

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

Pledge of Allegiance to the Flag

Approve Agenda

Fenske – We will be pulling one item, the outlet petition. Ritter – Under Commissioners business, there is a CUP that is not in compliance. Ritter moved, seconded by Anderson to approve the agenda. All voted in favor.

Identify any Conflict of Interest

	Per Diems	Expenses
Fenske	150.00	-----
Ritter	190.00	-----
Anderson	200.00	\$99.90

Consent Agenda:

1. Approve Minutes from February 22, 2012
2. Approve Minutes from March 6, 2012
3. Approve Commissioner Warrants 128559-128666 in the amount of \$147,616.59 dated 3/21/12.
4. Approve Auditor Warrants 128488-128519 in the amount of \$217,739.86 dated 3/8/12 and 128532-128558 in the amount \$121,121,975.38 dated 3/15/12.
5. Sale of wetland credits

Ritter moved, seconded by Anderson to approve consent agenda items 1-4 with discussion on number 5. All voted in favor.

Ritter- The \$17,500 if it is designated now we can move it later? VanOverbeke – Correct. Anderson – Is there a point where we get to where we want to keep so many credits. Was it 10. Anderson moved, seconded by Ritter to approve consent agenda item number 5. All voted in favor.

Engineering Services – Approval of SAIC Work Requests

Anderson moved, seconded by Ritter to approve and authorize the Chair to sign SAIC work requests 2012-4, 2012-3, and 2012-2. All voted in favor.

CUP ABL Custom Finishing c/o Bernard DeCock – new feedlot

Ritter moved, seconded by Anderson to grant a Conditional Use Permit to ABL Custom Finishing, c/o Bernard DeCock, 3364 State Highway 68, Ghent, Minnesota for a new feedlot and to hear public comment to fulfill Minnesota Session Law 2000 – Minn. Stat. § 116.07, subd 7 (l), to construct or expand a feedlot with a capacity of 300 animal units or more. Odor OFFSET setback requirement is 94%. Minimum setback for a new feedlot is 1320'. The land is zoned agricultural and described as part of the South Half of the Northwest fractional Quarter (S1/2 NW fr ¼), Section 7 of Grandview Township.

The Proposed Facility to Consist of:

(new) Finishing Hogs (2400 x .3 animal factor) = 720 Animal Units

Type of Building:

(new) Approximately 101'x192' Finishing Confinement Barn with 8' deep below the barn concrete manure pit

Manure to be applied agronomically up to two times a year.

The Total Animal Unit Capacity = 720 Animal Units

As per recommendation of the Lyon County Planning Commission and the Grandview Township Board. With the following stipulations:

1. That the applicant undertakes the project according to the plans and specifications submitted to the county with the application.
2. That the permit is invalid if the holder has not started construction on the feedlot within a year of the issued land use permit. (A land use permit is valid for one year, and can be renewed administratively for a second consecutive year.)
3. That the county may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and other applicable statutes, rules, and ordinances.
4. Manure in a slurry or liquid form that is being applied in accordance to the manure management plan on file with the MPCA shall be injected or spread and incorporated within 24 hours of spreading except for approved emergency spreading.
5. Manure being hauled on public roads must adhere to policies of the particular road authority involved.

6. The applicant shall obtain all appropriate licenses and permits relevant to the request. Agencies involved could be the DNR, MPCA, Board of Animal Health, MDA, MDH, etc.
7. Dead animals shall be disposed of in accordance with the Board of Animal Health Regulations. (Structures used for storing dead animals prior to rendering or structures used for composting shall meet appropriate county and state regulations.)
8. The offset model must indicate 94% annoyance odor free. Any odor control technologies used in the offset model must be in place and maintained. Minimum setback to be 1320'.
9. The feedlot shall meet the minimum standards side, rear, and road right of way setbacks, other setbacks, and lot size. Any trees to be planted shall be at least 60 feet from the road right of way.
10. Violations of these conditions or other regulations found in the Lyon County Zoning Ordinance are grounds for enforcement proceedings.
11. Minimum lot size for a new animal feedlot is 10 acres.
12. Must apply for and sign property with an E-911 address.
13. A copy of the County Board's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

All voted in favor.

CUP MC Laleman Hog Farms c/o Mark Laleman – feedlot expansion

Anderson moved, seconded by Ritter to grant a Conditional Use Permit to MC Laleman Hog Farms, c/o Mark Laleman, 2628 County Road 10, Cottonwood, Minnesota, for a feedlot expansion and to hear public comment to fulfill Minnesota Session Law 2000 – Minn. Stat. § 116.07, subd 7 (l), to construct or expand a feedlot with a capacity of 300 animal units or more. Odor OFFSET setback requirement is 94%. The land is zoned agricultural and described as the South Half of the Southwest Quarter (S1/2SW1/4) of Section 2, Vallers Township. This parcel is being purchased on a Contract for Deed from George and Rita Laleman.

Existing Facility Consists of:

Finishing Hogs (1600 x .3 animal factor) = 480 Animal Units

Type of Buildings:

Two 41'x172' Total Confinement Barns with Two 41'x172'x8' Poured Concrete Pits

Proposed Facility to Consist of:

Finishing Hogs (1600 x .3 animal factor) = 480 Animal Units

(new) Finishing Hogs (800 x .3 animal factor) = 240 Animal Units

Type of Buildings:

Two 41'x172' Total Confinement Barns with Two 41'x172'x8' Poured Concrete Pits

(new) 41'x172' Total Confinement Barn with a 41'x172'x8' Poured Concrete Pit

Manure to be applied agronomically up to two times a year.

