



**LE SUEUR COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA
November 27, 2018**

1. **9:00 a.m. Agenda and Consent Agenda**
RE: November 20, 2018 Minutes and Summary Minutes
2. **9:05 a.m. Brett Mason, Sheriff (5 min)**
RE: Annual contract renewal for medical examiner services
3. **9:10 a.m. Joshua Mankowski (5 min)**
RE: RFA
RE: Recycling Agreement
4. **9:15 a.m. Nik Kadel, Ditch Specialist (10 min)**
RE: Ditch Update
5. **9:25 a.m. Human Resources (5 min)**
6. **9:30 a.m. Darrell Pettis, County Administrator**
RE: 2019 Budget Discussion
RE: Review and update Commissioner Committees list for 2019
RE: AMC Conference - New Commissioner
RE: DNR Grant Agreement
RE: CD54 Sanborn Lake Drawdown
7. **Commissioner Committee Reports**
8. **Future Meetings**



Le Sueur County, MN

Tuesday, November 27, 2018

Board Meeting

Item 1

9:00 a.m. Agenda and Consent Agenda

RE: November 20, 2018 Minutes and Summary Minutes

Staff Contact:

Minutes of Le Sueur County Board of Commissioners Meeting November 20, 2018

The Le Sueur County Board of Commissioners met in regular session on Tuesday, November 20, 2018 at 9:00 a.m. in the Courthouse at Le Center, Minnesota. Those members present were: Lance Wetzel, John King, Dave Gliszinski and Steve Rohlffing. Joe Connolly was excused. Also present were County Administrator Darrell Pettis and County Attorney Brent Christian.

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

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

- Approved the November 6, 2018 County Board Minutes and Summary Minutes

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

Financial: \$ 31,070.31
Soc Services: \$ 135,683.14

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

On motion by Rohlffing, seconded by King and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the Aging Services for Communities 2019 Transportation Contract.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved the Brown County Evaluation Center 2019 Detox Contract.

On motion by King, seconded by Rohlffing and unanimously approved, the Board approved and authorized the Board Chair to sign the TriMin Systems Computer Management for Human Services (CMHS) Support Agreement.

On motion by Gliszinski, seconded by Rohlffing and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign an MVAC Master Contract Agreement.

Brian Kunz with Adolfsen & Peterson appeared before the Board with three items for approval.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved and authorized the Board Chair to sign a contract with Albrect Sign.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved and authorized the Board Chair to sign a contract with Action Fence.

On motion by Rohlfing, seconded by Gliszinski and unanimously approved, the Board approved and authorized the Board Chair to sign a contract with Twin City Accoustics.

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

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved to post and advertise for a full time Deputy Sheriff in the Sheriff's Office as a Grade 10, Step 4 at \$25.69 per hour.

On motion by Rohlfing, seconded by Gliszinski and unanimously approved, the Board approved to transfer Alesha Meyer, full time Dispatcher (Correctional Officer/Dispatcher) in the Sheriff's Office to a full time Correctional Officer (Correctional Officer/Dispatcher) in the Sheriff's Office, Grade 6, Step 8 at \$23.42 per hour, effective January 1, 2019.

On motion by Gliszinski, seconded by King and unanimously approved, the Board approved to post and advertise for a full time Dispatcher (Correctional Officer/Dispatcher) in the Sheriff's Office as a Grade 6, Step 4 at \$20.35 per hour.

On motion by Rohlfing, seconded by Gliszinski and unanimously approved, the Board approved to promote Karen Fraser, full time Office Support Specialist in Human Services, Grade 3, Step 4 at \$17.10 per hour to a full time Eligibility Worker in Human Services, Grade 7, Step 4 at \$21.57 per hour, effective December 10, 2018.

On motion by Rohlfing, seconded by King and unanimously approved, the Board approved to post and request the merit list for a full time Office Support Specialist in Human Services, Grade 3, Step 4 at \$17.10 per hour.

