

UNOFFICIAL MINUTES – SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
July 21, 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 - A couple of items under Mark's time if we could add hiring a correctional officer, under Kanwar's time if we could add the water retention, and under my time if we could add consider quotes for phones and switches under jail project. Ritter moved, seconded by Goodenow to approve the agenda. All voted in favor.

	Per Diems	Expenses
Nelson	\$100.00	\$86.90
Stensrud	\$150.00	\$52.80
Fenske	\$190.00	\$19.80
Ritter	\$190.00	-----

Consent Agenda:

1. Approve Minutes from July 7, 2009
2. Approve Commissioner Warrants 117141-117237 in the amount of \$277,294.11 dated 7/22/09.
3. Approve Auditor Warrants 117068-117105 in the amount of \$439,468.17 dated 7/9/09, 117107-117125 in the amount of \$232,268.25 dated 7/16/09, and 117126-117140 in the amount of \$206,750.19 dated 7/21/09.
4. Approve Per Diems & Expenses
5. Appoint Dan DeSmet to the Southwest MN EMS Board
6. Approve Sale of wetland credits

Ritter – Under number 6 the sale of wetland credits can we pull that? Ritter moved, seconded by Goodenow to approve consent agenda items 1 – 5. All voted in favor.

Wetland Credits

Ritter – The dollar amount where does that money go? Stomberg – From what I understand in the past the dollars from that would go for the Twin Lakes Park. Nelson – Yes back to that loan. Ritter moved, seconded by Goodenow to sell the wetland credits and reimburse the money towards the Twin Lakes Park Property purchase. All voted in favor.

Resolutions and Contracts

Forfeited Land List Resolution

Goodenow – This will make them available for sale? VanOverbeke – The DNR tells us if we can or can't sell them. Goodenow moved, seconded by Nelson to approve and authorize the Board Chair to sign a forfeited land list resolution. All voted in favor. (Resolution 16-09 on file in the County Administrator's Office).

Resolution for authorizing execution of agreement for safe and sober communities' project

Goodenow – It should say be it for resolved the Chief of the Worthington Police Department. Goodenow moved, seconded by Ritter to approve and authorize the Chair to sign a resolution executing an agreement for safe and sober communities' project. All voted in favor. (Resolution 17-09 on file in the County Administrator's Office).

Update on Veteran's Services

Hubley – There were 2100 contacts since January. The amount of income coming in went up about ½ a million dollars. I got an email asking me to inventory every Veteran's Memorial. Hubley gave an update on Veteran's Services and transportation. Hubley – Most of them rely on their families. Another ongoing conversation it came up what SMSU was doing for disabled Veteran's. Any questions? Fenske – I have a letter here from the State of Minnesota Department of Veterans Affairs and the letters are pointing out the grants that are available. Are you making applications for these grants? Hubley – We got a grant for a computer. A lot of that money was used for reintegration and we already did that. They got some grants and they pay you to go visit nursing homes. I have been visiting nursing homes for 27 years. They want you to establish outreach offices. I have already done that. I believe in direct care. Goodenow – To not say we are going to apply because we already are doing things. Nelson – That is \$750,000 statewide. Fenske – One of the things mentioned is a transportation program. Hubley – That is

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what Jeanette and I are working on. That is the biggest thing we've seen so far. The enhancement grant is all things you have to do. Hubley – A lot of the money the last round went for software. It was a new program that has some bugs in it. Goodenow – I have a question about how many Vets we have in Lyon County. Hubley – That is from the last census. I think it is around 1,800 now. Goodenow – Do you know how many Vets you have talked to? I would like to know what percentage? Are you in contact with ½ the Vets in the county? Or is this a service where we are supporting 10%? It does not tell you how many Vets we are taking care of. Fenske – I would like to know how many Vets are involved. Nelson – Another thing on this \$750,000 we will get the results of who got that. Fenske – When we have that Legislative Program in the cities last spring and that is one of the things he talked about was he wanted to make things more open. Discussion. Fenske – I think that Commissioner was a bit surprised at how little the communication there is.

