



Le Sueur County, MN

Tuesday, October 3, 2017

Board Meeting

Item 1

9:00 a.m. Agenda and Consent Agenda

RE: September 26, 2017 Minutes and Summary Minutes

RE: Liquor Licenses for Le Sueur Country Club, Lakeside Supper Club, Boondocks of Cleveland, Lakefront Bar and Grill, Woods Grill and Bar

RE: September 2017 Transfers

Staff Contact:

Minutes of Le Sueur County Board of Commissioners Meeting September 26, 2017

The Le Sueur County Board of Commissioners met in regular session on Tuesday, September 26, 2017 at 9:00 a.m. at the Courthouse in Le Center, Minnesota. Those members present were: Steve Rohlfling, Lance Wetzel, John King and Dave Gliszinski. Brent Christian and Darrell Pettis were also present. Joe Connolly was excused.

On motion by Wetzel, seconded by Gliszinski and unanimously approved, the Board approved the agenda.

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

- Approved the August 15, 2017 County Board Minutes and Summary Minutes
- Approved liquor Licenses for Caribou Gun Club, Next Chapter Winery and Traxler's Hunting Preserve

Kathy Brockway, Planning & Zoning Director appeared before the Board with six items for approval and one item for discussion.

On motion by Wetzel, seconded by Gliszinski and unanimously approved via roll call 4-0 with Connolly absent, the Board approved a Conditional Use Permit to Jerome Brown, Waterville, MN, (Applicant\Owner) to allow grading, excavating, and filling of approximately 169 cubic yards of material for the construction of retaining walls and beach area within the shore impact zone in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Tetonka. Property is located at Lot 6, Rearrangement Raedeke Subdivision, Section 20, Waterville Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

1. Plant Minnesota native vegetation to provide the required screening along the retaining walls.
2. Two trees be planted somewhere on the parcel to replace the two trees that are being removed as part of this project.

On motion by King, seconded by Wetzel and unanimously approved via roll call 4-0 with Connolly absent, the Board approved a Conditional Use Permit to Andrew Skluzacek, Le Center, MN, (Applicant\Owner) to allow the applicant to establish and operate a dog kennel for boarding and training of animals in an Agriculture "A" District. Property is located in the SW 1/4 SE 1/4, Section 23, Cordova Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

1. When the tank is installed, it be tested for water-tightness and not be installed at a depth greater than allowed by the manufacturer.
2. A service agreement or contract between Mr. Skluzacek and B & B Septic on file with the Planning and Zoning Department.
3. A written statement as to where the dog waste will be disposed.
 - a. If at a city's wastewater treatment plant, approval from the wastewater treatment plant's operator, or

- b. If it is land applied, that the land application does not create or maintain a pollution hazard (maintain setbacks to sensitive features during land application and apply at agronomic rates).
- c. If applied on land outside of the County of Le Sueur, check with that County on its land application requirements.

On motion by Gliszinski, seconded by King and unanimously approved via roll call 4-0 with Connolly absent, the Board approved a Conditional Use Permit to Michael & Nancy Keller, Owatonna, MN, (Applicant/Owner) to allow grading, excavating, and filling of approximately 139.5 cubic yards of material for the construction of a retaining wall in a Recreational Residential “RR” District on a Recreational Development’ “RD” lake, Lake Francis. Property is located at Lot 11, Muellerleille Subdivision, Section 33, Elysian Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

1. Plant Minnesota native vegetation to provide for a more natural appearance and provide increased site stability.

On motion by King, seconded by Wetzel and unanimously approved via roll call 4-0 with Connolly absent, the Board approved a Conditional Use Permit to Le Sueur County Soil & Water Conservation District (SWCD), Le Center, MN, (Applicant); Brandon Brockway, Le Center, MN, (Owner) to allow grading, excavating, and filling of approximately 15 cubic yards of material for a shoreland restoration project in a Special Protection “SP” District, on a Recreational Development “RD” lake, Lake Volney. Property is located in Government Lot 3, Section 31, Montgomery Township. Findings are on file at the Planning and Zoning Office.

On motion by Gliszinski, seconded by King and unanimously approved via roll call 4-0 with Connolly absent, the Board approved a Conditional Use Permit to ISG, Brian Welch, Faribault, MN, (Applicant); Marvin Bartlett, Kasota, MN, (Owner) to allow grading, excavating and filling within the bluff and bluff impact zone for the construction of a retaining wall and patio; additional grading, excavating and filling within the bluff and bluff impact zone for bluff restoration, retaining wall within the bluff impact zone and construction of a water-oriented water accessory structure within the bluff for a total of 541 cubic yards in a Recreational Residential “RR” District. Property is located at Lot 4, La Hans Subdivision and Units 1410 & 1420 CIC #54, Section 7, Kasota Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

1. Bluff area shall be replanted with Minnesota Native, deep-rooted vegetation to ensure continued bluff stability.
2. Plant Minnesota Native, deep-rooted vegetation to provide screening for the retaining wall.
3. Special consideration be taken in final construction of the water orientated accessory structure to provide proper drainage to ensure the longevity of the new structure and prevent future erosion issues on the site.
4. Direct runoff from pervious surface to the rain garden to provide additional treatment.

