



**LE SUEUR COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA
June 20, 2017**

1. **9:00 a.m. Agenda and Consent Agenda**
RE: June 6, 2017 Minutes and Summary Minutes
RE: June 14, 2017 Board of Equalization Minutes and Summary Minutes
RE: Tobacco Licenses
2. **9:05 a.m. Claims (5 min)**
3. **9:10 a.m. Human Services (35 min)**
4. **9:45 a.m. Pam Simonette, Auditor - Treasurer (30 min)**
Ditch Liens - CD #21, 40, 57 & 70
5. **10:15 a.m. Southern Minnesota Initiative Foundation (15 min)**
6. **10:30 a.m. Nik Kadel, Ditch Inspector (20 min)**
RE: County Ditch 48
RE: Buffer Resolution
7. **10:50 a.m. Ann Traxler (5 min)**
RE: Trailer
8. **10:55 a.m. Nancy Domonoske (5 min)**
RE: Introduce "New" Extension Staff Casandra Story, 4H PC and Kristi Frederick,
4H summer intern

9. **11:00 a.m. Brett Mason, Sheriff (5 min)**
RE: Snowmobile
RE: Treadmill
RE: Out of State Travel Request

10. **11:05 a.m. Darrell Pettis, County Administrator/Engineer**
RE: HR Items
RE: CPA Projections
RE: JD 5 - Redetermination discussion
RE: CD 48 - Record Correction

11. **Commissioner Committee Reports**

12. **Future Meetings**

13. **ATV-GOLF CART WORKSHOP**



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 1

9:00 a.m. Agenda and Consent Agenda

RE: June 6, 2017 Minutes and Summary Minutes

RE: June 14, 2017 Board of Equalization Minutes and Summary Minutes

RE: Tobacco Licenses

Staff Contact:

Minutes of Le Sueur County Board of Commissioners Meeting

June 6, 2017

The Le Sueur County Board of Commissioners met in regular session on Tuesday, June 6, 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. Lance Wetzel was excused. Darrell Pettis and Brent Christian were also present.

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

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

- Approved the May 23, 2017 County Board Minutes and Summary Minutes
- Approved May 2017 Transfers:
 - #1654 Transfer 3,966.00 from Human Services to Revenue(A87 quarter ending 3-31-17)
 - #1655 Transfer 3,921.00 from Agency to Revenue (May Landshark)
 - #1656 Transfer 634.00 from Road & Bridge to Ditch (Ditch #23 Lien)

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to open the 2017 – 2021 Capital Improvement Plan Public Hearing at 9:00 a.m.

Darrell Pettis gave an overview of the Capital Improvement Plan draft.

Bruce Kimmel with Ehlers gave a short presentation and was available for questions. There were 3 public comments.

On motion by King, seconded by Connolly and unanimously approved, the Board approved to close the 2017 – 2021 Capital Improvement Hearing.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved the following Resolution Relating to Approval of a Capital Improvement Plan and Issuance of General Obligation Capital Improvement Plan Bonds, Series 2017A:

BE IT RESOLVED by the Board of Commissioners (the Board) of Le Sueur County, Minnesota (the Issuer), as follows:

WHEREAS, the Issuer has published notice of its intent to hold a hearing on the issuance of capital improvement plan bonds under Minnesota Statutes, Section 373.40 (the “Bonds”) and on its proposed Capital Improvement Plan (the “Plan”), at least fourteen (14) but not more than twenty-eight (28) days prior to the date hereof, pursuant to and in accordance with Minnesota Statutes, Section 373.40 (the “Act”); and

WHEREAS, the Board held a public hearing on the date hereof on the Plan and on the issuance of the Bonds to finance capital to finance the construction of a new County highway maintenance shop and a portion of the costs associated with the construction of

a new Justice Center as detailed in the County's 2017-2021 Capital Improvement Plan. The County will pay debt service with future ad valorem property taxes. As described in the Act and in the Plan (the "Project");

WHEREAS, the Board has considered the factors described in subdivision 3 of the Act with respect to the Plan;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby a) approves the Plan, and (b) authorizes the issuance of the Bonds in an amount not to exceed **\$2,565,000**. Pursuant to Minnesota Statutes, Section 475.60, Subdivision 2, paragraph (9), Ehlers & Associates is authorized to prepare and distribute an Official Statement and to solicit proposals for the Bonds on behalf of the County on a negotiated basis. This Board shall meet on **July 18, 2017**, for the purpose of considering proposals for the purchase of the Bonds and of taking such action thereon as may be in the best interests of the County.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved the following Resolution Providing for the Sale of \$2,565,000 General Obligation CIP Bonds, Series 2017A:

- A. WHEREAS, the Board of Commissioners of Le Sueur County, Minnesota has heretofore determined that it is necessary and expedient to issue the County's \$2,565,000 General Obligation CIP Bonds, Series 2017A (the "Bonds"), to finance the construction of a new County highway maintenance shop and a portion of the costs associated with the construction of a new Justice Center; and
- B. WHEREAS, the County has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Le Sueur County, Minnesota, as follows:

1. Authorization. The Board of Commissioners hereby authorizes Ehlers to assist the County for the sale of the Bonds.
2. Meeting; Proposal Opening. The Board of Commissioners shall meet at 9:00 a.m. on July 18, 2017, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the County are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.

On motion by Connolly, seconded by King and unanimously approved, the Board approved the following Resolution Providing for the Sale of \$7,325,000 General Obligation Jail Bonds, Series 2017B:

- A. WHEREAS, the Board of Commissioners of Le Sueur County, Minnesota has heretofore determined that it is necessary and expedient to issue the County's \$7,325,000 General Obligation Jail Bonds, Series 2017B (the "Bonds"), to finance a portion of the costs associated with construction of a new County Jail facility; and
- B. WHEREAS, the County has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Le Sueur County, Minnesota, as follows:

- 1. Authorization. The Board of Commissioners hereby authorizes Ehlers to assist the County for the sale of the Bonds.
- 2. Meeting; Proposal Opening. The Board of Commissioners shall meet at 9:00 a.m. on July 18, 2017, for the purpose of considering proposals for and awarding the sale of the Bonds.
- 3. Official Statement. In connection with said sale, the officers or employees of the County are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved the following Resolution Authorizing the County to Enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority:

- A. WHEREAS, the County Board of Le Sueur County, Minnesota (the "County") proposes to issue its General Obligation Jail Bonds, Series 2017A (the "Bonds"), the proceeds of which will be used to finance a portion of the construction of a new County Jail facility; and
- B. WHEREAS, the County Board hereby determines it is in the best interest of the County to apply to the Minnesota Public Facilities Authority (the "Authority") for credit enhancement of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Le Sueur County, Minnesota, as follows:

- 1. Approval of the Authority's Credit Enhancement Program Agreement. The Authority's Credit Enhancement Program Agreement (the "Agreement") is hereby approved, the same being before the County Board and made a part of this resolution by reference.
- 2. Authorization to Sign Agreement and Related Forms. The County Board Chair and the County Administrator are authorized to sign the Agreement on the County's behalf and to execute any other related forms prescribed by the Authority with respect to the Agreement.

3. Agreement to Comply with Minnesota Statutes, Section 446A.086. The County is entering into the Agreement with the Authority pursuant to Minnesota Statutes, Section 446A.086 (the "Act") and the County hereby agrees to comply with and be bound by the provisions of the Act.
4. Submission of the Agreement. The County Board Chair and County Administrator are hereby authorized to submit, on the County's behalf, the Agreement to the Authority, together with the nonrefundable application fee in the amount of \$500.

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

Financial: \$ 67,375.98

Soc Services: \$ 89,036.74

Sue Rynda, Human Services Director appeared before the Board with one item for approval.

On motion by King, seconded by Connolly and unanimously approved, the Board approved and authorized the Board Chair to sign a Regional Administrative Agency Cooperative Agreement Fraud Investigation Program.

Pam Simonette, Auditor – Treasurer appeared before the Board with two items for approval.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved a County issued credit card for Richard Droog in the Sheriff's Office.

On motion by Connolly, seconded by Gliszinski and unanimously approved, the Board approved a repurchase application for Theresa Johnson for parcel #04.780.0160.

Nik Kadel, Le Sueur County Ditch Inspector appeared before the Board with an update on County ditches.

On motion by King, seconded by Gliszinski and unanimously approved, the Board directed the Ditch Inspector to get at least two repair quotes for all ditch repair requests over \$15,000 and quotes over \$25,000 will require Board approval.

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

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved the Public Employees Retirement Association Policy Officer Declaration for Richard Droog, effective May 16, 2017.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved to hire Caitlin Meyer as a full time Case Aide in Human Services, as a Grade 4, Step 1 at \$15.97 per hour, effective June 26, 2017.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to hire Tyler Luethje as a full time Parks Director/Ag Inspector in the Parks Department, as a Grade 11, Step 1 at \$24.01 per hour, effective June 26, 2017.

On motion by Connolly, seconded by King and unanimously approved, the Board approved to hire Stephanie Brockway as a full time Accounting/Licensing Clerk in the Auditor-Treasurer's Office, as a Grade 7, Step 1 at \$19.00 per hour, effective June 26, 2017.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to grant regular status to Robert Whipps, full time Assistant County Attorney in the County Attorney's Office, effective May 29, 2017. Robert has completed the six-month probationary period.

Amy Beatty, Environmental Programs Specialist appeared before the Board with one item for consideration and approval.

On motion by Connolly, seconded by King and unanimously approved, the Board approved the following 2017-2018 Solid Waste License Applications.

Collect and transport solid waste and recyclables in Le Sueur County:

Waste Management of Minnesota – Mankato, MN – 31 Trucks - \$1,135.00

West Central Sanitation – Willmar, MN – 3 Trucks - \$155.00

Operate a recycling facility in Le Sueur County:

Waste Management of Minnesota – Mankato, MN - \$200.00

Operate a transfer station in Le Sueur County:

Waste Management of Minnesota – Mankato, MN - \$675.00

Chad Washa appeared before the Board with several items for consideration and approval.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved to fund the following Le Sueur County Fair Proposed Projects:

Commercial Building Project \$4,650

Ticket Booths \$2,000

Children's Barnyard Pens \$2,500

On motion by King, seconded by Connolly and unanimously approved, the Board approved to open the German Jefferson Public Hearing at 10:00 a.m.

There were 2 public comments.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to close the public hearing.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved the following German Jefferson Ordinance:

**ORDINANCE PROVIDING FOR THE CONTINUOUS COMPLIANCE OF
SUBSURFACE SEWAGE TREATMENT SYSTEMS WITHIN THE
GERMAN-JEFFERSON SUBORDINATE SERVICE DISTRICT**

WHEREAS, the County established the German-Jefferson Subordinate Service District (the District) to address an area with a high density of known and suspected wastewater concerns within the County;

WHEREAS, the wastewater concerns within the District have the potential to impact public health and water quality;

WHEREAS, the County inspected and inventoried a high percentage of SSTs within the District and confirmed the County's wastewater concerns within the District;

WHEREAS, the County conducted numerous public meetings to elicit public input from residents in the District on various options for addressing wastewater concerns within the District;

WHEREAS, the overwhelming consensus from District residents was that continuous compliance of SSTs, through rigorous inspection and enforcement, was the preferred option for addressing wastewater concerns within the District;

WHEREAS, the County's existing SSTS regulation in Section 17 of the Le Sueur County Zoning Ordinance (Existing Ordinance) does not provide for an inspection program to ensure continuous compliance.

WHEREAS, the County has determined that District residents' demands for rigorous inspection and enforcement processes is appropriate and will properly address wastewater concerns within the District;

WHEREAS, a new District-specific ordinance is necessary in order to implement the rigorous inspection and enforcement processes demanded by resident of the District, which shall take effect after the final compliance deadline in the Existing Ordinance.

NOW THEREFORE, the Le Sueur County Board hereby ordains:

SECTION 1. Purpose. The District was established for the purpose of addressing wastewater issues around German and Jefferson Lakes. The purpose of this Ordinance is to establish a rigorous compliance program for the inspection and enforcement of established standards for wastewater treatment systems within the District to ensure continuous compliance.

SECTION 2. Effective Date. This Ordinance shall take effect on January 1, 2018.

SECTION 3. Definitions.

Certificate of Compliance: A document, written after a compliance inspection, from an Inspector, certifying that an SSTS is in compliance with the applicable requirements of Minnesota Rules, Chapters 7080 to 7083, as amended and the Existing Ordinance at the time of the inspection.

Cluster System: An SSTS under some form of common ownership or operation that collects wastewater from three or more dwellings or structures and conveys it to a treatment and dispersal system located on an acceptable site near the dwellings or structures.

Compliance Inspection: An evaluation, investigation, inspection, or other process for the purpose of issuing a certificate of compliance or notice of noncompliance.

Department: The Le Sueur County Department of Environmental Services.

District: The German-Jefferson Subordinate Service District established by the Le Sueur County Board.