9:08 a.m. Attorney Maes arrived

Jail Update

Splett – We are beginning to wrap things up. Sussner is pouring the two stoops going in. Inside the new jail we are finishing up some caulking. Metroplex is troubleshooting. We still have the pod control case work to go in. As far as the kitchen goes everything is roughed in. We will start sheet rocking in there. I foresee that area being completed before I get some kitchen equipment. As far as the sign goes Steve Johnson will be here to revisit it with us. Fillippi - We have a couple of change orders out there. We are in the kitchen now. The contingency we are still sitting with \$103,000 and general conditions over \$270,000. Any questions on the budget? Fenske – What do you expect on the general conditions? Discussion. Stomberg – How about the parking lot? Splett – I don't want to start that until we start the sign. I visited with Suhail a couple of weeks ago. He agreed it didn't make sense to put drains in the parking lot. Discussion. Kanwar – It is the right size for the parking lot. Fillippi – The floor plan I have I circled six doors. We have one exterior door outside the kitchen. By changing these locks and reworking these frames. We did receive some pricing back about \$16,000. Discussion. Stensrud – At what point does it pay to buy a new door? Fillippi – We have looked at this a couple of times. They are an odd ball size frame. Marks – I agree with their assessment. Stensrud – These six doors have the same keys? Ritter – So six doors will use the new keys but only five out of six are electric? Splett – It is not on the plan note. Fillippi – The wiring is by Fulda Electric and Metroplex. Stensrud – Do you think \$16,000 will be enough? Fillippi – I could talk to Steve and Chief and see if Chief would do a not to exceed. Stensrud – I think it makes sense. I think we need a firm bid or quote. Fillippi – I just wanted to let you know.

Authorization to promote Correctional Officers to Shift Sergeants

Marks – The authorization would be to promote five officers to Shift Sergeants. I would ask the effective date to be August 1, 2009. They would all be starting at \$18.37. Stomberg – The positions were opened up. We had nine apply. The Sheriff, Marks, and I did the interviews. Fenske – About what pay are they receiving now? Marks - Mike Portinga is working out of class I would ask to remove the stipend and put on the labor grade 18 and put Brandon Athen in as the Interim Programmer. Goodenow moved, seconded by Fenske to approve authorizing the promotion of Correctional Officers Nick Lasnetski, Cheri Engler, Robert Jesse, Gabriel Figueroa, and Mike Portinga to Shift Sergeants for the Lyon County Jail effective August 1, 2009 with a starting wage in labor grade 18 of \$18.37 per hour. All voted in favor.

Goodenow moved, seconded by Ritter to approve Brandon Athen as the Interim Programmer with a stipend of .75 cents per hour to replace Mike Portinga effective August 1, 2009. All voted in favor. Ritter – The stipend pay is every two weeks? Marks – Yes through the project completion.

Hiring Correctional Officer

Goodenow moved, seconded by Nelson to hire Alissa Lightfoot as a Correctional Officer with a starting wage of \$13.81 per hour and effective date of July 27, 2009. All voted in favor.

Brown Lyon Redwood Drug Task Force Committee

Mather – I am looking for the Chair to appoint a Commissioner for a member to serve short term. Goodenow – I can do it if you want me too. Stensrud appointed Mark Goodenow. Mather – I think we will have Jeff come and do a presentation on drug task force. Nelson – The Fair Board would like to have some drive through security at night? Mather – That is no problem. Stensrud – We were looking at bills what are we paying for autopsies? Is that your call or the doctor? Mather – It can be the doctor or my office. We need to determine from a criminal standpoint if there was any foul play. Mather – It is a case by case and we consult with the medical examiner.

10:00 Meeting Recessed

10:15 Meeting Called Back to Order

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Don Kleven, US Fish and Wildlife Services

Kleven – I am with the US Fish and Wildlife Services. This is requesting certification of purchase of about 237 acres. The track consists of bottom land. Our intentions are to restore the wetlands and restore them to native grass cover. The property will be open to public hunting. The property currently generates 2,086 in taxes. Our estimated revenue payment is about \$2,400. We are authorized at closing to make a payment of \$25,000. Ritter – That \$25,000 through the sale of the stamps or tax dollars? Kleven – Through the migratory bird fund. Fenske – Do we have a separate fund for this? VanOverbeke – Yes and we have invested it. Nelson – What arrangements have you made? Will they still have the outlet that is adequate? You will tile around the edges? Kleven – We cannot adversely affect land owners that have a previous right. Any affected landowners we would not do it without their consent if they were impacted. Discussion. Kleven – The motion would be certified for acquisition or not certified for acquisition. Goodenow moved, seconded by Fenske to certify for acquisition 237.66 acres from Barbara J. Peterson and Robert L. Peterson, wife and husband of Hudson, Wisconsin, and Beverly L. Woodbury and Maynard D. Woodbury, wife and husband of Ramsey, Minnesota. Nelson – Is there a guarantee on this tile being taken care of? Kleven – The guarantee is the claims act. Maes are you happy with that? Maes – Yes. Nelson – I want to make sure the tile is protected. Fenske – We have had good relations with Fish and Wildlife. All voted in favor.