On motion by Gliszinski, seconded by Rohlfing and unanimously approved, the Board approved to accept the resignation request from Nancy Toth, part time Homemaker in Public Health, effective November 27, 2018.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved to advertise for a part time Homemaker in Public Health, Grade 1, Step 4 at \$15.22 per hour.

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved to accept the retirement request from Sharon Erickson, full time Registered Nurse in Public Health, effective February 28, 2019.

On motion by Rohlfing, seconded by Gliszinski and unanimously approved, the Board approved to post and advertise for a full time Public Health Nurse in Public Health, Grade 11, Step 7 at \$30.27 per hour.

On motion by Rohlfling, seconded by Gliszinski and unanimously approved, the Board approved to grant regular status to Anna Schwichtenberg, full time Office Support Specialist, Sr. in Human Services, effective November 16, 2018.

On motion by King, seconded by Rohlfling and unanimously approved, the Board approved the reclassification request for Ruby Kramer, full time Administrative Assistant – Recording Clerk, Grade 6, Step 5 at \$21.09 per hour to a full time Executive Assistant, Grade 7, Step 5 at \$22.36 per hour, effective November 26, 2018.

On motion by King, seconded by Rohlfling and unanimously approved, the Board approved to amend the previously approved reclassification request for Ruby Kramer to be effective September 24, 2018.

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

On motion by King, seconded by Gliszinski and unanimously approved, the Board approved PACE special assessments of \$69,000 on each of parcels 11.005.7700, 11.005.0100 and 11.005.0150, as requested by Gregory & Joan Schwarz.

Board Member Committee Reports:

Commissioner Rohlfling recently attended a CHB meeting, MRCI Board meeting, Washington Township meeting, Region Nine meeting, Fair Board annual meeting, German Jefferson Lake Association meeting and a P&Z meeting.

Commissioner Gliszinski attended a Justice Center progress meeting.

Commissioner King attended a Justice Center progress meeting, CHB meeting, Broadband Committee meeting, Waseca-Le Sueur Library meeting and a Canvas Board meeting.

Commissioner Wetzel attended a CHB meeting, LCDS finance meeting and a Le Center City Council meeting.

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

Warrant #	Vendor Name	Amount
52175	Accountemps	\$ 2,442.88
52176	Advanced Correctional Healthcare Inc.	\$ 2,366.01
52178	Ag Partners Coop	\$ 12,042.38
52181	APG Media of Southern MN LLC	\$ 3,296.70
52191	Bolton & Menk Inc.	\$ 10,291.00
52193	Braun Intertec Corp.	\$ 12,013.50
52197	Cargill Inc.	\$ 48,778.48

52201	Christian, Keogh, Moran & King	\$ 3,908.19
52205	Contech Engineered Solutions LLC	\$ 6,096.94
52213	Earl F. Andersen	\$ 2,872.50
52228	Grundhoefer & Ludescher P.A.	\$ 2,287.50
52236	Hillyard-Hutchinson	\$ 4,360.00
52241	I & S Group Inc.	\$ 12,635.00
52243	ITsavvy LLC	\$ 2,198.00
52244	Janesville Tire Service Inc.	\$ 3,379.50
52245	Johnson Aggregates	\$ 22,986.12
52249	Kibble Equipment LLC	\$ 2,637.57
52271	Minn St. Admin ITG Telecom	\$ 5,140.00
52287	Paragon Printing & Mailing Inc.	\$ 6,714.47
52295	Ronald Ringquist	\$ 2,157.00
52296	Rinke-Noonan Law Firm	\$ 3,776.50
52305	S.M.C. Co. Inc.	\$ 2,675.75
52308	Streicher's Inc.	\$ 5,848.49
52309	Summit	\$ 8,433.10
52310	Thomson Reuters	\$ 2,205.56
52316	Traxler Construction Inc.	\$ 10,701.39
52328	Wenck Associates Inc.	\$ 2,898.56
52331	Wondra Automotive Inc.	\$ 2,158.29
52333	Wornson-Goggins-Zard	\$ 5,494.75

132 Claims paid less than \$2,000.00:	\$ 51,009.49
29 Claims paid more than \$2,000.00:	\$212,796.13
161 Total all claims paid:	\$263,805.62

On motion by King, seconded by Rohlfing and unanimously approved, the Board adjourned until Tuesday, November 27, 2018 at 9:00 a.m.

