

UNOFFICIAL MINUTES – SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
June 16, 2009

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

Pledge of Allegiance to the Flag

Approve Agenda

Stomberg – After my time if we could add the library annual report presented by Commissioner Goodenow. Also we have a subordination agreement for a septic system lien. Ritter moved, seconded by Nelson to approve the agenda. All voted in favor.

	Per Diems	Expenses
Ritter	\$190.00	-----
Nelson	\$140.00	\$69.85
Fenske	\$190.00	\$136.40
Stensrud	\$300.00	\$160.60

Consent Agenda

1. Approve Minutes from June 2, 2009
2. Approve Commissioner Warrants 116721-116826 in the amount of \$223,340.26 dated 6/17/09.
3. Approve Auditor Warrants 116641-116653 in the amount of \$425,378.85 dated 6/4/09, 116654 – 116661 in the amount of \$1,957,515.27 dated 6/5/09, 116674 – 116700 in the amount of \$51,021.65 dated 6/11/09, and 116701 – 116720 in the amount of \$564,613.62 dated 6/12/09.
4. Approve Per Diems & Expenses

Goodenow – I would like to talk about 2 and 3. We have been going through the bills and maybe we can have our Administrator work with our Department Heads. Even little things as we start. Stensrud – We can pull those out. Goodenow moved, seconded by Ritter to approve consent agenda items 1 and 4. All voted in favor. Goodenow – Whatever we can find or what we can ask the Department Heads to find. Stensrud – We can talk to Department Heads and PAC tomorrow. Goodenow moved, seconded by Nelson to approve consent agenda items 2 and 3. All voted in favor.

Jail Update

Splett – For the fire system we did get a sample sprinkler head. To do it you are looking at roughly \$3,000. Recently they came out with a new sprinkler head a little more concealed than what we have. The concern is being able to break the bulb. We were exploring our options as these just came out. Stensrud – These looked more secure. Discussion. Splett - The new building is coming along nicely. The big thing now is getting Metro-Plex who is the security electronics company in there. Other than that we are beginning demo in the new kitchen area. The laundry has been completed. We did start some site work out on Main Street. Any questions schedule wise? Ritter – When do you think we can schedule an open house for the public? Filippi – I would say the beginning of September sometime. A quick update on the budget. The contingency the two I have out will bring it down to about \$107,000. Fenske – Do you feel the general conditions budget is looking okay? Filippi – Yes, I am comfortable with that. Discussion. Filippi - I put an estimate together on the courts remodel. The drawing presented I looked at as a conceptual estimate. The area in yellow is the area. Discussion. Nelson – The court rooms haven't been changed? Stomberg – No. Discussion. Nelson – My question, is there enough square footage there without going into the new building? Goodenow – The law library might move across because it doesn't need the same security. Nelson – And prisoner access to the court? Splett – They would be making a passage right up here. Goodenow – They would have to go through the public hallway, but they wouldn't be waiting there. That is quite an investment for what I thought was going to be a short term fix. The first plan switched the court rooms. Nelson – That is why I questioned the square footage. Fenske – What is the request on the plan for the courtroom? Bush – I think earlier comments are correct this is not a solution as it relates to any in court issues. It is for security. It doesn't speak to any of those considerations. Discussion. Goodenow – We sort of need to think what the next step was. Stensrud – We have been talking about security. Let's hope in the next six months to a year. Stensrud – One of the security issues is on the third floor when they come off the elevator. Goodenow – Do you want to wait until the jail is done? Discussion. Nelson – What would happen if you have a judge's private room and the law library that is still there? Splett – This is just one option for the law library. Goodenow – If we could find someplace else it would be a lot cheaper. Nelson – I am trying to find square footage to make it 12 and 12. Goodenow – For security which a lot of court houses have done is you start it down at the front door. Do we send it down to the committee or set a budget? Ritter – Would you be able to come back to us and tell us how that would impact it? Discussion. Stensrud – Do you want the committee to take a look at it? Goodenow – Let's send it back to Administration.

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State of MN Federal Boating Safety Supplement Grant Agreement

Sheriff Mather – The first item is to accept \$20,000. We applied for the grant and put in for a boat for up to \$20,000. The county has to purchase it after July and they will reimburse after September. Our match is we have to trade in our old boat. Fenske moved, seconded by Nelson to approve acceptance of \$20,000 State of MN Federal Boating Safety grant for the purchase of a new boat, motor, and trailer. All voted in favor.

