

LYON COUNTY BOARD OF COMMISSIONERS
Approved Minutes
COMMISSIONERS ROOM 1 & 2
LYON COUNTY GOVERNMENT CENTER
Tuesday, August 20, 2013

8:30am. Closed Session Items

1. Closed for land purchase negotiations

Close meeting to consider purchase of 4.1 ac tract Sec 5 Twp 111 Range 41. TID 27-6001390.

9:00am. Pledge of Allegiance to the Flag

1. Identify Conflict of Interest

None identified

2. Approve Agenda

Move agenda # 5 until special Board meeting on budget next Tuesday, August 27th.

VOTING

Motion by: Steve Ritter

Second by: Charlie Sanow

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

3. Approve Minutes

Approve minutes from August 6th, 2013.

4. Approve Commissioners Warrants

Warrants Approved on 8/20/2013 for payment 8/21/2013 in the amount of \$373,201.11

5. Approve Auditor Warrants

Auditor warrants approved on 8/20/2013 for payment 8/08/2013 in the amount of \$173,708.05.

Auditor warrants approved on 8/20/2013 for payment 8/15/2013 in the amount of \$39,654.25

6. Approve Per Diems & Expenses

	Per Diems	Mileage
Anderson	100.00	50.85
Goodenow	50.00	33.90
Sanow	330.00	0.00
Stensrud	50.00	0.00

10. Approve Consent Agenda

VOTING

Motion by: Mark Goodenow

Second by: Steve Ritter

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

9:10am. Red Rock Rural Water Board Appointments

Motion and second to adopt the resolution recommending the appointment of Jay Mickelson and Mike Carlson to the Red Rock Rural Water System.

**RESOLUTION APPOINTING
JAY MICKELSON AND MIKE CARLSON
TO THE
RED ROCK RURAL WATER SYSTEM**

BOARD OF COMMISSIONERS.

WHEREAS, Jay Mickelson's 4-year term as a Commissioner on the Red Rock Rural Water System (RRRWS) Board of Commissioners is scheduled to expire at midnight on December 31, 2013; and

WHEREAS, Mike Carlson's 4-year term as a Commissioner on the Red Rock Rural Water System (RRRWS) Board of Commissioners is scheduled to expire at midnight on December 31, 2013; and

WHEREAS, Jay Mickelson and Mike Carlson would like to serve another 4-year term on the RRRWS Board of Commissioners, which terms will commence at 12:00 a.m. on January 1, 2014; and will expire at midnight on December 31, 2017; and

WHEREAS, On August 8, 2013 the RRRWS Board of Commissioners unanimously adopted a Motion which recommends that Jay Mickelson and Mike Carlson be appointed for another 4-year term on the RRRWS Board of Commissioners; and

WHEREAS, the Lyon County Board of Commissioners believes that Jay Mickelson and Mike Carlson are qualified to act as Commissioners on the RRRWS Board of Commissioners and all are worthy of appointment.

BE IT NOW RESOLVED, that the Lyon County Board of Commissioners hereby recommends that Jay Mickelson and Mike Carlson be appointed to the RRRWS Board of Commissioners pursuant to and provided for by Minnesota Statutes §116A et seq.

Adoption of the resolution recommending the appointment of Jay Mickelson and Mike Carlson to the Red Rock Rural Water System.

VOTING

Motion by: Rodney Stensrud

Second by: Steve Ritter

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			

Stensrud, Rodney	x			
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*: **Deer Hunt- Archery Season**
 Motion and second to approve the 2013 deer hunt from September 14th through December 31st in Garvin Park.

Resolution No. 20-13

Relating to Garvin Park Deer Hunt - Archery Season

BE IT RESOLVED by the Board of Commissioners of Lyon County, Minnesota as follows:

1. The season for deer hunt – archery season in Garvin Park is set annually.
2. The season for 2013 is September 14 through December 31, 2013.
3. All State rules and regulations apply. Rules may be modified by the Lyon County Board of Commissioners for deer hunt- archery season in Garvin Park.
4. Hunting is allowed with a DNR license and County permit.

Dated this 20 day of August, 2013.

Richard Anderson, Chairman of the Board

VOTING

Motion by: Rick Anderson
 Second by: Rodney Stensrud

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

9:20am. CD 68 Outlet Petition

Recess regular meeting and call Ditch Authority at 9:06.

Motion and second to accept petition from Steve and Roger Coudron to approve outlet for CD 68.
 Accept outlet petition from Roger and Steve Coudron.
 Appoint viewers for benefit determination and to make a recommendation for an outlet fee.

