



**LE SUEUR COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA
March 28, 2017**

1. **9:00 a.m. Agenda and Consent Agenda (5 min)**
RE: March 21, 2017 Minutes and Summary Minutes
RE: Caribou Gun Club Gambling Permit
2. **9:05 a.m. Kathy Brockway, Zoning Administrator (5 minutes)**
Request for Action
3. **9:10 a.m. Mike Schultz, SWCD District Manager (15 min)**
RE: Introduce New SWCD Ditch Inspector Nik Kadel and delegate the Ditch Inspector title to his position.
RE: Buffer Law Delegation to the County
4. **9:25 a.m. Human Resources (10 min)**
5. **9:35 a.m. Justin Lutterman, GIS**
RE: Out of State travel request to attend a conference in San Diego, CA, July 10-14, 2017
6. **9:40 a.m. Darrell Pettis, Administrator / Engineer**
RE: Transit JPA
RE: MN Farmers Union Request
RE: Miscellaneous
7. **Commissioner Committee Reports**
8. **Future Meetings**

9. **10:00 a.m. Outpatient Chemical Dependency Work Session**



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 1

9:00 a.m. Agenda and Consent Agenda (5 min)

RE: March 21, 2017 Minutes and Summary Minutes

RE: Caribou Gun Club Gambling Permit

Staff Contact:

Minutes of Le Sueur County Board of Commissioners Meeting March 21, 2017

The Le Sueur County Board of Commissioners met in regular session on Tuesday, March 21, 2017 at 9:00 a.m. in the Courthouse at Le Center, Minnesota. Those members present were: Steve Rohlfing, Dave Gliszinski, John King and Joe Connolly. Also present were Darrell Pettis and Brent Christian. Lance Wetzel was excused.

On motion by Connolly, seconded by Gliszinski and unanimously approved, the Board approved the amended agenda for the business of the day.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved the consent agenda:

- Approved the March 7, 2017 County Board Minutes and Summary Minutes
- Approved a Tobacco License (partial year) for Scoops Liquor (ownership change)
- Approved a 3.2 On Sale Beer License for St. Thomas Sportsmen Club
- Approved a 3.2 On Sale Beer License for Waterville Baseball Club

Sue Rynda, Human Services Director, appeared before the Board to give the monthly Human Services Report. This presentation covered Finance, Income Maintenance, Child Support, Family Services, and Mental Health.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved the Human Services claims:

Financial: \$ 22,104.44
Soc Services: \$ 123,119.72

Cindy Westerhouse, Human Resources Director came before the Board with several items for approval.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved to post and request the merit list for a full time Child Support Officer in Human Services, as a Grade 7, Step 1 at \$19.00 per hour.

On motion by Connolly, seconded by King and unanimously approved, the Board approved to promote Talia Gilster, full time Community Support Technician in Human Services, as a Grade 5, Step 2 at \$17.54 per hour to a full time Agency Social Worker in Human Services, as a Grade 10, Step 1 at \$22.64 per hour, effective March 21, 2017.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved to post and request the merit list for a full time Community Support Technician in Human Services, as a Grade 5, Step 1 at \$16.92 per hour.

On motion by King, seconded by Connolly and unanimously approved, the Board approved to post and advertise for a full time Administrative Assistant III in Public Health, Grade 5, Step 1 at \$16.92 per hour.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to appoint Nickolas Greenig, full time Patrol Sergeant in the Sheriff's Office, Grade 12, Step 11 at \$36.11 per hour to a full time Chief Deputy Sheriff in the Sheriff's Office, as a Grade 14, \$42.64 per hour, effective April 29, 2017.

On motion by Connolly, seconded by Gliszinski and unanimously approved, the Board approved to accept the retirement request of David Struckman, full time Patrol Sergeant in the Sheriff's Office, effective April 30, 2017. Law Enforcement canine Cain will be declared as surplus property and sold to Dave Struckman for \$1.00 upon his retirement. Dave has been employed with Le Sueur County since March 1979.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to post for two full time Patrol Sergeant in the Sheriff's Office, Grade 12, Step 1 at \$25.44 per hour.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved to post and advertise for a full time Deputy Sheriff in the Sheriff's Office, Grade 10, Step 1 at \$22.64 per hour.

