

**UNOFFICIAL MINUTES - SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
October 15, 2002

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

Pledge of Allegiance to the Flag.

Biren presented Conditional Use Permits (CUP's).

CUP – Bryan and Debbie Smith.

Discussion.

Nelson moved, seconded by Goodenow to grant a Conditional Use Permit to Bryan and Debbie Smith to do shoreland alterations on Lake Yankton. The shoreland alterations will consist of the following: Fill in a washout with 125 cubic yards of material. Remove 12 cubic yards for landscaping. Riprap 102' long by 10' of shoreline. The land is being purchased from Craig Gifford and is located in Lot 29 and the North Half of Lot 30, Block One (1) of Kastjaga Addition, Rock Lake Township. As per recommendation of the Lyon County Planning and Zoning Commission and the Rock Lake Township Board. With the following stipulations:

1. Work to be completed within one year of DNR permit date.
2. Must follow the Lyon County Zoning Ordinance and DNR Shoreland regulations.
3. 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 and address of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.
4. Must receive DNR permit before work starts.

Voting For: Nelson, Goodenow, Fenske, Buysse, Gladis

Biren – The DNR will also issue a permit for this. The DNR can delegate this to counties and to let you know, the local DNR hydrologist would like to present that possibility to the board in the future.

CUP – R&G Construction.

Discussion. Fenske – If they want it more than one year? Biren – Then I would recommend that they make application for a permanent site.

Goodenow moved, seconded by Buysse to grant a Conditional Use Permit to R and G Construction for a Demolition Debris Permit by Rule Site on land zoned agricultural. The land is located in the SE1/4 NE1/4, Section 20 of Custer Township. As per recommendation of the Lyon County Planning and Zoning Commission and the Custer Township Board. With the following stipulations:

1. The demolition debris facility shall be operated for less than twelve (12) consecutive months or up to 15,000 cubic yards of demolition material. Permit to run concurrently with MPCA permit.
2. Must obtain a MPCA permit and follow their regulations.
3. Weeds must be controlled or permit will be revoked.
4. 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.
5. Must repair any tile lines that may be damaged.

Voting For: Nelson, Goodenow, Fenske, Buysse, Gladis

CUP – Duane Maeyaert.

Discussion. Biren – There is a one year stipulation and we will review after that.

Gladis moved, seconded by Nelson to grant a Conditional Use Permit to Duane Maeyaert to move in a mobile home as a place of residence in a farming capacity. The property is located in the SE1/4, Section 15 of Custer Township. As per recommendation of the Lyon County Planning and Zoning Commission and the Custer Township Board. With the following stipulations:

1. Conditional Use Permit is granted for 1 year, renewable.
2. Must follow the Lyon County Zoning Ordinance.
3. If mobile home is not occupied by applicant, it must be occupied by at least one of the adult occupants employed in general farming activities carried out on the parcel.
4. Mobile home to be anchored and skirted.
5. Site must be kept clean (no junk cars, weeds controlled).
6. Conditional Use Permit is non-transferable.

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7. Septic system to be designed and installed by a licensed contractor and inspected by the Zoning Office.
8. 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 and address of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

Voting For: Nelson, Goodenow, Fenske, Buysse, Gladis

CUP – Dale Hatch.

Discussion.

Goodenow moved, seconded by Nelson to grant a Conditional Use Permit to Dale Hatch for a petroleum contaminated soil land treatment site on land zoned agricultural. The land is located in part of the NE1/4NW1/4 and NW1/4NE1/4, Section 36 of Monroe Township. As per recommendation of the Lyon County Planning and Zoning Commission and the Monroe Township Board. With the following stipulations:

1. Conditional Use Permit is granted for a period of 1 year.
2. Must submit a copy of MPCA permit to Zoning Administrator prior to hauling contaminated soil onto site.
3. Must notify Zoning Administrator of starting date for hauling material from each new site.
4. All soil to be disposed of and/or treated shall originate in Lyon County.
5. Must follow MPCA requirements and the Lyon County Zoning Ordinance.
6. EAW not required.
7. A copy of the Lyon County Board of Commissioner's Motion shall be filed with the County Recorder's Office along with the address of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.
8. Conditional Use Permit is non-transferable.