VOTING

Motion by: Steve Ritter
 Second by: Mark Goodenow

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

12.1. Appoint viewers for CD 68

Maes: We need to come up with a value for the outlet and viewers. Also, someone with engineering experience as a viewer.

Hammer: Bill Molstad, Steve Johnson and Ross Eischens are recommended for viewers. Motion and second to approve Bill Molstad, Steve Johnson and Ross Eischens as ditch viewers. All voted in favor, motion carried.

The Ditch Authority set the hearing date for CD 68 on Tuesday, October 15 at 9:30am.

VOTING

Motion by: Mark Goodenow

Second by: Charlie Sanow

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

1. Set a hearing date for preliminary report on CD 13

Auditor Treasurer E. J. Moberg has received an amended Engineers Report for Main Tile and Branch 1, 2 & 5 of County Ditch No. 13 from landowners Randy Thooft, Wally Wichman and Rich Fieldman. A hearing date is set for Thursday, September 26 at 9:30 a.m. Hammer: I did meet with Fish & Wildlife and land owners, US fish & Wildlife said they are prepared to submit an impoundment.

Recessed ditch authority and reconvened regular meeting at 9:18 a.m.

Set a public hearing date for the Preliminary Engineer's Report on the Improvement of Main Tile and Branch 1, 2 & 5 of County Ditch No. 13.

2. CUP Essential Service Request-Major Otter Tail Power Company

Luke Olson presented a recommendation from Planning Commission for OtterTail. A landowner, Steve Coudron presented an alternative route at the Planning Commission meeting on Tuesday, August 13th. Motion and second to approve CUP using option B.

To consider the Recommendations and Findings from the Planning and Zoning Board and take action on the conditional use permit request for the Otter Tail Power Company's 41.6 KV line relocation.

VOTING

Motion by: Rodney Stensrud

Second by: Charlie Sanow

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

3. Museum roof replacement

A quote was submitted for a roof replacement. Stomberg was wondering if we could contact insurance about the leak. Anderson: Can this project be finished this year? Krause: Yes, they could. Krause will try to get the quotes by September 3rd Board meeting. Motion and second to give Ron Krause permission to request quotes for the main library roof. Discuss with the board the estimate from Buysse Roofing and the direction they want to go.

VOTING

Motion by: Rodney Stensrud
Second by: Charlie Sanow

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

4. Deputy Sheriff Hire

Sheriff Mather requested the hiring of Corey Leighton as Deputy Sheriff at base pay grade for Deputy at \$ 19.39 and effective Sept 3rd, 2013. This is a contingent job offer after Leighton passes psychological and medical requirements. Motion and second to hire Corey Leighton.

VOTING

Motion by: Mark Goodenow
Second by: Steve Ritter

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

16.1. Resolution to approve PERA

Motion and second to pass resolution for Peace Officer for PERA.
Resolution 21-13

RESOLUTION FOR PEACE OFFICER

WHEREAS, the policy of the State of Minnesota declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivision to request coverage in the Public Employees Police and Fire Plan for eligible employees of police departments whose position duties meet the requirements stated there in and listed below.

BE IT RESOLVED that the Sheriff's Office of Lyon County, hereby, declares that the position title

Deputy Sheriff currently held by Corey Leighton, meets all of the following Police and Fire membership requirements:

1. Said position requires a license by Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position give this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.

**STATE OF MINNESOTA
COUNTY OF LYON**

I, Loren Stromberg, Lyon County Administrator, do hereby certify that this is a true and correct transcript of the resolution that was adopted at the Lyon County Board of Commissioners meeting held on the 20th day of August 2013, the original of which is on file in this office. I further certify that all members voted in favor of this resolution and that all members were present and voting.

Signed _____

Lyon County Administrator

Dated this 20th day of August 2013

VOTING

Motion by: Rodney Stensrud

Second by: Mark Goodenow

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

7. Limited Part-Time Status, Hannah MacArthur

Stomberg: Hannah has been working as an intern, we did extend her internship. We have been working on the personnel policy. We would like to keep her on to keep working on the project and would like to extend her for that project. She cannot be classified as an intern as she has finished her college courses.

Motion and second to extend employment of Hannah MacArthur from Intern to Part-time (32 hours or less) limited term Tech Assistant I at the starting pay step of \$13.36 per hour effective Sept 1, 2013, until the end of the project or December 31.

Approve status change of Hannah MacArthur from Intern to Part-time (32 hours or less) limited term Tech Assistant I at the starting pay step of \$13.36 per hour effective Sept 1, 2013.