On motion by Connolly, seconded by Gliszinski and unanimously approved, the Board approved to grant regular status to Bruce Collins, full time Investigative Sergeant in the Sheriff's Office, effective March 21, 2017. Bruce has completed the one-year probationary period.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to hire Tiffany Frase as a full time Corrections Officer/Dispatcher in the Sheriff's Office, as a Grade 6, Step 1 at \$17.94 per hour, effective March 27, 2017.

On motion by King, seconded by Connolly and unanimously approved, the Board approved to hire Alex Malmstedt as a part time Corrections Officer/Dispatcher in the Sheriff's Office, as a Grade 6, Step 1 at \$17.94 per hour, effective April 4, 2017.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved to hire Ryan Schaefer as a part time Corrections Officer/Dispatcher in the Sheriff's Office, as a Grade 6, Step 1 at \$17.94 per hour, effective March 27, 2017.

On motion by King, seconded by Connolly and unanimously approved, the Board approved to hire Miranda Krenske as a part time Corrections Officer/Dispatcher in the Sheriff's Office, as a Grade 6, Step 1 at \$17.94 per hour, effective March 30, 2017.

Darrell Pettis appeared before the Board with a number of items for approval.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved to hire BKV Group as the Architect/Engineering firm for the Le Sueur County Justice Center and Courthouse Remodel Project.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to hire Adolfson & Peterson as the Construction Management firm for the Le Sueur County Justice Center and Courthouse Remodel Project.

On motion by King, seconded by Connolly and unanimously approved, the Board approved and authorized the Board Chair to sign the following Order Amending Viewer Appointment for LCD 18:

WHEREAS, on September 27, 2016, the Le Sueur County Board of Commissioners, Drainage Authority for Le Sueur County Ditch (LCD) 18, adopted findings and an order initiating a redetermination of benefits for LCD 18; and

WHEREAS, the Board reserved appointment of viewers to a subsequent order based on the availability of viewers to perform the redetermination of benefits; and

WHEREAS, the Board has identified and appointed viewers available to perform viewing duties as Tom Mahoney, Dan Ruby and Gary Ewert, with Ron Ringquist as alternate viewer/consultant, to redetermine and report the benefits and damages for LCD 18.

THEREFORE, the Le Sueur County Board of Commissioners, Drainage Authority for LCD 18, amends its order initiating a redetermination of benefits for LCD 18 as follows:

ORDER

IT IS HEREBY ORDERED that Greg Tusa be appointed as an alternate viewer to redetermine and report the benefits and damages for LCD 18.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved and authorized the Board Chair to sign the following Order Amending Viewer Appointments for LCD 19:

WHEREAS, on September 27, 2016, the Le Sueur County Board of Commissioners, Drainage Authority for Le Sueur County Ditch (LCD) 19, adopted findings and an order initiating a redetermination of benefits for LCD 19; and

WHEREAS, the Board reserved appointment of viewers to a subsequent order based on the availability of viewers to perform the redetermination of benefits; and

WHEREAS, the Board has identified viewers available to perform viewing duties.

THEREFORE, the Le Sueur County Board of Commissioners, Drainage Authority for LCD 19, amends its order initiating a redetermination of benefits for LCD 19 as follows:

ORDER

IT IS HEREBY ORDERED that Bill Anderson, Allen Kerber are appointed viewers, with Ron Ringquist as alternate viewer/consultant, to redetermine and report the benefits and damages for LCD 19.

On motion by King, seconded by Connolly and unanimously approved, the Board approved and authorized the Board Chair to sign the following Order Amending Viewer Appointments for LCD 28:

WHEREAS, on January 19, 2016, the Le Sueur County Board of Commissioners, Drainage Authority for Le Sueur County Ditch (LCD) 28, adopted findings and an order initiating a redetermination of benefits for LCD 28; and

WHEREAS, the Board reserved appointment of viewers to a subsequent order based on the availability of viewers to perform the redetermination of benefits; and

WHEREAS, the Board has identified viewers available to perform viewing duties.