ATTEST: _____
Le Sueur County Administrator **Le Sueur County Chairman**

Summary Minutes of Le Sueur County Board of Commissioners Meeting, November 20, 2018

•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. (Gliszinski-King)
- Approved the consent agenda. (King-Rohlfing)
- Approved Human Services claims: Financial \$31,070.31 and Soc Services \$ 135,683.14 (Gliszinski-Rohlfing)
- Approved the Aging Services for Communities 2019 Transportation Contract. (Rohlfing-King)
- Approved the Brown County Evaluation Center 2019 Detox Contract. (King-Gliszinski)
- Approved the TriMin Systems CMHS Support Agreement. (King-Rohlfing)
- Approved an MVAC Master Contract Agreement. (Gliszinski-Rohlfing)
- Approved a Justice Center contract with Albrect Sign. (King-Gliszinski)
- Approved a Justice Center contract with Action Fence. (Gliszinski-King)
- Approved a Justice Center contract with Twin City Acoustics. (Rohlfing-Gliszinski)
- Approved to post and advertise for a full time Deputy Sheriff. (King-Gliszinski)
- Approved to transfer Alesha Meyer to a full time Correctional Officer in the Sheriff's Office. (Rohlfing-Gliszinski)
- Approved to post and advertise for a full time Dispatcher in the Sheriff's Office. (Gliszinski-King)
- Approved to promote Karen Fraser to a full time Eligibility Worker in Human Services. (Rohlfing-Gliszinski)
- Approved to post and request the merit list for a full time Office Support Specialist in Human Services. (Rohlfing-King)
- Approved the resignation request from Nancy Toth in Public Health. (Gliszinski-Rohlfing)
- Approved to advertise for a part time Homemaker in Public Health. (King-Gliszinski)
- Approved the retirement request from Sharon Erickson in Public Health. (King-Gliszinski)
- Approved to post and advertise for a full time Public Health Nurse. (Rohlfing-Gliszinski)
- Approved regular status to Anna Schwichtenberg in Human Services. (Rohlfing-Gliszinski)
- Approved the reclassification request for Ruby Kramer to a full time Executive Assistant. (King-Rohlfing)
- Approved to amend the previously approved reclassification request for Ruby Kramer to be effective September 24, 2018. (King-Rohlfing)
- Approved PACE special assessments on parcels 11.005.7700, 11.005.0100 and 11.005.0150. (King-Gliszinski)

•The following claims were approved for payment: (King-Rohlfing)

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132	Claims paid less than \$2,000.00:	\$ 51,009.49
29	Claims paid more than \$2,000.00:	\$212,796.13
161	Total all claims paid:	\$263,805.62
•Adjourned until Tuesday, November 27, 2018 at 9:00 a.m. (King-Rohlfing)		
ATTEST: Le Sueur County Administrator		Le Sueur County Chairman



Le Sueur County, MN

Tuesday, November 27, 2018

Board Meeting

Item 2

9:05 a.m. Brett Mason, Sheriff (5 min)

RE: Annual contract renewal for medical examiner services

Staff Contact:

P.A. CONTRACT AGREEMENT

Agreement entered into this 1st day of January, 2019, by and between the County of LeSueur, a political subdivision of the State of Minnesota, and M.B. McGee, P.A. for the services of Dr. Michael B. McGee, M.D. as Medical Examiner of LeSueur County.