Courtroom Remodel

Stensrud – We have been working on this for quite a while. We had some discussion on what we plan on doing. We have to decide if we are going to spend some money and where it is coming from. The last proposal we had came from Pete and the cost was \$357,000. Mather would like to see some security at the top of the elevator. We are open to any discussion or thoughts. Goodenow – It would have to come out of reserves as far as that question goes. Now the hard question is how much. Fenske – Didn't we discuss if the present jail project had any left we would use that. Goodenow – The \$357,000, did we see that. I wondered if that reduced the number of restrooms and things along that line. Stensrud – The question is if we are going to take money out of reserves can we do it. Goodenow – What we are doing is making the space more usable at this point and not solving all the problems. On the other hand I don't think we can do nothing because we need that security. I think we are stuck with investing something for the short term and understanding it may need a bigger fix. Right now we are a little tight. We are paying off jail bonds and road bonds. We are not touching half of the space up there. We definitely need some security. Stensrud – And make it a little more convenient. Discussion. Stensrud – We need to decide if we are going to do it how much we are willing to spend and what we can do for it. Goodenow – My mind is we say \$100,000 and come back and talk to us. Fenske – Pete you put together that plan now you included some other things that wouldn't have to be there. Filippi – I put the plan together. The sprinkler issue, that would need to be looked at. I figured an allowance to rework the HVAC. Fenske – To get done what needs to be done for security? Discussion. Goodenow – There seems to be a little less we can spend on it with the idea that we might end up tearing it all out. Ritter – I would suggest that they get together again and they put together a more solid plan and put it out for quotes. Stensrud – You have to have some idea until you know. Ritter- You won't have a solid number. Stensrud – I think it is hard to come with a plan and say what it will be. Nelson – Is it possible to have a plan that will do a partial and then not have to redo it. Stensrud – I think some. Goodenow – How about if we had a not to exceed \$300,000. Fenske – What you are saying is get the figure and get as much done for that as we can. Stensrud – If you wanted us to get together and see what the number would be if we left some things out. Filippi – It is an estimate. The one thing that we will need to have done. Goodenow – We have a little over \$600,000 in the capital improvement fund. VanOverbeke – Keep in mind that is also going to need to be used if we run short on the jail. Nelson – The building fund is also part of the overall reserves we are required to have. VanOverbeke – I think we are right at seven. Stensrud – What are your wishes to do? Goodenow moved, seconded by Fenske to have the group come back with a plan not to exceed \$300,000 cost from reserves. Fenske – I would like the group to look at what we need and look at what can be eliminated. All voted in favor.

Construction Update

Kanwar – One of the RBA's was the water retention one. We did some maintenance last year on some and did the necessary repairs. Last year I requested \$100,000 to finish the rest of them. Stomberg – The money was set aside to do that. We used \$65,000 and there is \$147,000. Goodenow - The point of that fund was to match it. Kanwar – To give you some idea what the goal of the scope is. I have attached one sample project. I am looking for the Board's direction. Stensrud – If we put them in we need to keep them up. Discussion. Kanwar – The Board has to tell me if I need to request more funding. Nelson – That is your example one. Have you talked to Area II and Kerry about this? Goodenow – Area II is good at getting the bonding. Nelson – Item 19 says Lyon County is responsible for repair and liability. Area II has been repairing a lot of APC and AFCS dams and putting in new pipes. I am wondering if we can use some of Area II funds for this. It seems to me there should be some coordination. Area II does dam inspections.

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Kanwar – I can get together with Kerry. Goodenow – Yes the funds are set aside. Fenske – It is dedicated for that purpose. Kanwar – I can request on a case by case basis. Discussion. Stomberg – Has there been an inspection done and prioritize? Kanwar – An inspection yes but not prioritized. Discussion. VanOverbeke – Do I understand the highway department themselves does the labor? You might want to not transfer that. Kanwar – There are always some costs. There has to be some type of compensation. Goodenow – How do you do the road maintenance? Kanwar – We receive exclusive funding. Goodenow – What is the difference between repairing the shoulders and water retention? Kanwar – There should be something repaid. Goodenow – We take a bigger look. I understand it if we are billing to a federal fund or a state fund. Isn't a county employee a county employee? That is part of the reason we did Public Works. Kanwar – So the other option is to put aside a slush fund to pay for repairs. Goodenow – Yes and we did that. I know of accounting reasons you need to keep track of it. Like the landfill we want to show what it costs. But other than keeping track of what Parks actually costs I don't see. Nelson – I can see with some of the old APC dams they are not near a road. Goodenow – There probably should be a budgeted line item. Kanwar – To be honest I don't have any preference. If you want the highway department to eat the labor we can. Goodenow – I don't see it as eating the labor. Kanwar – We have to keep the accounting the detail and with another county. Goodenow – I guess the question is do you need to keep road maintenance and water maintenance separate? DeLanghe – I agree it is robbing peter to pay paul. I want to know how much you are paying paul. I would say that keeping it itemized is very important. Nelson – Somehow the maintenance has to be done somewhere. Stensrud – I think Kanwar needs to prioritize what needs to be fixed. Kanwar – Do I need to come back to the Board or work with Stomberg? Goodenow – Technically we have always used the money out of the water fund for something that needs to be done.