Holding Tank: A tank for storage of sewage until it can be transported to a point of treatment and dispersal as defined in Minnesota Rules, Chapter 7080.1100, subpart 41, as amended.

Inspection Report: A Certificate of Compliance or Notice of Noncompliance, together with the Le Sueur County Certification Form, signed and sworn by an Inspector.

Inspector: An individual qualified to review proposed plans and inspect on-site sewage treatment systems and who has been certified and/or issued a license from the Agency.

Jefferson-German Lakes Septic Inventory Project-JGSIP: The voluntary Jefferson-German Lakes Septic Inventory Project (JGSIP) initiated on March 29, 2011 by Le Sueur County within the boundaries of the Jefferson-German Subordinate Service District.

Licensed Business: A business that designs, installs or maintains, repairs, pumps, operates, or inspects SSTS.

MPCA: Minnesota Pollution Control Agency; referred to as “the Agency” throughout this Ordinance.

Notice of Noncompliance: A document written and signed by a certified inspector after a compliance inspection that gives notice that an SSTS is not in compliance as specified under Minnesota Rules 7080.1500, as amended.

Subsurface Sewage Treatment System (SSTS): Either an individual subsurface sewage treatment system (ISTS) or a mid-sized subsurface sewage treatment system (MSTS) as defined in Chapters 7080 and 7081, as amended.

Subsurface Sewage Treatment System, Individual (ISTS): A subsurface sewage treatment systems as defined in Minnesota Rules, Chapter 7080.1100, subpart 41, as amended.

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Subsurface Sewage Treatment System, Midsized (MSTS): A subsurface sewage treatment systems as defined in Minnesota Rules, Chapter 7081.0020, subpart 4, as amended.

Type I System: A subsurface sewage treatment system as defined in Minnesota Rules, Chapter 7080.2200; a Type I System utilizes trenches and seepage beds, mounds, at-grade systems, or gray water systems that meet or exceed the design and performance requirements of Minnesota Rules Chapter 7080, as amended.

SECTION 4. Application. The County has an existing SSTS ordinance (Section 17) that conforms to Minn. Rule Chapter 7082 and applies to all properties. All provisions of the Existing Ordinance, to the extent they are not modified by this ordinance, shall remain in full force and effect within the District. This Ordinance is in addition to the minimum requirements of the existing ordinance and shall apply only to properties within the District.

SECTION 5. Continuous Compliance. A valid certificate of compliance is required at all times. It is unlawful for any person to maintain, occupy, or use any structure intended for habitation without a valid certificate of compliance or a permit for the repair or replacement of a non-compliant SSTS.

SECTION 6. Inspector Requirements. All Compliance Inspections must be performed by an Inspector, as defined in 7082.0700. No Inspector or Licensed Business who previously designed, installed, inspected, or performed any maintenance on the SSTS may submit an Inspection Report for that SSTS for purposes of this ordinance until the SSTS has been independently inspected.

SECTION 7. Certificate of Compliance. Certificates of Compliance for a new SSTS shall be valid for 5 years. Certificates of Compliance for an existing SSTS shall be valid for 3 years unless evidence of noncompliance is found by the Department.

SECTION 8. SSTS Compliance. All compliant SSTSs shall meet the standards in the Existing Ordinance as it may be amended, specifically three feet of vertical separation and tank integrity verification, as well as all requirements under Minnesota Rules Chapter 7080 for an ISTS and Chapter 7081 for an MSTS.

SECTION 9. Cluster System Compliance. Every component a Cluster System must be compliant prior to the issuance of a Certificate of Compliance. In addition to the standards for an ISTS or MSTS, Cluster Systems shall meet the following standards:

- a. Written agreement between all owners of the parcels served by the Cluster System to allow system-wide inspection and maintenance on all parcels served by the Cluster System.

- b. Documentation of all service performed in the past three years in accordance with the Management Plan and Minnesota Rule Chapter 7082.0600 for ISTS or all service performed in the past three years in accordance with the Operation and Maintenance Plan and Minnesota Rule Chapter 7080.2450 and Chapter 7081.0290 for an MSTs must be submitted to the Department prior to the issuance of a new Certificate of Compliance.

SECTION 10. Holding Tank Compliance. All compliant Holding Tanks shall meet the standards in the Existing Ordinance as it may be amended. After December 31, 2017, new Holding Tanks shall only be allowed for seasonal residences or Lots of Record where a Type I system cannot be installed and a Cluster System is not available for connection. Existing, compliant Holding Tanks shall be allowed to remain. All compliant Holding Tanks shall meet the following standards:

- a. A copy of a current, valid monitoring and disposal contract must on file with the Department at all times.
- b. Documentation of all service performed in the past three years in accordance with a monitoring and disposal contract must be submitted to the Department prior to the issuance of a new Certificate of Compliance.
- c. Where available, a designated soil treatment area must be preserved through a written declaration recorded on the property when new seasonal residences are constructed or when parcels with existing Holding Tanks request a land use approval or property transfer.

SECTION 11. Required Installation of Type I System. Compliant Holding Tanks with available soil treatment areas, but lacking a Type I System, must install a Type I System within one (1) year of the following events:

- a. Transfer of the property, or
- b. Issuance of a land use permit or zoning permit approval.

All new SSTs installed after the effective date of this Ordinance shall include a Type I System if an adequate soil treatment area is available.

SECTION 12. Effect of New Regulations. No system shall be “grandfathered” based on new County or state regulations and standards. All existing systems must be upgraded, repaired, or replaced in order to meet all performance and design standards for SSTs with the District prior to the issuance of a Certificate of Compliance.

SECTION 13. Compliance Period.

- a. An SSTs that is determined not to be protective of groundwater, in accordance with Minnesota Rules, Chapter 7080.1500, Subp.4.B or otherwise fail to meet any standard of this ordinance and Minnesota Rules Chapter 7080 for an ISTS or Chapter 7081 for an MSTs, shall be upgraded, repaired, replaced, or abandoned by the owner in accordance with the provisions of this Section within one (1) year of receipt of a Notice of Noncompliance.
- b. An SSTs that is determined to be an imminent threat to public health or safety, in accordance with Minnesota Rules, Chapter 7080.1500, Subp.4A, shall be upgraded,

repaired, replaced, or abandoned by the owner in accordance with the provisions of this Section within ten (10) months of receipt of a Notice of Noncompliance.

- c. All operational deficiencies must be corrected immediately.

SECTION 14. Variances. No variances shall be granted from this Ordinance.

SECTION 15. Inspection Program. The Department shall send notice of the impending expiration of a Certificate of Compliance at least 120 days before expiration. Notice shall also be provided when a change in use of the property is proposed.

SECTION 16. Administrative Search Warrant. The County reserves the right to seek an administrative search warrant to perform a Compliance Inspection of any property within the District for which a valid Certificate of Compliance does not exist.

SECTION 17. Penalties. Any property owner who fails to upgrade, repair, or replace a non-compliant SSTs but continues to maintain, occupy, or use any structure for habitation without a valid certificate of compliance shall be guilty of a misdemeanor. Any person or entity who violates any provision of this Ordinance or makes any false statement in any document required to be submitted under this Ordinance shall be guilty of a misdemeanor.

SECTION 18. Funding. All activities resulting from this Ordinance shall be funded through the District in accordance with Minnesota Statute Chapter 375B and the resolution establishing the District.

SECTION 19. Severability. In the event any provision or part of this Ordinance is determined to be void or unenforceable by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

SECTION 20. Effective Date. This Ordinance shall be effective January 1, 2018.

Darrell Pettis, County Administrator / Engineer appeared before the Board with several items for discussion and approval.

On motion by Connolly, seconded by King and unanimously approved, the Board approved the Highway 2016 Annual Report.

On motion by King, seconded by Connolly and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign a County Ditch 54 Findings and Order Accepting Petition and Directing Appointment of Engineer.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved a sealcoat contract with ASTECH in the amount of \$1,228,503.49.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved a paving contract with Wm. Mueller & Sons in the amount of \$3,739,163.21.

Commissioner Committee Reports:

Commissioner Rohlfig attended a 1W1P and a MRCI meeting.

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

Warrant #	Vendor Name	Amount
45502	Baker, Tilly, Virchow & Krause LLP	\$ 4,074.00
45504	Beehive Industries	\$ 3,600.00
45510	Carney Construction	\$ 19,766.63
45514	Contech Engineered Solutions LLC	\$ 3,286.92
45519	Election Systems & Software Inc.	\$ 10,774.00
45520	Empire Pipe Services	\$ 2,920.00
45525	Genesis	\$ 21,554.53
45529	Guardian Fleet Safety LLC	\$ 9,108.55
45531	Hartmann Well Co LLP	\$ 4,115.00
45536	Independent Emergency Services	\$ 6,645.21
45558	MN Dept of Transportation	\$ 23,941.16
45583	S.E.H. Inc.	\$ 42,062.25
45584	Selly Excavating Inc.	\$ 14,829.30
45586	S.M.C. Co. Inc.	\$ 10,461.50
45593	Suel Printing Co.	\$ 3,469.00
45594	Summit	\$ 8,487.47
45599	Traxler Construction Inc.	\$ 16,105.95
45608	Waterford Oil Co. Inc.	\$ 12,195.00
45611	Widseth Smith Nolting & Assoc Inc	\$ 3,175.00
45613	Ziegler Inc	\$ 3,602.37
45614	Zimmerman Tiling & Excavating LLC	\$ 51,505.00
98	Claims paid less than \$2,000.00:	\$ 43,108.04
21	Claims paid more than \$2,000.00:	\$275,678.84
119	Total all claims paid:	\$318,786.88

On motion by Connolly, seconded by King and unanimously approved, the Board adjourned until Tuesday, June 20, 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, June 6, 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: May 23, 2017 County Board Minutes and Summary Minutes and May 2017 Transfers: #1654 Transfer 3,966.00 from Human Services to Revenue(A87 quarter ending 3-31-17), #1655 Transfer 3,921.00 from Agency to Revenue (May Landshark) and #1656 Transfer 634.00 from Road & Bridge to Ditch (Ditch #23 Lien) (King-Gliszinski)
 - Approved to open the 2017 – 2021 Capital Improvement Plan Public Hearing at 9:00 a.m. (Gliszinski-Connolly)
 - Approved to close the 2017 – 2021 Capital Improvement Hearing. (King-Connolly)
 - Approved a Resolution Relating to Approval of a Capital Improvement Plan and Issuance of General Obligation Capital Improvement Plan Bonds, Series 2017A. (Gliszinski-Connolly)
 - Approved a Resolution Providing for the Sale of \$2,565,000 General Obligation CIP Bonds, Series 2017A. (King-Gliszinski)
 - Approved a Resolution Providing for the Sale of \$7,325,000 General Obligation Jail Bonds, Series 2017B. (Connolly-King)
 - Approved a Resolution Authorizing the County to Enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority. (Gliszinski-King)
 - Approved Human Services claims: Financial \$ 67,375.98 and Soc Services \$ 89,036.74 (King-Gliszinski)
 - Approved a Regional Administrative Agency Cooperative Agreement, Fraud Investigation Program. (King-Connolly)
 - Approved a County issued credit card for Richard Droog in the Sheriff's Office. (Gliszinski-King)
 - Approved a repurchase application for Theresa Johnson for parcel #04.780.0160. (Connolly-Gliszinski)
 - The Board directed the Ditch Inspector to get at least two repair quotes for all ditch repair requests over \$15,000 and quotes over \$25,000 will require Board approval. (King-Gliszinski)
 - Approved the Public Employees Retirement Association Policy Officer Declaration for Richard Droog. (Gliszinski-Connolly)
 - Approved to hire Caitlin Meyer as a full time Case Aide in Human Services. (King-Gliszinski)
 - Approved to hire Tyler Luethje as a full time Parks Director/Ag Inspector in the Parks Department. (Gliszinski-Connolly)
 - Approved to hire Stephanie Brockway as a full time Accounting/Licensing Clerk in the Auditor-Treasurer's Office. (Connolly-King)
 - Approved regular status to Robert Whipps in the County Attorney's Office. (Gliszinski-Connolly)
 - Approved 2017-2018 Solid Waste License Applications. (Connolly-King)
 - Approved to fund the Le Sueur County Fair Commercial Building Project, Ticket Booths and Children's Barnyard Pens. (King-Gliszinski)
 - Approved to open a German Jefferson Public Hearing at 10:00 a.m. (King-Connolly)
 - Approved to close the public hearing. (Gliszinski-Connolly)
 - Approved the Ordinance Providing For The Continuous Compliance Of Subsurface Sewage Treatment Systems Within The German-Jefferson Subordinate Service District. (King-Gliszinski)
 - Approved the Highway 2016 Annual Report. (Connolly-King)
 - Approved a County Ditch 54 Findings and Order Accepting Petition and Directing Appointment of Engineer. (King-Connolly)
 - Approved a sealcoat contract with ASTECH in the amount of \$1,228,503.49 (King-Gliszinski)
 - Approved a paving contract with Wm. Mueller & Sons in the amount of \$3,739,163.21 (Gliszinski-Connolly)
 - The following claims were approved for payment: (Gliszinski-Connolly)
- | Warrant # | Vendor Name | Amount |
|-----------|-------------|--------|
|-----------|-------------|--------|

