

OFFICIAL MINUTES

LYON COUNTY BOARD OF COMMISSIONERS

LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN

April 4, 2006

9:00 AM - Meeting called to order by Chairman Ritter. Members present: Buysse, Fenske, Goodenow, Nelson, Ritter, County Attorney Maes, and County Administrator Stomberg.

Pledge of Allegiance to the Flag.

Approve Agenda

Buysse moved, seconded by Nelson to approve the agenda with the following additions: Introduction of New Sheriff's Deputy and an E911 Signage Update. All voted in favor.

Consent Agenda

The following per diems and expenses were presented.

	Per Diems	Expenses
Buysse	\$ 40	\$ 77.84
Fenske	240	105.91
Goodenow	170	30.48
Nelson	370	524.64

Items 1-5 from the Consent Agenda were presented.

1. Minutes from the March 21, 2006 Board Meeting.
2. Commissioner Warrants #102296 - #102392 dated 04/05/06 in the amount of \$233,418.18.
3. Auditor Warrants #102233 - #102246 dated 3/23/06 in the amount of \$100,628.30 and Auditor Warrants #102251 - #102267 dated 3/30/06 in the amount of \$52,877.94.
4. Per diems and expenses previously presented.
5. Approve Signature of 2006 Natural Resources Block Grant Agreement.

Goodenow moved, seconded by Fenske to approve Consent Agenda Items 1-5. All voted in favor.

Introduction of New Sheriff's Deputy

Sheriff Joel Dahl introduced new Deputy Bryan Bose. Bose started on March 27th.

County Surveyor Annual Update

Lyle Moseng, County Surveyor, gave an annual update on surveying progress and introduced his new partner, Dan Bueltel. Bueltel is a licensed land surveyor in Minnesota. Bueltel-Moseng Surveying is the name of their firm.

Approve Fairgrounds ATV/ATC Resolution

Anita Benson, PW Dir./Co. Engineer, requested the Board approve a resolution prohibiting ATV/ATC use on the Fairgrounds. Benson – We have had ATC's running around at the Fairgrounds after one of the last snows. They tore up some of the grass out there. Marshall Police kicked them out. They contacted me about whether we had anything in writing on how we handle this. This resolution will allow Marshall PD as well as County Deputies to enforce the resolution requirements.

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Motion by Buysse, seconded by Nelson to adopt the Fairgrounds ATV/ATC Resolution. All voted in favor. Resolution 18-06 is on file with the County Administrator.

Award of Bid – E911 Signage Project

Benson requested the Board award bid for E911 Rural Address and Intersection Signage Project – CP 05:911 to the low bidder, Sign Up Ltd., for the total bid amount of \$159,954.78. Benson – The bid opening was held on April 3, 2006 at 11:00 AM. The project was let as one contract. Three bids were received as follows: Sign Up Ltd., Webster City, IA - \$159,954.78; H&R Sign, Dalton, MN - \$164,494.91; Bolton Fencing, Porter, MN - \$169,713.28. Total cost to be assessed per residence is \$30.40 rather than the estimate of \$38.00 provided in the Feasibility Report. The County previously purchased the sign posts and anchors for intersection signs using State Bid Pricing for a total of \$35,122.71. Benson stated Sign Up will start by mid-May and anticipate finishing by mid-July.

Motion by Nelson, seconded by Buysse to award bid for E911 Rural Address and Intersection Signage Project – CP 05:911 to the low bidder, Sign Up Ltd., for the total bid amount of \$159,954.78. All voted in favor.

Consider Subordination Agreement

Benson requested the Board consider designating a Lyon County signatory of Subordination Agreements. Benson – The Lyon County Environmental Office has been approached with a request to enter into a Subordination Agreement with Wells Fargo Home Mortgage to allow the subordination of a Note and Septic System Lien owned by Lyon County for a septic system replacement loan.

Benson - When a landowner that has received an ISTS loan through our program is in the process of refinancing their home mortgage (or similar activity related to that property) the landowner/lending institution must either satisfy the existing Note and Septic System Lien, or enter into a subordination agreement with the lien owner.

Benson – Entering into a subordination agreement with lending institutions will allow Lyon County to continue to collect interest due on the ISTS loan granted that landowner, and would provide beneficial customer service to that landowner and lending institution.

Benson asked whether future requests for subordination agreements should be brought individually to the Board or if there were another process the Board would prefer. The Board unanimously agreed that future requests should be brought individually.

Motion by Goodenow, seconded by Nelson to authorize the Chairman's signature of the Subordination Agreement with Wells Fargo Home Mortgage to allow the subordination of a Note and Septic System Loan owned by Lyon County.

E911 Signage Update

Benson updated the Board regarding E911 signage/addressing. Benson stated there are 39 properties that had been assigned 3 digit E911 addresses in the Klein addition. The Ordinance does not allow 3 digit addresses. There are 12 properties that require address changes due to incorrect odd/even numbering in the Klein Addition. One of these has the address in a brick/mortar mailbox monument. If the ordinance is not changed, all 39 properties would need to have address changes including 14 with addresses in brick /mortar on the house and /or mailbox. An option to revise the ordinance allowing 3 digit addresses on a private road would eliminate the need for 27 property owners to change addresses.

