

**LYON COUNTY BOARD OF COMMISSIONERS  
COMMISSIONERS ROOM 1 & 2  
LYON COUNTY GOVERNMENT CENTER  
May 21, 2013**

**9:00-9:05-----Pledge of Allegiance to the Flag;**

Present: Commissioners Anderson, Goodenow, Ritter, Sanow, and Stensrud. Also present: County Administrator Stomberg, County Attorney Maes.

Assistant Assessor Brienna Beierman and HR Technician Tegan Laleman were introduced to the Board.

Addition to the Agenda: Phone order for law enforcement center.

Stensrud motioned, seconded by Goodenow to approve agenda with addition of the phone order discussion. All voted in favor, motion carried.

Identify any Conflict of Interest- none identified

	<b>Per Diems</b>	<b>Mileage</b>
Anderson	\$ 100.00	\$ 79.10
Goodenow	\$ 150.00	\$
Ritter	\$ 100.00	\$
Stensrud	\$ 150.00	\$ 68.93
Sanow	\$ 320.00	\$ 111.30

**Consent Agenda:**

1. Approve Minutes from 5-7-2013
2. Approve Commissioner Warrants 133512-133610 dated 5/22/13 in the amount of \$206,308.46.
3. Approve Auditor Warrants 133448-133481 dated 5/9/13 in the amount of \$221,506.23; warrant 133482 dated 5/9/13 in the amount of \$21,389.00; warrants 133483-133511 in the amount of \$201,818.28.
4. Approve Per Diems & Expenses
5. Gregoire ISTS Loan Subordination Agreement

Goodenow motioned, Ritter seconded to approve consent agenda. All voted in favor, motion carried.

**Aaron VanMoer-Annual report for Highway Department**

County Engineer VanMoer presented the Highway Annual Report. He informed the Board that in 2012 the County's construction costs on County State Aid Regular highways was \$8 million in the rural areas and \$144,000 in City County State Aid roads and \$18,000 on construction costs on county roads. \$1.57 million was spent on maintenance for the Rural County State Aid Highways and \$109,000 spent on Municipal State Aid Highways and the rest of the county road system was a little over \$1 million on maintenance. The average cost of maintenance per mile is variable and fluctuates up and down, depends on weather. He also explained the 3 performance measures from the state which are; equipment repair, miles of crack filling and miles of seal coating. 2012 is favorable compared to other years. Miles of crack filling is consistent on average and miles of seal coating has taken a decline in the last five years. VanMoer was not positive on how many miles of seal coating the County has this year but believes they are doing 40 miles of crack filling.

Ritter motioned to accept the Lyon County Highway Department Annual Report, seconded by Stensrud. All voted in favor, motion carried.

**SW MN Private Industry Council Annual Presentation**

Mary Mulder and Job Counselor Teri Sullivan from the SW MN Private Industry Council were present to discuss the employment services they offer in Southwest MN. Teri discussed the Lyon County adults and students they work with. They support college student by helping pay for transportation costs, books, etc. Mary and Teri also explained that the MFIP program is limited and it is tracked state to state. They meet with everyone; if they are found eligible they are required to work with PIC. They can get sanctioned if they do not work with PIC and if they do not participate their case gets closed. If they don't agree there is an appeal program but their job is to help them increase their hours and secure stability within the job. They also work a lot with Adult Education and have some fast track programs. PIC used to get money for particular counties but now they are the first region in the state to go to a regional budget, each county has a budget of their own but they can move the money around to meet the needs in a different county.

**Landfill Concerns – Don Delanghe**

Mr. Delanghe came to the Board to discuss Landfill issues. He started the conversation by talking about the 2010 manure seepage event but was asked to keep on the Landfill discussion that was requested for the agenda. If Mr. Delanghe would like to discuss that topic again, he will need to request to be on a future Board agenda.

Landfill Supervisor Gene Rasmussen and Environmental Administrator Paul Henriksen were present to answer Mr. Delanghe's questions about garbage on his land by the landfill. Gene Rasmussen explained how he walked through Mr. Delanghe's field to pick up the garbage and he did not even fill a garbage bag with the amount of garbage in the field. Mr. Delanghe did agree that the garbage amount was better but is still wondering how much garbage left on the field is acceptable. Rasmussen said that there should have been nothing from the landfill in the field, he looked once the snow was off and they tried to have it 100% cleaned off.

Mr. Delanghe was also concerned about a wet spot that has been occurring since the County connected a tile line into his private tile line. Paul Henriksen informed the Board that the County paid Mr. Delanghe to get into his tile line and the tile line is on his property. Commissioner Goodenow discussed the idea of doing a tax free exchange for another piece of property and Mr. Delanghe would not have the garbage rolling in and then you wouldn't have to deal with us terrible neighbors. Chairman Anderson would like to see that the tile is working and have a good understanding on how that is going. He also thinks that is a good idea to do the land exchange if the County can find a piece of property.