Construction Update

VanMoer – County Road 5 is nearing completion. They have the shouldering and striping done. It is not open yet. We are going to open it before it is seeded. Fenske – When do you expect it to be open? Discussion. VanMoer – The bridge south of Minneota is coming along well. Kanwar – We ran into an old surprise there. There was an old bridge abutment. VanMoer – We started Balaton, the regrade on county road 27. They have done a little milling and they have dug in the storm sewer. Kanwar – Last year we ran into issue on exposed rebar. VanMoer – We have the Cottonwood bike trail which has a starting date of August 17 to be done about a month later. A box culvert near Amiret which is starting August 17 as well. And some city paving in Balaton and a ¼ mile in Florence. We have a 3 mile overlay south of 14 on 5. Discussion. Stensrud – We talked about the Cottonwood stop sign on the rail road tracks. Kanwar – I did talk to MnDot. They did not think it was not a good option. Fenske – Where is the stop sign? Kanwar – At county road 10 and Barstad. Discussion.

Landfill Closure for Litter Control Operational Policy

Henriksen – We brought this to you last month and had some discussions with the haulers and revised it. This closes the landfill at 20 miles per hour for two types of loads. Fenske – What was this before? Henriksen – The other one was 30 miles per hour. The regular ones will probably come in at 30 miles per hour. We cleaned up the language. Goodenow – And landfill hours. You know if it closes you don't have to call someone to see what time it will open the next day. Goodenow – Under D information of the landfill. Stomberg – How about information regarding the landfill. Henriksen – We are going to be training people to update it daily. Goodenow – You are still going to do the phone calling thing for awhile? Henriksen – Yes we will. Goodenow moved, seconded by Ritter to approve the landfill closure for litter control operational policy. All voted in favor. Ritter – I would like to see some numbers for that curbside recycling. Henriksen – Yes I will do that.

Loren Stomberg

Stomberg – The quotes for phones and switches are for the jail project. The equipment we need are the phones at \$146.60 and the switches. The other switches don't need the fiber port so they are a little less expensive. I would recommend instead of buying the service contract we buy the switches. Also the quantity of phones. When we walked into this we were looking at around 80 phones and now about 50. Stensrud – I am assuming Human Services will want to get on this system pretty quick. Discussion. Stomberg – We have okayed the Knology phone system. Fenske – Would the motion include 80? Stomberg – How about up to 80 what is needed for the LEC and jail. Fenske moved, seconded by Nelson to approve the purchase of up to 80 phones and the extra switch instead of the service contract. All voted in favor.

Reviewed Meeting Schedule

Commissioners Reports

Nelson reported on RCRCA and Fair Board.

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Fenske reported on PAC, Transit Advisory Meeting, Labor negotiations, and Regional Development Commission.

Ritter reported on Extension. Ritter – I suggested doing it by commissioner district. This year it is a family in Shelbourne County which is District 3 and then it would rotate if they are interested. Ritter – Quite often our Attorney is absent when we are here, do we need to have an Assistant Attorney here? I think the County needs representation. Stensrud – That is a good question. Fenske – Some of the past County Attorney's we have had really made a point to be here. I am not criticizing our current one because I know he is busy.

Goodenow – To extension we approved the tentative budget. Have we asked for budgets on the appropriations area? Stomberg – They are trickling in. Fenske – On the budget yesterday morning Human Service's executive board had a budget meeting. The way it is working out is human services will not be asking for any additional dollars from the counties. Human Services is planning on accepting the allocation of the local government aide.

Stensrud reported on Landfill meeting and meeting with Judges on a court remodel.

11:46 Meeting Recessed

11:52 Meeting Called Back to Order

Ritter moved seconded by Goodenow to go into closed session for LELS Dispatcher / Jailor Negotiations.

Ritter moved, seconded by Nelson to come out of closed session. All voted in favor.

Ritter moved, seconded by Goodenow to adjourn. All voted in favor.

Rodney Stensrud, Chairman

Attest: Loren Stomberg
Lyon County Administrator