Digital in Car Camera Replacement

Mather – We have three cars without cameras. The capital committee met and we decided that the Digital Alley 500 plus would be the best. I am asking to purchase five cameras and software. Fenske moved, seconded by Ritter to approve purchasing five cameras and software not to exceed \$29,000 from the Criminal Justice Account. Ritter – Paula, the criminal justice fund is right at \$200,000? Goodenow – What happens when that fund runs out? It should be put into a capital plan so we can save for things like that. Does it turn on by itself? Mather - It is on all the time. Goodenow- Didn't we have it once where the officer forgot to turn them on? Mather – The cameras that we don't replace we will manage. Fenske – How many will be left? Mather – Six. We will have to take a look at including it in the budget. Ritter – Mather you said that is activated by the sirens so when the Deputy is driving down the road it is not activated? Mather – It is always activated, but like if there was a crash it would rewind sixty seconds. All voted in favor.

Jail Staff Grade Classification

Stomberg – I moved this up after the Sheriff so the staff could be here to discuss this. I visited with the Archer Company. The Assistant Jail Administrator position we would need to fill when our daily population hits sixty. That position would replace the Administration Sergeant position that we have. The Shift Sergeant, we are looking at putting five into place. They would be responsible for corrective action and also in doing the appraisal of other officers. It would move to a grade 18. Because of the Supervisory Role we are not sure about the union. Discussion. Stomberg – As part of looking at the organizational structure I had them take a look at the Jail Administrator position as well. They recommended a pay grade 25 which is the same as the Recorder and Assessor. It would move to a salary. Goodenow – We are not changing salaries? Stomberg – If we move the Correctional Officer into a Shift Sergeant and they are not in that range it would be adjusted. Discussion. Marks – They will oversee and supervise the Correctional Officers but they will also be available. Goodenow moved, seconded by Ritter to approve the grade classifications of the Shift Sergeant, Assistant Jail Administrator, and Jail Administrator. All voted in favor.

Goodenow moved, seconded by Nelson to approve the filling of up to five Shift Sergeant positions by the opening date of the jail. All voted in favor.

Ritter – For the Boards information, can we get a definition of when we are under sixty with DOC and over sixty? Stomberg – We can get you a copy of the job description. Marks – They will tell us what to do but how we do it is procedural. Nelson – When you hit that sixty and it fluctuates? Stomberg – It is when it is the average.

Rolle Bolle Usage

Anderson – I brought Galen Boerboom with me today. The International Tournament is on Sunday. It is outside of the fair and insurance. Goodenow – I think we could make it part of fair activities. Boerboom – There is bowling on Friday and Saturday and then the main event, the International, is on Sunday. Goodenow – I am sure the fair insurance doesn't cover it. Discussion. Stensrud – It sounds to me the issue is to contact the insurance company and see if we can get it extended. Nelson – If we can solve the insurance thing. Stensrud – I think settle the insurance thing. Nelson – Did you get a cost on the bleachers? Discussion.

10:00 Meeting Recessed

10:15 Meeting Called Back to Order

Recycling Cart Update

Henriksen – Here are some initial numbers for what has been happening with the carts. We are seeing about a 55% increase. These are just initial numbers comparing the first two weeks of May and first two weeks of June. At this point we have almost all the carts out. We have some that need to still be fixed. Stensrud – There were some issues with some of them being dirty. It seems like they are well received. Alan Locke – We are waiting on yellow lids for the remainder of the 35 gallon carts. We expect them to be in next week. On the discussion of dirty carts. We believe we owe you fair and equitable pay for the time that you spent cleaning carts. You have it at \$22,000 which is a full time person for a year. If we are talking 200 hours versus 2000 hours. Waste Management wants to do what is fair and equitable. When Waste Management pulled the carts in Minneapolis in December whatever was in it was frozen. Discussion.

