

UNOFFICIAL MINUTES

LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
August 15, 2006

9:00 AM – Meeting called to order by Chair Ritter. Members Present: Buysse, Fenske, Goodenow, Nelson, Ritter, Administrator Stomberg, and Auditor/Treasurer Van Overbeke. Absent: Attorney Maes.

Pledge of Allegiance to the Flag.

Buysse moved, seconded by Goodenow to approve the agenda with following the changes: remove “Authorize Correctional Officer Hire” from agenda, and move “Consider CUP...” to the end of the meeting. All voted in favor.

The following Per Diems and Expenses were presented.

	Per Diems	Expenses
Buysse	\$80	\$100.08
Fenske	\$40	
Nelson	\$40	\$52.08
Ritter	\$160	

Consent Items 1-4 were presented.

1. Approve Minutes from the August 1, 2006 Regular Meeting.
2. Approve Commissioner Warrants #104161 - #104277 dated 8/16/06 in the amount of \$101,247.19.
3. Approve Auditor Warrants.
 - a. #104047 - #104070 dated 8/03/06 in the amount of \$647,239.85.
 - b. #104133 - #104159 dated 8/10/06 in the amount of \$222,666.92.
4. Approve Per Diems and Expenses previously presented.

Goodenow moved, seconded by Fenske to approve Consent Agenda Items 1-4. All voted in favor.

Nelson moved, seconded by Goodenow to approve approximately \$42,000 from the Capital Projects Fund to pave the “infield” parking lot and sidewalks as needed. All voted in favor.

Fenske moved, seconded by Goodenow to approve \$32,000 from the Public Works/Household Hazardous Waste Facility Fund to pave the Russell Shop parking lot. All voted in favor.

Chair Ritter set the date and time for the “Fall Road Tour” to be Tuesday, October 10, 2006 at 8:00 AM in the Public Works parking lot.

Fenske moved, seconded by Ritter to approve the proposed *Environmental Department – Landfill: Operational Policies* as presented. All voted in favor.

Goodenow moved, seconded by Buysse to authorize acceptance of the Emergency Management Performance Grant (FY2006) agreement for the amount of \$12,185.00. All voted in favor.

Goodenow moved, seconded by Buysse to authorize the appointment of Steve Schouviller to the position of Temporary, Full-Time, Deputy Sheriff as of September 4, 2006 at a pay rate of \$17.28 per hour. All voted in favor.

Goodenow moved, seconded by Nelson to approve payment to Vetter-Johnson Architects for professional services in the amount of \$8,623.96 and to authorize the Chair’s signature of the formal agreement with Vetter-Johnson Architects not to exceed \$14,500 for Phase I Jail Design service. All voted in favor.

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Goodenow moved, seconded by Ritter to approve a FluStop Clinic for employees on Wednesday, 11/01/06. Employees not covered by the Group Insurance Policy will be reimbursed \$20 to attend the clinic. All voted in favor.

Meeting recessed at 9:55 AM.

Meeting was called back to order at 10:16 AM.

Buysse moved, seconded by Fenske to approve the Redwood Watershed ISTS Loan Extension Resolution. All voted in favor. Resolution 27-06 is on file with the County Administrator.

Nelson moved, seconded by Fenske to approve entering into a *Subordination Agreement* with MinnWest Bank to allow the subordination of a *Note and Septic System Lien* owned by Lyon County for a septic system replacement loan granted to Mark and Janet VanKeulen in the amount of \$7,400. All voted in favor.

Nelson moved, seconded by Goodenow to grant a Conditional Use Permit to Alvin Guza to operate a business (salvage yard). The area representing the request is zoned agricultural. The property is described as a parcel of land located in the Southeast Quarter (SE1/4) of Section 19, Nordland Township. As per recommendation of the Lyon County Planning and Zoning Commission and the Nordland Township Board. With the following stipulations:

1. Conditional Use Permit will be reviewed annually.
2. Site needs to be kept clean and maintained. This includes the control of noxious weeds, and general maintenance to fences, gates and buildings and the removal of the barn foundation.
3. On-site premises business sign permitted according to zoning ordinance.
4. All inoperable vehicles shall be screened by a fence/building or located inside a building. Top of fence to be at least 8 feet high and fence to be constructed for the purpose of screening contents from view of neighboring properties and roads.
5. All mechanical repairs including machine welding, engine repair, body repair, and other general service or installation shall be performed inside a building or screen contents from view by a fence/building.
6. A septic system must be designed by a licensed designer and properly installed. A septic system needs to be installed before any bathroom facilities are operational.
7. Appropriate permits, licenses, and requirements need to be obtained or met and copies supplied to the Lyon County Zoning Office. These permits will include MPCA, MNDOT, and Lyon County. There may be others. It will be applicant's responsibility to see all permits, licenses and requirements from other entities are obtained/met.
8. Business plan/drawing outlining how the business will grow and when buildings, structures, and fences will be built is part of this motion.
9. If business grows to include more than 2 full-time employees, another CUP shall be required. (The two full-time employees do not include the owners Alvin and Jeremy Guza).
10. Scrap such as: metal, plastic, fiberglass, rubber, and tires shall not be allowed to accumulate past tolerable levels. Tolerable levels means no more than one individual load of scrap shall accumulate at any one time. (For instance once a semi load of junk tires have accumulated, they will need to be removed).
11. If business is inactive for one year, Conditional Use Permit will be revoked.
12. A violation of any condition set forth in this Conditional Use Permit shall be a violation of this Ordinance and may automatically terminate the permit.
13. In the event of the discontinuation of the business, the owners shall be responsible for removing all remaining material from the site within six months of discontinuation.
14. 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.

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All voted in favor.

Commissioners' Business:

Meeting schedule was reviewed.

Chair Ritter set the date and time for a Special Meeting (Budget Planning Session) to be held on Tuesday, August 29, 2006 at 9:00 AM in the Conference Room at the Public Works Building.

Goodenow reported on the Development Achievement Center and the Enterprise Development Corporation. Goodenow also discussed signage for the Government Center.

Buysse reported on Area II and the Yellow Medicine River Watershed District.

Fenske reported on the Airport Commission and LLM Human Services.

Ritter reported on the Western Community Action Bus Facility and LLM Human Services.

Buysse moved, seconded by Goodenow to adjourn the meeting until Tuesday, September 5, 2006 at 9:00 AM. All voted in favor. Ritter adjourned the meeting at 12:09 PM.

Stephen W. Ritter, Chairman

Attest: _____
Loren Stomberg, Lyon County Administrator