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Mr. Delanghe's last issue was his unsafe field approach. He said when the County condemned his property his field was left with a very unsafe approach. Chairman Anderson is going to look at the field approach with Henriksen and Rasmussen.

Timothy DeVries came to the Board and requested an answer about his contract with the County when he sold land to the County for the landfill. Chairman Anderson will look into the question and get back to Mr. DeVries.

**Paul Henriksen-Collection Event**

County Environmental Officer Paul Henriksen discussed the County Collection Event on Saturday, June 22, 2013 from 7:00 a.m.-12:00 p.m.

Goodenow motioned and Sanow seconded to approve the County Collection Event on Saturday, June 22, 2013 from 7:00 a.m. until 12:00 p.m. and approve the rates for the collection prices. All voted in favor, motion carried.

**10:00-10:10-----Break**

**John Biren-Conditional Use Permit**

Conditional Use Permit request from Chris Nibbe to operate a gravel pit. The land is owned by Grace McChesney and is located in the Southwest ¼ Section 12 Coon Creek Township.

Stensrud moved, seconded by Ritter to grant a Conditional Use Permit to Chris Nibbe to operate a gravel pit to extract and crush material and an asphalt plant. The property is zoned agricultural. The affected property is owned by Grace McChesney and is located in the Southwest Quarter of Section Twelve (12) in Township One Hundred Ten (110), Range Forty three (43), Lyon County, Minnesota, Coon Creek Township.

With the following stipulations:

- Conditional Use Permit will be reviewed annually.
- Conditional Use Permit is granted for 40 acres or the life of the operation whichever is less.
- Top soil will be stockpiled and used for reclaiming and leveling.
- Reclaiming and leveling of land is to be done as work progresses.
- Grade site after extraction is completed so as to render it usable, seeding required avoiding erosion and an unsightly mar of the landscape.
- Must maintain a back slope of 4:1 or flatter.
- Responsible for maintenance on roads trucks will be hauling on.
- Responsible for dust control on haul roads and service roads within site.

Haul roads designated as: From the gravel pit - 160<sup>th</sup> Ave. North to 210<sup>th</sup> Street. Or East to County Road 15 200<sup>th</sup> Street West and 160<sup>th</sup> Ave South are not designated haul roads.

- Owner must notify the Lyon County Zoning Office when work is complete.
- Must obtain permits from appropriate agencies.
- Must comply with Soil and Water and DNR regulations.
- Consult with township regarding driveway access requirements.
- Adopt Findings of Fact as part of this motion.
- A copy of the Lyon 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, Motion carried.

**RSVP of SW MN, Robin Weis, Executive Director**

Commissioner Goodenow provided some history of Retired Senior Volunteer Program. Executive Director Robin Weis and Lincoln County Coordinator Rosanne Lasnetski discussed the services RSVP provides. Robin explained that the current counties involved pay a per capita based on the 2010 census. Right now there are no incentives to bring on a new county; the federal grants stay the same no matter how many counties RSVP has, but they apply for grants each year. Rosanne works with advisors in each town and they tell her what they need. She also works with the nonprofits- hospitals, clinics, etc. Robin calculated that a ½ time position, volunteers, and drivers would be about \$42,000 per year starting January 1, 2013 for Lyon County. That is the total cost of project without grants.

**Yellow Medicine Watershed Presentation – Cindy Potz**

Cindy Pots presented the annual report and the annual audit report of the Yellow Medicine River Watershed District. Corey Hoffman and John Boulton and Tim Dritz were also present from the Yellow Medicine Watershed.

**County Ditch Inspector Todd Hammer-JD 31 L&L Branch 9 and JD 13 L&L Improvement/Repair**

The Board set a date to meet with Lincoln County to discuss JD 31 L&L Branch 9 and JD 31 L&L and appoint a Board member to replace Bob Fenske. The consensus of the Board was to set the hearing on June 24, 2013 at 9:00 a.m. in Lincoln County.

**JD R&L/JD 15 L&R Improvement**

Redwood County has requested a joint board meeting with the full board for discussion on JD 15 R&L / JD 15 L&R Improvement and to discuss current Viewers' reports on both ditches and to appoint a Joint Board. The meeting will be held on July 16, 2013 at 2:00 p.m. in the Redwood County Commissioners room.

Ditch Inspector Hammer updated the Board on the repair on the tile under County Road 14 in Tracy.

**Administration - HR**

**HR Director Carolyn McDonald-GIS Manager Position**

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The interviews for GIS Manager were conducted on Tuesday, April 23<sup>rd</sup>. The interview committee recommends the Board to approve hire of Brad Digre as GIS Manager for Lyon County. This is an exempt position and annual salary offered is \$55,800 with an expected start date of May 28, 2013. Forty (40) hours of vacation time will be available for the first six months of employment.

Stensrud motioned and Goodenow seconded to approve the offer of Brad Digre as the GIS Manager and the starting salary will be \$55,880 with a start date of May 28, 2013. All voted in favor, motion carried.

**County Administrator Loren Stomberg-Legacy Grant Authorization**

Administrator Stomberg discussed which county official should be authorized to sign Legacy Grant papers.

