

UNOFFICIAL MINUTES

LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
December 7, 2006

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

Pledge of Allegiance to the Flag.

Approve Agenda

Goodenow moved, seconded by Fenske to approve the agenda with the following changes: add “Consider Big Stone II Letter of Support;” add “Accept Traffic Safety Award;” add “Closed Session to Discuss LELS Negotiations;” and delete “Consider Final Payment – 2006 Bituminous Project.” All voted in favor.

Consent Agenda

The following Per Diems and Expenses were presented.

	Per Diems	Expenses
Fenske	\$240	\$39.16
Goodenow	\$50	
Nelson	\$410	\$473.03
Ritter	\$320	\$29.37

Consent Items 1-10 were presented.

1. Approve Minutes from the 11/21/06 Regular Meeting and the 11/28/06 Special Meeting.
2. Approve Commissioner Warrants #105674 - #105769 dated 12/08/06 in the amount of \$192,719.29.
3. Approve Auditor Warrants.
 - a. #105530 - #105544 dated 11/22/06 in the amount of \$3,778.88.
 - b. #105619 - #105650 dated 11/30/06 in the amount of \$17,610.41.
 - c. #105652 - #105672 dated 12/06/06 in the amount of \$232,092.84.
4. Approve Per Diems and Expenses previously presented.
5. Approve Liquor License Applications for Tri-State Petroleum, Saratoga Archery Club, and Fedde’s Repair.
6. Approve the attendance of one County employee to the Marshall Leadership Academy for the cost of \$299.00.
7. Approve the updated Lyon County Investment Policy. The Policy outlines more details and includes a certification form to be returned to the County by all approved brokers, dealers, and other financial institutions.
8. Approve 2007 Public Works Fees Schedule as follows:

2007 PUBLIC WORKS FEES

Environmental Department Fees

2007 Fees

Solid Waste Hauling Fee	50.00 + \$25.00/truck
Solid Waste Facility License Appl. Fee	\$250.00
Solid Waste Facility License Fee	\$100.00
Electronic Equipment (not major appliances)	
Televisions	\$17.00 each
Computer CRT’s, CPU’s	\$10.00 each
All Others (printers, others)	\$10.00 each
Landfill	
MSW – operating/surcharge	\$38.00/ton//\$7.00/ton

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Demolition	\$5.50/cy
Major Appliances	\$15.00 each
Banned Material (Not removed from loads; ie Appliances, electronic, tires, etc.)	\$15.00 plus disposal fee

Tires

Car & light truck	\$130.00/ton \$2 minimum
Truck	\$130.00/ton \$6 minimum
Tractor	\$150.00/ton
Heavy Equipment	\$150.00/ton

Fluorescent Light Bulbs

≤ 4'	\$.50/each (12/1/02 effective)
> 4'	\$.75/each (12/1/02 effective)
Shatter-Shield or Lamp with ballast	\$2.00/each
Ballasts	\$1.00/pound
High Intensity Discharge	\$1.75/each
Compact, U & Circular Shaped	\$.50/each
Broken Bulbs	\$1.00/pound
Batteries (non-alkaline)	\$0.25 each
If prepared for shipment	\$0.05/lb \$2.00 minimum

HHW-VSQG Disposal

Fuels/Solvents	\$.50/pound
Oil Paint	\$.50/pound
Latex Paint	\$.50/pound
Lab Pack	\$2.00/pound

Planning & Zoning Department Fees

	2007 Fee	2007 After the Fact
House	\$100.00	\$200.00
Other Structures and Additions	\$25.00	\$50.00
Conditional Use Permits	\$250.00	\$500.00
Essential Service	\$350.00	\$700.00
Rezoning	\$250.00	\$500.00
Variance Request	\$250.00	\$500.00
Preliminary Plat	\$500.00	\$1000.00
Final Plat	\$500.00	\$1000.00
Septic System Permits	\$200.00	\$400.00
Special Hearing	\$500.00	
Appeal	\$750.00	

Administrative Fee

Feedlot Public Mtg.	\$200.00	\$400.00
Permit by Rule Demo	\$100.00	\$200.00
Contaminated Soil (Non CUP)	\$100.00	\$200.00
Temporary Asphalt	\$100.00	\$200.00
Concrete Plant (Non CUP)	\$100.00	\$200.00

Park & Fairground Department Fees

Park

2007 Fees

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Camping

Without Electricity \$9.00/night
With Electricity \$12.00/night

Warming House Rental \$35.00/day

Tubing \$3.00/person if use a tube
40 people or \$120.00
minimum for a private group

Off Road Dumping \$5.00

Fairgrounds

Horse Arena and Infield \$75/day
Building \$90/day
Bathrooms \$50/day
Damage Deposit \$150

Winter Rentals

Boats, Jet. Skis, Cars, Campers
up to 20 feet \$15/mo.
Campers/Vehicles up to 30 feet \$20/mo.
Campers/Vehicles over 30 feet \$25/mo.
Sheriff Storage of Vehicles \$120 for Nov. 1- May 1
SWCD Storage of Equipment \$120 for Calendar Year

VFW Building and Bathroom \$80/day

Environmental Fair \$350+deposit

Feat at the Fairgrounds \$200+deposit

Road & Bridge Department Fees **2007 Fees**

E911 Rural Address Signage Materials & Installation

New Installation: \$77.50
Repair: Materials: Sign & Hardware \$31.82
Post \$10.68
Installation: \$35.00
Complete Replacement: \$77.50

Utility Permits

- Underground construction of utilities**
Liquid and gas line exceeding 6" diameter \$0.16/ft
Electric, telephone, liquid and gas lines
6" or less in diameter \$0.03/ft
Boring or tunneling under roadway \$50/each
Open cut crossing roadway
Gravel \$150/each
Bituminous \$450/each

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- 2. Tile Outlet to Road Ditch \$50/each
- 3. Above ground and Underground
Minimum processing fee \$25/each
- Adopt-a Highway Program** \$100 deposit
(Deposit returned upon returning safety vests)

Transportation Permits

Overwidth or Overweight Moving permits \$25/each

Driveway Permits

\$100/each

Swing Away Mailbox Post Assembly

\$80.00 each

Construction Project Bidding Information

Construction Proposal \$10 + 6.5% Sales Tax
Project Plans \$10-1 to 20 sheets + 6.5% Sales Tax
\$15-over 20 sheets + 6.5% Sales Tax
Shipping **\$5 + 6.5% Sales Tax**

Fuel System

All purchasers pay cost of gas/diesel fuel plus \$.05/gallon overhead and 6.5% sales tax on overhead.
All purchasers pay cost of diesel fuel plus \$.20 Special Fuel Tax as appropriate for diesel.

Agency

2007 Fees

City of Marshall	\$.05/gallon Plus 6.5% Sales Tax on Overhead fee
Marshall Lyon County Library	\$.05/gallon Plus 6.5% Sales Tax on Overhead fee
Marshall Housing Commission	\$.05/gallon Plus 6.5% Sales Tax on Overhead fee
Marshall Hockey Association	\$.05/gallon Plus 6.5% Sales Tax on Overhead fee
Western Community Action	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
Human Services	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
DAC	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
Group Home	\$.05/gallon Plus 6.5% Sales Tax on Overhead Fee
SWCD	\$.05/gallon

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Plus 6.5% Sales Tax on Overhead Fee

Landfill \$\$.05/gallon
Plus 6.5% Sales Tax on Overhead Fee

Government Center	Cost of gas/diesel
Sheriff's Dept.	Cost of gas/diesel
Government Center Maintenance	Cost of gas/diesel
Fairgrounds	Cost of gas/diesel
P&Z, Ditches, & Ag.	Cost of gas/diesel
Highway	Cost of gas/diesel
Parks	Cost of gas/diesel

Labor Additive

2007 Fees

The labor additive is the percent cost per employee per hour for benefits; ie. health insurance, workers comp. insurance, PERA – employer, social security, liability insurance, vacation, sick leave, etc.. The labor additive varies from year to year based on actual costs. The rates for 1999 through 2005, have varied from 49% to 56%. I recommend the labor additive rate for **2007 be set at the actual rate incurred for 2006 which is estimated through September 30, 2006 to be 56.36%. The actual rate will be calculated at year end.**

Townships and Municipalities: (Labor)	Hourly Labor & Equipment + Labor Additive
Township & Municipalities: (Purchases)	Cost, SalesTax, 20% Overhead, & Sales Tax on Overhead

Individuals: (Labor)	Hourly Labor & Equipment + Labor Additive
Individuals: (Purchases)	Cost , SalesTax, 20% Overhead, & Sales Tax on Overhead

Landfill: (Labor)	Hourly Labor & Equipment + Labor Additive
Landfill: (Purchases)	Cost and Sales Tax

County Depts: (Labor)	Hourly Labor, Labor Additive, & No Equipment Charge
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County Depts: (Purchases)	Cost and Sales Tax
Government Center	
Sheriff's Dept.	
Government Center Maintenance	
Fairgrounds	
P&Z,Ditches,&Ag.	
Highway	
Parks	
GIS	
HHW/Recycling	

Other Entities (Labor)	Hourly Labor, & Equipment + Labor Additive
DAC	
Group Home	
Marshall Lyon Co Library	
Marshall Public Housing Comm.	
Soil & Water	
Western Comm. Action	
Human Services	

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Hockey
Other

Other Entities- (Purchases)

DAC	Cost, Sales Tax, 20% Overhead,
Group Home	& Sales Tax on Overhead
Marshall Lyon Co Library	
Marshall Public Housing Comm.	
Soil & Water	
Western Comm. Action	
Human Services	
Hockey	

GIS Fee Schedule **2007**
(Geographic Information Systems)

Sales tax is included in fees, where applicable.

Printing or Scanning

Printed from existed map library or readily created with existing data, map creation fees apply to special requests.

11x17 and smaller	\$1.00
Size C: 17x22	\$2.00
Size D: 22x34	\$3.00
Size E: 34x44 and larger	\$4.00

Existing Map Products

County Highway Map	FREE
Platbook (digital -- PDF)	FREE (2003 available online)
Platbook (FHP 2005)	\$25.00

Creation of Map Products

Special requests - Material costs are additional.

Staff Time

GIS Coordinator	\$50.00 per hour – ½ hour minimum
GIS Specialist	\$40.00 per hour – ½ hour minimum

Material Cost

Data on CD (up to 700MB)	\$3.00
Data on DVD (up to 4.7GB)	\$5.00

Digital Data

Data subject to terms of Lyon County GIS Data Distribution Policy and/or Cooperative Agreement.

Parcels (polygons)

Project Area	\$0.03/parcel (\$5.00 minimum)
Entire County	\$300
Quarterly updates	\$25



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- 9. Approve Beaver Removal Agreement between Lyon County Ditch Systems and William Magnuson for the removal of beaver from County Ditches 7 and 69 at the rate of \$25.00 per beaver.
- 10. Set Sheriff and Law Enforcement Fees pursuant to Minn. Stat. § 357.09, subd. 8 (2006). Resolution 41-06 is on file with the County Administrator.

Goodenow moved, seconded by Fenske to approve Consent Agenda Items 1 – 10. All voted in favor.

Consider Payment on Portable Stage

Bob Polejewski of the Lyon County Fair Board requested payment on the portable stage and presented the following information:

Cost of Stage	\$25,360.85
Stage Donations	(12,600.00)
Fair Board Donation	(2,500.00)
Balance Due to SMI	\$10,260.85

Polejewski stated the Fair Board will make another \$2,500 donation to the stage as soon as its budget allows.

Fenske moved, seconded by Goodenow to approve payment to SMI & Hydraulics in the amount of \$10,260.85 for the balance of the portable stage. All voted in favor.