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Lochland Hills Drive, which is a public road with approximately 11 properties, also has odd/even issues and 3 digit addresses. These addresses will be changed to 4 digit addresses to conform to the ordinance.

Benson suggested amending the Lyon County Enhanced 911 Signing Ordinance to address current and future inconsistencies. A decision from the Board concerning the Klein addition would be needed by April 18th to be able to order signs. Benson explained the Ordinance could be amended at a later date. She will bring an example of amendment language to the next meeting.

Custer & Rock Lake Windtower Development

Pat Pelstring, Shetek Wind, LLC, informed the Board of Shetek Wind's intention to seek Community-Based Energy Development Status (C-BED) acknowledgement from Lyon County. Shetek Wind is looking to develop up to 250 megawatts of wind energy to be produced by as many as 100 turbines in Lyon and Murray Counties. Shetek Wind is made up of more than 40 local investors along with Outland Renewable Energy, LLC – Chaska, MN. Outland is composed of eight original investors, five of which are local. Pelstring stated Shetek Wind has conducted wind studies which have identified two areas for wind development – one along a ridge north and east of Balaton, and one along a ridge from Garvin to Lake Shetek.

Shetek Wind has raised approximately \$500,000 to start the project. They have made offers to two energy companies and should have a power purchase agreement soon. Construction would likely be conducted in phases where towers would first be erected nearest to substations. Earliest estimates would see construction begin in 2007, but it would more likely begin in 2008 or 2009. Three to five years would be needed to finish the project once it was begun. Pelstring explained Shetek Wind understands and accepts responsibility for securing all necessary permits for the project's development and handed out a resolution for the Board to review. Pelstring asked that the Board consider the resolution at the April 18th Board meeting.

Meeting recessed at 10:10 AM.

Meeting back in order at 10:25 AM.

Consider SWRDC Support Resolution

Stomberg requested approval of resolution supporting the efforts of the Southwest Regional Development Commission (SWRDC). Stomberg – The resolution is presented yearly to the Region Eight County Boards. The RDC has requested to have member counties pass this resolution to continue to receive funding for economic development planning in the Region from the U.S. Department of Commerce.

Motion by Fenske, seconded by Goodenow to adopt the resolution supporting the efforts of the Southwest Regional Development Commission. Nelson inquired about benefits provided by SWRDC. Nelson – What is the benefit for the people? Where do we get \$90,000 worth of benefit? What about the 3% COLA each year? What about the mess in Garvin? Buysse expressed concern regarding the Prairie Expo Building. Nelson – That's \$380,000 for eight years! Let's use our \$90,000 right here. Let's work for Lyon County.

Fenske expressed concerns, but stated that it is by Federal Legislation that we have to collect taxes for the RDC. Fenske – However, southeastern Minnesota does not have an RDC. This resolution addresses this year, but for the future we could look at options of disbanding the SWRDC if it is not beneficial.

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Ritter asked the Board if they would like to have SWRDC's Director come to visit and discuss benefits to Lyon County and how the compounding COLA could be avoided. The Board agreed that it would like to discuss these issues with SWRDC's Director.

Ritter asked for the Board's wishes pertaining to the motion on hand. By roll call vote, the motion lost. Voting for the motion were Fenske and Goodenow. Voting against the motion were Buysse, Nelson, and Ritter.

New WCA Bus Facility

Stomberg requested that the Chairman determine the makeup of the Lyon County Contingency to meet with Western Community Action. The meeting will be on April 11th to discuss a new bus facility. Ritter asked that Benson, Fenske, and Stomberg attend the meeting.

Commissioners' Business

Meeting schedule was reviewed.

Goodenow reported the Lyon County Enterprise Development Corporation (LCEDC) has been interviewing for a county-wide director and are very close to making an offer. The Developmental Achievement Center (DAC) will be reviewing the final construction documents on April 10th. The Marshall-Lyon County Library Board will meet on April 10th to review the consultant's report before the final report is drafted.

Buysse reported on the Yellow Medicine River Watershed District (YMRW) meeting.

Nelson reported that the Coteau des Prairies Resource Conservation & Development (RC&D) Association will decide on its 2006 projects at its last meeting in April as well as the free stage grant application from the Lyon County Ag. Society. Nelson reported the free stage's dimensions will be 24 x 32 and that the Fair Board will be advertising for personal donations. Nelson reported on the Association of MN Counties (AMC) 2006 Legislative Conference. LLMP Public Health Services has hired a new water lab technician with a starting date of April 10th. Nelson reported on the Annual Township Meeting as well.

Fenske reported on the Annual Township Meeting, the AMC 2006 Legislative Conference, Rural Energy Board, Soil & Water Commission, and MN Counties Insurance Trust's Feedlot Seminar.

Ritter reported that Gary Crowley was appointed to the Lyon County Soil & Water Conservation District (SWCD) Board. Ritter reported the Jail Committee would meet with the Architect later in the afternoon.

Buysse Moved, seconded by Nelson to adjourn the meeting until April 18, 2006 at 9:00 AM. All voted in favor. The meeting was adjourned at 2:05 PM.

Stephen W. Ritter, Chairman

Attest: _____
Loren Stomberg
Lyon County Administrator