I. Relationship of Parties

- A. Pursuant to County Board action that took place on _____ and the authority of Minnesota Statutes Ch. 390, the board of LeSueur County commissioners designates Dr. Michael B. McGee as Medical Examiner for LeSueur County, hereinafter “the Medical Examiner.”
- B. It is agreed that nothing contained in the Agreement is intended or should be construed as creating the relationship of co-partners, joint ventures or an association or an employer/employee relationship between LeSueur County and Dr. Michael B. McGee, M.B. McGee, P.A., or their employees or designee. M.B. McGee, P.A., is an independent contractor, and neither it, its officers, agents or employees shall be considered agents or representatives of the County. The County is interested only in the results to be achieved. The manner and means of conducting the works are under the control of the Medical Examiner, except to the extent they are limited by statute or regulation and the express terms of this Agreement. None of the benefits provided by the County to its employees, including, without limitation, unemployment insurance, workers’ compensation insurance, retirement and deferred compensation plans, vacation and sick leave, are available from the County to the Medical Examiner, M.B. McGee, P.A., or the employees, agents or contractors of either. No civil service status shall attach to the Medical Examiner, Medical Staff, agent of contractors of the Medical Examiner or M.B. McGee, P.A. and the County shall make no deductions from sums payable under the terms of this Agreement for state or federal income taxes, FICA, PERA or other payroll type deductions which are associated with an employer-employee relationship.

II. Personnel

- A. The Medical Examiner will designate Dr. Kelly Mills, Dr. Victor Froloff and Dr. Butch Huston to assist in performing the contract and shall be under the control and supervision of the Medical Examiner. Dr. Mills, Dr. Froloff and Dr. Huston shall not be considered employees of the County, nor have a contractual relationship with the County. The County shall be notified prior to the effective date of any changes thereto.
- B. The non-medical personnel necessary to support the Medical Examiner in the performance of his duties under this Agreement shall be provided through the County Sheriff’s Department. The compensation, benefits,

and other terms of employment of these non-medical personnel shall be determined and paid solely by the county.

III. **Scope of Duties**

- A. The Medical Examiner shall be responsible for conducting a modern medico-legal investigative system for LeSueur County applying the standards of the National Association of Medical Examiners, as they may be amended from time to time. The Medical Examiner shall periodically consult with the County Attorney's Office, police agencies, and others concerned with forensic pathology to review procedures and formats for preparing medical reports and protocols. The Medical Examiner shall perform all duties imposed by Minnesota Statutes Chapter 390, as well as the duties imposed by other statutes applicable to the Medical Examiner's activities. The Medical Examiner shall testify, as required, at inquests, hearings and trials.
- B. The Medical Examiner shall be responsible for the final determination of the cause and manner of death, and the signing of certificates attesting the cause and manner of death. During the temporary absence of the Medical Examiner, a qualified person designated by the Medical Examiner may make the final determination of death, and sign a certificate attesting to the cause and manner of death.
- C. The Medical Examiner shall be entitled to perform other gainful activities which do not interfere with the performance of his duties hereunder.

IV. **Compensation**

- A. All payments made under this agreement for services rendered by or at the designation of Dr. Michael B. McGee, M.D. shall be made to M.B. McGee, P.A.
- B. The County will be responsible for the payment for each complete autopsy or external examination performed by Dr. Michael B. McGee, M.D., or his assistants, as the Medical Examiner pursuant to this agreement and billed to LeSueur County upon completion of each examination in keeping with the past practice of the County Medical Examiner's Office.
- C. Compensation for the services under this contract shall be \$250.00/month plus the following on a per service basis: (1) complete forensic autopsy with basic toxicology, at approximately \$2,000, and (2) external examination with basic toxicology at approximately \$1000.

D. Additionally, the County will be responsible for court related preparation / consultation and out of office charges, billed on an hourly basis of \$300/hr., including travel to and from LeSueur County in order to provide testimony in legal proceedings arising out of the duties of the Medical Examiner.