45502	Baker, Tilly, Virchow & Krause LLP	\$ 4,074.00
45504	Beehive Industries	\$ 3,600.00
45510	Carney Construction	\$ 19,766.63
45514	Contech Engineered Solutions LLC	\$ 3,286.92
45519	Election Systems & Software Inc.	\$ 10,774.00
45520	Empire Pipe Services	\$ 2,920.00
45525	Genesis	\$ 21,554.53
45529	Guardian Fleet Safety LLC	\$ 9,108.55
45531	Hartmann Well Co LLP	\$ 4,115.00
45536	Independent Emergency Services	\$ 6,645.21
45558	MN Dept of Transportation	\$ 23,941.16
45583	S.E.H. Inc.	\$ 42,062.25
45584	Selly Excavating Inc.	\$ 14,829.30
45586	S.M.C. Co. Inc.	\$ 10,461.50
45593	Suel Printing Co.	\$ 3,469.00
45594	Summit	\$ 8,487.47
45599	Traxler Construction Inc.	\$ 16,105.95
45608	Waterford Oil Co. Inc.	\$ 12,195.00
45611	Widseth Smith Nolting & Assoc Inc	\$ 3,175.00
45613	Ziegler Inc	\$ 3,602.37
45614	Zimmerman Tiling & Excavating LLC	\$ 51,505.00
98	Claims paid less than \$2,000.00:	\$ 43,108.04
21	Claims paid more than \$2,000.00:	\$275,678.84
119	Total all claims paid:	\$318,786.88

•Adjourned until Tuesday, June 20, 2017 at 9:00 a.m. (Connolly-King)

ATTEST: Le Sueur County Administrator Le Sueur County Chairman

Board of Equalization Minutes Wednesday, June 14, 2017

The Le Sueur County Board of Equalization met in special session on Wednesday, June 14th at 6:30 p.m. in the Courthouse at Le Center, Minnesota. Those members present were: David Gliszinski, Joe Connolly, John King, Lance Wetzel, Steve Rohlffing, and Connie Kopet. Also present were Shayne Bender and Carol Blaschko. Darrell Pettis and Pam Simonette were excused.

Carol Blaschko, Finance Director called the 2017 Board of Equalization to order and issued the oath to the Equalization Board.

Carol Blaschko then called for nominations for Chairman. Commissioner Rohlffing nominated King for Chairman, seconded by Wetzel and approved.

On motion by Gliszinski, seconded by Connolly and unanimously approved, nominations ceased and King was elected Chairman of the 2017 Board of Equalization.

Commissioner King nominated Gliszinski for Vice Chairman, seconded by Wetzel and approved.

On motion by Rohlffing, seconded by Connolly and unanimously approved, nominations ceased and Gliszinski was elected Vice Chair of the 2017 Board of Equalization.

Shayne Bender, County Assessor gave an overview of the process and the work that has been done in his office to prepare for the 2017 Board of Equalization. After this discussion, the Chair called for presentations by those in attendance.

The following individuals appeared before the Board: none

Having no persons to come before the Board, on motion by Wetzel, seconded by Gliszinski and unanimously approved, the Board accepted the recommendations of the County Assessor and ordered the following 2017 parcel assessment changes and adjourned at 7:02 p.m.

Property Owner	Parcel #	Valuation Appeals			Classification Appeals		Reason
		Assessor Total EMV	Board Total EMV	Change (+/-) in EMV (\$)	Assessor Class	Board Class	Explanation Of Change
Matthew Kortuem	05.500.0100	165,900	138,500	-27,400			Interior Inspection
Karen Fox	04.026.0200	153,400	125,000	-28,400			Interior Inspection
Ann Wright	04.620.0220	223,200	206,300	-16,900			Interior Inspection
Brian Seemann	14.019.5100	453,500	400,400	-53,100			Interior Inspection
Paul Wade	05.740.0060	35,000	25,000	-10,000			Unbuildable Per P&Z Letter
SC Prospect LLC	05.118.7500				RVL/Ex. Wet.	Ag/RVL/Ex .Wet.	Active Pasture
Joesph Archer	05.013.7800	153,900	120,800	-33,100			Interior Inspection
William Tramel Estate	09.032.3000	192,300	166,200	-26,100			Interior Inspection

Ruth Novak	24.500.0040	108,500	80,000	-54,600			Unbuildable Per City
Gerald Flowers	01.008.5000	514,500	511,700	-2,800			Acreage Change Per Survey
Daniel Krentz	12.004.2500	214,700	164,800	-49,900			Interior Inspection
Scott Simon	22.642.0110	96,600	82,100	-14,500			Interior Inspection
Donald Kewatt	06.006.5200	78,000	65,200	-12,800			M.H. Personnal Property Now
Joseph Holmbo	15.500.2326	192,900	190,100	-2,800			Interior Inspection
City of Montgomery	22.660.0230	67,900	9,400	-61,300			Removed House & Garage
Delores Meyer	24.663.0190	86,300	70,600	-15,700			Interior Inspection
Henry Macho	11.024.0500	7,500	5,000	-2,500			Sharon Twp. Recommended
David Arnold	16.415.0200	537,100	523,400	-13,700			Reviewed with Owner
Kenneth Ahnholz	21.800.1470	80,400	44,700	-35,700			Interior Inspection
Armar Corp.	20.630.0060	324,200	316,500	-7,700			Interior Inspection
Armar Corp.	20.630.0055	15,500	13,000	-2,500			Reviewed with Owner
Novak Properties LLC	22.850.0010	477,500	444,300	-33,200			Interior Inspection
Jeromy Eotvos	22.550.0220	168,800	116,800	-52,000			Interior Inspection
Michael Hoey	11.027.2500	243,600	183,400	-60,200			Interior Inspection

ATTEST:

Le Sueur County Finance Director

Le Sueur County Chairman

Board of Equalization Summary Minutes
Wednesday, June 14, 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.
- King was nominated for Chairman. (Rohlfing-Wetzel)
- King was elected Chairman of the 2017 Board of Equalization. (Gliszinski-Connolly)
- Gliszinski was nominated for Vice Chairman. (King-Wetzel)
- Gliszinski was elected Vice Chair of the 2017 Board of Equalization. (Rohlfing-Connolly)
- With no individuals appearing before the Board, the Board accepted the recommendations of the County Assessor and ordered the following 2017 parcel assessment changes and adjourned at 7:02 p.m. (Wetzel-Gliszinski)

Property Owner	Parcel #	Valuation Appeals			Classification Appeals		Reason
		Assessor Total EMV	Board Total EMV	Change (+/-) in EMV (\$)	Assessor Class	Board Class	Explanation Of Change
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Delores Meyer	24.663.0190	86,300	70,600	-15,700			Interior Inspection
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Michael Hoey	11.027.2500	243,600	183,400	-60,200			Interior Inspection

ATTEST: Le Sueur County Finance Director Le Sueur County Chairman

Tobacco License Renewals

Vet's Super America

Genesis Cenex

Valley Lanes (The Bar)

Casey's General Store -2570

Casey's General Store-2589

Casey's General Store-2401

Holiday Stationstore Inc- 233

Phil Mart

Davis Marketplace

Radermacher Foods of LeSueur

Radermacher Foods of LeCenter

LeCenter Municipal Liquor Store

Scoop's Liquor

Woods Grill and Bar

Denny's Bar, Inc

The Liquor Hole, Inc

The Pit Stop

J& L Bottles, Inc.



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 2

9:05 a.m. Claims (5 min)

Staff Contact:



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 3

9:10 a.m. Human Services (35 min)

Staff Contact:

**Human Services Board Agenda
June 20, 2017 @ 9:15 a.m.**

100- INFORMATION/PRESENTATIONS:

- 101 - Introduction of New Employee
 - 101.1 - Caitlin Meyer - Case Aide (Child Services)
- 102 - General Updates and Highlights
- 103 - Legislative Wrap Up/Impact

200- CHARTS/GRAPHS:

- 210- Finance Graphs/Report;
- 220- Income Maintenance/Child Support Graphs;
- 230- Family Services Graphs-
 - 231- Social Services Team
 - 232- Child Services Team
 - 232.1- Out Of Home Placement Report
 - 232.2- In-Home Family Therapy Report;
 - 233- Behavioral Health Team

300- BOARD APPROVAL ITEMS:

- 310 - Commissioner's Warrants



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 4

9:45 a.m. Pam Simonette, Auditor - Treasurer (30 min)

Ditch Liens - CD #21, 40, 57 & 70

Staff Contact:

Ditch Liens

820% lien for **Le Sueur County Ditch #21** in the amount of \$10,425.48 to be spread over three years beginning with taxes payable in 2018. The interest rate is 4% and the lien will be filed December 15, 2017.

243% lien for **Le Sueur County Ditch #40** in the amount of \$101,493.83 to be spread over ten years beginning with taxes payable in 2018. The interest rate is 4% and the lien will be filed December 15, 2017.

120% lien for **Le Sueur County Ditch #57** in the amount of \$13,956.00 to be spread over three years beginning with taxes payable in 2018. The interest rate is 4% and the lien will be filed December 15, 2017.

132% lien for **Le Sueur County Ditch #70** in the amount of \$64,734.72 to be spread over eight years beginning with taxes payable in 2018. The interest rate is 4% and the lien will be filed December 15, 2017.



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 5

10:15 a.m. Southern Minnesota Initiative Foundation (15 min)

Staff Contact:



SOUTHERN MINNESOTA
INITIATIVE FOUNDATION

May 2017

525 Florence Avenue • PO Box 695 • Owatonna, MN 55060-0695
PH 507.455.3215 • FAX 507.455.2098 • smifoundation.org

Darrell Pettis
Le Sueur County
Courthouse
88 Park Ave S
Le Center, MN 56057-1600

Dear Mr. Pettis and County Board;

The McKnight Foundation created Southern Minnesota Initiative Foundation (SMIF) 30 years ago to make a difference. To fulfill this responsibility we continue to work every day to keep our communities vibrant and prosperous. Whether it's partnering on a loan to support a fledgling business endeavor, supporting a community group about to launch a community foundation, preparing our youngest residents through literary grants, or providing training for childcare providers, we know with your support we will have a greater impact.

I know you see the value in SMIF's work in Le Sueur County. Recently, we supported Chabelitas Yummy Foods and Fruits LLC with financial and technical assistance to grow their business. With our support, they are expanding into hot foods and catering options in the Le Sueur area! This is just one of the many ways SMIF has contributed to your community. Please see the enclosed factsheet for more examples.

Together, we are making a difference right here at home. But there is still a lot of work that needs to be done.

Your last gift of **\$3,000** on **May 9, 2016** impacted members of your community. Please consider continued support in 2018 at the same level to impact this essential work. With your help we will make southern Minnesota a vibrant and prosperous place to live.

Will you join us?

Tim Penny
President & CEO

Collaborating for Regional Vitality





SOUTHERN MINNESOTA
INITIATIVE FOUNDATION

Collaborating for Regional Vitality

Le Sueur County Investments

We envision southern Minnesota as a prosperous and growing region with vibrant communities, innovative and successful economies, and engaged and valued citizens. To achieve this vision, Southern Minnesota Initiative Foundation, a regional development and philanthropic organization, fosters economic and community vitality in 20 counties of southern Minnesota through a culture of collaboration and partnership.

For every donation of
from Le Sueur County

\$1

=

\$13

is invested back into
Le Sueur County
communities.*

*Includes grants, loans & programming

20 LOANS

\$1.4 million to Le Sueur County entrepreneurs

115 GRANTS

\$553,000 to support community initiatives

***\$5 million invested annually to the 20 counties of
south central and southeastern Minnesota***

Since 1986, Southern Minnesota Initiative
Foundation has leveraged local investments &
partnerships to create a stronger **Le Sueur County**:

\$254,000 in local donations to SMIF

\$3.3 million

invested by SMIF in Le Sueur County
through grants, loans, and programming for
stronger kids, businesses and communities

525 Florence Avenue | PO Box 695 | Owatonna, MN 55060 | 507.455.3215 | www.smifoundation.org

Loans & Equity Investments Supporting local entrepreneurs & creating jobs

Farmhouse Market LLC, New Prague	Organic, locally-sourced 24/7 food market
Herrmann Law Office PLLC, New Prague	General practice law firm
Whitewater Creek Grain & Feed Incorporated, Waterville	Buying, storage, feed sales, & marketing services to farm producers
Rolco Incorporated, Kasota	Plastic injection molding
Odenthal Meats, New Prague	Local meat market
LCS Precision Molding, Waterville	Plastic injection molding specializing in window, door, appliance, electronics, and automotive industry applications
Chabelita's Yummy Foods & Fruits, Le Sueur	Mexican restaurant

Grants Investments in economic development, early childhood and community vitality

AmeriCorps LEAP (Learning Early Achieves Potential)	Members helping with social emotional skill development
New Prague Area Schools	Pre-K to Grade 3 Alignment grant
New Prague Chamber of Commerce	35 gallons of paint awarded for mural
Waterville-Elysian-Morristown Public Schools	Support for WEM new parent needs & services survey
City of Elysian	16 gallons of paint award for Elysian City Park mural & buildings
Tri-City United Public Schools, Montgomery	Hundreds of books awarded through multiple literacy grants
30th Community Collaboration Grant, New Prague ECI	Social emotional book bag project

Affiliate Funds Increasing rural philanthropy

Elysian Community Foundation	New Prague Area Community Foundation
Le Sueur Community Foundation	Sakatah Area Foundation
Le Sueur Community Wellness Collaborative	Waterville Friends of the Library

Community Collaborations Bringing communities together for change

New Prague Early Childhood Initiative (Started in 2015)
Tri-City United Early Childhood Initiative (Started in 2008)

Making a Difference

Helping communities increase early childhood development opportunities



New Prague is SMIF's newest Early Childhood Initiative (ECI) community. ECIs pull together a cross-sector of community leaders to discuss opportunities to improve early childhood offerings. The group is implementing four projects: winter open gym, a website listing all early childhood resources in New Prague, a child care support group with trainings and monthly meetings for child care providers, and large group community presentations to talk about positive discipline.

Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 6

10:30 a.m. Nik Kadel, Ditch Inspector (20 min)

RE: County Ditch 48

RE: Buffer Resolution

Staff Contact:



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 authorizes a county to assume jurisdiction over the compliance provisions of the water quality buffer initiative; 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.

ATTEST:

Steve Rohlfling, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

Date

**Estimated Riparian Aid to Counties - Chapter 1, 2017 First Special Session &
Chapter 93, 2017 Regular Session**

Counties must pass a resolution assuming enforcement responsibilities to be eligible for this aid

TOTAL	\$8,000,000	\$10,000,000
AITKIN	\$40,000	\$50,000
ANOKA	\$40,000	\$50,000
BECKER	\$106,673	\$133,341
BELTRAMI	\$63,643	\$79,554
BENTON	\$58,625	\$73,281
BIG STONE	\$91,809	\$114,762
BLUE EARTH	\$124,797	\$155,996
BROWN	\$113,829	\$142,287
CARLTON	\$40,000	\$50,000
CARVER	\$48,711	\$60,889
CASS	\$43,774	\$54,718
CHIPPEWA	\$108,221	\$135,276
CHISAGO	\$40,000	\$50,000
CLAY	\$160,000	\$200,000
CLEARWATER	\$77,098	\$96,373
COOK	\$40,000	\$50,000
COTTONWOOD	\$123,438	\$154,298
CROW WING	\$40,000	\$50,000
DAKOTA	\$57,427	\$71,784
DODGE	\$79,644	\$99,555
DOUGLAS	\$79,465	\$99,332
FARIBAULT	\$133,970	\$167,462
FILLMORE	\$139,219	\$174,023
FREEBORN	\$131,985	\$164,981
GOODHUE	\$117,801	\$147,251
GRANT	\$97,747	\$122,183
HENNEPIN	\$40,000	\$50,000
HOUSTON	\$51,573	\$64,467
HUBBARD	\$40,000	\$50,000
ISANTI	\$40,000	\$50,000
ITASCA	\$40,000	\$50,000
JACKSON	\$132,515	\$165,644
KANABEC	\$40,000	\$50,000
KANDIYOHI	\$125,005	\$156,256
KITSON	\$154,543	\$193,178
KOOCHICHING	\$40,000	\$50,000
LAC QUI PARLE	\$140,752	\$175,940
LAKE	\$40,000	\$50,000
LAKE OF THE WOODS	\$40,000	\$50,000
LE SUEUR	\$70,428	\$88,035
LINCOLN	\$102,075	\$127,593
LYON	\$128,861	\$161,077
MCLEOD	\$80,046	\$100,058

MAHNOMEN	\$74,455	\$93,068
MARSHALL	\$160,000	\$200,000
MARTIN	\$137,719	\$172,148
MEEKER	\$97,847	\$122,309
MILLE LACS	\$40,000	\$50,000
MORRISON	\$137,179	\$171,473
MOWER	\$131,811	\$164,764
MURRAY	\$136,033	\$170,041
NICOLLET	\$79,164	\$98,955
NOBLES	\$139,143	\$173,929
NORMAN	\$160,000	\$200,000
OLMSTED	\$93,798	\$117,247
OTTER TAIL	\$160,000	\$200,000
PENNINGTON	\$100,616	\$125,770
PINE	\$48,207	\$60,259
PIPESTONE	\$90,863	\$113,578
POLK	\$160,000	\$200,000
POPE	\$116,495	\$145,619
RAMSEY	\$40,000	\$50,000
RED LAKE	\$83,145	\$103,931
REDWOOD	\$160,000	\$200,000
RENVILLE	\$160,000	\$200,000
RICE	\$70,997	\$88,747
ROCK	\$94,362	\$117,952
ROSEAU	\$160,000	\$200,000
ST LOUIS	\$40,000	\$50,000
SCOTT	\$40,000	\$50,000
SHERBURNE	\$40,000	\$50,000
SIBLEY	\$100,138	\$125,173
STEARNS	\$160,000	\$200,000
STEELE	\$74,313	\$92,891
STEVENS	\$105,919	\$132,399
SWIFT	\$141,114	\$176,392
TODD	\$112,051	\$140,064
TRAVERSE	\$112,656	\$140,820
WABASHA	\$66,912	\$83,640
WADENA	\$40,000	\$50,000
WASECA	\$76,479	\$95,599
WASHINGTON	\$40,000	\$50,000
WATONWAN	\$81,451	\$101,814
WILKIN	\$144,535	\$180,669
WINONA	\$68,593	\$85,742
WRIGHT	\$76,891	\$96,114
YELLOW MEDICINE	\$143,438	\$179,297

Estimates by Property Tax Research, May 30, 2017

Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 7

10:50 a.m. Ann Traxler (5 min)

RE: Trailer

Staff Contact:



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 8

10:55 a.m. Nancy Domonoske (5 min)

RE: Introduce "New" Extension Staff Casandra Story, 4H PC and Kristi Frederick, 4H summer intern

Staff Contact: Nancy Domonoske

Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 9

11:00 a.m. Brett Mason, Sheriff (5 min)

RE: Snowmobile

RE: Treadmill

RE: Out of State Travel Request

Staff Contact:



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 10

11:05 a.m. Darrell Pettis, County Administrator/Engineer

RE: HR Items

RE: CPA Projections

RE: JD 5 - Redetermination discussion

RE: CD 48 - Record Correction

Staff Contact:

On June 6, the Board approved to hire Caitlin Meyer as a full time Case Aide in Human Services, as a Grade 4, Step 1 at \$15.97 per hour. We extended the offer to hire at a Step 2.

Recommendation to hire Caitlin Meyer as a full time Case Aide in Human Services, as a Grade 4, Step 2 at \$16.54 per hour, effective June 12, 2017.

Recommendation to accept the resignation request from Miranda Rosa, part time Drug Court Coordinator in the Drug Court Office, effective July 10, 2017.

CPA Projections: HF 1, first special session

	Pay 17 Certified CPA	Pay 18 Estimated CCR	Change Pay 17 vs. Pay 18 CCR	Change Pay 17 vs. Pay 18 CCR
Statewide Total	208,456,747	234,090,557	25,633,810	12.30%
Metro Total	104,654,508	111,709,861	7,055,353	6.74%
Non-Metro Total	103,802,239	122,380,696	18,578,457	17.90%
Anoka	16,535,710	17,806,160	1,270,450	7.68%
Carver	2,966,955	3,390,711	423,756	14.28%
Dakota	16,750,526	18,446,083	1,695,557	10.12%
Hennepin	30,838,349	32,203,559	1,365,210	4.43%
Ramsey	16,941,175	17,476,862	535,687	3.16%
St. Louis	11,508,292	12,282,150	773,858	6.72%
Washington	9,113,501	10,104,336	990,835	10.87%
Aitkin	624,126	766,339	142,213	22.79%
Becker	1,119,695	1,271,081	151,386	13.52%
Beltrami	6,057,149	6,225,628	168,479	2.78%
Benton	2,265,782	2,410,592	144,810	6.39%
Big Stone	102,957	455,874	352,917	342.78%
Blue Earth	2,678,882	2,955,885	277,003	10.34%
Brown	953,491	1,061,806	108,315	11.36%
Carlton	1,992,132	2,126,560	134,428	6.75%
Cass	830,063	1,183,950	353,887	42.63%
Chippewa	269,752	572,396	302,644	112.19%
Chisago	2,673,708	2,879,214	205,506	7.69%
Clay	2,885,877	3,133,880	248,003	8.59%
Clearwater	663,098	777,783	114,685	17.30%
Cook	277,620	462,962	185,342	66.76%
Cottonwood	233,988	587,080	353,092	150.90%
Crow Wing	1,951,129	2,246,480	295,351	15.14%
Dodge	712,165	798,774	86,609	12.16%
Douglas	1,333,497	1,497,274	163,777	12.28%
Faribault	285,327	638,487	353,160	123.77%
Fillmore	604,428	698,998	94,570	15.65%
Freeborn	1,405,316	1,533,034	127,718	9.09%
Goodhue	1,428,035	1,637,506	209,471	14.67%
Grant	114,926	467,859	352,933	307.10%
Houston	883,675	957,183	73,508	8.32%
Hubbard	695,515	847,014	151,499	21.78%
Isanti	2,126,320	2,268,477	142,157	6.69%
Itasca	1,940,022	2,137,461	197,439	10.18%
Jackson	164,632	517,632	353,000	214.42%
Kanabec	1,035,424	1,063,055	27,631	2.67%
Kandiyohi	1,723,802	1,906,917	183,115	10.62%

	Pay 17 Certified CPA	Pay 18 Estimated CCR	Change Pay 17 vs. Pay 18 CCR	Change Pay 17 vs. Pay 18 CCR
Statewide Total	208,456,747	234,090,557	25,633,810	12.30%
Metro Total	104,654,508	111,709,861	7,055,353	6.74%
Non-Metro Total	103,802,239	122,380,696	18,578,457	17.90%
Kittson	102,224	425,502	323,278	316.25%
Koochiching	783,810	832,109	48,299	6.16%
Lac Qui Parle	125,966	478,915	352,949	280.19%
Lake	410,912	552,975	142,063	34.57%
Lake Of The Woods	235,480	423,797	188,317	79.97%
Le Sueur	1,013,855	1,130,721	116,866	11.53%
Lincoln	99,941	452,854	352,913	353.12%
Lyon	720,017	838,373	118,356	16.44%
Mcleod	1,709,843	1,851,297	141,454	8.27%
Mahnomen	608,811	674,297	65,486	10.76%
Marshall	133,483	486,441	352,958	264.42%
Martin	436,797	790,159	353,362	80.90%
Meeker	1,003,310	1,097,905	94,595	9.43%
Mille Lacs	1,585,043	1,679,723	94,680	5.97%
Morrison	1,688,488	1,814,910	126,422	7.49%
Mower	2,014,503	2,170,801	156,298	7.76%
Murray	149,895	502,874	352,979	235.48%
Nicollet	1,398,541	1,534,905	136,364	9.75%
Nobles	656,552	754,958	98,406	14.99%
Norman	126,711	479,661	352,950	278.55%
Olmstead	6,494,337	7,111,017	616,680	9.50%
Otter Tail	1,829,365	2,092,576	263,211	14.39%
Pennington	655,524	712,922	57,398	8.76%
Pine	1,798,282	1,909,048	110,766	6.16%
Pipestone	175,347	528,361	353,014	201.32%
Polk	843,196	991,760	148,564	17.62%
Pope	228,699	573,358	344,659	150.70%
Red Lake	138,854	418,247	279,393	201.21%
Redwood	273,184	626,328	353,144	129.27%
Renville	272,936	626,080	353,144	129.39%
Rice	3,366,618	3,613,509	246,891	7.33%
Rock	167,650	520,654	353,004	210.56%
Roseau	835,828	893,964	58,136	6.96%
Scott	4,968,361	5,555,965	587,604	11.83%
Sherburne	4,024,391	4,382,013	357,622	8.89%
Sibley	267,685	557,273	289,588	108.18%
Stearns	7,912,014	8,509,250	597,236	7.55%
Steele	1,782,727	1,928,679	145,952	8.19%
Stevens	146,118	499,092	352,974	241.57%

	Pay 17 Certified CPA	Pay 18 Estimated CCR	Change Pay 17 vs. Pay 18 CCR	Change Pay 17 vs. Pay 18 CCR
Statewide Total	208,456,747	234,090,557	25,633,810	12.30%
Metro Total	104,654,508	111,709,861	7,055,353	6.74%
Non-Metro Total	103,802,239	122,380,696	18,578,457	17.90%
Swift	187,950	540,981	353,031	187.83%
Todd	1,350,255	1,441,269	91,014	6.74%
Traverse	120,374	428,974	308,600	256.37%
Wabasha	830,252	919,177	88,925	10.71%
Wadena	897,160	947,021	49,861	5.56%
Waseca	788,063	867,568	79,505	10.09%
Watonwan	239,751	548,930	309,179	128.96%
Wilkin	152,081	483,071	330,990	217.64%
Winona	2,574,734	2,768,406	193,672	7.52%
Wright	5,277,847	5,805,886	528,039	10.00%
Yellow Medicine	165,941	518,942	353,001	212.73%

Health and Human Services



HHS PRIORITIES: The Bad News

Ending County Cost Shares: *AMC Priority- to raise awareness to state legislators that balancing the state budget on the backs of county property taxes is unsustainable. AMC hoped for the inclusion of county costs on spreadsheets, and opposed additional cost shares that would increase the burden on local property taxes.*

- Legislation was introduced to remove the county cost shift for individuals at AMRTC and CBHH's. Legislation was also introduced, and heard to create a task force to review the sustainability of the Health and Human Services Funding system.
- In the last 15 hours of the special session, a never before provision was included in MNCHOICES reform: a approximately \$20 million cost shift to counties for 15.7% in the first biennium and 18.1% in the second biennium of the state share of MNCHOICES assessments. AMC and MICA vehemently opposed this provision as session came to a close, but as it had already been agreed to by DHS and the Senate Author, the provision remained in the final bill.

