

UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
September 4, 2001

Meeting called to order by Chairman Fenske. Members present: Buysse, Fenske, Goodenow, Nelson, County Attorney Maes, County Auditor/Treasurer Van Overbeke and County Administrator Lewis. Absent: Gladis.

Pledge of Allegiance to the Flag.

Agenda approved with addition of discussing a draft resolution dealing with the water plan.

Ditch Vouchers were presented. Hammer – Concerned with the repair on JD#9 Lyons. Part of the ditch is in the US Fish and Wildlife Management area. The ditch is in the hole at this time. Branch 9 was not draining so we had to repair it. It cost \$325. Part of the problem is that we are trying to abandon it. Discussion. Goodenow moved, seconded by Buysse to approve the ditch vouchers. All voted in favor.

Discussion on Marshall Sand and Gravel EAW. Hammer – The Planning and Zoning Commission passed two motions. The first one recommended approval of the EAW contingent on MPCA and DNR permits. There was discussion on storm water runoff. And the second one recommended approval of the EAW and that no Environmental Impact Statement would be needed. Discussion. Goodenow moved, seconded by Buysse to approve the EAW for Marshall Sand and gravel, Inc. contingent on MPCA and DNR permits and an Environmental Impact Statement is not needed because questions and concerns were answered adequately. Goodenow – We do have storm water runoff concerns, but they have to have many more permits before the final engineering and with that engineering will be a plan for the runoff. All voted in favor.

Hammer handed out a letter from MnDot stating that they would not allow another access off of Highway 68 for Hefty Seed Company because there is a township road right there. Hammer – They are looking at building by Paul's Cycle.

Goodenow moved, seconded by Buysse to approve the minutes from the August 7th and 21st meetings. All voted in favor.

Road and Bridge Vouchers were presented. Goodenow moved, seconded by Nelson to approve the road and bridge vouchers. Discussion. All voted in favor.

Benson – SP 42-602-30 is a Federal Aid project for 2002, which will reconstruct CSAH 2 between CSAH 9 and the Lyon/Redwood County Line. The replacement of the bridge over the Cottonwood River and straightening of the roadway in the area of the bridge has created a need for a Phase I Archaeological Survey. This is required to complete the environmental documentation for the project. MnDOT has received a proposal for the archeological work from Florin Cultural Resource Services to perform the necessary work. The total contract amount is \$4,961.50. MnDOT will be responsible for \$3,969.20 (80%) and Lyon County will be responsible for \$992.30 (20%) which is eligible for reimbursement from the CSAH account. Need to pass a resolution entering into an agreement for Archeological Services with MnDOT. Buysse moved, seconded by Goodenow to adopt the resolution(on file at the County Administrator's Office) entering Lyon County into an agreement for Archeological Services with the State of Minnesota, Department of Transportation. All voted in favor.

Benson – Need to adopt the deer hunting resolution for Garvin Park. Discussion. Buysse moved, seconded by Goodenow to adopt the resolution (on file at the County Administrator's Office) establishing that bow hunting for deer in Garvin Park will begin September 15th and run through December 31st and all State rules and regulations will apply. All voted in favor. Goodenow – Will the park be closed? Benson – No.

Landfill Vouchers were presented. Discussion. Goodenow moved, seconded by Buysse to approve the landfill vouchers. All voted in favor.

Henriksen - I have given you a draft resolution for updating the Comprehensive Water Management Plan. Discussion. Buysse moved, seconded by Goodenow to adopt the resolution (on file at the County Administrator's Office) to update the Lyon County Comprehensive Water Management Plan. All voted in favor.

Henriksen – Joel Carlson met with representatives from MPCA. They talked about a variance and the new permit. Maes – They have changed their mind again about the so-called wetland. Lewis – I have been contacted by Seifert's office and Kennedy's office. I think we should have Carlson put together an executive summary on this matter so we can send it out so the legislators have something to go on. Discussion.

General Revenue Vouchers and Special Water Projects were presented. Goodenow moved, seconded by Buysse to approve the general revenue vouchers and special water projects. Van Overbeke – I was not sure where to put the bill from Group II for the 4-H Building conversion. I could not find that there was any designation as to where to take it out of so I took it out of

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Building and Improvement. Do you want it taken out of somewhere else? Discussion. Fenske – We will leave it as is. All voted in favor.

General Revenue Fund	\$51,160.39
Road and Bridge Fund	\$140,934.56
Landfill Spec. Rev. Funds	\$11,756.74
Water Projects-Spec. Revenue	\$361.00
Ditch Fund	\$2,779.75

Beginning Warrant Number: 334970; Ending Warrant Number: 335079.

Lewis – I have an update on funding for the Public Works/HHW facility. This morning I had a conference call with bond counsel. We have run into a couple problems with the lease bonding, but I believe we can work it out. The City of Marshall will discuss the issue at a meeting tomorrow afternoon. We will hopefully be able to consider awarding bids on the 18th of September. Discussion.

Lewis – I gave you a copy of a Preliminary Resolution relating to the PW/HHW facility. Discussion. Goodenow moved, seconded by Nelson to adopt the Preliminary Resolution (on file at the County Administrator's Office) requesting that the Marshall Economic Development Authority issue revenue bonds to finance construction of a portion of a facility to be used for public works offices and related purposes and for household hazardous waste collection and recycling in the amount of 1,500,000. All voted in favor.

Discussion on Annual AMC Conference and who will attend.

Fenske – Connie Schwartu has requested out-of-state travel. Buysse moved, seconded by Goodenow to approve out-of-state travel for Connie Schwartu. All voted in favor.