On motion by Wetzel, seconded by King and unanimously approved via roll call 4-0 with Connolly absent, the Board approved a rezone to Scott Hass, Cleveland, MN, (Applicant); James Losinski, Cleveland, MN, (Owner) of approximately 4.61 acres from a Recreational Residential

“RR” District, to a Recreational Commercial “RC” District on a Recreational Development “RD” lake, Lake Jefferson. Property is located in the SE 1/4, Section 31, Cordova Township. Findings are on file at the Planning and Zoning Office.

There was a discussion regarding complaints from residents about Vacation Rentals By Owner (VRBO). Planning & Zoning staff will continue to address complaints as they are received, and a possible workshop with the Board may be scheduled at a later date.

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

A retirement plaque was presented to Mark Pittman, full time Highway Maintenance Worker in the Highway Department.

On motion by King, seconded by Wetzel and unanimously approved, the Board approved to accept the retirement request from Rose Tousley, full time Community Service Aide in Human Services, effective December 29, 2017.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved to post and request the merit list for a full time Community Service Aide in Human Services, as a Grade 4, Step 1 at \$15.97 per hour.

On motion by King, seconded by Wetzel and unanimously approved, the Board approved to grant regular status to Talia Gilster, full time Agency Social Worker in Human Services, effective September 21, 2017.

On motion by Wetzel, seconded by Gliszinski and unanimously approved, the Board approved to sign the Memorandum of Agreement with Le Sueur County and the International Union of Operating Engineers, Local 49 Highway Department Unit revising Article 19, Severance, to amend the dollar maximums set forth in the schedule listed below.

10-19 years of service	100% up to \$10,000.00
20-29 years of service	100% up to \$15,000.00
30 and above years of service	100% up to \$20,000.00

Darrell Pettis, County Administrator appeared before the Board with several items for discussion.

The County Administrator announced that the subsequent meeting for the adoption of the final levy and the final 2018 budget will be held in the Commissioner’s Room of the Le Sueur County Courthouse on Tuesday, December 19, 2017 at 6:00 p.m. Public testimony on the levy and / or the budget will be allowed as part of this hearing.

On motion by Gliszinski, seconded by King and unanimously approved, the Board adopted a preliminary levy of \$19,379,373.

2018 PROPOSED LEVY

<u>FUND</u>	<u>TAXES</u>	<u>PROGRAM AID</u>	<u>TOTAL</u>
Revenue	9,583,417	565,361	9,018,056
Road & Bridge	3,050,590	565,360	2,485,230
SS & PA	2,552,256		2,552,256
PA & GA	1,022,173		1,022,173
Fair	35,000		35,000
Building	428,601		428,601
Extension Services	205,531		205,531
Park	241,772		241,772
Bonded Indebtedness	3,107,169		3,107,169
Victim Witness	18,420		18,420
Env Services – P & Z	188,747		188,747
Env Services – Water Plan	24,928		24,928
Env Services – ISTS	51,490		51,490
TOTAL	20,510,094	1,130,721	19,379,373

2018 PROPOSED LEVY \$ 19,379,373

2017 FINAL LEVY \$ 17,943,864

INCREASE IN LEVY \$ 1,435,509

INCREASE OF 8%

On motion by Wetzel, seconded by Gliszinski and unanimously approved, the Board approved to pay three Lexington Avenue assessments to the City of Le Center in the amounts of \$12,235.15, \$28,287.99 and \$3,505.06

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved the following resolution:

**RESOLUTION ON THE GERMAN – JEFFERSON SUBORDINATE SERVICE
DISTRICT
WITHDRAWAL PETITION**

WHEREAS, THE LE SUEUR COUNTY Board of Commissioners on August 15, 2017, received the German – Jefferson Subordinated District Withdrawal Ballot Question Petition hereby referred to as the “petition”, and;

WHEREAS, the dates on the signatures were all between August 1, 2015 and September 9, 2015, and;

WHEREAS, the Le Sueur County Board of Commissioners met on August 4, 2015 to determine which sewage treatment option would be selected for the district (pipe / no pipe), and;

WHEREAS, the petition contained 85 signatures, and;

WHEREAS, it was determined by county staff that 45 signatures on the petition were from qualified voters within the territory of the subordinate service district, and;

WHEREAS, it was also determined by county staff that 24 of the signatures on the petition were from property owners within the district who are not qualified voters within the territory of the subordinate service district, and;

WHEREAS, it was also determined by county staff that 16 of the signatures on the petition were from individuals who were not property owners nor qualified voters within the territory of the subordinate service district, and;

WHEREAS, it was determined by county staff there are an estimated 568 qualified voters within the territory of the subordinate service district, and;

WHEREAS, Minnesota Statute 375B.10 Withdrawal; Election states “Upon receipt of a petition signed by ten percent of the qualified voters within the territory of the subordinate service district requesting the removal of the district...”, and;

WHEREAS, the 45 qualified voter signatures out of a possible 568 qualified voter signature is 7.92% of the qualified voters.

