

UNOFFICIAL MINUTES- SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
January 19, 2010

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

Pledge of Allegiance to the Flag

Approve Agenda

Stomberg – After the jail update we have a renewal of the Aviaand's contract. Ritter –Biren handed out information on that resolution. Can we put that on to discuss under Biren's time? Nelson moved, seconded by Fenske to approve the agenda. All voted in favor.

	Per Diems	Expenses
Stensrud	-----	\$12.00
Ritter	\$100.00	-----
Goodenow	\$50.00	-----
Fenske	\$100.00	-----

Consent Agenda:

1. Approve Minutes from January 5, 2010
2. Approve Commissioner Warrants 119100-119190 in the amount of \$124,784.69 dated 1/20/10.
3. Approve Auditor Warrants 119049-119072 in the amount of \$1,877,414.69 dated 1/7/10, 119072-119080 in the amount of \$91,236.57 dated 1/12/10, and 119081-119099 in the amount of \$61,340.34 dated 1/14/10.
4. Approve Per Diems & Expenses
5. Appoint Dan DeSmet to Southwest Regional EMS Board
6. Approve final payment voucher for SAP 42-627-03

Ritter moved, seconded by Goodenow to approve the consent agenda. Fenske – Who is that final payment for? Stomberg – Duininck is the contractor. All voted in favor.

Approve subordination agreement

Goodenow moved, seconded by Ritter to approve the subordination agreement with Wells Fargo Home Mortgage on a Note and Septic System Lien Owned by Lyon County for a septic system replacement loan granted to Dan and Sharon VanKeulen in the amount of \$11,900.00. All voted in favor.

Jason Splett, Jail Update

Splett – By the end of this week the frames will be painted. Filippi – We are monitoring the contingency very closely. Right now there is a balance of \$38,000. There are a few things that will bring that down to around \$29,000. Ritter – The CM fee is that \$8,000 until the end of the contract? Filippi – Yes. Last June I presented an estimate to the Board. In August it was scaled back. The front cover that you see is a side by side comparison. We are about \$10,000 higher than before. The footnote does not include the security system. Metroplex came back with an estimate which was \$24,000 which is very high and I don't recommend that. Ritter- What other options is there besides card readers? Filippi – Keys. They do also make locks that are battery operated. They also do make them so you can see who is using the locks. From a standpoint of the pricing it is the Metroplex that is up. Discussion. Filippi - I would like to at least get the budget number approved. I can come back with a door option. Goodenow moved, seconded by Ritter to proceed with the court administration remodel not to exceed \$170,000. Ritter – Stomberg can you bring back some options for financing? What timeframe are you looking at? Filippi – As soon as possible. I don't see a lot of long lead items. Goodenow – If you use the old law library and do that first you could move quite a few people. Stensrud – Hopefully it will come in lower than that. All voted in favor.

Aviaand's Contract

Marks – It stands at a 2.1% increase. He is asking for that adjustment to be 2.1%. I believe it would be effective January 14. This increases our meals between 8 and 9 cents per meal. Discussion. Goodenow moved, seconded by Fenske to approve the adjustment based on the Food Away From Home CPI per the Aviaand's Contract. Marks – In our contract it states it will be adjusted annually by the consumer price index. But it doesn't say which one. Stensrud – As long as they pick the same one. All voted in favor.

Lyon County Highway Department to reconstruct CSAH 3 in the floodplain and floodway designation

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Biren – The DNR and Corps of Engineers have reviewed it. Our work will not be interfering with the flood plain. Nelson moved, seconded by Goodenow to grant a Conditional Use Permit to the Lyon County Highway Department to reconstruct County State Aid Highway (CSAH) 3 in the floodplain and floodway designation (raise road elevation for the bridge approaches). The land is located in part of the Northeast Quarter, Section 10 and part of the Northwest Quarter, Section 11, Nordland Township. Per recommendation of the Planning Commission and the Nordland Township Board. With the following stipulations:

1. Site to be inspected as needed.
2. Must follow DNR regulations.
3. Must apply for and obtain permits from other appropriate agencies.
4. A copy of the County Board of Commissioner's Motion shall be filed with the County Recorder's Office. Additional fees to be paid by the applicant for the actual costs incurred by the County for the recording fees.

All voted in favor.

Public Land

Biren – This is a draft, I called it a position statement. This is a second rewrite. From the discussion at the last Board Meeting it was Lyon County is not opposed however when it is productive crop land that is another issue that we have concerns over. We were thinking to let the Board review this and offer suggestions. Stensrud – I think we should read through this and at the next meeting discuss it. Nelson – Will this come back as a resolution then? Stensrud – I don't know if it should be a resolution or statement paper. I know this was quite a discussion at AMC. Discussion.

Amend 2009 Budget

VanOverbeke – The first request is for the employer's share of retiree insurance. From now on they will be paid out of their fund. Goodenow moved, seconded by Ritter to amend the 2009 budget for general revenue, road and bridge, and landfill. All voted in favor.