Per diems were presented. Goodenow moved, seconded by Fenske to approve the following per diems and mileage.

Fenske	\$55.98	Mileage
Nelson	\$180	Per diems
	\$50	Per Diem
Goodenow	\$50	Per Diem

All voted in favor.

Discussion on precinct counters.

Jeanine Barker gave an update on the Recorder's Office. Barker – This is a big transition period. UCC's are lower. Vital Statistics can be printed from anywhere in the State. Torrens Work is up from last year. Birth Certificates have gone down from \$14 to \$13 and Marriage Certificates are cheaper if you have had premarital counseling. For a child under fourteen to get a passport, both parents must sign, but there are some exceptions. Discussion.

Meeting Recessed.
Back to Order.

Jay Trusty, Director SWRDC, met with the board to update on Long Term Care and the status of the SWRDC. Fenske – I am pleased that Trusty is on board, though he will be missed at PHS. Trusty explained Long Term Care initiatives and legislative mandates. Discussion. Goodenow – I am not sure what the SWRDC does for me. Trusty – I hope to be able to give you a better answer in the future. Right now a lot of my time is taken by the Prairie Expo. I have three planning staff and it is hard to give enough attention to the 9 counties and 80 cities we serve. We need to get through the Prairie Expo thing and then we will focus more on Regional Development. Discussion. Fenske thanked Trusty for coming.

Discussion on Preliminary Levy.

Discussion on Appropriations.

Humane Society discussion. Goodenow – My suggestion would be to fund the Humane Society about \$2,000 and possibly move the rest into the Sheriff's budget. The Humane Society could charge the Sheriff's Department per animal and then the Sheriff's Department could decide whether to charge the township etc. It would be up to the Sheriff's Office whether to take them to the Humane Society or somewhere that might be cheaper. The Sheriff's Office could possibly negotiate a price. The \$2,000 appropriation for the Humane Society would have no strings attached. Maes – So in a sense, you would separate the Humane Society from impoundment. Goodenow – Impoundment is a cost of the Sheriff's Office. Maes – The Sheriff's Office is not very active in picking up stray animals. They refer the problem to the township or municipality. Lewis – Budgeting for animal control services would mean the County would be in the business of animal control. My previous experience is that the county did not become involved with animal control. The township or municipality took on the responsibility. Supporting the Humane Society is a good idea. Goodenow – Maybe the Sheriff's Office does not pick up animals at all unless

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they are dangerous. Lewis – Maybe we should have the Sheriff back to talk about this process. Discussion.

Myron Knutson met with the Board to discuss the Lease Revenue Bonding for the PW/HHW facility. Knutson handed out a booklet explaining the tax impact for 15 and 10-year bonds and the interest cost for both. Fenske – What are the rates? Knutson – Very low. Discussion.

Goodenow moved, seconded by Buysse to close the meeting to discuss potential litigation. The representatives from the City will be staying as they are financial partners in this. All voted in favor.

Goodenow moved, seconded by Buysse to open the meeting.

Fenske – We received a decision on the tax case between Jennie-O/Heartland Foods and the County of Lyon. Lewis – I will give a statement to the press after the meeting.

Discussion on tax base and tax capacity with Champine.

Discussion on Appropriations continued.

Memorial Day – will stay the same.

Travel SW and Southern MN Tourism Discussed. Goodenow – I would rather give the money to our local Convention and Visitor's Bureau, but they were not here to request any funds and they don't seem to be doing as good of a job as they could. I am disappointed.

Goodenow – I think we could drop the \$50,000 for the soccer/hockey project and use reserves when that comes up. Maybe we could do the same thing for the Tracy Swimming Pool.

RSVP discussion. Goodenow – We will need a joint powers agreement with them before we can actually give them money. The request that they are making is not exactly an increase. This was previously included in the Human Services budget and HS has reduced their budget by that much. Van Overbeke – There has been some concern with them not reporting back. Discussion.

Lewis – In reference to the travel groups, it is very hard to get accountability for money going to them as to what extent the investment impacts local businesses. If commissioners or citizens could sit on their boards, there would tend to be more accountability to insure that local businesses are being served. If there is a local travel entity, the County could work through that entity, who then could choose which strategy was best in working with other travel groups.

Discussion on Public TV.

Discussion on SWMN Foundation.

Discuss taking the appropriation for the MN River Basin out of the Water Fund.

Discussion on appropriating the Ag Society \$18,000.

Discussion on arts and humanities.

Discussion on Historical Society.

Discussion on giving the Prairie Ecology Bus the same as last year.

Discussion on the Small Business Development Center.

Discussion on County Improvement Fund.

RSVP – Possibly appropriate \$21,000.

Public TV – The Commissioners agreed that this was not really a County Government responsibility though it is very worthwhile. Nelson – They need help converting to digital. Goodenow – And the State has taken away a lot of funding.

Discussion on if the SWMN Energy Task Force is really an appropriation. Fenske – A good share of the money goes to lobbyists etc. Discussion on where the \$3,000 should come out of.

Discussion on preliminary budget and levy.

Goodenow moved, seconded by Nelson to set the preliminary levy for 2002 at \$7,340,000 which represents approximately a 9.9% increase. All voted in favor.

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Buyse moved, Nelson seconded motion to adjourn the meeting until Tuesday, September 18, 2001 at 9:00 A.M.

Robert Fenske, Chairman

Attest: _____
Gregory D. Lewis
Lyon County Administrator