THEREFORE BE IT RESOLVED, that the Le Sueur County Board of Commissioners hereby rejects the German – Jefferson Subordinated District Withdrawal Ballot Question Petition because it does not meet the minimum requirement of ten percent of qualified voters and being over 2 years old, those signatures that are qualified voters are stale.

On motion by Wetzel, seconded by Gliszinski and unanimously approved, the Board approved the following tax-forfeited property auction sale prices:

Parcel	Basic Sale Price
06.006.0500	\$100.00
15.015.7600	\$25,000
21.680.0470	\$10,000
22.480.0630	\$45,000
24.450.0450	\$250.00
24.510.0410	\$30,000
24.510.0890	\$1.00

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved a tax forfeited property auction, which will be held on October 23rd, 2017 at 10:00 a.m. in the Le Sueur County Auditor-Treasurer's Office.

Commissioner Committee Reports:

Commissioner Wetzel attended an Emergency Commission Board meeting and a South Central EMS meeting.

Commissioner Rohlfing attended an MRCI Board meeting

On motion by King, seconded by Wetzel and unanimously approved, the Board adjourned until Tuesday, October 3, 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, September 26, 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. (Wetzel-Gliszinski)
- Approved the consent agenda. (King-Wetzel)
- Approved a Conditional Use Permit to Jerome Brown, Waterville, MN, (Applicant\Owner) with conditions and findings are on file at the Planning and Zoning Office. (Wetzel-Gliszinski)
- Approved a Conditional Use Permit to Andrew Skluzacek, Le Center, MN, (Applicant\Owner) with conditions and findings are on file at the Planning and Zoning Office. (King-Wetzel)
- Approved a Conditional Use Permit to Michael & Nancy Keller, Owatonna, MN, (Applicant\Owner) with conditions and findings are on file at the Planning and Zoning Office. (Gliszinski-King)
- Approved a Conditional Use Permit to Le Sueur County Soil & Water Conservation District (SWCD), Le Center, MN, (Applicant); Brandon Brockway, Le Center, MN, (Owner) and findings are on file at the Planning and Zoning Office. (King-Wetzel)
- Approved a Conditional Use Permit to ISG, Brian Welch, Faribault, MN, (Applicant); Marvin Bartlett, Kasota, MN, (Owner) with conditions and findings are on file at the Planning and Zoning Office. (Gliszinski-King)
- Approved a rezone to Scott Hass, Cleveland, MN, (Applicant); James Losinski, Cleveland, MN, (Owner) and findings are on file at the Planning and Zoning Office. (Wetzel-King)
- Approved the retirement request from Rose Tousley in Human Services. (King-Wetzel)
- Approved to post and request the merit list for a full time Community Service Aide in Human Services. (Gliszinski-King)
- Approved regular status to Talia Gilster in Human Services. (King-Wetzel)
- Approved to sign the Memorandum of Agreement with Le Sueur County and the International Union of Operating Engineers, Local 49 Highway Department Unit revising Article 19, Severance, to amend the dollar maximums. (Wetzel-Gliszinski)
- Approved a preliminary levy of \$19,379,373 and the subsequent meeting for the adoption of the final levy and the final 2018 budget and public testimony will be held at the Le Sueur County Courthouse on Tuesday, December 19, 2017 at 6:00 p.m. (Gliszinski-King)
- Approved to pay Lexington Avenue assessments to the City of Le Center.(Wetzel-Gliszinski)
- Approved a resolution rejecting the German – Jefferson Subordinate District Withdrawal Ballot Question Petition. (King-Gliszinski)
- Approved tax-forfeited property auction basic sale prices. (Wetzel-Gliszinski)
- Approved a tax forfeited property auction to be held on October 23rd, 2017 at 10:00 a.m. in the Le Sueur County Auditor-Treasurer's Office. (King-Gliszinski)
- Adjourned until Tuesday, October 3, 2017 at 9:00 a.m. (King-Wetzel)

ATTEST: Le Sueur County Administrator Le Sueur County Chairman

SEPTEMBER 2017 TRANSFERS

- #1668 Transfer 3,670.00 from Agency to Revenue
 (September Landshark)

- #1669 Transfer 24,740.12 from Human Services to Revenue
 (3rd Qtr Rent)