The Total Animal Unit Capacity = 720 Animal Units

As per recommendation of the Lyon County Planning Commission. With the following stipulations:

1. That the applicant undertakes the project according to the plans and specifications submitted to the county with the application.
2. That the permit is invalid if the holder has not started construction on the feedlot within a year of the issued land use permit. (A land use permit is valid for one year, and can be renewed administratively for a second consecutive year.)
3. That the county may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and other applicable statutes, rules, and ordinances.
4. Manure in a slurry or liquid form that is being applied in accordance to the manure management plan on file with the MPCA shall be injected or spread and incorporated within 24 hours of spreading except for approved emergency spreading.
5. Manure being hauled on public roads must adhere to policies of the particular road authority involved.
6. The applicant shall obtain all appropriate licenses and permits relevant to the request. Agencies involved could be the DNR, MPCA, Board of Animal Health, MDA, MDH, etc.
7. Dead animals shall be disposed of in accordance with the Board of Animal Health Regulations. (Structures used for storing dead animals prior to rendering or structures used for composting shall meet appropriate county and state regulations.)
8. The offset model must indicate 94% annoyance odor free. Any odor control technologies used in the offset model must be in place and maintained.
9. The feedlot shall meet the minimum standards side, rear, and road right of way setbacks, other setbacks, and lot size. Any trees to be planted shall be at least 60 feet from the road right of way.
10. Violations of these conditions or other regulations found in the Lyon County Zoning Ordinance are grounds for enforcement proceedings.
11. A copy of the County Board of Commissioner's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

All voted in favor.

Contract for beaver removal

Anderson moved, seconded by Ritter to approve and authorize the Chair to sign an agreement for Beaver removal on CD 63 with Robert Mattheys. All voted in favor.

Redistricting

Stomberg reviewed redistricting maps. Option 1 is how it is currently. There is a 6% difference in population. The second option is a 1.9% population variance. The third option, when you talk about compactness that is about as compact as you will get. There is a population difference of 2.4%. I think the question for today is to set the meeting. Anderson – The only thing I see on the down side, if you pick another option than all five of us are up for election. Discussion on ward numbers matching district numbers. Fenske set a Redistricting Public hearing for 7:00 p.m. on April 17, 2012 in CR 1 & 2.

VSO Assistant

Anderson moved, seconded by Ritter to approve hiring Julie Miller as the VSO program assistant at 80% permanent part time with an hourly wage of \$13.38 and a start date of April 16, 2012. All voted in favor.

AWAIR Policy

Anderson moved, seconded by Fenske to approve the AWAIR policy. All voted in favor.

Authorize Advertising for Bids: S. A. P. 42-610-035

Ritter moved, seconded by Anderson to authorize advertising for Bids for S.A.P. 42-610-035. All voted in favor.

Reviewed Meeting Schedule

Commissioners Report

Anderson reported on Soil and Water meeting and RC & D meeting.

Ritter reported on Soil and Water meeting, Planning and Zoning meeting, and meeting with Representative Swedzinski.

Fenske reported on Regional Amateur Sports Commission.

Discussion on a column for the newspaper on what is going on in the county.

2007 Delanghe CUP

Discussion on CUP permit.

10:41 a.m. Ritter moved, seconded by Anderson to go into closed session for land purchase. All voted in favor.

11:05 a.m. Ritter moved, seconded by Anderson to come out of closed session. All voted in favor.

Vendor Name	Amount
A'VIANDS, LLC	15,508.52
CASCADE ENGINEERING	2,854.50
D & G EXCAVATING, INC	3,500.00
FARMERS COOP ASSN	12,325.82
HEWLETT-PACKARD COMPANY	3,098.51
OLSON & JOHNSON INTERNATIONAL INC	2,697.30
ROCK COUNTY TRANSFER STATION	6,960.00
ROYAL TIRE INC	6,271.39
SAIC ENERGY, ENVIRONMENTAL & INFRASTRUCT	3,670.96
VINCO, INC.	20,940.88
WASTE MANAGEMENT	23,002.00
WEST CENTRAL SANITATION INC	6,247.47
96 Payments less than 2000	40,539.24
Final Total:	147,616.59

UNOFFICIAL MINUTES- SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
March 20, 2012

Vendor Name	Amount
LYON COUNTY	\$ 94,054.30
LYON-LINCOLN ELECTRIC COOP INC	\$ 4,284.69
STONEBERG, GILES & STROUP P.A.	\$ 3,645.00
SW WC SERVICE COOPERATIVES	\$104,166.50
28 Payments less than 2000	\$ 11,589.37

Final Total:	<u>\$217,739.86</u>
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Vendor Name	Amount
COMPUTER PROFESSIONALS UNLIMITED INC	\$ 4,166.65
HEALTH PARTNERS	\$ 4,123.22
MARSHALL MUNICIPAL UTILITIES	\$ 19,200.27
MN DEPT OF CORRECTIONS STS	\$ 57,767.40
MN DEPT OF TREASURY	\$ 8,106.00
MN STATE AUDITOR	\$ 3,602.50
UNITED STATES POSTAL SERVICE-HASLER	\$ 20,000.00
20 Payments less than 2000	\$ 5,009.34
	<u>\$ 121,975.38</u>

11:05 a.m. Fenske adjourned the meeting.

Robert Fenske, Chairman

Attest: Loren Stomberg
Lyon County Administrator

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