THEREFORE, the Le Sueur County Board of Commissioners, Drainage Authority for LCD 28, amends its order initiating a redetermination of benefits for LCD 28 as follows:

ORDER

IT IS HEREBY ORDERED that Bill Anderson, Allen Kerber are appointed viewers, with Ron Ringquist as alternate viewer/consultant, to redetermine and report the benefits and damages for LCD 28.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved and authorized the Board Chair to sign the following Order Amending Viewer Appointment for LCD 63:

WHEREAS, on September 27, 2016, the Le Sueur County Board of Commissioners, Drainage Authority for Le Sueur County Ditch (LCD) 63, adopted findings and an order initiating a redetermination of benefits for LCD 63; and

WHEREAS, the Board reserved appointment of viewers to a subsequent order based on the availability of viewers to perform the redetermination of benefits; and

WHEREAS, the Board has identified and appointed viewers available to perform viewing duties as Tom Mahoney, Dan Ruby and Gary Ewert, with Ron Ringquist as alternate viewer/consultant, to redetermine and report the benefits and damages for LCD 63.

THEREFORE, the Le Sueur County Board of Commissioners, Drainage Authority for LCD 63, amends its order initiating a redetermination of benefits for LCD 63 as follows:

ORDER

IT IS HEREBY ORDERED that Greg Tusa be appointed as an alternate viewer to redetermine and report the benefits and damages for LCD 63.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved and authorized the Board Chair to sign the following Order Amending Viewer Appointment for LCD 69:

WHEREAS, on January 19, 2016, the Le Sueur County Board of Commissioners, Drainage Authority for Le Sueur County Ditch (LCD) 69, adopted findings and an order initiating a redetermination of benefits for LCD 69; and

WHEREAS, the Board reserved appointment of viewers to a subsequent order based on the availability of viewers to perform the redetermination of benefits; and

WHEREAS, the Board has identified viewers available to perform viewing duties.

THEREFORE, the Le Sueur County Board of Commissioners, Drainage Authority for LCD 69, amends its order initiating a redetermination of benefits for LCD 69 as follows:

ORDER

IT IS HEREBY ORDERED that Bill Anderson, Allen Kerber are appointed viewers, with Ron Ringquist as alternate viewer/consultant, to redetermine and report the benefits and damages for LCD 69.

Board Member Committee Reports:

Commissioner Gliszinski attended a South Central Workforce Development meeting. Discussion included unemployment rates and 2016 economic rates.

Commissioner King attended a Waseca-Le Sueur Library Board meeting. Commissioners King and Rohlfing attended a landowner meeting for the redetermination of benefits for Le Sueur – Rice County Joint Ditch #38.

Commissioner Rohlfing attended meetings for Region 9 and MVAC.

On motion by Gliszinski, seconded by King and unanimously approved, the following claims were approved for payment:

Warrant #	Vendor Name	Amount
44571	Alternative Business Furniture	\$ 3,219.11
44572	American Engineering Testing	\$ 8,500.00
44574	Association of MN Counties	\$ 3,668.55
44580	Bolton & Menk Inc.	\$ 30,649.50
44585	Christian, Keogh, Moran & King	\$ 2,316.29

44586	Cordant Health Solutions	\$ 2,000.05
44614	Johnson Aggregates	\$ 11,807.76
44623	Richard Lea	\$ 3,502.50
44633	Anthony Nerud	\$ 2,051.76
44642	Ratwik, Roszak, Maloney P.A.	\$ 4,639.26
44643	Rinke-Noonan Law Firm	\$ 2,622.00
44648	S.E.H. Inc.	\$ 49,307.75
44654	S.M.C. Co. Inc.	\$ 6,023.91
44680	Widseth, Smith Nolting & Assoc. Inc.	\$ 2,489.00
44683	Wondra Automotive Inc.	\$ 2,715.07

101 Claims paid less than \$2,000.00:	\$ 29,082.96
15 Claims paid more than \$2,000.00:	\$135,512.51
116 Total all claims paid:	\$164,595.47

On motion by Connolly, seconded by King and unanimously approved, the Board adjourned until Tuesday March 28, 2017 at 9:00 a.m.

ATTEST: _____
Le Sueur County Administrator Le Sueur County Chairman

Summary Minutes of Le Sueur County Board of Commissioners Meeting, March 21, 2017

•This is only a summary publication per MN Statutes 375.12 and 331A.01 sub. 10. The complete minutes are on file in the Le Sueur County Administrator's Office at 88 S Park Ave. Le Center, MN and are available at www.co.le-sueur.mn.us.

