

UNOFFICIAL MINUTES – SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
December 1, 2009

9:00 a.m. - Meeting called to order by Chairman Stensrud. Members present: Fenske, Ritter, Goodenow, Nelson, Stensrud, County Administrator Stomberg, Auditor / Treasurer VanOverbeke, County Attorney Maes

Pledge of Allegiance to the Flag

Approve Agenda

Stomberg – Under my time if we could add a review of the appropriations. Nelson – Question on the tobacco license do we do that individually? Goodenow moved, seconded by Ritter to approve the agenda. All voted in favor.

	Per Diems	Expenses
Fenske	\$150.00	-----
Ritter	\$190.00	\$45.51
Goodenow	\$200.00	-----
Stensrud	\$200.00	\$64.90
Nelson	\$150.00	\$85.80

Consent Agenda:

1. Approve Minutes from November 17, 2009
2. Approve Commissioner Warrants 118608-118694 in the amount of \$240,272.03 dated 12/02/09.
3. Approve Auditor Warrants 118516-118543 in the amount of \$35,160.42 dated 11/19/09, 118544-118546 in the amount of \$23,200 dated 11/20/09 and 118547-118562 in the amount of \$35,642.76 dated 11/27/09.
4. Approve Per Diems & Expenses
5. Approve 2010 liquor license for Fedde's Repair
6. Approve 2010 tobacco licenses
7. Approve 2010 tobacco license for Valley Discount Liquor
8. Approve 2010 liquor license for Valley Enterprises of Fairview Inc.

Ritter- I would like to pull items 7 and 8. Goodenow moved, seconded by Ritter to approve consent agenda items 1-6. All voted in favor.

2010 Tobacco License for Valley Discount Liquor

Goodenow moved, seconded by Fenske to approve the 2010 tobacco license for Valley Discount Liquor.

Voting in Favor : Stensrud, Fenske, Goodenow, and Nelson
Abstained : Ritter
Motion carried.

2010 Liquor License for Valley Enterprises of Fairview, Inc.

Nelson moved, seconded by Fenske to approve the 2010 liquor license for Valley Enterprises of Fairview, Inc.

Voting in Favor : Stensrud, Fenske, Goodenow, and Nelson
Abstained : Ritter
Motion carried.

Application by Governmental subdivision to purchase Tax Forfeited Lands

Ritter moved, seconded by Goodenow to approve and authorize the Board Chair and Auditor/Treasurer to sign an application by a governmental subdivision for conveyance of tax-forfeited land. Nelson – I think we were misled a little on where this was. We thought it was behind a wetland. I am not opposed to it but I think it changes the character of the land. We should have had a map the first time. This is on Jewett Street going in towards the mall? Goodenow – The narrow strip there. This is the one from the first not the second one? VanOverbeke – This is the one talked about in November. The other parcel is on the other map. Towards Kmart away from Jewett. Maes – Does the other parcel extend behind the mall? VanOverbeke – I don't know I can go get the map. All voted in favor.

Jail Update

Splett – We are getting started on some of the signs. Our footing and foundation is done. We are going to get out front and lay the backing block. Flag poles are in. I talked to Brian at D & G and asked him to check on sod. Demo is pretty much completed. We still have our connections

UNOFFICIAL MINUTES – SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
December 1, 2009

into the new jail to do. Discussion. Splett – We walked around with Fulda Electric one day on the third floor. We also looked at the old accounting office. We are looking at breaking it down. Discussion.

Appoint Brown, Lyon Redwood Drug Task Force position

Mather – We have an opportunity to appoint a drug task force agent out of Marshall. This is taken care of by federal grants. We will be 100% reimbursed. She will primarily be housed out of Marshall. Goodenow – This is a full time position so they aren't available? Mather – She is still technically a Lyon County Employee. Stensrud – It will be known that this is a two year position. Ritter- So that would bump another Deputy that was currently hired to fill her spot. If the federal dollars dried up and she chose to come back? Mather – This position will sunset. Goodenow – When the person switches to the drug task force do they switch to a flex schedule? Mather- They do flex. Nelson – Wages and benefits and no cost to benefits, is it Lyon County's scale? Stomberg- They reimburse what the county pays. The federal grant is that pretty solid? Mather – It is a two year guarantee. Discussion. Fenske moved, seconded by Nelson to approve advertising for a Deputy position for a two year appointment. Ritter – It is interesting that Lyon County is having a deputy doing it? Goodenow – It is a team. Mather – The city of New Ulm has obligated an officer and the city of Marshall. All voted in favor.

Ritter – I noticed in our parking lot that there is a squad car that was wrecked. Mather –A Deputy was responding to an accident and avoided a car and hit a mail box. I hadn't made a decision to fix it or not.

Landfill Update

Fred Doran – We have some work requests. Stensrud – The hauling of the leachate whether that is our total expense or if it should be shared? Doran – We submitted a letter to Veit asking them to pay for half of the hauling. Stomberg- If we get a lot of snow and rain are we going to have to keep hauling? Doran – We need to talk about if we need to bleed some leachate out of the system. Discussion. Fenske – Has Veit agreed or admitted? Doran – They are taking responsibility for the repair. We are looking at a method we would rather not excavate it. We are going to put a liner inside the pipe. Discussion. Nelson – That sock treatment will work on a bend? Doran –Yes. It is very common to repair city sewer. Nelson – On 2010-02 it does not have a do not exceed without authorization. Stensrud – We have the work order requests for the contracts. Goodenow moved, seconded by Nelson to approve and authorize the Chair to sign work order requests 2010-1,2010-2, and 2010-3. Ritter – Are you going to be coming with anymore dollar amount requests for next year? Doran – The RDF or landfill gas if you do something there. All voted in favor.

Doran discussed regulatory items.

BWSR NRBG Agreement

Henriksen – This is for the natural resource block grant agreement. Goodenow moved, seconded by Ritter to approve and authorize the Chair to sign the FY2010 State of Minnesota Board of Water and Soil Resources (BWSR) Natural Resources Block Grant (NRBG) Agreement. Goodenow – I was at the Water Plan Board meeting and we went through them pretty thoroughly. Ritter – On the Redwood are they testing for TMDL'S? Goodenow –Yes they do a whole bank of tests. A lot of what they do is the education piece. Fenske – On the well sealing does that cover it for a whole year? Henriksen – It is close. Nelson – That is a limit of what \$250? Henriksen- We pay 30% up to \$500. Goodenow – The RTR School the prairie ecology bus that bus is being used at the Marshall schools and a couple of other places. All voted in favor.

Joint Powers Agreement with Yellow Medicine County to provide Solid Waste Services

Henriksen – We raised it a dollar last year. It is the same this year. Stensrud – On page 2 it said 415. Goodenow moved, seconded by Nelson to approve and authorize the Chair to sign a joint powers agreement with Yellow Medicine County for solid waste program services. Goodenow – Is it possible to do any of the rest of these with any other counties? All voted in favor.

10:00 Meeting Recessed

10:15 Meeting Called back to order

Subordination Agreement

Biren – It is a standard process. Ritter moved, seconded by Goodenow to enter into a subordination agreement with Plains Commerce Bank on a note and septic system lien owned by Lyon County. Ritter – The dollar amount seems high. Biren – It was a tough system to put in. It required two tanks. Nelson –What is the average cost? Biren – I am going to estimate that we are close to \$8,000 this year for an average. All voted in favor.

County Feedlot Work Plan For 2010-2011- Update on 2009 Activities

Biren – The next thing is the county feedlot work plan for 2010-2011. We are visiting with all of the producers. We are going to have all of our feedlots inventoried by April 1, 2011. Stensrud – On D it says county inspects all feedlots on a five year basis. Biren – After 2011 we would like to get on a four year rotation and look at 25% per year. I think that after we get this inventory done we will have to take a look at it. Goodenow – On page four it is missing something a comma or a word or something. Biren – We are not doing land application inspections at this time. Discussion. Biren – MPCA is considering the 338 that is the number of feedlots they have on record. That is about \$80 per feedlot. Ritter – Has Soil and Water been involved in all hundred? Discussion. Biren – The county has got four townships done our goal is to have ten done by next April. With Laura at Soil and Water I feel they can do just as many or the rest of them. It is important to note Lyon County is on the hook for these. Fenske – Is Roger the one doing those? Biren – We have been doing about half and half. Nelson moved, seconded by Ritter to authorize the Board Chair to sign the 2010-2011 work plan. All voted in favor.

Ritter – I have been contacted by a landowner east of town of the DNR buying 300 or so acres. I would like to see the Board to do a resolution about the DNR not purchasing tillable acres. Biren – We could draft a resolution and have Maes look at it. Fenske – That is a big impact tax wise.

Rezoning Public Works Building

Stomberg – We have been contacted by the Probation Department with the State of Minnesota. In 1983, there was a conditional use that was passed. They are saying as it is currently zoned we are not allowed to rent it. If we went with I-1 it could only be rented to governmental agencies and not non profits. Stensrud – If you do the I-1 can you do a B-1? Fenske – The fact that we have had the space available for a number of years. We have been interested in trying to get some use out of this. I would be in favor of looking of a B-1 or we are limiting our options. Goodenow – What do you think the airport is zoned as? Discussion. Fenske – I think the first step is to apply for a B-1 permit. Fenske moved, seconded by Ritter to approve applying for a B-1 zoning permit for the Public Works Building. Ritter- Who is going to represent the county at the zoning meeting? All voted in favor.

Human Services Lease

Stomberg- We have had a year to year lease going back to 2004. The Human Services office vacated the Accounting space. It is about 1,115 feet. They have made a request to look at the lease. The rent on that space has been \$10 a foot. Fenske – With the others what are you thinking? Stensrud – The only one I can think of is the workforce center and it is \$12 and it is structured. Nelson – Make it two year and a dollar a year up. Ritter – Why not leave it at \$10 per foot and leave it at the same rental amount. It would be 70 cents just a rough number for 2010. Discussion. Ritter moved, seconded by Fenske to leave the Human Services Lease current annual payment to Lyon County at \$161,040 or \$10.74 per square foot per year for 2010. All voted in favor.

Reviewing 2010 Appropriations

Stomberg reviewed 2010 appropriations. Goodenow – The library has gone back to do a design that will fit the five million dollar project. Stomberg - The SW MN Arts and humanities has remained the same. Historical Society their request is up. Ag Society I have put \$12,500. We did have a request from the Chamber of Transportation I believe their request is \$18,000 for three years. Nelson - \$18,000 for each year? Stensrud – I think if we are going to do that that we tie it to a stipulation that other counties up and down 23. Nelson – If you can't get it in a stimulus year you are never going do it. I am not for taking Lyon County tax money and giving it to Washington Lobbyists. Ritter- I think that it is a good idea to tie it with other counties. Stensrud – I think it should be a joint effort. Discussion. Nelson – Why did we give region 8 money to region 3? Goodenow – We didn't really have a choice on that. I like things being earmarked. Fenske – I like to hold that \$44,000. Nelson – I was going to use that \$44,000 to knock off that .02. Discussion.

Reviewed Meeting Schedule

Commissioners Reports

Ritter – Is that the consensus to have a resolution for the DNR on the land? It is not just because we have had calls it is to the point where you don't grow ag lands and you can't drain wetlands. Ritter reported on Rural Energy and Solid Waste.

Goodenow reported on the Historical Society and Library.

Nelson reported on DNR meeting and Regional Radio Board.

Fenske reported on Census Committee Meeting and Transit Advisory Board.

UNOFFICIAL MINUTES – SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
December 1, 2009

Stensrud reported on Yellow Medicine River, Soil and Water, and Western Mental Health.
Stensrud - We had a couple of concerned people about the Fair Board and the rodeo. Ritter –
Maybe it is something that needs to be done before December 15th because we can control what
we appropriate. Nelson – The meeting was at their request.

Discussion on Commissioners Health Insurance

Stensrud – We were going to visit about the Commissioner’s health insurance. Should we look at
it for 2011 eliminating it completely or put money into your paycheck and you take care of your
own? Goodenow – If it saves money. It is too late to do it for next year. Discussion.

11:37a.m. ----- Meeting Adjourned until 7:00 p.m. for Truth In Taxation

Rodney Stensrud - Chairman

Attest: Loren Stomberg
Lyon County Administrator