

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

Pledge of Allegiance to the Flag.

### **Approve Agenda**

Buysse moved, seconded by Goodenow to approve the agenda as presented. All voted in favor.

### **Consent Agenda**

The following Per Diems and Expenses were presented.

	Per Diems	Expenses
Buysse		
Fenske	\$240	
Goodenow	\$170	
Nelson	\$290	\$154.43
Ritter	\$280	\$56.07

Consent Items 1-7 were presented.

1. Approve Minutes.
  - a. August 15, 2006 Regular Meeting.
  - b. August 15, 2006 Special Meeting – Annual Ditch Maintenance Hearing.
  - c. August 29, 2006 Special Meeting – Budget Planning Session FY2007
2. Approve Commissioner Warrants #104414 - #104537 dated 9/05/06 in the amount of \$196,902.34.
3. Approve Auditor Warrants.
  - a. #104282 - #104302 dated 8/17/06 in the amount of \$344,470.82.
  - b. #104337 - #104350 dated 8/24/06 in the amount of \$100,788.26.
  - c. #104352 - #104379 dated 8/31/06 in the amount of \$83,581.95.
4. Approve Per Diems and Expenses previously presented.
5. Set Public Hearing Date for the *5-Year State-Aid Road & Bridge Plan Update* at 10:00 AM, during the regular meeting on Tuesday, October 17, 2006.
6. Accept donation from Bernie Dulas in the amount of \$1,511.00 for time and costs of building new windows for the Open Class Building at the fairgrounds.
7. Approve Final Payment to Traffic Marking Services in total amount of \$2,852.19 (CP 06:HS). Completed IC-134 forms are on file at the Highway Department.

Buysse moved, seconded by Goodenow to approve Consent Agenda Items 1-7. All voted in favor. Ritter asked that a thank-you note be sent to Bernie and Eileen Dulas.

### **Consider Resolution Authorizing Execution of Sub-Grant Agreement (Hazard Mitigation Grant Project)**

Tammy VanOverbeke, Emergency Manager – To meet Federal requirements, Lyon County needs to complete a Hazard Mitigation Plan. The Hazard Mitigation Grant Program provides funding to accomplish this requirement. The local match is 25%. Fenske – Do they have someone down at the regional office to help complete this plan? T. VanOverbeke – We're working to hire someone to do this. At Stomberg's request, T. VanOverbeke returned later in the meeting with clarification of grant details.

**Consider Resolution to Transfer Funds from Municipal to Regular State-Aid Account**

Seth Greenwood, Senior Project Engineer, requested the approval of a resolution to transfer funds from the Municipal State Aid Account to the Regular State Aid Account. Greenwood – This transfer will avoid a Construction Fund Balance “Needs” Deduction for 2006. State Aid Rules allow the transfer of any funds in excess of two times the Municipal Allotment to the Regular Construction Account. The amount of the transfer will be approximately \$219,215. Nelson – Will it be put back? Greenwood – Yes.

Fenske moved, seconded by Nelson to approve the resolution to transfer funds from the Municipal State Aid Account to the Regular State Aid Account. All voted in favor. Resolution 30-06 is on file with the County Administrator.

**Consider Garvin Park Bow Hunting Resolution**

Greenwood requested approval of a resolution allowing permit-only bow hunting for deer in Garvin Park, September 16, 2006 through December 31, 2006.

Nelson moved, seconded by Goodenow to approve the Garvin Park Bow Hunting Resolution. All voted in favor. Resolution 31-06 is on file with the County Administrator.

**Consider Millennium Recycling Proposal**

Paul Henriksen, Environmental Administrator – Jake Anderson with Millennium Recycling, Inc. has provided a proposal to accept material from a single-stream recycling collection program. He has provided a formula that would be used to determine payment for materials provided by the County. This payment would not include the cost for transporting material. Transportation would be an expense that will offset revenue from the materials collected. Based on estimated transportation costs, revenues from the collected material, and amount of tons shipped, a range of a \$5.22/ton expense to a \$1.53/ton revenue could be expected. Based on this proposal, the Board will need to consider if you wish to contract with Millennium Recycling for the transportation and processing of material collected in the County. The Environmental Office is recommending the Board consider developing a transport and processing contract with Millennium Recycling and provide direction on the development of a collection program.

Goodenow – We would bid for the transport, and I’m leaning towards having our own drop point. Henriksen suggested a location just off the west side of the township road at the landfill. Fenske – This location would be separate from the landfill. Would you need someone there? Henriksen – Only when we would be loading. The Board requested that Henriksen put together RFP’s to accept material and to collect material.

**Consider Pollution Prevention Week Proclamation**

Henriksen – September 18-24, 2006 has been established as National Pollution Prevention Week. The Environmental Office will be conducting activities to raise awareness on ways to reduce pollution and promote environmental alternatives in Lyon County.

Fenske moved, seconded by Buysse to approve the Resolution Proclaiming Pollution Prevention Week in Lyon County. All voted in favor. Resolution 29-06 is on file with the County Administrator.

**Consider Subordination Agreement**

Henriksen requested approval a subordination agreement with First Independent Bank on an Individual Septic Treatment System (ISTS) note and lien.

Nelson moved, seconded by Buysse to approve entering into a *Subordination Agreement* with First Independent 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 Shannon Pedersen in the amount of \$8,096.00. All voted in favor.

**Consider Resolution Authorizing Execution of Sub-Grant Agreement (Hazard Mitigation Grant Project) – (continued from earlier)**

T. VanOverbeke explained that the Hazard Mitigation Plan is very comprehensive, involves public hearings, and is a long process. T. VanOverbeke stated the 25% match for the County would amount to \$8,080. She plans to contract with the Southwest Regional Development Center, who has hired a person to complete these plans. Fenske asked from which fund this could be paid. Stomberg suggested a contingency fund in the general fund or placing it in the 2007 budget.

Goodenow moved, seconded by Ritter to approve Resolution Authorizing Execution of Sub-Grant Agreement. All voted in favor. Resolution 28-06 is on file with the County Administrator.

**Adopt Preliminary 2007 Property Tax Levy**

Stomberg requested adoption of the proposed tax levy as presented. Stomberg – The proposed levy represents an overall increase of \$610,246 (6.4%) over the 2006 levy amount.

Goodenow moved, seconded by Ritter to approve the Preliminary 2007 Property Tax Levy in the amount of \$10,118,756.00. All voted in favor.

**Consider Minnesota River Board Membership**

Stomberg requested consideration of Minnesota River Board Membership. Stomberg stated the fee is \$2000 and that while it is not in the proposed budget, it could be worked into it. Nelson suggested watching the Minnesota River Board closely, waiting to see what develops. Ritter echoed Goodenow's concerns that it duplicates services. Discussion on the County's other memberships.

Goodenow moved, seconded by Buysse to inform the Minnesota River Board that the Lyon County Board of Commissioners declines membership for 2007. All voted in favor.

Meeting recessed at 9:57 AM.

Meeting was called back to order at 10:15 AM.

**Establish Joint County Ditch Authority – JD 20 LMR**

A conference call was held with the Boards of Commissioners from Redwood and Murray Counties. The purpose of the call was to establish a ditch authority to hear a Petition for Improvement of a Portion of JD 20 LMR.

Al Gertsema (Murray County Commissioner) moved, seconded by Goodenow to approve the following Joint Ditch Authority:

Lyon County	Comr. Phil Nelson
	Comr. Bob Fenske
Murray County	Comr. Bill Sauer
	Comr. Kevin Vickerman
Redwood County	Comr. Brian Kletscher

All voted in favor.

Brian Kletscher (Redwood County Commissioner) moved, seconded by Bill Sauer (Murray County Commissioner) to set the date and time of a public hearing to hear the Petition for Improvement of a Portion of JD 20 LMR to be on Wednesday, September 13, 2006, at 8:00 AM, in Conference Room 7, on the 3<sup>rd</sup> floor of the Lyon County Government Center, 607 W Main Street, Marshall, MN 56258.

### **Consider Authorization to Receive Quotes – Floor Coverings**

Ron Krause, Facilities Manager, estimated there to be 9,500 ft<sup>2</sup> to 10,000 ft<sup>2</sup> of halls and 72 steps which need to be resurfaced. To lay a hard surface in the halls would require extensive cleaning and re-leveling of the floors at a cost of \$3.50 ft<sup>2</sup>. Krause estimated that tile would cost approximately \$25,000 for the hallways and rubber-surfaced steps would be \$10,800. Facilities Maintenance staff would remove the old carpet. Krause estimated re-carpeting would cost \$27,500 to \$33,000. Krause – I recommend carpeting the hallways. Discussion on current tile in LLM Human Services.

Goodenow did not think all of the carpet needed replacement, which means the project could be done in phases. Goodenow also said that carpet should not be put in front of the elevators, landings, and the Auditor/Treasurer's desk. Cutouts could be done instead. Krause – I agree with the cutouts, but I wouldn't want to do it in phases because they discontinue carpets. Goodenow suggested the third floor need not be done. The Board directed Krause to estimate the costs of doing carpet with cutouts in phases.

### **Lyon Soil & Water Conservation District**

Rose Anderson, Administrator – Lyon Soil & Water District, requested funding of \$85,000. Anderson explained the increase was due to rising costs and expanded services. Anderson answered questions from the Board. Ritter noted the 14.5% increase in cost of medical insurance and asked what was being done to control it. Anderson said they are looking at changing policies, coverage, co pays, and/or deductibles. Goodenow expressed concern with an approximately 20% increased request, and he suggested that \$85,000 was too much. Discussion on expenses. Ritter stated the request would be taken into consideration. No action was taken.

### **Southwest Initiative Foundation Annual Update**

Dave Paskatch, VP of Programs at the Southwest Initiative Foundation, gave an annual update, answered questions, and requested funding of \$7,630. Goodenow questioned Paskatch as to why the Southwest Initiative Foundation's headquarters were in Hutchinson, MN. Nelson stated that he did not want to fund the Southwest Initiative Foundation's endowment with a tax levy. No action was taken.

### **Commissioners' Business**

Meeting schedule was reviewed.

Goodenow reported that the Development Achievement Center hired a new director, Dawn Wambeke.

Nelson reported on a feedlot delegation meeting with Yellow Medicine County.

Fenske reported on the transit advisory meeting and the jail.

Ritter reported on LLM Human Services.

LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
September 5, 2006

Buysse moved, seconded by Goodenow to adjourn the meeting until Tuesday, September 19, 2006 at 9:00 AM. All voted in favor. Ritter adjourned the meeting at 11:43 PM.

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Stephen W. Ritter, Chairman

Attest: \_\_\_\_\_  
Loren Stomberg, Lyon County Administrator