Voting For: Nelson, Goodenow, Fenske, Buysse, Gladis

Biren – You approved the re-determination of benefits on CD#34 and wanted the viewers to put that as a top priority. They have requested that you officially request that they stop working on CD#56. It was the board's consensus that the viewers should temporarily suspend work on CD#56 and work on CD#34.

Ditch Vouchers were presented. Discussion. Goodenow moved, seconded by Gladis to approve the ditch vouchers. All voted in favor.

Hammer handed out information from the viewers on the outlet petition from Ed Verly on CD#68. Hammer – I recommend setting a public hearing to approve this. Fenske – The hearing for CD#68 outlet petition will be November 19<sup>th</sup> at 9:10 at the Lakeview School in Cottonwood.

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

Benson – I am requesting approval to acquire updated engineering software. This is in my budget. I received quotes from two companies and even though the one from CAD Tech Ctr. Inc is \$4 higher, I would recommend purchasing from them. Their quote is \$6,541.95. This company offers training. The other quote is from a smaller company and I am not sure if we would get the same service. Both are out of the twin cities area. Goodenow moved, seconded by Gladis to approve acquisition of engineering software from CAD Tech. Ctr. Inc. in the amount of \$6,541.95. All voted in favor.

Benson – We have looked into the possibility of getting a postage machine for the Public Works Building. This is not budgeted for and would possibly be a candidate for the tech fund. We have looked at a B700, Post Perfect with a lease option of \$46 per month. They have a good service record. Fenske – How will this be handled? Benson – I have talked with the Post Office and they are willing to drop off and pickup mail at the Public Works Building. I think this would save a lot of staff time. Discussion. Goodenow moved, seconded by Gladis to approve leasing a Post Perfect postage machine at \$46 per month to come out of non-departmental (801) for this year. All voted in favor.

Benson – The Farm Service Agency requested a letter with the Official County Seal stating that Rick Anderson has the Power of Attorney to sign for the farm program. Goodenow moved, seconded by Buysse to approve the letter stating that Rick Anderson has the Power of Attorney to sign for the farm program. All voted in favor.

Benson gave an update on transportation funding.

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

Henriksen – Construction is going pretty good. They are laying the sand now. Discussion.

General Revenue Vouchers, Water Projects, and Capital Projects were presented. Buysse moved, seconded by Nelson to approve general revenue vouchers, water projects and capital projects. Discussion. All voted in favor.

General Revenue Fund	\$104,551.68
Road and Bridge Fund	\$63,287.27
Landfill Special Rev. Funds	\$112,658.33
Water Projects – Spec. Rev.	\$306.00
Capital Project Funds	\$40,422.77
Ditch Fund	\$1,684.40
Total	\$322,910.45

Beginning Warrant Number: 339675; Ending Warrant Number: 339833.

Auditor's Warrants were presented. Gladis moved, seconded by Nelson to approve warrants 339620 to 339638 in the amount of \$323,602.91 dated 10/03/02 and warrants 339639 to 339672 in the amount of \$78,963.93 dated 10/10/02. All voted in favor.

Lewis – The Court Administrator and Judges are asking for additional space to meet court operations needs. There is a room being used for storage around behind Extension that could be used for the Guardian ad Litem. Krause has estimated that finishing this room will cost approximately \$4,850. This room would be used temporarily pending future planning. Discussion. Goodenow – I want to make sure that it is clear that this will be used temporarily and I would also like them made aware of what we could charge for renting that space. Discussion. Goodenow moved, seconded by Gladis to finish the storage space on third floor behind Extension to make it temporarily available for the Guardian ad Litem and to take the cost out of Building and Improvement. All voted in favor.

Lewis gave an update on moving his office and Van Overbeke's office.

Lewis – Would like to discuss the cafeteria/flex administration. The Insurance Committee has identified two proposals for consideration. One is from The Stanton Group and the other is from Secure Benefits. The Insurance Team is leaning toward Secure Benefits. Discussion. Gladis moved, seconded by Nelson to accept Secure Benefit's proposal for cafeteria/flex administration. Goodenow – With the intent of pursuing a cafeteria plan. All voted in favor.