V. **Facilities**

The facility, together with all the necessary equipment, the supplies, shall be the responsibility of Dr. Michael B. McGee. It is represented by Dr. Michael B. McGee and understood by the County that Ramsey County Morgue shall be available to Dr. Michael B. McGee for the performance of this agreement.

VI. **Insurance and Indemnification**

- A. M.B. McGee, P.A. agrees to indemnify and hold harmless the County of LeSueur, its officials, employees and agents from any and all liability, loss or damage, that the County of LeSueur, its officials, employees and agents may suffer as a result of claims, demands, costs of judgments, including without limitation reasonable attorney's fees arising out of the provision of professional services by Dr. Michael B. McGee, M.D., as the Medical Examiner of LeSueur County pursuant to Minnesota Statutes Ch. 390, provided, however, that this indemnification shall be limited to the extent of such claims, demands, costs or judgments, including, without limitation, reasonable attorney's fees are covered by insurance.
- B. The County of LeSueur agrees to indemnify and hold harmless M.B. McGee, P.A., Dr. Michael B. McGee, M.D., its and their agents, officers or employees from any and all liability, loss or damage, it, he, its agents, officers or employees may suffer as a result of claims, demands, costs or judgments, including without limitation reasonable attorney's fees, arising from the Medical Examiner's or his agents' performance of his or their duties under this Agreement.
- C. M.B. McGee, P.A., shall obtain and keep in effect the following insurance coverage:
- 1) **Comprehensive General Liability Insurance:**
 - (a) **Minimum Combined Single Limit**
 \$2,000,000.00 per occurrence
 \$4,000,000.00 aggregate
 - (a) **The following coverage must be specifically insured and certified with no internal sublimits.**

1. Independent Contractors' Contingent Liability
2. Products/Completed Operations Liability
3. Contractual Liability
4. Personal Injury Liability including claims related to employment and coverage (a) through (e).
5. Broad Form Property Damage Liability, or deletion of the "Care, Custody and Control" Exclusion
6. Aircraft Liability (if applicable)
7. Watercraft Liability (if applicable)

(b) The Contractual Liability is to be either on a blanket basis for all written and oral contracts or specifically endorsed to acknowledge the contract between the insured and the County.

2. Professional Liability Insurance

Minimum Limits

\$2,000,000 per occurrence

\$4,000,000 aggregate

3. Automobile Liability Insurance on Vehicles Owned by M. B. McGee, P.A., or Michael B. McGee, M.D., Kelly Mills, M.D., Victor Froloff, M.D., or Butch Huston, M.D.

- D. All certificates of insurance shall provide that the insurance company shall give the County thirty (30) days prior written notice of cancellation, non-renewal or any material changes in the policy.
- E. The above subparagraphs establish the minimum insurance requirements, and it is the sole responsibility of M. B. McGee, P.A. to purchase and maintain additional insurance that may be necessary in connection with this contract.
- F. The Medical Examiner shall provide a certificate of insurance to the County in a form acceptable to LeSueur County. All insurance policies shall be submitted to the County upon written request.
- G. Nothing in this contract shall constitute a waiver by the County of any statutory limits or exceptions on liability.

VII. Transportation

- A. Transportation of the deceased bodies from LeSueur County to the Ramsey County Morgue shall be the responsibility of LeSueur County.

VIII. Miscellaneous Provisions

- A. The Medical Examiner and all the members of the Medical Staff must be licensed to practice in Minnesota, with the Medical Examiner holding certification by the American Board of Pathology.
- B. At the termination of this Agreement, the Medical Examiner shall return all files, records and objects related to cases completed, or in progress, to the County upon written request.

IX. Term and Termination

- A. This agreement shall continue for a period ending December 31, 2019 unless terminated sooner pursuant hereto.
- B. This Agreement may be terminated by either party on forty-five (45) days written notice to the other.
- C. This Agreement may be renewed on an annual basis upon agreement of both parties.

X. Entire Agreement, Modification

- A. It is understood and agreed that the entire Agreement of the parties is contained herein, and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof, as well as any previous Agreements presently in effect between the parties relating to the subject matter hereof.
- B. This Agreement shall be altered, varied, modified or amended only in writing duly executed by the parties and attached hereto.

COUNTY OF LESUEUR


(date)

By _____
LeSueur County Board Chair

(date)

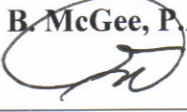
By _____
LeSueur County Administrator

10/30/18
(date)



Michael B. McGee, M.D.
Medical Examiner

10/30/18
(date)

M. B. McGee, P.A.

By _____
M. B. McGee, President

Le Sueur County, MN

Tuesday, November 27, 2018

Board Meeting

Item 3

9:10 a.m. Joshua Mankowski (5 min)

RE: RFA

RE: Recycling Agreement

Staff Contact:

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
November 08, 2018

TO: LE SUEUR COUNTY BOARD OF COMMISSIONERS
FROM: LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
SUBJECT: "REQUEST FOR ACTION"

The Planning Commission recommends your action on the following items:

ITEM #1: JORDAN SMITH, MADISON LAKE, MN, (APPLICANT); KIM KUNKEL, GOOD THUNDER, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to construct a retaining wall on a steep slope and a retaining wall within the shore impact zone to include grading, excavating, and filling of 11.11 cubic yards of material within the shore impact zone (total of 42.08 cubic yards on the lot) in a Recreational Residential "RR" District on Lake Washington, a Recreational Development "RD" lake. Property is located at Lot 3, Auditor's Subdivision, Section 18, Kasota Township.

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

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

ITEM #2: TERRY CLODFELTER & PATRICIA LINEHAN, MANKATO, MN, (APPLICANT); MICHAEL KEINZ, KASOTA, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to establish and operate a dog training facility in an Agriculture "A" District, and an Airport Zoning Overlay District-Zone C. Property is located in the NE 1/4 NE 1/4, Section 14, Kasota Township.

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

Therefore, the Planning Commission recommends Approval of the application with the following conditions:

1. Trees/shrubs need to be trimmed on the East side of the access to allow for appropriate site distance.
2. The profile of the approach needs to be improved to provide a landing area for a vehicle to sit on while accessing the highway.

ACTION: ITEM #1: _____

ITEM #2: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

ITEM # 1 FINDINGS OF FACT

WHEREAS, JORDAN SMITH, MADISON LAKE, MN, (APPLICANT); KIM KUNKEL, GOOD THUNDER, MN, (OWNER) has applied for a Conditional Use Permit to allow the applicant to construct a retaining wall on a steep slope and a retaining wall within the shore impact zone to include grading, excavating, and filling of 11.11 cubic yards of material within the shore impact zone (total of 42.08 cubic yards on the lot) in a Recreational Residential "RR" District on Lake Washington, a Recreational Development "RD" lake. Property is located at Lot 3, Auditor's Subdivision, Section 18, Kasota Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on November 8, 2018 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

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

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

WHEREAS, On November 27, 2018, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **JORDAN SMITH, MADISON LAKE, MN, (APPLICANT); KIM KUNKEL, GOOD THUNDER, MN, (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the November 27, 2018 Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly*

development and improvement of surrounding vacant property for uses predominant in the area.

3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan?*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow **JORDAN SMITH, MADISON LAKE, MN, (APPLICANT); KIM KUNKEL, GOOD THUNDER, MN, (OWNER)**, is APPROVED/DENIED.

ATTEST:

Lance Wetzel, Chairman, Le Sueur County Board of Commissioners.

