goodenow to accept the resignation of Tim Paradis effective April 15, 2009. All voted in favor.

Resignation of Jay Williams

Kanwar – He was a heavy equipment operator. Ritter moved, seconded by Goodenow to accept the resignation of Jay Williams effective April 17, 2009. All voted in favor.

Fenske – It seems kind of funny especially now with the shortage of jobs. Is it the fact it was primarily financial reasons are we paying too little to keep these employees? When they have a lot of experience they start them in the middle.

Out of State Travel Requests

Kanwar – I would like to go to a workshop in Madison Wisconsin on capital improvement plans. Goodenow moved, seconded by Fenske to approve an out of state travel request for Suhail Kanwar, Public Works Director, to attend a two day workshop in Madison, WI, to meet annual continuing credits requirement. All voted in favor.

Gravel Crushing Bid

Goodenow moved, seconded by Ritter to accept the bid from Hard Rock Screening LLC of Little Falls. Ritter – What did you have budgeted for dollars? Kanwar – I think \$80,000. Fenske – Do you have any background or information on this company since they are new to us? Thomasson – I don't. We monitor it and take gradations and make sure it is meeting what we are requesting. We also check the scale. Stomberg – I assume there was a performance bond? Kanwar – Yes. All voted in favor.

Advertising for Bids for Bituminous Materials

Goodenow moved, seconded by Nelson to approve advertising bids for bituminous materials and set a bid opening date for May 5, 2009 at 11:00 a.m. at the courthouse in Commissioner Room 3. All voted in favor.

Bids for Recycling Sheds

Fenske moved, seconded by Nelson to approve the high bids for the recycling sheds. All voted in favor.

Bidder	Shed Number	Shed Size	Bid Amount
Paul Bot	#2	14'x20'	\$551.00
Jason Amundson	#3	10'x 12'	\$330.00
Mike Williams	#4	10'x12'	\$335.00

Update on Recycling Program

Henriksen – Every town has been met with except Balaton. We got the six thousand carts from Waste Management. We are in the process of distributing in the communities. Fenske – How are you going to distribute those to all of the households? The information? Henriksen – The information will go right with the cart. Goodenow – That will have the information about changing size? Henriksen – Yes. Discussion. Henriksen - There is one day that the pickup will be on a Friday and not the same day as the garbage pickup. It will be every other week. Ritter – How about Klein addition? Henriksen – Everyone that has curb side now will get cards.

Quotes for 64 gallon Recycling Carts

Henriksen – It has to be over 40 degrees to put the sticker on. Goodenow – Is Amerikart the same brand? Goodenow moved, seconded by Nelson to accept \$39.25 per cart with a total including tax of \$29,260.88. Ritter – Total dollars spent? Henriksen – The other ones are less than \$200,000. I would say somewhere around the \$220,000. All voted in favor.

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Presentation on Landfill Gas to Energy and Landfill alternatives

Fred Doran – Mary Chamberlain has been working on the RDF shredding. Chamberlain – RW Beck looked at two major MSW operations. One was shredding and one was refuse derived fuel. We were asked to provide planning level estimates. We looked at facilities that are currently shredding waste. Lyon County is probably around 200 tons per day at the current rate. The reason they started shredding their waste was they were getting close to capacity. Goodenow – Wouldn't it be a better burning product if it was a pellet? Chamberlain – They cost more because they have to be pressed. There didn't seem to be a need to spend the extra money to pelletize it. Discussion. Doran – You have BTU content which will get converted or burned in an incinerator. Any questions? Fenske – What is your recommendation? Doran – Listen to the landfill gas one. The other project we had going was about a year ago we got a grant from the MPCA to look at landfill gas generation. Cami Van Abel presented a landfill gas to energy feasibility study. Stensrud – Any other questions? Nelson – You mentioned there were different sizes of generators? Van Abel – I looked at 1.6 megawatt. Fenske – So after the studies financially it is not feasible to do either one of these? Doran – On the RDF side it is a lot of money. On gas side I think there is wiggle room. It is a matter of working out the economics and getting some help with the capital.

Discuss proposed changes in current Food Service agreement with A'viands

Albers – The cook that resigned we had used her hours. Her cost per year was about \$28,000. We are asking for about a \$10,000 annual increase to replace her. Ritter – So we have already entered into a contract with this? Goodenow – Yes at a rate where we had the employee. Fenske – What are the figures? Albers – It ranged from about \$9,600 to \$10,400. Goodenow – Do you buy locally? Albers – We buy most of our products from Hawkeye. We do ask if area providers can compete. Fenske – From a local vendor they all have homes in Lyon County and pay taxes. They told me you didn't even talk to them. Discussion. Albers – We will never turn down the ability to do business locally but they have to be price competitively for us to do so. Goodenow – We are saving about \$18,000. Nelson moved, seconded by Ritter to approve the proposed changes in the current food service agreement with A'viands. All voted in favor.

Reviewed Meeting Schedule

Commissioner's Report

Nelson reported on Area II, RAC, Regional Radio Board, and the Fair Board.

Fenske reported on Transit Advisory Committee, MnDot and Regional Freight Study Planning Session, and District VIII Planning Session.

Ritter reported on MCIT workshop, a meeting with the Human Services Commissioner Cal Ludeman and Representative Seifert, Western Mental Health, Soil and Water, Rural Energy Board, and a Court Security meeting.

Stomberg – We are looking at about \$60,000 for a phone system for law enforcement. It is also expandable.

Goodenow reported on Public Health, Plum Creek, Library Board, Advance, and Technology Meeting.

12:41 Meeting Recessed

12:48 Goodenow moved, seconded by Ritter to go into closed session to discuss AFSCME contract negotiations. All voted in favor.

Fenske moved, seconded by Goodenow to come out of closed session. All voted in favor.

Stensrud adjourned until April 21, 2009.

Rodney Stensrud - Chairman

Attest: Loren Stomberg
Lyon County Administrator