Increase Road & Bridge Fund	\$42,115
Increase Solid Waste Management	\$ 4,360
Decrease General Revenue	\$46,475

Amend December 15, 2009 Minutes

VanOverbeke – For audit purposes I would like to have it broken down. Goodenow moved, seconded by Ritter to amend the December 15, 2009 minutes and add the details to the January 19, 2010 minutes. All voted in favor.

Amend the 2009 Budget:

Transit Facility	\$7965
Capital Projects-Jail	\$4,308,300
Criminal Justice	\$42,626
Design Tech	\$400
Water & Nat'l Res/Flood Control	\$124,534
HAVA	\$3,728
Comp Absence (Design SL&VP)	\$2,686
Total Amendments	\$4,490,239

2010 Appropriations

Ritter moved, seconded by Nelson to have the appropriations paid quarterly as they were in 2009. Goodenow – I don't know what we really gained by putting it on the agenda every month. If it is an emergency what good does it do unless everyone is brought monthly? Couldn't we do it quarterly? VanOverbeke – We did quarterly last year. Stensrud – It started monthly and went to quarterly. Nelson – Did the Fair Board make a request? Stomberg – Yes. All voted in favor.

MACO Conference

VanOverbeke – One of the biggest items is the election of 2010. With the Federal Move Act they need 45 days for absentee voting which means the primary would need to be moved. The consideration is to move the primary up to August 10. That means filings would go from May 18, 2010 to June 1, 2010. The other consideration is they could extend the absentee ballot voting for two weeks after. We have a drainage committee and a lot of new recommendations. One the MACO platform and what they would like to see is that Deputy Registrar's for the driver's license if the fee increases, the county would get more. They also want to be able to accept credit cards

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and debit cards when we are acting as an agent for the state and that the county does not absorb the fees.

10:00 Meeting Recessed
10:15 Meeting Called back to order

Charlie Seipel, Community Development Coordinator, Cottonwood

Charlie Seipel (Cottonwood Community Development Coordinator) – Right now the city of Cottonwood we are gearing up to submit a JOBZ application with the state. We have found that all of the project will be outside the current JOBZ zone. The majority of the project will be in the Truckers Pride. The total project right now they are looking at about 20 jobs. Goodenow – What goes off the tax rolls? Seipel – Basically anything that is added that is not there right now. Discussion. Nelson moved, seconded by Fenske to approve and authorize the chair to sign the resolution for the sub-zone modification. Stensrud – Maes pointed out on the second paragraph it should be effects not affects. All voted in favor.

2010 Appropriations

Goodenow moved, seconded by Fenske to approve January, February, and March 2010 appropriations. All voted in favor.

Rolle Bolle Tournament at Fairgrounds

Rick Anderson – The fair got moved up a week. Gaylen Boerboom – Normally we have the International Rolle Bolle tournament during the fair. We are going to run Belgium American days on Belgium American days. We are wondering if the fairgrounds will be available a week after? Last year you extended the insurance. So if we have it the week afterward what do we do about insurance? Is the county going to be able to extend the fair insurance for one day? Discussion. Anderson – Our insurance, it would be covered under our liability. It is whether you are comfortable sponsoring it and knowing you could be held liable. Goodenow – Usually we would charge, we are probably not charging rent. Stensrud- Are there issues there Maes? Maes – I don't see any. Discussion. Goodenow moved, seconded by Nelson for Lyon County to sponsor the International Rolle Bolle Tournament at the Lyon County Fairgrounds on August 13, 14, and 15, 2010. All voted in favor.

Discussion on economic development

Stomberg – Ben Martig and I went to the City of Willmar and visited with them about what they have going on. At least at the staff level there seems to be some interest in doing something collaborative. Stensrud – I think we need to talk about it and invite the cities. Stomberg – I think it would be good to know if there is interest. Discussion. Goodenow – It is a public meeting and all the EDA's and cities are invited. This plan had a central organization. Stensrud – I would like to see Martig and Stomberg set something up and invite the cities. Nelson – I'm not a believer in EDA's, you try and get results orientated and you are sitting next to Brookings and Watertown. Well, you can set up a desk and pay someone. They just put out 38 million more in TIF'S.

Committee Appointments

Stensrud – I didn't change anything but Fenske went onto the Amateur Sports. And Ritter is the Vice-Chair. Goodenow's appointment is up for Public Health and I will put him on that. Stensrud made the following Committee appointments.

Board	Appointee	Appointed	End of Term
Airport Zoning Board - Tracy	Phil Nelson	1/19/2010	Indefinite
JTPA - CEOB	Bob Fenske	1/19/2010	Indefinite
Library Board	Mark Goodenow	1/19/2010	Jan-11
Library System - Plum Creek	Mark Goodenow	1/19/2010	Jan-11
Area II Water Project	Phil Nelson	1/19/2010	Jan-11
alternate	Rodney Stensrud	1/19/2010	Jan-11
LLM&P Public Health	Mark Goodenow	1/19/2010	Jan-13