Public Safety



Public Safety Omnibus Finance

- 3.6% increase for county probation pass through funding, \$2.1 million for CCA counties and \$230,000 for CPO Counties
- Provision for \$10 million to be transferred to Disaster Aid Contingency Account if there is a sufficient surplus at end of the fiscal year (June 30, 2017)

Public Safety Omnibus Policy

- Fix for STS liability issue included in the bill
- Streamlined process for reimbursement from DOC to Sheriffs for transporting inmates to prison
- Expanded disaster aid eligibility to rural electric cooperatives

**STATE OF MINNESOTA
LE SUEUR COUNTY BOARD OF COMMISSIONERS, DRAINAGE AUTHORITY FOR LE SUEUR
COUNTY DITCH 48**

**FINDINGS AND ORDER DIRECTING PROCEEDINGS TO REESTABLISH AND CORRECT DRAINAGE
SYSTEM RECORD FOR LE SUEUR COUNTY DITCH 48 (Statutes §103E.101, subd. 4a)**

Commissioner _____ offered the following Resolution and moved its adoption, seconded by Commissioner _____:

FINDINGS

1. The Le Sueur County Board of Commissioners is the Drainage Authority for Le Sueur County Ditch (CD) 48.
2. After thorough investigation of the drainage system record, the Drainage Authority finds that the records establishing the alignment, profile, and right-of-way of CD 48 are incomplete.
3. Statutes Section 103E.101, subd. 4a allows the Drainage Authority to initiate proceedings to reestablish records defining the alignment; cross-section; profile; hydraulic structure locations, materials, dimensions, and elevations; or right-of-way of a drainage system as originally constructed or subsequently improved.

Therefore, the Drainage Authority makes the following:

ORDER

- A. The Drainage Authority shall follow the procedures of Statutes Section 103E.101, subd. 4a to reestablish and correct the drainage system record for CD 48 to reflect the functional alignment, dimension, grade and right-of-way of the system.
- B. The Drainage Authority appoints the engineering firm of ISG and Chuck Brandel, P.E., to investigate and report findings defining the alignment; cross-section; profile; hydraulic structure locations, materials, dimensions, elevations; and right-of-way of the drainage system.
- C. Drainage Authority staff, upon completion of the engineer's investigation, shall set a date, time and location for an informational meeting on the reestablished and corrected drainage system records.

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- D. Drainage Authority staff, upon completion of the informational meeting, shall set a date, time and location for a hearing on the reestablished and corrected drainage system records.
- E. Drainage Authority staff shall give notice of the hearing by mail to the commissioner of natural resources, the executive director of the Board of Water and Soil Resources, and all property owners benefited or damaged by the drainage system and shall give additional notice either in a newspaper of general circulation in the drainage system area or by publication on Drainage Authority's website and in all other ways as required by Board policy.

The question was on the adoption of the Resolution, and after discussion, the motion passed and the Findings and Order were adopted by a vote of __ yes and __ no.

Dated this 20th day of June 2017.

LE SUEUR COUNTY BOARD OF COMMISSIONERS,
SEATED AS DRAINAGE AUTHORITY UNDER
STATUTES CHAPTER 103E FOR LE SUEUR COUNTY
DITCH 48

By _____
Chairman, Board of Commissioners

* * * * *

I, Pam Simonette, Le Sueur County Auditor-Treasurer, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the County and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 20th day of June, 2017.

Pam Simonette, Auditor-Treasurer

[15741-0035/2696825/1]

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Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 11

Commissioner Committee Reports

Staff Contact:



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 12

Future Meetings

Staff Contact:

Future Meetings

June - August 2017

June 20, 2017	Board Meeting, 9:00 a.m. *ATV – Golf Cart Workshop
June 27, 2017	Board Meeting, 9:00 a.m. *Wheelage and Sales Tax Workshop *Turnbacks Workshop *BKV / Justice Center Workshop
July 4, 2017	Independence Day – Offices Closed No Board Meeting
July 11, 2017	Board Meeting, 9:00 a.m.
July 13, 2017	P&Z Meeting, 7:00 p.m. at Environmental Services
July 18, 2017	Board Meeting, 9:00 a.m. *CHB Meeting, 1:00 p.m. in Waterville
July 20, 2017	Board of Adjustment Meeting, 3:00 p.m. at Environmental Services
July 25, 2017	Board Meeting, 9:00 a.m.
August 1, 2017	Board Meeting, 9:00 a.m.
August 8, 2017	No Board Meeting
August 10, 2017	P&Z Meeting, 7:00 p.m. at Environmental Services
August 15, 2017	Board Meeting, 9:00 a.m.
August 17, 2017	Board of Adjustment Meeting, 3:00 p.m. at Environmental Services
August 22, 2017	Board Meeting, 9:00 a.m.
August 29, 2017	No Board Meeting



Le Sueur County, MN

Tuesday, June 20, 2017

Board Meeting

Item 13

ATV-GOLF CART WORKSHOP

Staff Contact:

169.045 SPECIAL VEHICLE USE ON ROADWAY.

Subdivision 1. **Designation of roadway, permit.** The governing body of any county, home rule charter or statutory city, or town may by ordinance authorize the operation of motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks, on designated roadways or portions thereof under its jurisdiction. Authorization to operate a motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck is by permit only. For purposes of this section:

- (1) an all-terrain vehicle has the meaning given in section 84.92;
- (2) a mini truck has the meaning given in section 169.011, subdivision 40a; and

(3) a utility task vehicle means a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.

Subd. 2. **Ordinance.** The ordinance shall designate the roadways, prescribe the form of the application for the permit, require evidence of insurance complying with the provisions of section 65B.48, subdivision 5 and may prescribe conditions, not inconsistent with the provisions of this section, under which a permit may be granted. Permits may be granted for a period not to exceed three years, and may be renewed. A permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck on the designated roadways. The ordinance may require, as a condition to obtaining a permit, that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck on the roadways designated.

Subd. 3. **Times of operation.** Motorized golf carts, all-terrain vehicles, and utility task vehicles may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights. They shall not be operated in inclement weather, except during emergency conditions as provided in the ordinance, or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.

Subd. 4. **Slow-moving vehicle emblem.** Motorized golf carts shall display the slow-moving vehicle emblem provided for in section 169.522, when operated on designated roadways.

Subd. 5. **Crossing intersecting highways.** The operator, under permit, of a motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck may cross any street or highway intersecting a designated roadway.

Subd. 6. **Application of traffic laws.** Every person operating a motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of this chapter, except when those provisions cannot reasonably be applied to motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks and except as otherwise specifically provided in subdivision 7.

Subd. 7. **Nonapplication of certain laws.** The provisions of chapter 171 are applicable to persons operating mini trucks, but are not applicable to persons operating motorized golf carts, utility task vehicles, or all-terrain vehicles under permit on designated roadways pursuant to this section. Except for the requirements of section 169.70, the provisions of this chapter relating to equipment on vehicles are not applicable to motorized golf carts, utility task vehicles, or all-terrain vehicles operating, under permit, on designated roadways.

Subd. 7a. **Required equipment on mini trucks.** Notwithstanding sections 169.48 to 169.68, or any other law, a mini truck may be operated under permit on designated roadways if it is equipped with:

- (1) at least two headlamps;
- (2) at least two taillamps;
- (3) front and rear turn-signal lamps;
- (4) an exterior mirror mounted on the driver's side of the vehicle and either (i) an exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror;
- (5) a windshield;
- (6) a seat belt for the driver and front passenger; and
- (7) a parking brake.

Subd. 8. **Insurance.** In the event persons operating a motorized golf cart, utility task vehicle, all-terrain vehicle, or mini truck under this section cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan under sections 65B.01 to 65B.12, at a rate to be determined by the commissioner of commerce.

History: 1982 c 549 s 2; 1986 c 452 s 19; 1Sp1986 c 3 art 2 s 12; 1987 c 337 s 121,122; 1997 c 159 art 2 s 18; 2009 c 158 s 3,10; 2011 c 107 s 89-95; 2012 c 287 art 3 s 56; 2014 c 255 s 20

RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

The following resolution (2011-9-44) was offered by Commissioner Bunes:

Regulating the Use of
ATV's, Golf Carts and Mini Trucks
on County Roads

BE IT AND IT IS HEREBY RESOLVED, By the Polk County Board of Commissioners, County of Polk, State of Minnesota, under authority provided in Minn. Stat. § 169.045, that:

An Ordinance regulating the use and operation of motorized golf carts, four-wheel all-terrain vehicles, and mini trucks on portions of designated roadways under the County's jurisdiction be and hereby is established as follows:

SECTION I - PURPOSE

The purpose of this Ordinance is to provide authority for the use of more fuel efficient and cost effective vehicles on county roads which are located within cities or towns that adopt an Ordinance establishing standards and permitting the use of such vehicles on designated roadways within its jurisdiction pursuant to the authority granted by Minn. Stat. § 169.045.

SECTION II - SCOPE

This Ordinance shall provide for the authorization of the operation of motorized golf carts, four-wheel all-terrain vehicles, or mini trucks on portions of county roadways which are located within the jurisdictional boundaries of cities or towns that have adopted an Ordinance permitting the use of such vehicles as allowed by Minnesota law.

SECTION III - AUTHORITY

This Ordinance is enacted pursuant to Minnesota Statute § 169.045 which establishes the authority of the County to authorize by Ordinance the operation of motorized golf carts, four-wheel all-terrain vehicles, or mini trucks on designated portions of county roadways under its jurisdiction.

SECTION IV - DEFINITIONS

For the purpose of this Ordinance, the following definitions will apply:

- 4.1 Designated Roadway means that portion of county roads or county state-aid highways within Polk County which are located within the jurisdictional boundaries of a city or town that has enacted an Ordinance authorizing, providing standards, and establishing a permitting process for the use of motorized golf carts, four-wheel all-terrain vehicles, or mini trucks on roadways under its jurisdiction pursuant to Minn. Stat. § 169.045.
- 4.2 Four-wheel all-terrain vehicle means a motorized floatation-tired vehicle with four low-

pressure tires that is limited in engine displacement of less than 800 cubic centimeters and has a total dry weight of less than 600 pounds.

- 4.3 Mini truck means a motor vehicle that has four wheels, is propelled by an electric motor with a rated power of 7500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less, has a total dry weight of 900 to 2200 pounds, contains an enclosed cabin and a seat for the vehicle operator, commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, sections 571.101 to 571.404 and successor requirements. A mini truck does not include:
- (i) A neighborhood electric vehicle or a medium speed electric vehicle; or
 - (ii) A motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.
- 4.4 Motorized golf cart means any vehicle designed for use primarily on a golf course that is propelled by either a gas or electric motor.

SECTION V - PERMIT REQUIRED

- 5.1 It shall be unlawful for any person to operate a motorized golf cart, a four-wheel all-terrain vehicle, or a mini truck on roadways under the jurisdiction of Polk County, except when the vehicle is traveling on designated roadways and is prominently displaying a valid permit obtained from the city or town in which the designated roadway is located.
- 5.2 Permits are to be granted for duration not to exceed one year and must be renewed annually, as required by law, to remain valid.

SECTION VI - RIGHTS AND DUTIES

- 6.1 Every person operating a motorized golf cart, four wheel all-terrain vehicle, or mini truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minn. Stat. Chapter 169, except when those provisions cannot reasonably be applied to the vehicle.
- 6.2 Motorized golf carts and four-wheel all-terrain vehicles may only be operated on designated roadways from sunrise to sunset. Motorized golf carts and four-wheel all-terrain vehicles may not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- 6.3 Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minn. Stat. § 169.522.
- 6.4 The provisions of Minn. Stat. Chapter 171 are applicable to persons operating mini trucks under permit on designated roadways.
- 6.5 Notwithstanding any other law, a mini truck may be operated on designated roadways under permit only if it is equipped with:
- (a) at least two headlamps;
 - (b) at least two tail lamps;
 - (c) front and rear turn-signal lamps;
 - (d) an exterior mirror mounted on the driver's side of the vehicle and either:

- (e) a windshield;
(f) a seat belt for the driver and front passenger;
and (g) a parking brake.

SECTION VII - REVOCATION

Law enforcement officers shall report all violations of this Ordinance to the office responsible for issuing the required permit for travel on designated roadways for determination of revocation of the permit.

SECTION VIII - SEVERABILITY

The provisions of this Ordinance shall be severable. Should any section, paragraph, sentence, clause, phrase or portion of this regulation be declared invalid for any reason, the remainder of said regulation shall not be affected and the remainder of the provisions shall remain in full force and effect.

SECTION IX - PENALTIES

Violations of this Ordinance shall be petty misdemeanors, except that violations committed under circumstances that endanger or are likely to endanger persons or property, which shall be misdemeanors. A violation of this Ordinance within twelve (12) months of a conviction for a prior violation of this Ordinance shall be a misdemeanor and shall result in revocation of the violator's permit to operate the motorized golf cart, four wheel all-terrain vehicle, or mini truck, on designated roadways for a period of twelve (12) months following conviction.

SECTION X - EFFECTIVE DATE

This regulation shall be in full force and effect upon publication and adoption pursuant to law.

Commissioner Strandell seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Buness, Strandell, Diedrich. NAYS: None

STATE OF MINNESOTA)
) ss
COUNTY OF POLK)

I, John P. Schmalenberg, County Administrator to and Clerk of the Polk County Board of Commissioners do hereby certify that I have compared the foregoing resolution with the original resolution filed in my office on the 6th day of September 2011, and that the same is a true and correct copy of the whole thereof.

WITNESS my hand and Official Seal of Polk County at Crookston, Minnesota this 6th day of September 2011.

John P. Schmalenberg
County Administrator
Clerk of the Board

RENVILLE COUNTY

SPECIAL VEHICLE USE ON DESIGNATED COUNTY ROADWAYS

An Ordinance relating to and regulating the use and operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts on designated Renville County highways and roadways under its jurisdiction.

SECTION 1. PURPOSE AND INTENT

This Ordinance is adopted pursuant to authorization and policies contained in Minnesota Statutes, Section 169.045, as amended, to allow special vehicle use on designated roadways under the jurisdiction of Renville County. This Ordinance is adopted for the purposes of:

1. Authorizing the operation of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts on designated County roadways within Renville County, Minnesota.
2. Providing an economic benefit to Renville County citizens by allowing operation of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts on designated County roadways to access our cities, businesses, golf courses, parks, and trails.
3. Restricting all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts from operating in ditch bottoms and along right-of-way slopes to ensure the integrity of the roadway system from excessive erosion and to allow the mowing and baling of grass along County roadways.

SECTION 2. DEFINITIONS

For the purpose of this Ordinance, certain words and phrases are defined as follows:

All-Terrain Vehicle (ATV) – An all-terrain vehicle has the meaning given in Minnesota Statutes, Section 84.92.

Board – The Renville County Board of County Commissioners.

City – The cities of Renville County, Minnesota.

County – Renville County, Minnesota.

Designated County Roadway Map – The official County map, approved by the Renville County Board of County Commissioners as part of this Ordinance, indicating all County highways and roads or portions thereof designated for the operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts.

Designated County Roadways – All highways and roads or portions thereof, under the jurisdiction of the Renville County Board of County Commissioners, authorized by Ordinance for the operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts. This definition does not include the designation and operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts on federal or state highways, township roads, or city streets.

Mini-Truck – A mini-truck has the meaning given in Minnesota Statutes, Section 169.011, Subd. 40a.

Motorized Golf Cart – A self-propelled motor vehicle designed and manufactured for sporting and recreational purposes that typically is not capable of exceeding speeds of 20 miles per hour.

Public Road Right-of-Way – The entire right-of-way of a public road, including the traveled portions, banks, ditches, shoulders, and medians of a roadway, which is not privately owned.

Renville County Special Vehicle Use Permit – A permit issued by Renville County allowing the use of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts on designated County roadways in Renville County.

Roadway – That portion of a County road or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder.

Utility Task Vehicle (UTV) – A utility task vehicle means a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.

SECTION 3. COUNTY PERMIT REQUIRED

1. Unless otherwise legally permitted, no person shall operate all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts on designated County roadways, or portions thereof, without a valid, current, unrevoked Renville County Special Vehicle Use Permit.
2. Permit Application. Application for a Renville County Special Vehicle Use Permit must be made on a form supplied by the County and must contain the following information for each all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart permitted:
 - A. Date of application.
 - B. The name, address, phone number, and email address of the registered vehicle owner.

- C. Year, make, model, and DNR registration, vehicle identification, or serial number of the vehicle to be permitted.
 - D. Proof of vehicle insurance.
 - E. Such other information as the Board may require.
- 3. Permit Fees. The Board may establish an annual fee for a permit.
 - 4. Term of Permit. Permits are valid for two calendar year(s) beginning January 1 and ending December 31 of the last year the permit is valid. Vehicle owners are responsible for renewal of the Renville County Special Vehicle Use Permit every two years.
 - 5. Proof of Permit. Permit decals shall be located on a plate that is clearly visible on the back of the all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart.
 - 6. Exemptions. The provisions of this Ordinance shall not apply to the use of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts used by governmental agencies in the pursuit of their duties or during emergency use and during an organized and approved parade.

SECTION 4. OPERATING CONDITIONS

- 1. Operation on Designated County Roadways. All-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts may only be operated on designated County roadways, as noted on the Designated County Roadway Map, with an approved Renville County Special Vehicle Use Permit. Operation on federal and state highways and roads and streets under the jurisdiction of a city or township is not permitted by this Ordinance.
- 2. Regulations for Operation. All-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts must be operated on the extreme right-hand side of a designated County roadway, making left turns across the roadway only if it is safe to do so under prevailing conditions. All-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts shall not be operated on the inside slope, ditch bottom, or outside slope of the right-of-way, unless such operation is otherwise permitted by appropriate signage.
- 3. Times of Operation. All-terrain vehicles, utility task vehicles, and motorized golf carts may only be operated on designated County roadways from sunrise to sunset unless equipped with original equipment headlamps, tail lamps, and rear-facing brake lamps. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet. Mini-trucks are not restricted from operation at night or in inclement weather.

4. Required Equipment on Mini-Trucks. A mini-truck may be operated on designated County roadways if it is equipped with the following:
 - A. At least two headlamps.
 - B. At least two tail lamps.
 - C. Front and rear turn-signal lamps.
 - D. An exterior mirror mounted on the driver's side of the vehicle and either:
 - i. An exterior mirror mounted on the passenger's side of the vehicle, or
 - ii. An interior mirror.
 - E. A windshield.
 - F. A seatbelt for the driver and front passenger.
 - G. A parking brake.
5. Required Equipment on Motorized Golf Carts. Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minnesota Statutes, Chapter 169.522, and shall be equipped with a rear-view mirror when operated on designated County roadways.
6. Required Equipment on All-Terrain and Utility Task Vehicles. All-terrain and utility task vehicles shall be equipped with a rear-view mirror when operated on designated County roadways.
7. Crossing Intersecting Highways. The operator of an all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart, who has attained a Renville County Special Vehicle Use Permit, may cross any street or highway intersecting a designated County roadway.
8. Application of Traffic Laws. Every person operating an all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart, who has attained a Renville County Special Vehicle Use Permit to operate on designated County roadways, has all the rights and duties applicable to the driver of any other vehicle under Minnesota Statutes, except when those provisions cannot reasonably be applied to all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts and except as otherwise specifically provided in Minnesota Statutes, Section 169.045, Subd. 7.
9. Application of Other Laws. Every person operating an all-terrain vehicle, mini-truck, utility task vehicle, and motorized golf cart who has attained a Renville County Special Vehicle Use Permit to operate on designated County roadways shall abide by the provisions of all Minnesota statutes and rules governing the vehicle's use and operation

requirements including but not limited to Minnesota Statutes, Chapter 169 (Traffic Regulations), and Minnesota Statutes, Chapter 84.92 – 84.929 (All-Terrain Vehicles), as amended.

10. **Non-Application of Certain Laws.** The provisions of Minnesota Statutes, Chapter 171, are applicable to persons operating mini trucks but are not applicable to persons operating all-terrain vehicles, utility task vehicles, or motorized golf carts, who have attained a Renville County Special Vehicle Use Permit to operate on designated County roadways, pursuant to this Ordinance. Except for the requirements of Minnesota Statutes, Section 169.70, the provisions of this chapter relating to equipment on vehicles are not applicable to all-terrain vehicles, utility task vehicles, or motorized golf carts operating, under permit, on designated County roadways.
11. **Speed Limit.** No person shall drive or operate an all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart on a designated County roadway at a speed in excess of 40 miles per hour or at a speed greater than is reasonable and prudent under the conditions.
12. **Insurance.** Owners and operators of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts shall be able to furnish evidence of insurance coverage pursuant to Minnesota Statutes, Section 65B.48, as amended.
13. **Age and License Requirements.** Every person operating a utility task vehicle or motorized golf cart on a designated County roadway must be at least 16 years of age and have successfully completed a state-approved drivers' education course or a certified all-terrain vehicle safety training course. A driver's license is required to operate an all-terrain vehicle or mini-truck on a designated County roadway.

SECTION 5. PERMIT SUSPENSION

Renville County Special Vehicle Use Permits may be temporarily suspended by the Board or County Sheriff if it is determined that use of designated County roadways by all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts is a threat to public safety.

SECTION 6. PERMIT REVOCATION

A Renville County Special Vehicle Use Permit may be revoked for any of the following reasons:

1. Violation of any requirements of this Ordinance.
2. There is evidence that the permittee cannot safely operate the all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart on a designated County roadway.
3. Violation of any Minnesota laws or rules governing vehicle use and operation requirements including but not limited to provisions of Minnesota Statutes, Chapter 171, Chapter 169, or Chapter 84.92 – 84.929, as amended.

SECTION 7. RIGHT TO APPEAL

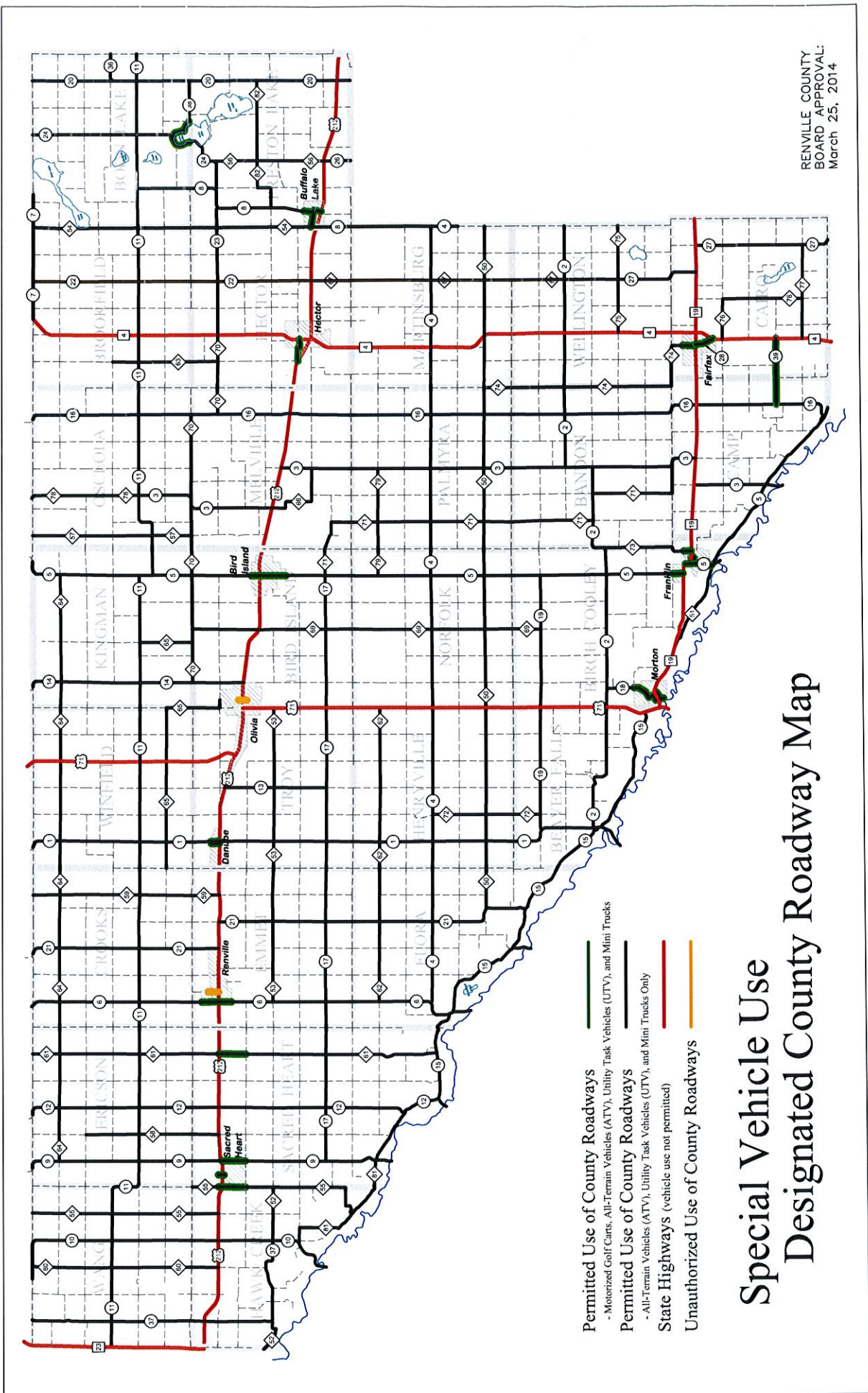
A permit applicant or permittee may appeal, in writing within five business days, the denial or revocation of a Renville County Special Vehicle Use Permit to the Board. The Board shall conduct a hearing within 30 days after the written appeal has been filed. The appealing party shall receive notice of the time and place of the meeting at least 10 days prior to the public hearing. The Board shall determine whether there is sufficient cause to support the denial or revocation of the Renville County Special Vehicle Use Permit. The Board shall make written findings in support of its decision immediately following the hearing, which shall be final.