VOTING

Motion by: Rodney Stensrud
Second by: Rick Anderson

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

18. Break

Recess: 9:39 a.m.
Reconvene: 9:52

6. Consider approval of SAIC Task Authorization #4 for Landfill Permit Renewal, Engineering and Consulting Services.

SAIC to perform services for plans for the construction for the new cell in the landfill which would be 10A. This would extend the landfill out to 2022. The estimated fees are \$100,000. The plans would be completed by January or February and they could go out for bids and the construction would be in 2014. Motioned and seconded to sign contract for SAIC for 10A design specs with a estimated cost of \$100,000. All voted in favor.
Consider approval of SAIC Task Authorization #4 for Landfill Permit Renewal, Engineering and Consulting Services.

VOTING

Motion by: Mark Goodenow
Second by: Rodney Stensrud

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

8. Article VII Leaves Policy Proposal to Board

McDonald discussed Article VII, Leaves.

9. Policy Revisions

McDonald requested the formal approval of the Employee Recognition Event language of the policy manual.
Recognition Program effective August 20, 2013.

VOTING

Motion by: Mark Goodenow
Second by: Rodney Stensrud

Commissioners	YES	NO	ABSTAIN	RECUSE
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Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

22. Per Diem Adjustment

VOTING

Motion by: Mark Goodenow

Second by: Charlie Sanow

Commissioners	YES	NO	ABSTAIN	RECUSE
Anderson, Rick	x			
Goodenow, Mark	x			
Ritter, Steve	x			
Sanow, Charlie	x			
Stensrud, Rodney	x			

23.

Ritter: GIS meeting report

Stensrud: GIS, Planning & Zoning, Agenda Training discussion

Sanow: Amateur Sports, Airport Commission, MAT Meeting, Fair Board, Policy Meeting and Insurance, Agenda Training

Goodenow: Cottonwood City Council, future Balaton City Council meeting

Anderson, Policy Meeting, Planning & Zoning, Agenda training

10. Adjournment

Recess at 10:37 until 1:30pm for the Ditch Authority.

25. Warrants

Commissioner Warrants

<u>Vendor Name</u>	<u>Amount</u>
A'VIANDS, LLC	\$ 17,414.06
BAKKER BRO'S CONCRETE	2,813.25
BELGIUM BUILDERS, LLC	16,973.02
CENEX HARVEST STATES	2,351.25
COLEMAN ELECTRIC INC	5,364.51
COTTONWOOD CO-OP OIL COMPANY	6,004.00
ENVIRONMENTAL PUMP SOLUTIONS	2,064.28
ERICKSON ENGINEERING COMPANY INC	3,433.50
FARMERS COOP ASSN	9,103.07
FARMERS COOPERATIVE ASSOCIATION	8,690.09
FIDLAR TECHNOLOGIES, INC.	4,262.18
FLINT HILLS RESOURCES LP	90,964.43
L & M EXPRESS INC	11,175.00
LYON COUNTY HIGHWAY DEPARTMENT	7,576.92
MARSHALL AREA CHAMBER OF COMMERCE	3,000.00
MC LAUGHLIN & SCHULZ, INC	47,407.52

MURRAY COUNTY AUDITOR TREASURER	3,284.79
NORTH CENTRAL INTERNATIONAL, INC	4,130.63
NORTHERN CONN-AGG, LLP	7,072.34
POWERPLAN--RDO EQUIPMENT INC	2,196.69
PRAIRIE PRIDE	56,124.26
RINKE NOONAN-ATTORNEY AT LAW	4,526.50
ROCK COUNTY TRANSFER STATION	11,890.00
SUPERIOR JETTING INC	4,957.50
WEST CENTRAL SANITATION INC	3,918.23
87 Payments less than 2000	36,503.09

Final Total: \$ 373,201.11

Auditor Warrants

<u>Vendor Name</u>	<u>Amount</u>
LYON COUNTY AUDITOR-TREASURER	\$ 8,273.01
LYON-LINCOLN ELECTRIC COOP INC	4,294.49
MII LIFE - VEBA	13,510.00
MN DEPT OF TREASURY	8,660.00
SHAFER CONTRACTING COMPANY	102,588.45
SOUTHWEST SANITATION INC	21,389.00
STONEBERG, GILES & STROUP P.A.	7,272.00
20 Payments less than \$2000	7,721.10

Final Total: \$ 173,708.05

<u>Vendor Name</u>	<u>Amount</u>
MARSHALL MUNICIPAL UTILITIES	\$ 29,681.05
SECURE BENEFITS SYSTEMS	5,391.72
14 Payments less than 2000	4,581.48

Final Total: \$ 39,654.25