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Presentation on Landfill to Gas to Energy Landfill Alternatives

Fred Doran – I would like to introduce Scott Kuehn. We plan on wrapping it up this month. I know there were some questions when we had the presentation. What you have is a summary of the capital equipment. All the cost information is up on top. Revenue streams are on the bottom. Included are the annual air space. Doran reviewed MSW Shredding versus RDF Production summary. Ritter – What price per ton did you do that off of? Doran – I think \$3.50 or \$4.00. I also wanted to show if you took out the revenue stream. On the other side are the benefits and drawbacks of each option. Stensrud – I realize you have \$507,000 for transportation but everything I have heard it is picked up so there is no transportation cost. Doran – This is the option we pulled together for going to Fairmont. On the POET side there is still a debate and some of the things they are looking at is who will pick it up. Fenske – Are the tipping fees figured in? Discussion. Stomberg – The pelleting process, is that a feasible process or not? Kuehn – Yes. Doran – Technically yes economically it would be an investment. Discussion. Stensrud – Do you have any information on the gas to energy? Doran – The report has been submitted. Discussion. Fenske – There was an article in the Tribune about how much food is thrown and the methane gas that is produced. It is one of the worst for the greenhouse gas. Doran- Phase 7 closure is underway. It is going well. Henriksen – We were putting the gas vents in and the place where we had recirculation going on the only thing you could recognize is metal. There was no paper or anything. Nelson – There have been some talk of putting up some wind turbines on that site if we follow the setbacks and the fall down for towers are we losing the thirty year capacity that you said we had? Doran – I haven't seen a map or anything. Henriksen – I don't know how good it would be in the low area. Discussion. Kuehn – If there is any interest in the pelleting process I would encourage you to visit the Ames facility. Nelson – If we were to develop the collection and start a flare you would have a good understanding. Doran – Based on the modeling and testing we have a pretty good idea.

Subordination Agreement

Stomberg – The request is for the county to enter into a Subordination Agreement. Nelson moved, seconded by Ritter to approve entering into a subordination agreement with Wells Fargo Home Mortgage on a Note and Septic System Lien owned by Lyon County for a loan granted to Louise Johnson in the amount of \$9,200.00. All voted in favor.

PW Contract

Stomberg – This would be to accept the low bid for project S.A.P 42-627-03/CP 09:01. Fenske – It is \$61,000 under the Engineers estimate. Goodenow moved, seconded by Nelson to accept the low bid for the CSAH 27 street project and overlay work in the city of Balaton by McLaughlin & Schulz, Inc. in the amount of \$478,718.93. All voted in favor.

Discussion on layoff policy

Stomberg – A couple of things prompted it. To my knowledge we haven't had to use it but I think it would be a good idea to review it. My plan is not to have the Board act on it today. I would like to go over it with the Department Heads and PAC. I think probably the most important thing to look at is the notices that we give. Goodenow – You may want to do a 30 day notice and get rid of 24 month call back. Stensrud – If you are going to lay someone off I think it should be immediately. Fenske – In private business it is that day. Discussion. Goodenow – One other thing to look at because this came with the resignation paragraph and what does it mean to argue in good standing. I think define good standing it is a little more than giving a fourteen day notice. Stensrud – The 24 month deal that is a long time. That needs to be looked at. Discussion. Stomberg – The resignation paragraph, the two week notice, are we comfortable with that when it is a Department Head position? Goodenow – You get back to the same argument. I think it is something to think about. Kanwar – It would make sense for Department Heads. Stensrud – There are different instances that it would work for thirty days and not. Discussion.

Library Annual Report

Goodenow – I did hand out a report that Wendt did before she left. She went to Grand Forks, North Dakota. Goodenow reviewed the strategic plan. The big read was very successful. I wanted to talk a little about the building process. A couple of things to make a little clearer. The library funding is on the agenda for the June 23rd meeting at the city. We wanted to make sure we had a funding source for what the architect said it was going to be. The other one is the ongoing operational cost. That was a best practices slide. A lot of it is variable expenses. Fenske – How do you go about advertising for the new Director? Goodenow – The Internet and the state library system. Discussion. Nelson – Plum Creek, is that Minneota and Tracy? Goodenow – Yes. Nelson – How did that come about that they are not part of this system? Discussion. Nelson – So out county ones that are not Plum Creek are not paying it? Goodenow – Correct.

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Reviewed Meeting Schedule

Commissioners Reports

Fenske reported on Joint Library Meeting, the AMC District 8 Meeting, and Safety Committee Meeting. I have a letter here from Jeanine Barker about how good service someone had at the Recorder's office and they sent an email.

Nelson reported on RCRC, Area II, Planning and Zoning, and AMC District 8 Meeting.

Goodenow reported on Historical Society and a Providing a Healthier Marshall meeting.

Stensrud reported on the Capital Committee and Yellow Medicine Watershed Meeting.

Ritter moved, seconded by Goodenow to adjourn until July 7, 2009. All voted in favor.

Rodney Stensrud, Chairman

Attest: Loren Stomberg
Lyon County Administrator