Meeting Recessed.  
 Meeting Back to Order.

Lewis – I would like input on what the board thinks about filing an extension for HIPPA compliance. Maes – I don't believe we are covered. Lewis – I think we are remotely covered at best. Filing for the Extension does not hurt anything and it may be safer to file. Discussion. Fenske – It is the consensus of the Board to file the extension.

Maes gave an update on current cases.

Jay Trusty and a member of the Prairie Discovery Center committee gave a presentation on the Prairie Discovery Center Project. Discussion. Gladis moved, seconded by Goodenow to approve the resolution supporting the Prairie Discovery Welcome Center project. Voting For: Gladis, Fenske, Buysse and Goodenow. Abstaining: Nelson.

Per Diems and expenses were presented. Gladis moved, seconded by Goodenow to approve the following:

	Per Diems	Expenses
Fenske	\$120	
Buysse	\$195	\$61.25
Nelson	\$30	
Goodenow	\$30	

All voted in favor.

Discussion on flu shots. Goodenow moved, seconded by Gladis to approve the County paying for flu shots for any county employee who wishes to get it. All voted in favor.

Commissioner Reports:

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Gladis reported on the Public Health Meeting and the Library Meeting he attended. Gladis – I would like to take a close look at appropriations and what is coming out of reserves.

Goodenow reported that he attended a Families Project meeting.

Buysse reported on the Personnel Team Meeting and mentioned that there could possibly be a 4 billion dollar deficit.

Fenske reported on the zoning ordinance meeting and arbitration.

Lewis mentioned that after the election they would invite the officials to come to a meeting in December.

Lewis – I am working with Lakeview School to schedule a November Board meeting there.

Discussion on dates for meeting with the southern cities in the County.

Meeting Recessed.  
Meeting Back to Order.

Goodenow moved, seconded by Nelson to close the meeting to discuss arbitration. All voted in favor.

Gladis moved, seconded by Buysse to open the meeting. All voted in favor.

Discussion on Capital Improvement Plans.

Lewis explained the benefit of having a CIP.

Benson discussed Park items. Benson – At the Park Board meeting last night, we discussed possible land acquisition and trails. Anderson explained trails options and showed where the land could possibly be acquired. Benson – Is the board open to discussing the full 147 acres?  
Discussion.

Benson – We would like to update the playground equipment at Garvin Park. From the survey results, we have seen that water equipment would be a big attraction. Right now we are researching playground equipment that incorporates water. Discussion on possible funding sources. Nelson – I am going to submit this as a project for RC&D, but we would be competing with nine other counties for funding.

Benson – Another part of the CIP would be master planning for Garvin Park. Anderson – The last one was done in 1969. Goodenow – And it is complete. Benson – We would have public meetings to get input. Gladis – Couldn't SRDC help? Anderson – Yes, I believe they could. Benson – We would need to have someone that is knowledgeable in park planning facilitate the meetings.

Benson mentioned and discussed with the Board other items to be included in a CIP, they are as follows:

- Fairgrounds Master Planning
- RR Crossing upgrades (somewhat dependent on Burlington Northern)
- Locally funded paved roads
- Pavement management study
- E- 911 Signage. Goodenow – I have heard a lot from people that they want signs. Benson one township said they would assess and payback the County. Gladis – I don't think we should even consider rural residence signs. Discussion on GPS units in emergency vehicles.
- Highway Shop Expansion
- Water Retention/Flood Control Study

Lewis explained the background on over utilization in the LEC/Jail and the Government Center.

Discussion on Jail Project and LEC.

Goodenow – Could you please provide the Commissioners with a report card so we can rate these?

Discuss Court Facilities Remodeling.

Discuss Government Center improvements.

Discussion on Group Home.

Gladis reported on the Fairboard meeting and gave an update on the financial status.

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Buyse moved, Gladis seconded motion to adjourn the meeting until November 5, 2002 at 9:00 A.M.

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Robert Fenske, Chairman

Attest: \_\_\_\_\_  
Gregory D. Lewis  
Lyon County Administrator