- Approved the agenda. (Connolly-Gliszinski)
- Approved the consent agenda: (Gliszinski-King)
- Approved Human Services claims: Financial: \$22,104.44 and Soc Services: \$123,119.72 (King-Gliszinski)
- Approved to post and request the merit list for a full time Child Support Officer in Human Services. (King-Gliszinski)
- Approved to promote Talia Gilster to a full time Agency Social Worker in Human Services. (Connolly-King)
- Approved to post and request the merit list for a full time Community Support Technician in Human Services. (King-Gliszinski)
- Approved to post and advertise for a full time Administrative Assistant III in Public Health. (King-Connolly)
- Approved to appoint Nickolas Greenig to a full time Chief Deputy Sheriff in the Sheriff's Office. (Gliszinski-Connolly)
- Accepted the retirement request of David Struckman in the Sheriff's Office and approved to sell Law Enforcement canine Cain to Dave Struckman for \$1.00 upon his retirement. (Connolly-Gliszinski)
- Approved to post for two full time Patrol Sergeants in the Sheriff's Office. (Gliszinski-Connolly)
- Approved to post and advertise for a full time Deputy Sheriff in the Sheriff's Office. (Gliszinski-King)
- Approved regular status to Bruce Collins in the Sheriff's Office. (Connolly-Gliszinski)
- Approved to hire Tiffany Frase in the Sheriff's Office. (Gliszinski-Connolly)
- Approved to hire Alex Malmstedt in the Sheriff's Office. (King-Connolly)
- Approved to hire Ryan Schaefer in the Sheriff's Office. (Gliszinski-King)
- Approved to hire Miranda Krenske in the Sheriff's Office. (King-Connolly)
- Approved to hire BKV Group as the Architect/Engineering firm for the Le Sueur County Justice Center and Courthouse Remodel Project. (Gliszinski-King)
- Approved to hire Adolfson & Peterson as the Construction Management firm for the Le Sueur County Justice Center and Courthouse Remodel Project. (Gliszinski-Connolly)
- Approved an Order Amending Viewer Appointments for LCD 18. (King-Connolly)
- Approved an Order Amending Viewer Appointments for LCD 19. (Gliszinski-King)
- Approved an Order Amending Viewer Appointments for LCD 28. (King-Connolly)
- Approved an Order Amending Viewer Appointment for LCD 63. (Gliszinski-Connolly)
- Approved an Order Amending Viewer Appointment for LCD 69. (King-Gliszinski)
- The following claims were approved for payment: (Gliszinski-King)

Warrant #	Vendor Name	Amount
44571	Alternative Business Furniture	\$ 3,219.11
44572	American Engineering Testing	\$ 8,500.00
44574	Association of MN Counties	\$ 3,668.55
44580	Bolton & Menk Inc.	\$ 30,649.50
44585	Christian, Keogh, Moran & King	\$ 2,316.29
44586	Cordant Health Solutions	\$ 2,000.05
44614	Johnson Aggregates	\$ 11,807.76
44623	Richard Lea	\$ 3,502.50
44633	Anthony Nerud	\$ 2,051.76
44642	Ratwik, Roszak, Maloney P.A.	\$ 4,639.26
44643	Rinke-Noonan Law Firm	\$ 2,622.00
44648	S.E.H. Inc.	\$ 49,307.75
44654	S.M.C. Co. Inc.	\$ 6,023.91

44680	Widseth, Smith Nolting & Assoc. Inc.	\$ 2,489.00
44683	Wondra Automotive Inc.	\$ 2,715.07
101	Claims paid less than \$2,000.00:	\$ 29,082.96
15	Claims paid more than \$2,000.00:	\$135,512.51
116	Total all claims paid:	\$164,595.47

•Adjourned until Tuesday March 28, 2017 at 9:00 a.m. (Connolly-King)

ATTEST: Le Sueur County Administrator Le Sueur County Chairman

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Le Sueur County Friends

Previous Gambling Permit Number: _____

Minnesota Tax ID Number, if any: 52-1710886

Federal Employer ID Number (FEIN), if any: 52-1710886

Mailing Address: 30649 380th St

City: Le Sueur State: MN Zip: 56058 County: Le Sueur

Name of Chief Executive Officer (CEO): Randy Voss

Daytime Phone: 507-381-2962 Email: caribougunclub@yahoo.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