Goodenow motioned and Ritter seconded to assign the signature authority for the Legacy Grant to the Board Chair on behalf of Lyon County. All voted in favor, motion carried.

**Delinquent Tax Publication Cost**

Administrator Stomberg discussed the cost of publishing the delinquent tax list. Chairman Anderson requested Administrator Stomberg and the A/T E.J. Moberg to do some more research and bring back an updated fee to the Board. Commissioner Ritter was also concerned that the taxpayers who do pay their taxes on time are being punished. Moberg said this list does need to be published in the newspaper to meet the requirements.

**Phone Order**

Administrator Stomberg discussed an email he received from Chris Sorenson in Southwest Health & Human Services that the SWHHS Board did approve phone upgrade system. The County is looking at purchasing phones for the LEC later in the year. If the Board would consider approving purchasing phones now, we could save some money.

Goodenow motioned and Ritter seconded to approve purchasing new phones for the Law Enforcement Center at the same time as SWHHS. All voted in favor, motion carried.

**Meeting Schedule**

**Commissioner Reports**

Sanow: Employee Handbook, Veteran's Town Hall meeting, Sports Commission Meeting, Safety Meeting, MAT Meeting, Drug Court

Ritter: Southwest Health & Human Services, Historical Society

Goodenow: Advance Opportunities, Library Board, Historical Society

Stensrud: Yellow Medicine River Watershed meeting, Western Mental Health, County Ditch 10 Meeting, Historical Society

Anderson: Historical Society, Southwest EMS, Insurance meeting, Planning & Zoning meeting, Southern Prairie Community Care

Ritter motioned, seconded by Goodenow to adjourn at 11:43 a.m. All voted in favor, motion carried.

Commissioner Warrants Approved On 5/21/2013 For  
 Payment 5/22/2013

<u>Vendor Name</u>	<u>Amount</u>
A'VIANDS, LLC	\$ 16,166.70
AUTOMATIC BUILDING CONTROLS	3,470.00
CLARK EQUIPMENT CO.	54,586.08
COTTONWOOD CO-OP OIL COMPANY	3,249.00
FARMERS COOP ASSN	18,908.99
FARMERS COOPERATIVE ASSOCIATION	2,173.80
GALLAGHER BENEFIT SERVICES, INC.	3,032.50
KRIS ENGINEERING INC	3,280.04
LYON COUNTY HIGHWAY DEPARTMENT	5,307.84
MARSHALL MUNICIPAL UTILITIES	7,956.14
MN ELEVATOR INC	3,174.00
NORTH CENTRAL INTERNATIONAL, INC	11,137.07
POWERPLAN---RDO EQUIPMENT INC	13,650.35
PRAIRIE PRIDE	4,270.43
PROACTION SAFETY & SALES	3,609.78
RJF MINNEAPOLIS	4,666.66
ROCK COUNTY TRANSFER STATION	6,670.00
SAMPLETECH	5,440.00
SWHHS	3,493.21
80 Payments less than 2000	32,065.87
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Final Total:	\$ <u>206,308.46</u>

Auditor Warrants Approved On 5/21/2013 For Payment 5/09/2013

<u>Vendor Name</u>	<u>Amount</u>
AREA II MN RIVER BASIN PROJECTS INC	\$ 20,843.90
CORELOGIC REAL ESTATE TAX SERVICE	17,645.40

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GREAT PLAINS NATURAL GAS CO	7,614.30
LYON-LINCOLN ELECTRIC COOP INC	4,257.86
MARSHALL AREA CHAMBER OF COMMERCE	3,000.00
MII LIFE - VEBA	13,560.00
MN DEPT OF TREASURY	8,033.50
MN POLLUTION CONTROL AGENCY	59,235.88
MN STATE AUDITOR	9,467.00
SECURE BENEFITS SYSTEMS	5,243.86
SWHHS	59,843.89
WELLS FARGO REAL ESTATE TAX SERVICE	2,681.00
22 Payments less than \$2000	10,079.64
	\$ 221,506.23

Auditor Warrants Approved On 5/21/2013 For Payment 5/09/2013

<u>Vendor Name</u>	<u>Amount</u>
SOUTHWEST SANITATION INC	\$ 21,389.00
	\$ 21,389.00

Auditor Warrants Approved On 5/21/2013 For Payment 5/16/2013

<u>Vendor Name</u>	<u>Amount</u>
ELECTION SYSTEMS & SOFTWARE INC	\$ 10,892.78
LYON COUNTY SHERIFF	4,841.95
MARSHALL LYON COUNTY LIBRARY	86,971.73
MARSHALL MUNICIPAL UTILITIES	17,946.47
NOBLES COUNTY SHERIFF	7,341.95
SWHHS	64,238.94
YELLOW MEDICINE COUNTY SHERIFF	4,841.95
22 Payments less than \$2000	4,742.51
	\$ 201,818.28

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 Rick Anderson  
 Board Chairman

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 Attest: Loren Stomberg  
 Lyon County Administrator