SECTION 8. VIOLATION / PENALTY

Violations of any requirements of this Ordinance are petty misdemeanors, except that violations committed under circumstances that endanger or are likely to endanger persons or property are a misdemeanor.

SECTION 9. EFFECTIVE DATE

The regulations contained in this Ordinance shall become effective from and after their publication according to law.





Blue Earth County Sheriff's Office
401 Carver Road
Mankato, MN 56001
(507) 304-4800

ATV/MINI TRUCK PERMIT APPLICATION

Permit Fee \$15.00

Permit No: _____

Permit Expiration Date: _____

Name: _____ D.O.B.: _____

Address: _____

Phone: _____ E-mail (opt.): _____

Driver's License No.: _____ State: _____

Do you have any medical conditions that restrict you from driving a motor vehicle on public roadways? ☐ Yes ☐ No

If yes, explain: _____

Insurance Agency: _____ Policy No.: _____

Expiration Date for ATV or Mini Truck Insurance Policy: _____

Make: _____ Model No.: _____

Year: _____ Serial Number: _____ State Registration No.: _____

Form of Payment ☐ Cash ☐ Check ☐ Credit Card

*****Please note: The permit sticker provided must be affixed to a license plate**

Applicant Signature _____

Date _____

JB/, 10-12, N:ATV. APP

**Washington County
Ordinance No. 168
for the
Management of All Terrain Vehicles
in
Washington County Rights of Way**



Ordinance No. 168
Effective: January 1, 2004

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FOR THE MANAGEMENT OF ALL TERRAIN VEHICLES IN THE PUBLIC RIGHT-OF-WAY

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**WASHINGTON COUNTY ORDINANCE
FOR THE MANAGEMENT OF ALL TERRAIN VEHICLES IN THE PUBLIC RIGHT-OF-WAY OF ROADS
UNDER THE COUNTY'S JURISDICTION**

An ordinance to administer and regulate use of all terrain vehicles in the public right-of-way in the public interest, pursuant to the powers granted under Minnesota Statutes 84.92 through 84.928.

Sec. 1.01. Findings, Purpose, and Intent.

To provide for health, safety and welfare of its citizens, and to ensure the integrity of its roads and streets and the appropriate use of the rights of way, the County strives to keep its public right of way in a state of good repair.

Accordingly, the County hereby enacts this ordinance relating to the use of its public right of way by all terrain vehicles.

This ordinance shall be interpreted consistently with Minnesota Statutes Sections 84.82 through 84.928 and the other laws governing applicable rights of the County and users of the right of way. This ordinance shall not be interpreted to limit the regulatory and police powers of the County to adopt and enforce general ordinances necessary to protect the health, safety, and welfare of the public.

Sec. 1.03. Definitions.

The following definitions apply in this ordinance. Defined terms remain defined terms whether or not capitalized.

1. "ATV" or "All Terrain Vehicle" shall mean a motorized flotation-tired vehicle of not less than three, but not more than six, low-pressure tires that is limited in engine displacement to less than 800 cubic centimeters and total dry weight less than 900 pounds.
2. "County" means the County of Washington, Minnesota.
3. "Public Road Right of Way" shall have the meaning given to it by Minnesota Statute 84.92, Subdivision 6a.
4. "County Public Road Right of Way" shall be public road right of way for which Washington County is the road authority, as defined in Minnesota Statute 160.02, Subdivision 25.

Sec. 1.04. Prohibitions.

1. Except as provided for in Minnesota Statute 84.928, Subdivision 1 (e) and in Sections 1.04.2, 1.04.3, and 1.04.4 of this ordinance, it shall be unlawful for any person to operate an All Terrain Vehicle in any County Public Road Right of Way.
2. This ordinance shall not apply to any agent or employee of any road authority, law enforcement or public safety agency, or any agent or employee of the Minnesota Department of Natural Resources when performing or exercising official duties or powers.

3. Nothing in this ordinance shall prohibit the agricultural use of ATVs in rights of way, as defined in Minnesota Statute 84.92, Subd. 1d, or the use of ATVs to maintain permitted accesses over Public Road Rights of Way.
4. Nothing in this ordinance is intended to prohibit the crossing of a County Public Road Right of Way, which is otherwise allowed by Minnesota Statute 84.928, Subdivision 1a, (1) through (5).

Section 1.05 Violation.

1. Anyone violating this ordinance shall be guilty as follows:
 - A) For the first offense, the person shall be guilty of a petty misdemeanor and shall be punished by a fine of \$120.00.
 - B) For a second offense, and for all subsequent offenses, the person shall be guilty of a misdemeanor and shall be punished according to law.

Section 1.06 General Provisions.

1. Severability: If any provision of this ordinance or the application thereof is held invalid, said invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application and for this purpose, the provisions of the ordinance are severable.
2. Enforceability: Sheriff's deputies, State Troopers, Conservation officers, and any other peace officers are empowered to enforce this ordinance.
3. Effective Date: This ordinance shall be effective on January 1, 2004, after passage by the County Board and publication according to law.

**Board of County Commissioners
Washington County, Minnesota
Resolution No. 2003-189**

Date: November 18, 2003

Department: Transportation & Physical Development

Motion by Commissioner Stafford

Seconded by Commissioner Peterson

Resolution Adopting the
Washington County All Terrain Vehicle Ordinance

WHEREAS, MINN. STAT. § 84.92 allows Washington County to regulate the operation of all terrain vehicles (ATV's) in County public road right of ways; and

WHEREAS, Washington County is experiencing considerable damage in its public right of ways because of the operation of ATV's in its road right of ways, including but not limited to rutting, loss of vegetation and soil erosion; and

WHEREAS, on September 24, 2003, the Washington County Board of Commissioners held a public open house to solicit comments on the proposed ordinance and a County Board workshop on November 4, 2003 to hear further comments on the proposed ordinance; and

WHEREAS, on October 21, 2003, the Washington County Board of Commissioners conducted a public hearing to consider enacting an ordinance regulating the operation of ATV's in the County's public road right of ways and continued said hearing to November 18, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby adopts the Washington County Ordinance for the Management of All Terrain Vehicles in Washington County Rights of Way No. 168 as attached hereto.

BE IT FURTHER RESOLVED that the Ordinance shall become effective on January 1, 2004.

ATTEST:

James R. Schug, County Administrator

Dennis C. Hegberg, Chairman, County Board

	YES	NO
HEGBERG	X	
KRIESEL	X	
PETERSON	X	
PULKRABEK		X
STAFFORD	X	

ORDINANCE # 65/09

RELATING TO THE OPERATION OF MOTORIZED GOLF CARTS ON PUBLIC STREETS AND ROADWAYS WITHIN THE CITY LIMITS OF ELYSIAN

The City Council of the City of Elysian does ordain:

Section 1. Use and Operation of Golf Carts on Public Streets and Roadways

Subdivision 1. Adoption by Reference of Minnesota Statute

Except as herein specifically addressed or modified the provisions of Minnesota statutes section 169.045 are hereby incorporated by reference.

Subdivision 2. Definition

- A. For the purpose of this ordinance a golf cart is defined as; any vehicle designed for use primarily o a golf course and any golf cart type vehicle designed for use on a city street or roadway.
- B. Motorized refers to any golf cart type vehicle propelled by any gas or electric motor.

Subdivision 3. Motorized Golf Carts on City Streets and Roadways.

Purpose

- A. The State of Minnesota has authorized the use of motorized golf carts on designated roadways within a City on streets under their jurisdiction and authorized by the City Council through its ordinances.
- B. The City Council of Elysian sees the need to limit the availability of access to City streets and roadways, using motorized golf carts, to persons who are age sixteen (16) or older and who have a valid and current driver's license.

Subdivision 4. Issuing Officer.

- A. The City Council shall determine the streets or roadways of operation and the hours of operation if more restrictive than the State Statute and deemed necessary for public safety reasons.

- B. The City Clerk/Administrator shall authorize the issuance of all permits and may recommend the denial of a permit if the applicants driving status is revoked, suspended or cancelled for prior violations. The City Clerk/Administrator shall collect a fee, as determined by the Council, for the issued permit.**

Subdivision 5. Requirements for Permit.

Application for a permit shall be made in a form supplied by the City of Elysian and shall contain the information listed below. All permits shall be issued for a specific golf cart. The permit shall be issued with a specific license number; the applicant is responsible for obtaining self adhesive numbers at least three (3) inches tall and applying them to both sides of that specific golf cart.

- A. All motorized golf cart owners must provide liability insurance at all times when operating on a public street or roadway. A certificate of insurance must be submitted at the time of permit application.**
- B. The make, model number, serial number and year of the motorized golf cart is required.**
- C. The applicant shall supply a current driver's license showing the name, address and age. The driver's license shall be photocopied for the City records.**
- D. The golf cart shall be inspected by the Clerk/Administrator to ascertain that it has head lights, rear lights, including brake lights, rearview mirror and an authorized slow moving vehicle sign.**
- E. The permit shall be issued for a calendar year (January 1st through December 31st) and may be renewed annually and a fee paid.**

Subdivision 6. Additional Requirements.

- A. Motorized golf carts must display the slow moving vehicle emblem provided for in M.S. 169.522 when operating on a public street or roadway.**
- B. Every operator of a motorized golf cart has all the rights and duties applicable to the drivers of any other vehicle under the provisions of M.S. Chapter 169 except when these provisions cannot be reasonably applied to motorized golf carts and except as otherwise provided in M.S. 169.045, Subd. 7.**
- C. Motorized golf carts may be operated only on streets and roadways designated on the permit authorized by the City Council.**

- D. Motorized golf carts may not be operated on State Highways or County Highways. Drivers may cross, at right angles, any highway intersecting a designated street or roadway.
- E. Motorized golf carts may not be driven on any portion of the DNR State Trail. Drivers may cross the Trail where it intersects approved streets or roadways.
- F. Hours of operation shall be from sunrise through sunset. Operation of a golf cart shall not be permitted during inclement weather or when visibility is impaired by weather, smoke, fog or at any time wherein there is insufficient light to clearly see persons and vehicles on the street at a distance of 500 feet.
- G. The number of occupants allowed in a golf cart is limited to those that can be safely seated in the provided seating.
- H. Children must be properly seated while the golf cart is in motion and may not be transported in a negligent manner.
- I. Golf carts are not permitted to be driven on any sidewalks in the City of Elysian.
- J. If a licensed Motorized golf cart is disabled through mechanical failure or the need for repairs, the permit may be temporarily transferred to another golf cart for a seven day period following verification of mechanical condition and insurance coverage by the City Clerk/Administrator.

Subdivision 7. Assumption of Liability

Nothing in this ordinance shall be construed as an assumption of liability by the City of Elysian for injuries to persons or property which may result from the operation of any motorized golf cart by a permit holder or the failure by the Sheriff to revoke a permit.

Subdivision 8. Violations and Penalties.

Any person violating any provision of this ordinance shall be guilty of a petty misdemeanor.