☒ **A current calendar year Certificate of Good Standing**

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103

Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767

☐ **IRS income tax exemption (501(c)) letter in your organization's name**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Caribou Gun Club

Address (do not use P.O. box): 30649 380th ST

City or Township: Le Sueur Zip: 56058 County: Le Sueur

Date(s) of activity (for raffles, indicate the date of the drawing): 3-13-2017

Check each type of gambling activity that your organization will conduct:

☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards

☒ **Raffle (total value of raffle prizes awarded for the calendar year, including this raffle: \$ \$23,000)**

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under **List of Licensees**, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)**CITY APPROVAL
for a gambling premises
located within city limits**

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- ☐ The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

**The city or county must sign before
submitting application to the
Gambling Control Board.**

**COUNTY APPROVAL
for a gambling premises
located in a township**

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- ☐ The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: Sharon TownshipSignature of Township Officer: Dea M. VossTitle: Supervisor Date: 3-23-17**CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)**

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Randy Voss Date: Mar-23-17
(Signature must be CEO's signature; designee may not sign)

Print Name: Randy Voss**REQUIREMENTS****Complete a separate application for:**

- all gambling conducted on two or more consecutive days, or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MAIL APPLICATION AND ATTACHMENTS**Mail application with:**

- ☒ a copy of your proof of nonprofit status, and
- ☒ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 2

9:05 a.m. Kathy Brockway, Zoning Administrator (5 minutes)

Request for Action

Staff Contact: Kathy Brockway - Environmental and P & Z Director

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
March 9, 2017

MEMBERS PRESENT: Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Doug Krenik, Pam Tietz

MEMBERS ABSENT: Al Gehrke, Commissioner Wetzel

OTHERS PRESENT: Kathy Brockway, Commissioner Connolly

The meeting was called to order at 7:00 PM by Chairperson, Jeanne Doheny.

ITEM #1: JOSEPH BRAUN, LE CENTER, MN, (APPLICANT); GLENDON BRAUN, LE CENTER, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right (TDR) from the SE 1/4 SW 1/4 to the SW 1/4 SW 1/4 in an Agriculture "A" District. Property is located in the SW 1/4, Section 36, Tyrone Township.

Kathy Brockway presented power point presentation. Glendon Braun was present for application.

TOWNSHIP: Notified through the application process. Bill Krenik, Township Officer was present and stated that the township does not object to the proposal. **DNR:** N/A **LETTERS:** N/A

PUBLIC COMMENT: none

Discussion was held regarding: TDR, buildable area, septic systems, driveway access, planting of additional trees, 6 acre site, TDR's are a good thing for Le Sueur County, preserving farmland.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. **AGREED***
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. **AGREED***
3. *Adequate utilities, access roads, drainage and other facilities are being provided. **AGREED***
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **AGREED***
5. *Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. **AGREED***
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance? **AGREED***
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan? **AGREED***

Motion was made by Doug Krenik to approve the application as written. Seconded by Don Rynda. Motion approved. Motion carried.

Motion was made by Pam Tietz to approve the minutes from the February 9, 2017 meeting by
Seconded by Shirley Katzenmeyer. Motion approved. Motion carried.

Discussion: Upcoming workshop with land use attorney April 12, 2017.

Motion to adjourn meeting by Don Reak. Seconded by Shirley Katzenmeyer. Motion approved.
Motion carried.

Meeting Adjourned.

Respectfully submitted,
*Kathy Brockway for
Shirley Katzenmeyer.*

***Tape of meeting is on file in the
Le Sueur County Environmental Services Office***

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
March 28, 2017

TO: LE SUEUR COUNTY BOARD OF COMMISSIONERS

FROM: LE SUEUR COUNTY PLANNING AND ZONING COMMISSION

SUBJECT: "REQUEST FOR ACTION"

The Planning Commission recommends your action on the following item:

ITEM #1: JOSEPH BRAUN, LE CENTER, MN, (APPLICANT); GLENDON BRAUN, LE CENTER, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right from the SE 1/4 SW 1/4 to the SW 1/4 SW 1/4 in an Agriculture "A" District. Property is located in the SW 1/4, Section 36, Tyrone Township.

Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed the following findings for this request:

Therefore, the Planning Commission recommends approval of the application as written.

ACTION: ITEM #1: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

FINDINGS OF FACT

WHEREAS, JOSEPH BRAUN, LE CENTER, MN, (APPLICANT); GLENDON BRAUN, LE CENTER, MN, (OWNER), has applied for a Conditional Use Permit to allow the applicant to transfer the development right from the SE 1/4 SW 1/4 to the SW 1/4 SW 1/4 in an Agriculture “A” District. Property is located in the SW 1/4, Section 36, Tyrone Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on March 9, 2017, in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning and Zoning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application due to the following findings:

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
- 7. The Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

WHEREAS, On March 28, 2017, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners **APPROVED/DENIED** the Conditional Use Permit application as requested by **JOSEPH BRAUN, LE CENTER, MN, (APPLICANT); GLENDON BRAUN, LE CENTER, MN, (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the March 28, 2017 Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*

5. *Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *The Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow the applicant to transfer the development right from the SE 1/4 SW 1/4 to the SW 1/4 SW 1/4 in an Agriculture “A” District. Property is located in the SW 1/4, Section 36, Tyrone Township, is **approved/denied**.

ATTEST:

Steve Rohlfing, Chairman, Le Sueur County Board of Commissioners.

Darrell Pettis, Le Sueur County Administrator

DATE: _____



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 3

9:10 a.m. Mike Schultz, SWCD District Manager (15 min)

RE: Introduce New SWCD Ditch Inspector Nik Kadel and delegate the Ditch Inspector title to his position.

RE: Buffer Law Delegation to the County

Staff Contact:

A RESOLUTION

Affirming Le Sueur County's jurisdiction to carry out compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48 is contingent on the passage and appropriation of riparian protection aid

WHEREAS, during the 2015 First Special Session, the 89th Legislature adopted Chapter 4, creating the water quality buffer initiative; and

WHEREAS, Chapter 4 permits a county to opt in as the enforcement authority of the water quality buffer initiative for its jurisdiction; and

WHEREAS, improved water quality is a statewide goal, but is best administered by local policymakers, whose familiarity with their home communities will ensure a cooperative and efficient implementation of the initiative; and

WHEREAS, during the 2016 Regular Session, the state legislature passed House File 848 appropriating and distributing riparian protection aid to counties having affirmed jurisdiction to carry out the provisions of Minnesota Statutes 103F.48; and

WHEREAS, House File 848 was vetoed by the Governor, resulting in no financial assistance to counties, thus making the water quality buffer initiative an unfunded state mandate; and

WHEREAS, Minnesota counties are already overwhelmed by unfunded mandates dictated by the state, which collectively cost counties millions, burdening property tax payers through inflated county budgets and levies; now, therefore,

BE IT RESOLVED, Le Sueur County, affirms its jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48 contingent on the passage and appropriation of riparian protection aid; and

BE IT FURTHER RESOLVED, until riparian protection aid legislation is passed and appropriated, the County waives its authority to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48; and

BE IT FURTHER RESOLVED, upon the appropriation of riparian protection aid, Le Sueur County will identify the rule, ordinance, or official controls to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48.

A RESOLUTION

Waiving Le Sueur County's jurisdiction to carry out compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48

WHEREAS, during the 2015 First Special Session, the 89th Legislature adopted Chapter 4, creating the water quality buffer initiative; and

WHEREAS, Chapter 4 permits a county to opt in as the enforcement authority of the water quality buffer initiative for its jurisdiction; and

WHEREAS, during the 2016 Regular Session, the state legislature passed House File 848 appropriating and distributing riparian protection aid to counties having affirmed jurisdiction to carry out the provisions of Minnesota Statutes 103F.48; and

WHEREAS, House File 848 was vetoed by the Governor, resulting in no financial assistance to counties, thus making the water quality buffer initiative an unfunded state mandate; and

WHEREAS, Minnesota counties are already overwhelmed by unfunded mandates dictated by the state, which collectively cost counties millions, burdening property tax payers through inflated county budgets and levies; now, therefore,

BE IT RESOLVED, Le Sueur County, waives its jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48.