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Lyon County Alliance	Steve Ritter	1/19/2010	Jan-11
Law Library	Mark Goodenow	1/19/2010	Jan-11
Library Board - Jt Powers	Mark Goodenow	1/19/2010	Jan-11
	Steve Ritter	1/19/2010	Jan-11
Water Plan Advisory Committee	Phil Nelson	1/19/2010	Jan-11
	Mark Goodenow	1/19/2010	Jan-11
Planning & Zoning Board	Phil Nelson	1/19/2010	Jan-13
Planning & Zoning - Marshall	Mark Goodenow	1/19/2010	Indefinite
	Phil Nelson	1/19/2010	Indefinite
Regional Landfill Board	Rodney Stensrud	1/19/2010	Jan-11
alternate	Bob Fenske	1/19/2010	Jan-11
Safety Committee	Bob Fenske	1/19/2010	Jan-11
SW Regional Solid Waste Comm.	Steve Ritter	1/19/2010	Jan-11
alternate	Rodney Stensrud	1/19/2010	Jan-11
SW Regional Dev. Comm.	Bob Fenske	1/19/2010	Jan-11
RCRCA	Phil Nelson	1/19/2010	Jan-11
alternate	Rodney Stensrud	1/19/2010	Jan-11
Human Services Board	Steve Ritter	1/19/2010	Jan-11
	Robert Fenske	1/19/2010	Jan-11
Weed Inspector	Todd Hammer	1/19/2010	Jan-11
Deputy	Roger Schroeder	1/19/2010	Jan-11
WCA Transportation Advisory Committee	Bob Fenske	1/19/2010	Jan-11
Western Mental Health Center - Board	Rodney Stensrud	1/19/2010	Jan-13
Yellow Medicine River Watershed	Rodney Stensrud	1/19/2010	Jan-11
Joint LEC Management Board	Mark Goodenow	1/19/2010	Indefinite
	Phil Nelson	1/19/2010	Indefinite
County Policy Advisory Committee	Bob Fenske	1/19/2010	Jan-11
	Board Chair (Stensrud)	1/19/2010	Jan-11
Historical Society Liaison	Mark Goodenow	1/19/2010	Indefinite

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SWCD Board (ex-officio)	Rodney Stensrud	1/19/2010	Jan-11
Rural Energy Task Force	Steve Ritter	1/19/2010	Indefinite
alternate	Rodney Stensrud	1/19/2010	Indefinite
Union Labor-Mgmt Committee	Bob Fenske	1/19/2010	Indefinite
	Steve Ritter	1/19/2010	Indefinite
Resource Conservation & Development	Rodney Stensrud	1/19/2010	Indefinite
alternate	Phil Nelson	1/19/2010	Indefinite
IEIC - SW/WC Service Coop	Rodney Stensrud	1/19/2010	Indefinite
Land Use & Environment Adv. Task Force	Robert Fenske	1/19/2010	Indefinite
Lyon County Ice Facility Board	Bob Fenske	1/19/2010	Indefinite
Prairie NET WAN	Mark Goodenow	1/19/2010	Jan-11
alternate	Rodney Stensrud	1/19/2010	Jan-11
Regional Radio Board	Phil Nelson	1/19/2010	Jan-11
alternate	Rodney Stensrud	1/19/2010	Jan-11
Minnesota River Board (MRB)	Phil Nelson	1/19/2010	Jan-11
Audit Committee	Steve Ritter	1/19/2010	Jan-11
	Rodney Stensrud		
Capital Expenditures	Steve Ritter	1/19/2010	Jan-11
	Rodney Stensrud	1/19/2010	Jan-11
Amateur Sports Committee	Bob Fenske	1/19/2010	Jan-11

Reappointment of VSO Officer

Stomberg – He was last appointed May 16, 2006. If the Board wanted to make any changes they have to give him 90 days notice. He was unable to be here today due to an appointment and he will be on vacation at the next meeting. Goodenow – Four years ago we had discussed some of this and had inadvertently missed the 90 day notice. So this isn't totally a new discussion to have. I have been interested in doing some other things with that position. I would recommend and make a motion to not reappoint. We would have to make an appointment before. Fenske – I am still interested in exploring with other counties. I think we are the only county that offers a full time position. Nelson – Murray County has Jim Reinert and he has other county duties. Discussion. Fenske – Do you know what Redwood has? Stomberg – It is a full time position but it includes Safety and Civil Defense. Discussion. Ritter moved, seconded by Goodenow to approve and authorize the Chair to sign a resolution not to reappoint James Hubley as the VSO Officer. All voted in favor.

Goodenow – Can we ask our Administrator to notify? Stomberg – I will take care of that.

Reviewed Meeting Schedule

Commissioners Reports

Nelson reported on Area II, GeoComm (ARMER) meeting.

Fenske reported on GeoComm (ARMER) meeting and Soil and Water.

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Ritter reported on GeoComm (ARMER) meeting.

Goodenow reported on Library Board.

11:20 a.m. Goodenow moved, seconded by Ritter to go into Closed Session for the Public Works Director performance evaluation. All voted in favor.

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

Nelson moved, seconded by Fenske to approve the 2010 Public Works Director salary at \$94,176.

Voting in Favor:

Stensrud
Goodenow
Nelson
Fenske

Opposed:

Ritter

Motion carried 4 to 1.

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

Rodney Stensrud, Chairman

Attest: Loren Stomberg
Lyon County Administrator