Ordinance was presented by Councilmember Stoen, seconded by Councilmember Atherton with the following vote being taken:

Voting Yes: Stoen, Atherton, Hanson, Opsahl, Rager

Voting No: None

Date this 13th. day of July, 2009

Attest:

Patricia Nusbaum, Clerk Administrator

David Rager, Mayor

CHAPTER 73: SNOWMOBILES AND ALL-TERRAIN VEHICLES

Section

- 73.01 Regulation
- 73.02 State snowmobile and all-terrain vehicle laws and statutes adopted
- 73.03 Prohibited operations
- 73.04 Direct crossings
- 73.05 Exceptions to prohibited use of roadways
- 73.06 Hours of operation
- 73.07 Required equipment
- 73.08 Unattended snowmobile or ATV
- 73.09 Minimum age of operator

§ 73.01 REGULATION.

The use and operation of certain vehicles, commonly called *SNOWMOBILES*, meaning a self-propelled vehicle designed for travel on snow or ice steered by skis or runners, and *ALL-TERRAIN VEHICLES* or *ATVs*, meaning a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 900 pounds, and also, off-highway motorcycles (licensed for highway use), amphibious vehicles, and similar devices other than snowmobiles used at least partially for travel on natural terrain but not "special mobile equipment" defined in M.S. § 168.011 Subdivision 22, which is hereby incorporated herein by reference, within the city limits is hereby regulated as set forth in this part.
(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05)

§ 73.02 STATE SNOWMOBILE AND ALL-TERRAIN VEHICLE LAWS AND STATUTES ADOPTED.

(A) The state snowmobile laws, M.S. §§ 84.81 through 84.915, as they may be amended from time to time; the game laws relating to the use of snowmobiles, M.S. §§ 100.26 and 100.29, as they may be amended from time to time; and Minn. Rules Parts 6100.5000 to 6100.5800, as they may be amended from time to time, are hereby adopted and made part of this chapter by reference.

(B) The state all-terrain vehicle laws, M.S. §§ 84.92 through 84.929, as they may be amended from time to time; the game laws relating to the use of all-terrain vehicles, M.S. §§ 100.26 and 100.29, as they may be amended from time to time; and Minn. Rules Parts 6100.5000 to 6100.5800, as they may be amended from time to time, are hereby adopted and made part of this chapter by reference. (Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05)

§ 73.03 PROHIBITED OPERATIONS.

(A) It shall be unlawful and punishable for any person to operate a snowmobile or all-terrain vehicle within the city limits in violation of the following restrictions:

- (1) On private property without the permission or consent of the owner or occupant;
- (2) On the boulevard of any public street;
- (3) On a sidewalk, except that a direct crossing may be made in the same manner as provided for direct crossing of a city street;
- (4) At a rate of speed in excess of 15 miles per hour;
- (5) Other than single file on a roadway;
- (6) Other than at the extreme right-hand side of a roadway along the curb;
- (7) On publicly owned land, including school land, park property, playgrounds, golf courses, and cemeteries;
- (8) Within 100 feet of any church property, nursing home, hospital, skating rink or sliding area, or in any other area where the operation would conflict or interfere with normal use of the property or would endanger persons or property;
- (9) To tow any person or object except through use of a rigid tow bar attached to the rear of the snowmobile or all-terrain vehicle;
- (10) To intentionally drive, chase, run over, or kill any animal with a snowmobile or all-terrain vehicle;
- (11) To operate an ATV on a public street without a valid driver's license.

(B) It is unlawful for the owner of a snowmobile or an ATV to permit the snowmobile or ATV to be

operated contrary to the provisions of this section.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05) Penalty, see § 10.99

§ 73.04 DIRECT CROSSINGS.

It is unlawful to operate a snowmobile or all-terrain vehicle upon a roadway except to make a direct crossing, and only as follows:

(A) The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.

(B) The snowmobile or ATV is brought to a complete stop before crossing the shoulder or main traveled way of the highway.

(C) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

(D) In crossing a divided highway, the crossing is made only at an intersection of the highway with another public street.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05) Penalty, see § 10.99

§ 73.05 EXCEPTIONS TO PROHIBITED USE OF ROADWAYS.

Notwithstanding the prohibition of operating a snowmobile or ATV upon a roadway to the contrary, the operation is hereby permitted only as follows:

(A) From the owner's residence or place the snowmobile or ATV is generally stored, in a direct route to and from a place of destination, provided the place of destination is a place that the snowmobile may be lawfully operated.

(B) In an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05)

§ 73.06 HOURS OF OPERATION.

It is unlawful to operate a snowmobile or ATV within the city from 10:00 p.m. to 7:00 a.m. for any purpose other than in going to or returning from an evening ride, except in an emergency as defined in § 73.05(B).

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05) Penalty, see § 10.99

§ 73.07 REQUIRED EQUIPMENT.

(A) For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

SAFETY OR DEADMAN THROTTLE. A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

(B) It is unlawful for any person to operate a snowmobile or ATV unless it is equipped with the following:

(1) Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cut out, bypass, straight pipe, or similar device on a snowmobile or ATV motor;

(2) Brakes adequate to control the movement of and to stop and hold the snowmobile or ATV under any condition of operation;

(3) A safety or so-called deadman throttle in operating condition;

(4) When operated between the hours of one-half hour after sunset to one-half hour before sunrise, or at times of reduced visibility, at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile or ATV operator. It shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions;

(5) Reflective materials at least 16 square inches on each side, forward of the handlebars, or steering device of a snowmobile or ATV, and at the highest practical point on any towed object, so as to reflect light at a 90 degree angle.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05) Penalty, see § 10.99

§ 73.08 UNATTENDED SNOWMOBILE OR ATV.

Every person leaving a snowmobile or ATV unattended shall lock the ignition and remove the key from the ignition and take the keys with them.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05)

§ 73.09 MINIMUM AGE OF OPERATOR.

No person under the age of fourteen years shall operate a snowmobile on any public land in the city. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets and highways as permitted under this chapter, and make a direct crossing of streets and highways only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the Commissioner, and then only for purposes of travel between his or her home, or the home location of the

snowmobile, and a point outside the city. This travel must be accomplished by the shortest distance, taking the most direct route while complying with applicable laws.
(Ord. 163, passed 2-16-88) Penalty, see § 10.99

CHAPTER 75: MOTORIZED GOLF CARTS

Section

75.01	Definitions
75.02	Permit required
75.03	Permits
75.04	Occupants
75.05	Designated roadways and intersections
75.06	Times of operation
75.07	Application of traffic laws
75.08	Slow moving vehicle emblem
75.09	Operation
75.10	Operation on sidewalks and trails
75.11	Suspension or revocation of a permit
75.12	Penalty
75.13	No assumption of liability

§ 75.01 DEFINITIONS.

For purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMUNITY EVENT. An event organized by the city or a community-based organization that is open to the general public.

MOTORIZED GOLF CART. An electric or gas-powered vehicle with four wheels used primarily for light terrain slow moving operation.
(Ord. 241, passed 2-16-10)

§ 75.02 PERMIT REQUIRED.

It is unlawful for any person to operate a motorized golf cart on streets in the city without first obtaining a permit as provided herein. Persons who obtain a permit as required below are authorized to operate a motorized golf cart on designated roadways or portions thereof under the jurisdiction of the city. With the exception of motorized golf carts that are being operated in connection with a community event, every

motorized golf cart operator must have proof of insurance in possession while operating the

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motorized golf cart on designated streets and shall produce such proof of insurance on demand of a police officer as specified in M.S. § 169.791.

(Ord. 241, passed 2-16-10) Penalty, see § 75.12

§ 75.03 PERMITS.

(A) *Operator permits.* All persons operating motorized golf carts that are not being operated in connection with a community event must obtain an annual operator permit from the city.

(1) *Application.* The application shall be made on a form supplied by the city and shall contain the following:

- (a) The name and address of the applicant;
- (b) The make, model name, year and serial number of the motorized golf cart;
- (c) The applicant's driver's license number;
- (d) Proof of insurance complying with M.S. § 65B.48;

(e) Payment of an annual permit fee. The amount of the fee shall be established from time to time by resolution of the City Council; and

- (f) Such other information as the city may require.

(2) *Term of permit.* Operator permits shall be granted for a period of one year and may be renewed annually. Operator permits shall expire on December 31 of each year.

(3) *Operator permit conditions.* No operator permit shall be granted or renewed unless the following conditions are met:

- (a) The city is in receipt of a complete application and permit fee as provided by this chapter;
- (b) The applicant is over the age of 16 and provides a valid driver's license;
- (c) The applicant provides proof of insurance in compliance with M.S. § 65B.48; and
- (d) The motorized golf cart is in good working condition and safe for the transportation of passengers.

(4) *Operator permit display.* All operator permits shall be issued for a specific motorized golf cart. A current city-issued operator permit tag shall be plainly visible from the front of the motorized golf cart.

(B) *Community event permits.* Operators of motorized golf carts in connection with a community event are not required to obtain individual operator permits so long as a community event permit is obtained by the organizer of the community event from the city. The community event permit will include all motorized golf carts being used in connection with the event.

(1) *Application.* Every application for a community event permit under this chapter shall be made on a form supplied by the city and shall contain the following:

- (a) The name and address of the organizer of the community event;
- (b) A description of the community event, including how and where the motorized golf carts will be utilized;
- (c) The number of motorized golf carts to be used in the event;
- (d) Proof of insurance in a form and amount acceptable to the city;
- (e) Payment of a community event permit fee. The amount of the permit fee shall be established from time to time by resolution of the City Council; and
- (f) Such other information as the city may require.

(2) *Term of permit.* Community event permits shall be granted for the length of the event and shall expire upon the conclusion of the event.

(3) *Conditions of permit.* No community event permit shall be granted unless the following conditions are met:

(a) The city is in receipt of a complete application and permit fee as provided by this chapter; and

(b) The organizer must provide proof of insurance in a form and amount acceptable to the city.

(Ord. 241, passed 2-16-10) Penalty, see § 75.12

§ 75.04 OCCUPANTS.

The number of occupants in the motorized golf cart shall not exceed the design occupant load. Each occupant must be seated in a seat designed for occupants.
(Ord. 241, passed 2-16-10) Penalty, see § 75.12

§ 75.05 DESIGNATED ROADWAYS AND INTERSECTIONS.

Motorized golf carts may be operated within the city on public roadways. Motorized golf carts must not be operated on State Trunk Highways or county roads, unless the road or highway is under the city's jurisdiction through the issuance of a permit or approval to the city from the county or the Minnesota Department of Transportation and the cart is listed on the community event permit issued by the city. The operator of any motorized golf cart may make a direct crossing of any intersecting roadways. Operators must exercise all due care to avoid travel on roadways with a high frequency of automobile usage.
(Ord. 241, passed 2-16-10) Penalty, see § 75.12

§ 75.06 TIMES OF OPERATION.

Motorized golf carts may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
(Ord. 241, passed 2-16-10) Penalty, see § 75.12

§ 75.07 APPLICATION OF TRAFFIC LAWS.

Persons operating motorized golf carts on designated roadways have all the rights and duties applicable to drivers of any other motor vehicle under the provisions of any ordinance of the city and M.S. Chapter 169, except when these provisions cannot reasonably be applied to motorized golf carts and except that provisions of M.S. Chapter 171 are not applicable to persons operating motorized golf carts under permit on designated roadways. Except for M.S. § 169.70, the provisions of M.S. Chapter 169 relating to equipment on vehicles is not applicable to motorized golf carts operating under permit on designated roadways.
(Ord. 241, passed 2-16-10)

§ 75.08 SLOW MOVING VEHICLE EMBLEM.

Motorized golf carts shall display the slow moving vehicle emblem provided in M.S. § 169.522, when operated on designated roadways.

(Ord. 241, passed 2-16-10) Penalty, see § 75.12

§ 75.09 OPERATION.

Motorized golf carts shall be operated at all times as close to the right-hand curb as possible, except when the driver is making a left-hand turn.

(Ord. 241, passed 2-16-10) Penalty, see § 75.12

§ 75.10 OPERATION ON SIDEWALKS AND TRAILS.

No person shall operate a motorized golf cart on a public sidewalk or trail unless otherwise authorized by the city.

(Ord. 241, passed 2-16-10) Penalty, see § 75.12

§ 75.11 SUSPENSION OR REVOCATION OF A PERMIT.

The Chief of Police may suspend or revoke a permit granted hereunder upon a finding that the permit holder has violated any of the provisions of this chapter or M.S. Chapter 169, or if there is evidence that the operator cannot safely operate the motorized golf cart on designated roadways. A suspension or revocation may be reviewed by appeal to the City Council.

(Ord. 241, passed 2-16-10)

§ 75.12 PENALTY.

In addition to the revocation or suspension of the permit, any person violating any of the provisions of this chapter shall be guilty of a misdemeanor.

(Ord. 241, passed 2-16-10)

§ 75.13 NO ASSUMPTION OF LIABILITY.

Nothing in this chapter shall be construed as an assumption of liability by the city for injuries to persons or property which may result from the operation of any motorized golf cart by a permit holder or the failure by the Chief of Police or City Council to suspend or revoke a permit.

(Ord. 241, passed 2-16-10)

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