A RESOLUTION

Affirming Le Sueur County's jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48

WHEREAS, during the 2015 First Special Session, the 89th Legislature adopted Chapter 4, creating the water quality buffer initiative; and

WHEREAS, Chapter 4 permits a county to opt in as the enforcement authority of the water quality buffer initiative for its jurisdiction; and

WHEREAS, improved water quality is a statewide goal, but is best administered by local policymakers, whose familiarity with their home communities will ensure a cooperative and efficient implementation of the initiative; now, therefore,

BE IT RESOLVED, Le Sueur County affirms its jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48; and

BE IT FURTHER RESOLVED, county staff will draft a rule, ordinance, or official controls, to be approved by the Le Sueur Board of County Commissioners, to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48.



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 4

9:25 a.m. Human Resources (10 min)

Staff Contact:



Human Resources

88 SOUTH PARK AVENUE • LE CENTER, MINNESOTA 56057

Telephone: 507-357-8517 • Fax: 507-357-8607

Cindy Westerhouse – Human Resources Director

HUMAN RESOURCES

AGENDA ITEMS

March 28, 2017

Recommendation to post and advertise for a full time Highway Maintenance Worker in the Highway Department, Grade 6, Step 1 at \$17.94 per hour.

Recommendation to accept the resignation request from Julie Ulrich, part time Corrections Officer/Dispatcher in the Sheriff's Office, effective March 26, 2017.

Recommendation to advertise for a part time Corrections Officer/Dispatcher in the Sheriff's Office, Grade 6, Step 1 at \$17.94 per hour.

Recommendation to appoint Nikolos Kadel, Soil and Water Conservation District's Ditch Specialist as Le Sueur County's Drainage/Ditch Inspector, effective March 6, 2017 until a re-appointment is made, and to set the annual salary at \$30,000.

Equal Opportunity Employer



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 5

9:35 a.m. Justin Lutterman, GIS

RE: Out of State travel request to attend a conference in San Diego, CA, July 10-14, 2017

Staff Contact:



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 6

9:40 a.m. Darrell Pettis, Administrator / Engineer

RE: Transit JPA

RE: MN Farmers Union Request

RE: Miscellaneous

Staff Contact:



Rural Issues Discussions

What's on your mind? Health Insurance? Buffer Zones? Property Taxes? Prices for dairy or crops? Ditch mowing? Something else? Do you have some ideas you would like other farmers to know about? Now is your chance to share your ideas.

We are scheduling Rural Issues Discussions around the state, and will be out to meet with you, featuring President Gary Wertish, Vice President Bryan Klabunde, Farmers Union staff, Minnesota State Commissioners, and national and local experts on specific issues such as health care, renewable energy and the 2018 Farm Bill.

Monday, March 27

9:30 AM People's Energy Co-op, 1775 Lake Shady Avenue S., Oronoco, MN 55960

- **Mike Rothman, Commissioner, MN Department of Commerce**
- **Emily Johnson Piper, Commissioner, MN Department of Human Services**
- **Matt Wohlman, Deputy Commissioner, MN Department of Agriculture**

2:00 PM Blue Heron Coffee House, 162 W 2nd St, Winona, MN 55987

- **Mike Rothman, Commissioner, MN Department of Commerce**
- **Matt Wohlman, Deputy Commissioner, MN Department of Agriculture**

Wednesday, March 29

9:30 AM Unhinged Pizza, 425 Merger St, Norwood Young America, MN 55368

- **Mike Rothman, Commissioner, MN Department of Commerce**
- **Emily Johnson Piper, Commissioner, MN Department of Human Services**
- **Matt Wohlman, Deputy Commissioner, MN Department of Agriculture**
- Gary Wertish, MFU President

1:00 PM South Central College, Room E112, 1920 Lee Boulevard, North Mankato, MN 56003

- **Mike Rothman, Commissioner, MN Department of Commerce**
- **Emily Johnson Piper, Commissioner, MN Department of Human Services**
- **Matt Wohlman, Deputy Commissioner, MN Department of Agriculture**
- Gary Wertish, MFU President

7:00 PM River City Eatery, 344 10th Street, Windom, MN 56003

- Gary Wertish, MFU President

Thursday, March 30

9:30 AM American Legion, 220 19th Ave SW, Willmar, MN 56201

- **Emily Johnson Piper, Commissioner, MN Department of Human Services**
- Gary Wertish, MFU President

