

**UNOFFICIAL MINUTES- SUBJECT TO CORRECTIONS**  
LYON COUNTY BOARD OF COMMISSIONERS  
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN  
July 19, 2011

9:00- Meeting was called to order by Chairman Fenske. Members present: Stensrud, Fenske, Ritter, Goodenow, Anderson, County Administrator Stomberg, Attorney Maes, County Auditor/Treasurer Van Overbeke.

**Pledge of Allegiance to the Flag**

**Approve Agenda**

Stomberg - One addition to determine the use of funds from the land sale. Stensrud moved, seconded by Ritter to approve the agenda. All voted in favor.

**Identify and Conflict of Interest**

No Conflicts of interest were identified

	<b>Per Diems</b>	<b>Expenses</b>
Fenske	150.00	-----
Stensrud	100.00	35.52

**Consent Agenda:**

1. Approve Minutes from July 5, 2011.
2. Approve Commissioner Warrants 125574-125670 in the amount of \$536,306.88 dated 7/20/11.
3. Approve Auditor Warrants 125509-125534 in the amount of \$356,089.22 dated 7/7/11 and 125535-125573 in the amount of \$314,101.60 dated 7/14/11.
4. Approve Per Diems & Expenses.

Stensrud moved, seconded by Ritter to approve the consent agenda. All voted in favor.

**BWSR/MPCA 2010 County Feedlot Performance Grant Agreement**

John Biren – The grant is part of the feedlot inventory program. The funds are intended to be used for the septic loan program. Anderson moved, seconded by Ritter to approve and authorize the Chair to sign an agreement for the MCPA 2010 County Feedlot Performance Grant. All voted in favor.

**Update SWHHS**

Matt Miller updated the County Board on the labor negotiations for SWHHS.

**CUP – Tolk Graveling LLC**

Biren discussed the stipulations for the Conditional Use Permit and read the letter from Valerie Ross concerning a private cemetery. A stipulation will be added to the Conditional Use Permit to add a buffer for the private cemetery. Goodenow moved, seconded by Ritter to grant a Conditional Use Permit to Tolk Graveling LLC to operate a gravel processing and mining operation. The property is zoned agricultural and shoreland. Owners of the tracts of land and legal descriptions are as follows:

Circle S Properties, LLC, The East Half of the Northeast Quarter (E1/2NE1/4), Section 7, Island Lake Township; and

Gil M. Sook and Roshawn Sook, The West Half of the Northwest Quarter (W1/2NW1/4), Section 8, Island Lake Township.

As per recommendation of the Lyon County Planning Commission and the Island Lake Township Board. With the following stipulations:

1. Conditional Use Permit will be reviewed annually.
2. Conditional Use Permit is granted for 40 acres or the life of the operation whichever is less.
3. Top soil will be stockpiled and used for reclaiming and leveling.
4. Reclaiming and leveling of land is to be done as work progresses.
5. Grade site after extraction is completed so as to render it usable, seeding required avoiding erosion and an unsightly mar of the landscape.
6. Must maintain a backslope of 4:1 or flatter.
7. Responsible for maintenance on roads trucks will be hauling on.
8. Responsible for dust control on haul roads and service roads within site.
9. Haul roads designated as: Highway 19.
10. Owner must notify the Lyon County Zoning Office when work is complete.
11. Must obtain permits from appropriate agencies.
12. Must comply with Soil and Water and DNR regulations.

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13. 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.
14. Consult with Minnesota Department of Transportation to promote a safe access to Highway 19.
15. Must maintain an appropriate buffer from the Ross private cemetery.

All voted in favor.

**Set Hearing for Ordinance Revisions**

Fenske set a public hearing for the Ordinance Revisions for August 16, 2011 at 10 a.m. in CR 1 & 2 at the Lyon County Government Center.

**Petition to utilize JD 6 as an outlet for a storm water pond located in Marshall**

Shane Waterman from the City of Marshall provided the commissioners with the additional background on the city drainage project that would use JD#6 as an outlet. The City of Marshall will go through a petition process to determine the ditch benefits for all affected property owners. Fenske set a public hearing for the Storm Water Pond Petition for August 16, 2011 at 11 a.m. in CR 1 & 2 of the Lyon County Government Center.

**Authorize advertising for bids for a tandem truck and a dozer for highway department.**

Goodenow moved, seconded by Stensrud to request bids to purchase a new tandem truck. All voted in favor.

Goodenow moved, seconded by Ritter to request bids to lease or purchase a used dozer. All voted in favor.

**JD 10 YM & L**

Hammer discussed the need for the redetermination process for JD#10. A meeting will be held in the Yellow Medicine Courthouse on July 26, 2011 to constitute a joint board.

**10:00 Meeting recessed**

**10:15 Meeting Called Back to Order**

**Discussion on dates of Lyon County Fair**

Stensrud – The Lyon County Fair is on the same weekend as the Belgium American Days in Ghent. I'd like to see the fair moved back to the second weekend of August. The fair dates were moved due to the scheduling of the rodeo and carnival. Fenske – Pass the information to the fair board to see if they can get the dates changed for the future.

**Reviewed Meeting Schedule**

Commissioners Report

Ritter reported on the Airport Commission, Extension, Capital Expenditures and LELS Labor negotiations.

Goodenow reported on Extension, Lyon County Fair, Library Board and SWHHS Labor negotiations.

Stensrud reported on RCRCA, Area II and the Yellow Medicine River.

Fenske reported on the Transit Advisory, AMC District 8 Land Use and Amateur Sports Commission.

11:30 a.m. Ritter moved, seconded by Anderson to adjourn. All voted in favor.

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Robert Fenske, Chairman

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Attest: Loren Stomberg  
Lyon County Administrator