Consider Quote for Christensen Property Appraisal

John Biren (Planning & Zoning Administrator) and Rick Anderson (Park Manager) presented quotes to perform an appraisal and survey for the Christensen property on East and West Twin Lakes. Biren – The list came from the DNR, and the lowest bid was \$2,500 from Robin Nesburg (Rural Appraisal Services). He has done work in our area before. Other quotes were received from Owen Viker (Appraisal Services) and Bill Latham (Latham WM Real Estate) for \$3,500 and \$7,500 respectively.

Biren - If funds are to come from the DNR, it will be at least 2 years and there are no guarantees. The landowner would like to move sooner. I recommend putting this on hold in order to try local appraisers. Nesburg said his quote would be good for a while. We're at the point where we would like to have some Commissioners in on this project...maybe a committee? Stomberg asked what the committee makeup might look like. It was suggested to have Rick Anderson, two Park Board Members, and two Commissioners as a possible combination. Goodenow said the committee could turn their recommendation over to the Park Board. Fenske recommended opening it up to other appraisers. Fenske – Is it possible to get State money? Biren – Yes, for development costs.

Goodenow moved, seconded by Fenske to table the Consideration of Quotes for Appraisal of the Christensen Property to the January 2, 2006 regular meeting and that a committee be formed to look at the East/West Twin Lakes Opportunity. All voted in favor.

Consider Final Payment – SAP 42-599-137

Anita Benson, Public Works Director/Engineer, requested approval of final payment for SAP 42-599-137 to R & G Construction in the amount of \$3,095.10. Benson – This project replaced the existing 48-year-old bridge, L-1870, in Eidsvold Township, Section 19/30 with the new bridge 42J23. This new bridge is one line of 12' x 6' concrete box culvert.

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Fenske moved, seconded by Goodenow to approve final payment to R & G Construction in the amount of \$3,095.10 for SAP 42-599-137. All voted in favor. The IC-134 forms are on file at the Highway Department.

Consider Final Payment – 2006 Bituminous Project (*Pulled from Agenda*)

Benson stated she asked this item to be pulled from the agenda because the IC-134 Forms were not yet back from the State.

Consider Big Stone II Letter of Support

Stomberg, on behalf of Lyon County Development Corporation Director Nort Johnson, requested approval of a letter of support for the Big Stone II electric transmission upgrades and new construction. Discussion.

Fenske moved, seconded by Goodenow to authorize the Vice-Chair's signature of a Letter of Support for the Big Stone II electric transmission upgrades and new construction to be sent to Administrative Law Judges Barbara L. Neilson and Steve M. Michalchick. Voting for: Fenske and Nelson. Voting against: Goodenow. Motion passed.

Accept Traffic Safety Award

Sheriff Joel Dahl requested approval of a resolution authorizing the acceptance of a Traffic Safety Award from the Department of Public Safety. The participation of the Sheriff's Office in the Safe & Sober Challenge to decrease impaired driving and increase seat belt use was deemed exceptional and will be rewarded with a second place challenge grant from the DPS.

Goodenow moved, seconded by Fenske to approve the resolution authorizing the acceptance of the Traffic Safety Award. All voted in favor. Resolution 42-06 is on file with the County Administrator.

Discuss & Review 2007 Board Appointments

FY 2007 Board/Committee openings were discussed.

Commissioners' Business

Meeting schedule was reviewed.

Goodenow reported on the Marshall-Lyon County Library and the DAC.

Fenske reported on the Policy Advisory Committee Meeting, LELS Union Negotiations, Solid Waste Commission, Rural MN Energy Board, and the Annual AMC Conference.

Nelson reported on RC&D and the Annual AMC Conference.

10:13 AM – Fenske moved, seconded by Goodenow to go into closed session to discuss LELS Union Negotiations. All voted in favor.

10:42 AM – Fenske moved, seconded by Goodenow to come out of closed session. All voted in favor.

Nelson adjourned the meeting at 10:43 AM until Tuesday, December 19, 2006 at 9:00 AM.

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Philip Nelson, Vice-Chairman

Attest: _____
Loren Stomberg, Lyon County Administrator