

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
March 6, 2001

Meeting called to order by Chairperson Fenske. Members present: Buysse, Fenske, Gladis, Nelson, County Attorney Maes and Auditor/Treasurer VanOverbeke. Members absent: Goodenow.

Pledge of Allegiance to the Flag.

Buysse moved, seconded by Gladis to approve the February 20, 2001 minutes.

Ditch vouchers were presented by Hammer. Hammer – Paula and I went over the bills and did not put Yellow Medicine County JD #10 bill in consideration. The JD #10 voucher from Yellow Medicine County is for about \$15,000. They are charging us interest on it. Yellow Medicine County still owes us for the Expert Witness fees which were \$35,000. Fenske – Charge interest on the Expert Witness bill with an interest rate determined according to the court. I question whether to pay any Yellow Medicine County bills when they owe us money. Maes – How much interest have they charged us? Hammer – About \$300. Maes – Pay the rest of the Yellow Medicine bills and subtract \$300. It's being appealed. Fenske – We can pay these bills and then they will have one of ours and we will have one of theirs. Hammer – We received a bill on JD #34 from Redwood County. We have levied for it, and I have no problem paying it, but there is no money in the account yet. When the money comes, we will present it to the board for payment. Buysse moved, seconded by Nelson to approve the ditch vouchers that were presented. All voted in favor.

Hammer – Planning and Zoning made a recommendation to deny approving a Conditional Use Permit to Gruhot, Slagel and Lozinski to operate a business (commercial storage) because setbacks were not met, it was not properly zoned and there was an access problem. The access problem has been met. I wrote up a list of recommendations for the board to consider. Planning and Zoning denied it, but they suggest using the following stipulations if the board approves:

1. No septic or plumbing, if connected must be disconnected.
2. No signage.
3. No outside storage.
4. Access
5. A copy of the County Board Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees will be billed to the applicant for the actual costs incurred by the county for the recording fees. Applicant may also be responsible for any legal fees that may be incurred in this matter.
6. If property is sold, the Conditional Use Permit is non-transferable.

VanOverbeke – have you talked to the Records Office? Hammer – Yes, I've talked to Jeanine. Gladis – If there's a violation of the stipulations, what do you make them do if it's revoked? Tear down the building? Hammer – It would go back to an empty building, but not tear it down. Gladis – If it gets sold down the line, what happens? Hammer – They'll have to come back to us since it will be recorded that way. Gladis – Could it be used for their own personal storage? Hammer – Yes.

Buysse moved, seconded by Nelson to grant an After the Fact Conditional Use Permit to Ricky and Patricia Slagel to operate a business (commercial storage) on land zoned agricultural. The property is located in Tract "A", Northwest Quarter (NW1/4) of Section 18 of Lake Marshall Township as recorded in Document 126244 with the six stipulations as stated above. All voted in favor.

Nelson moved, seconded by Buysse to grant an After the Fact Conditional Use Permit to David and Sharon Gruhot to operate a business (commercial storage) on land zoned agricultural. The property is located in Tract "B", Northwest Quarter (NW1/4) of Section 18 of Lake Marshall Township as recorded in Document 130164 with the six stipulations as stated above. All voted in favor.

Gladis moved, seconded by Nelson to grant an After the Fact Conditional Use Permit to Dennis and James Lozinski to operate a business (commercial storage) on land zoned agricultural. The property is located in Tract "C", Northwest Quarter (NW1/4) of Section 18 of Lake Marshall Township as recorded in Document 126284 with the six stipulations as stated above. All voted in favor.

Hammer – In 1999, Planning and Zoning recommended accepting a preliminary design plat for Tom Geske's property near Lynd. But now, they have recommended to deny the final plat because of installing 10 new septic systems and the neighbors have issues. Gladis – What's the city of Lynd's input? Hammer – They would accept him into the city limits, but he wants horses and the City of Lynd won't let you have animals. There may be some issues between him and the City of Lynd where Tom can come back to us with a different plan in 6 months, so for right now, I recommend that it be denied. Fenske moved, Buysse seconded to deny the final plat for Tom Geske. All voted in favor.

Buysse moved, seconded by Gladis to approve a resolution that states that the county board supports the voluntary planting of permanent grass by landowners along public county and judicial systems as long as future cleaning and maintenance is not compromised by this resolution. The planting of permanent grass along its public drainage ditches, streams and rivers be of public benefit and promote the health, safety and welfare of Lyon County. Discussion with

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Rose Anderson and Todd Hammer. All voted in favor. Resolution on file at the County Administrator's office.

Road and Bridge vouchers were presented by Benson. Buysse moved, seconded by Gladis to approve the vouchers. All voted in favor.

Bids were reviewed for seven paving projects.

Engineer's estimate	\$1,334,751.00
Dunninck Brothers	\$1,116,192.25
McLaughlin & Schultz	\$1,163,088.25
Central Specialties	\$1,171,043.25

Gladis moved, seconded by Nelson to award the bid for bituminous state-aid paving to Dunninck Brothers for \$1,116,192.25. All voted in favor.

Ron Halgerson presented the revised plan for the Household Hazardous Waste and Public Works facility. Halgerson – The challenge has been to take Public Works, Environmental and Household Hazardous Waste together with their functions and deal with the fairgrounds road, existing underground fuel sites, air space and make it more visible. We put a cover above the area where people can drive up and unload. We could construct with provisions for a second floor or construct the second floor and leave it unfinished. Benson – We have a problem with the county road. There's a 33 foot right of way and a 25 foot setback requirement. The county will pursue a variance from the city to be only 5 feet away from the setback. Halgerson – There is an update on the cost estimates. Instead of replacing the wall panels on the existing building, we can paint the panels to match which will save about \$20,000. Option A is to construct the new building with provisions for a future second floor incorporated including structural framing, precast deck, a second stairwell and elevator hoistway. The elevator and second metal stair are not required until the second floor is constructed. Estimate for Option A is \$1,100,000 - \$1,200,000. Option B is the same as Option A except that a 6,220 sq. ft. enclosed, unfinished second floor is proposed above the Public Works Office. Option B includes the elevator and second metal stair. Estimate for Option B is \$1,430,000 - \$1,530,000. Soil conditions aren't the best, so the cost for excavation and fill is included. Benson – The garage addition isn't as important to decide on as the building itself. We can separate projects out. Gladis – We need to look at using outside of county buildings. Fenske – How many vacant offices would you have? Benson – 1 Environmental, 1 GIS, 1 Planning and Zoning – 3 for expansion. There's no room for expansion except to go up. Fenske – Could you rent out? Benson – Sure. Like the Government Center has done. Fenske – Now the Government Center is full with renters, too. Benson – We are working on a loan agreement through Environmental to set up funds. Fenske – Good to work on funding without a big tax increase. Halgerson – We would like to start construction late fall or next spring, for occupancy next summer. Benson – We would like to see it fully enclosed by this fall. We will use county people and equipment to cut down on costs. Fenske – Board, what are your thoughts on building the second floor? Gladis – Add second level now since we will probably use it in the future. Halgerson – This facility could have a full basement – since it has two means of exit. Buysse – Is water a problem? Halgerson – It's always an issue but we work around that with waterproofing, tile around it, etc. Fenske – What's your thoughts, Anita, on the basement? Benson – At \$30 a square foot unfinished – would be around \$180,000 – you can't go back and add a basement. It could have offices or storage. Gladis – Basement is a wise route to go – the cost is minimal and we'd be sorry if we didn't put the basement under it. Benson – It could be a storm shelter during the fair. Nelson – Would you not use the offices at the old highway department? Benson – No. They need to be over there. Gladis moved, seconded by Buysse to go with Option B with a full basement and authorize design development to Group II Architects. All voted in favor.

The GIS coordinator position was put on hold until the March 20 meeting so that a decision will be made with a full board.

Dean Champine gave an update on the Jennie-O Foods, Inc. tax appeal. Champine – We will go to St. Paul in court on this tax appeal for about 2 or 3 days, depending on how many witnesses get called. We won't know for at least 90 days after that. It was appraised at 2.4 million. Their appraiser appraised it at \$900,000.

The County Board of Equalization was rescheduled for Monday, June 18, 2001 at 7:00 PM.

General Revenue Vouchers and Trust Fund Payments were presented. Buysse moved, seconded by Gladis to approve the general revenue vouchers and trust fund payments. Discussion.

General Revenue Fund	\$58,536.54
Road & Bridge Fund	\$38,008.51
Landfill Special Revenue Funds	\$14,533.97
Water Projects – Special Revenue	\$75.00
Ditch Fund	\$1,306.74
Total	\$112,460.76

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Beginning Warrant Number:332935; Ending Warrant Number:333035. All voted in favor.

Buyse moved, seconded by Gladis to authorize Audit Services for the State Auditors to do Lyon County's audit. All voted in favor.

Buyse moved, seconded by Gladis to approve the Indirect Cost Allocation Contract for 2 years. All voted in favor.

Buyse moved, seconded by Fenske to approve per diems of \$100 and \$45.54 for mileage to Gladis. All voted in favor.

Nelson moved, seconded by Buyse to approve \$14,119 from the Improvement Fund requests to Taunton (\$5,000 park project), Cottonwood (\$1,874 electric door opener at the Community Center), Tracy (\$5,000 in Prairie Pavilion improvements) and Russell (\$2,275 Park Project). All voted in favor.

Maes – The Environmental Appeals Board listened to arguments in the Heartland Tax Appeal and it will be about 6 to 9 months before they make a decision. Discussion.

Buyse moved, seconded by Gladis to approve Landfill Vouchers. All voted in favor.

Henricksen – There are provisions in our budget for a new pickup (3/4 ton, 4-wheel drive, gas) – no trade in. Lockwood Motors had the lowest bid of \$25,354.13. Buyse moved, seconded by Gladis to approve the purchase of a new pickup from Lockwood Motors. All voted in favor.

Henricksen – The OEA (Office of Environmental Assistance) is conducting four 2-day long meetings. We have 3 people that represent our region that we would like to send to this meeting. We need to support them since they represent our area. Gladis moved, seconded by Fenske to support up to \$2,000 from the landfill account. All voted in favor.

The board recommended that Henricksen and the RDC to update the Regional Consensus.

SEH Engineering did a presentation on a study for Lyon County on a Shredder and Processing Drum to save on volume at the landfill. SEH recommended the processing drum for Lyon County.

Fenske – Applications for the County Administrator position are still coming in.

Fenske – Anita Benson, Director of Public Works has just completed 6 months in her position. Fenske moved, seconded by Gladis to give Benson the 3% cost of living increase that the rest of the county received effective 3-1-01. All voted in favor.

Buyse moved, seconded by Gladis to adjourn the meeting until Tuesday, March 20, 2001 at 9:00 AM.

Robert Fenske, Chairperson

Attest: _____
Paula VanOverbeke
Auditor/Treasurer