1:30 PM Holiday Inn, Courtyard Room 4, 5637 MN-29, Alexandria, MN 56308

- **Emily Johnson Piper, MN Commissioner of Human Services**
- Gary Wertish, MFU President

See Page 2

Rural Issues Discussions – Page 2

Friday, March 31

- 9:30 AM Initiative Foundation, 405 1st St SE, Little Falls, MN 56345
- **The Honorable Tina Smith, Lieutenant Governor, State of Minnesota**
 - Gary Wertish, MFU President
- 2:30 PM Dry Dock Bar & Restaurant 2820 Midway Road Duluth, MN
- Gary Wertish, MFU President

Tuesday, April 4

- 9:30 AM Roseau Diner & Inn, 806-3rd St. Hwy 11 West, Roseau, MN, Guests:
- **Dave Frederickson Commissioner, MN Department of Agriculture**
 - **Rob Larew, Vice President of Government Affairs, National Farmers Union**
 - Gary Wertish, MFU President
 - Bryan Klabunde, MFU VP
- 1:30 PM Mike & Linda Hanson & Sons Dairy Farm, 33307 180th St. NE, Goodridge, MN.
(Doesn't work with GPS) Location from junction of Hwy 219 & Hwy 1, two mi. east, one mi north on 230th and 1/2 mi east.
- **Rob Larew, Vice President of Government Affairs, National Farmers Union**
 - Gary Wertish, MFU President
 - Bryan Klabunde, MFU VP

Wednesday, April 5

- 9:30 AM Frying Pan Restaurant, 2920 US 10E, Moorhead, MN 56560
- **Dave Frederickson Commissioner, MN Department of Agriculture**
 - **Matt Wohlman, Deputy Commissioner, MN Department of Agriculture**
 - **Rob Larew, Vice President of Government Affairs, National Farmers Union**
 - Gary Wertish, MFU President
 - Bryan Klabunde, MFU VP
- 1:30 PM Bella's Café, 116 3rd St W, Park Rapids, MN 56470
- **Matt Wohlman, Deputy Commissioner, MN Department of Agriculture**
 - **Rob Larew, Vice President of Government Affairs, National Farmers Union**
 - Gary Wertish, MFU President
 - Bryan Klabunde, MFU VP

Thursday, April 6

- 10:00 AM Wintergreens, 306 Credit Union Dr NE, Isanti, MN 55040
- **Rob Larew, Vice President of Government Affairs, National Farmers Union**
 - **Speaker, Minnesota Department of Commerce**
 - Gary Wertish, MFU President
 - Bryan Klabunde, MFU VP



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 7

Commissioner Committee Reports

Staff Contact:



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 8

Future Meetings

Staff Contact:

Future Meetings March - May 2017

March 28, 2017	Board Meeting, 9:00 a.m. *10:00 a.m. Outpatient Chemical Dependency/Mental Health Program Work Session
April 4, 2017	Board Meeting, 9:00 a.m. *Le-Sueur – Waseca CHB Meeting, 1:00 p.m. in Waterville
April 11, 2017	No Board Meeting
April 13, 2017	P&Z Meeting, 7:00 p.m. Environmental Services Building
April 18, 2017	Board Meeting, 9:00 a.m. at the 4H Family Center in Le Center *11:00 a.m. Public Hearing for a CD #23 ditch lien and informational repair/redetermination hearings for CD #23, CD #43, and CD #44
April 20, 2017	Board of Adjustment Meeting, 3:00 p.m. Environmental Services Building
April 25, 2017	No Board Meeting
May 2, 2017	Board Meeting, 9:00 a.m.
May 9, 2017	No Board Meeting
May 11, 2017	P&Z Meeting, 7:00 p.m. Environmental Services Building
May 16, 2017	Board Meeting, 9:00 a.m.
May 18, 2017	Board of Adjustment Meeting, 3:00 p.m. Environmental Services Building
May 23, 2017	Board Meeting, 9:00 a.m.
May 29, 2017	Memorial Day, Offices Closed
May 30, 2017	No Board Meeting



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 9

10:00 a.m. Outpatient Chemical Dependency Work Session

Staff Contact: