

UNOFFICIAL MINUTES- SUBJECT TO CORRECTIONS
LYON COUNTY BOARD OF COMMISSIONERS
LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN
June 15, 2010

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

Pledge of Allegiance to the Flag

Approve Agenda

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

	Per Diems	Expenses
Nelson	-----	\$19.50
Fenske	\$50.00	-----

Consent Agenda:

1. Approve Minutes from June 1, 2010
2. Approve Commissioner Warrants 120860 – 120961 in the amount of \$122,103.28 dated 6/16/10.
3. Approve Auditor Warrants 120785-120804 in the amount of \$19,002.56 dated 6/3/10 and 120824 – 120859 in the amount of \$271,841.61 dated 6/10/10.
4. Approve Per Diems & Expenses
5. Third quarter appropriations
6. Consider Final payment for SP 042-605-032
7. Consider approving application for withdrawal of wetland credits
8. Appoint Elana Grothe to the Western Mental Health Center Board

Fenske – Please pull number 5 for information. Ritter moved, seconded by Nelson to approve consent agenda items 1-4 and 6-8. All voted in favor. Fenske – With RCRCRA paid quarterly and on the right side it says one time paid in full. So it has been paid in full? VanOverbeke – Yes. Fenske moved, seconded by Nelson to approve the following third quarter appropriations for 2010.

Marshall Lyon County Library	\$19,567.25 monthly
LLM & P Public Health	\$55,000.00 quarterly
Lyon County Historical Society	\$6,300.00 quarterly
Lyon Soil and Water Conservation District	\$21,875.00 quarterly

Ritter- I would suggest these entities be put on notice there could be a reduction in their appropriations. Stomberg- I can put that in a letter that we are starting our budget process. Nelson – In some of the joint powers agreement they set the amount. All voted in favor.

Resolutions and Contracts

Approve Contract with GeoComm

Mather – We discussed it at the last meeting. Fenske moved, seconded by Nelson to approve and authorize the Chair to sign an agreement and enter into contract under the conditions of the Project Agreement between Lyon County and GeoComm, Inc. for the consulting and project management of Lyon County's ARMER migration project. Mather - It has been reviewed by the county attorney. I will expect GeoComm to update the board. Stomberg –That motion is with the understanding it could be reimbursed through bonding. Nelson – Yes. That was part of the motion last time. The original one had somebody in there if they wanted to negotiate up or down whom do you negotiate with. Mather – I have a contact. Nelson – So that is who we would negotiate with. Mather – Yes and there is a not to exceed. All voted in favor.

Approve Forfeited land resolution

Nelson moved, seconded by Ritter to approve and authorize the Chair to sign a forfeited land list resolution. All voted in favor. (Resolution 22-10 on file in the County Administrator's Office).

Paul Vroman, feedlot expansion

Biren – There was no opposition from the neighbors. Part of the purpose is to minimize pollution. This is adding 600 units. It is a mono-slope structure he is adding. The total animal units would be 995. Nelson moved, seconded by Fenske to grant a Conditional Use Permit to Paul Vroman for a feedlot expansion and to hear public comment to fulfill Minnesota Session Law 2000 – Minn. Stat. § 116.07, subd 7 (l), to construct or expand a feedlot with a capacity of 300 animal units or more. Odor OFFSET setback requirement is 94%. The land is zoned agricultural and described as the West 1,025 feet of the NW1/4, of Section Thirteen (13), Township One Hundred Ten, (110), Range Forty-one (41) West, Lyon County, Minnesota, (Sodus Township). As per recommendation of the Lyon County Planning Commission and the Sodus Township Board.

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Existing Facility Consists of:

Beef Cattle, Slaughter (360 x 1.0 animal factor)	=	360 Animal Units
Beef Cattle, Cow and calf pair (24 x 1.2 animal factor)	=	29 Animal Units
Horses (6 x 1.0 animal factor)	=	6 Animal Units

Types of Buildings:

104'x40' Partial Confinement Barn, manure pack on lot or floor with 104'x40' Open Lot without Runoff Controls, manure pack on lot or floor
54'x32' Partial Confinement Barn, manure pack on lot or floor
60'x24' Partial Confinement Barn, manure pack on lot or floor with 70'x22' Open Lot without Runoff Controls
262'x245' Open Lot without Runoff Controls, manure pack on lot or floor

The Proposed Facility Consist of:

Beef Cattle, Slaughter (360 x 1.0 animal factor)	=	360 Animal Units
(new) Beef Cattle, Slaughter (600 x 1 animal factor)	=	600 Animal Units
Beef Cattle, Cow and calf pair (24 x 1.2 animal factor)	=	29 Animal Units
Horses (6 x 1.0 animal factor)	=	6 Animal Units

Types of Buildings:

(new) 330'x100' (approximately) Total Confinement Barn, manure pack on lot or floor
104'x40' Partial Confinement Barn, manure pack on lot or floor with 104'x40' Open Lot without Runoff Controls, manure pack on lot or floor
54'x32' Partial Confinement Barn, manure pack on lot or floor
60'x24' Partial Confinement Barn, manure pack on lot or floor with 70'x22' Open Lot without Runoff Controls

~~262'x245'~~ Open Lot without Runoff Controls, manure pack on lot or floor **(eliminating 190'x245' of Open Lot without Runoff Controls, manure pack on lot or floor)**

(remaining) 72'x245' Open Lot without Runoff Controls, manure pack on lot or floor

Manure to be applied agronomically to crop ground when necessary.

Open lots to be cleaned every two weeks or as needed/utilize a stockpile.

The Total Animal Unit Capacity = 995 Animal Unit

With the following stipulations:

1. That the applicant undertakes the project according to the plans and specifications submitted to the county with the application.
2. That the permit is invalid if the holder has not started construction on the feedlot within a year of the issued land use permit. (A land use permit is valid for one year, and can be renewed administratively for a second consecutive year.)
3. That the county may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and other applicable statutes, rules, and ordinances.
4. Manure in a slurry or liquid form that is being applied in accordance to the manure management plan on file with the MPCA shall be injected or spread and incorporated within 24 hours of spreading except for approved emergency spreading.
5. Manure being hauled on public roads must adhere to policies of the particular road authority involved.
6. The applicant shall obtain all appropriate licenses and permits relevant to the request. Agency involved could be the DNR, MPCA, Board of Animal Health, MDA, MDH, etc.
7. Dead animals shall be disposed of in accordance with the Board of Animal Health Regulations. (Structures used for storing dead animals prior to rendering or structures used for composting shall meet appropriate county and state regulations.)
8. The offset model must indicate 94% annoyance odor free. Any odor control technologies used in the offset model must be in place and maintained.
9. The feedlot shall meet the minimum standards side, rear, and road right of way setbacks, other setbacks, and lot size. Any trees to be planted shall be at least 60 feet from the road right of way.
10. Violations of these conditions or other regulations found in the Lyon County Zoning Ordinance are grounds for enforcement proceedings.
11. A copy of this 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.

All voted in favor.

Laurie Palmer, 4-H Program Report

Palmer – I just wanted to give you an update on the youth programs. In a five year comparison it has increased by 95 youth. Palmer gave a 4-H program report. Ritter – When the school is not in session what takes the place of that? Palmer – We have day camps and summer programs. Stensrud – I see your enrollment is increasing that is quite exciting to add 95 kids. Fenske – That speaks well to what you are doing. I am fortunate enough to have a summer intern. Ashley Roelfs – I am doing a lot with summer camps. Palmer – Trish Ann is our Extension Educator. Darlys Reingard – I visit the WIC and food shelves here in Tracy and Marshall. We are trying to help them stretch their dollars. What is coming up in the future is the farm to school program. That will be our local farmers that can raise the fresh food and beef for our schools. It supports our local farmers and community. We want to achieve optimal performance. I work a lot with

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elderly people. Nelson – You mentioned farmers raising vegetables and beef? The big hang up is that you cannot sell it unless it has been through a federal inspected plan. That is the hang up because most of our local plants don't have federal inspectors. Reingard – Hopefully we will see a little change in that. It sure would be a great asset to our community. Board thanked Reingard.

Update on Gas Collection Project

Henriksen – The map the orange has been buried the purple hasn't yet. The flare unit will be in the left hand corner. Stensrud – Are they able to work in this weather? Henriksen – It is a mess. They are not too far away. Fenske – So if the weather changes how long do you anticipate? Henriksen – If we get good weather it should be up by the end of the month. There will be at least one probably two change orders. On the East Side they had to raise it up to maintain a slope. And in phase 6 man hole there may be some adjustments trying to get around it. Ritter – Will we get the numbers on the collection? Henriksen – Yes when I get the final numbers. On the legislative remember we had the facet issue and formed a coalition to fight those rules. Discussion. Henriksen – We are working with the other landfills. Fenske – Can they finalize that on their own? Henriksen – They can do what they want. They have been making some landfills get only a ten year EAW. Discussion. Ritter – What is AMC's position on this? Discussion. Stensrud – I have a question on the leachate hauling? Henriksen – They are going to pay for two ponds. We will try and get as much money as we can. It was over \$200,000 that was held back. Discussion.

Agreement with Secretary of State

Barker – This is a pretty standard agreement. I am asking that we get to continue to provide that service to our customers. It looks like we average 35 or so a month. We don't have any extra equipment that we have to maintain it. Stensrud – Is this annual? Barker –No, this is updating what we did. We always have the opportunity to opt out. Nelson moved, seconded by Fenske to approve and authorize the Chair and County Administrator to sign an agreement with the State of Minnesota authorizing the Lyon County Recorder's office to continue to serve as a satellite office for the Secretary of State. All voted in favor.

9:45 a.m. Meeting Recessed
10:00 a.m. Meeting Called Back to Order

Reviewed Meeting Schedule

Commissioners Reports

Nelson reported on Planning and Zoning and Area II.

Fenske reported on Regional Amateur Sports Committee Meeting and Private Industry Council Grant Veteran's Grant that was received.

Ritter reported on Planning and Zoning and Public Health.

Stensrud reported on Public Health.

10:15 a.m. Fenske moved, seconded by Nelson to adjourn. All voted in favor.

Rodney Stensrud, Chairman

Attest: Loren Stomberg
Lyon County Administrator