Darrell Pettis, Le Sueur County Administrator

DATE: _____

ITEM # 2 FINDINGS OF FACT

WHEREAS, JORDAN SMITH, MADISON LAKE, MN, (APPLICANT); KIM KUNKEL, GOOD THUNDER, MN, (OWNER) has applied for a Conditional Use Permit to allow the applicant to construct a retaining wall on a steep slope and a retaining wall within the shore impact zone to include grading, excavating, and filling of 11.11 cubic yards of material within the shore impact zone (total of 42.08 cubic yards on the lot) in a Recreational Residential "RR" District on Lake Washington, a Recreational Development "RD" lake. Property is located at Lot 3, Auditor's Subdivision, Section 18, Kasota Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on November 8, 2018 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

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

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

WHEREAS, On November 27, 2018, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **JORDAN SMITH, MADISON LAKE, MN, (APPLICANT); KIM KUNKEL, GOOD THUNDER, MN, (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the November 27, 2018 Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses*

predominant in the area.

3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan?*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow the applicant to construct a retaining wall on a steep slope and a retaining wall within the shore impact zone to include grading, excavating, and filling of 11.11 cubic yards of material within the shore impact zone (total of 42.08 cubic yards on the lot) in a Recreational Residential "RR" District on Lake Washington, a Recreational Development "RD" lake. Property is located at Lot 3, Auditor's Subdivision, Section 18, Kasota Township, is APPROVED/DENIED.

ATTEST:

Lance Wetzal, Chairman, Le Sueur County Board of Commissioners.

Darrell Pettis, Le Sueur County Administrator

DATE: _____

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
November 8, 2018

MEMBERS PRESENT: Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Doug Krenik, Al Gehrke, Pam Tietz, Commissioner John King

MEMBERS ABSENT: None

OTHERS PRESENT: Joshua Mankowski, Michelle Mettler, Commissioner Steven Rohlfig

1. The meeting was called to order at 7:00 p.m. by Chairperson Jeanne Doheny.
2. Agenda. Motion to approve agenda was made by Doug Krenik. Second by Al Gehrke. Approved.
3. Minutes from October 11, 2018 Meeting. Motion to approve minutes was made by Shirley Katzenmeyer. Second by Don Reak. Approved.
4. Applications

ITEM #1: : JORDAN SMITH, MADISON LAKE, MN, (APPLICANT); KIM KUNKEL, GOOD THUNDER, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to construct a retaining wall on a steep slope and a retaining wall within the shore impact zone to include grading, excavating, and filling of 11.11 cubic yards of material within the shore impact zone (total of 42.08 cubic yards on the lot) in a Recreational Residential "RR" District on Lake Washington, a Recreational Development "RD" lake. Property is located at Lot 3, Auditor's Subdivision, Section 18, Kasota Township.

Joshua Mankowski presented power point presentation. Kim Kunkel was present for the application.

TOWNSHIP: Notified. Response None

DNR: Notified. Response None

LETTERS: Holly Kalbus, Environmental Resources Specialist regarding her recommendation for approval.

PUBLIC COMMENT: None.

Discussion was held regarding the need and construction of the proposed retaining walls. There were some questions about the proposed removal of one of the walls, reason being it was not needed and the area could be properly contoured without it. The existing walls are failing and constructed with railroad ties; the proposed replacement walls will use boulders. There was some discussion about the variance that was granted for impervious surface on the lot. The fact that the property was purchased in this condition was discussed. The applicant was asked about the project's proposed timeline.

Findings by majority roll call vote:

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

Motion was made by Shirley Katzenmeyer to approve the application.

Second by Al Gehrke. Motion approved. Motion carried.

ITEM #2 TERRY CLODFELTER & PATRICIA LINEHAN, MANKATO, MN, (APPLICANT); MICHAEL KEINZ, KASOTA, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to establish and operate a dog training facility in an Agriculture "A" District, and an Airport Zoning Overlay District-Zone C. Property is located in the NE 1/4 NE 1/4, Section 14, Kasota Township.

Joshua Mankowski presented power point presentation. Patricia Linehan was present for the application.

TOWNSHIP: Notified. Response None

DNR: Notified. Response None

LETTERS: Kevin Baker, Airport Manager stating that the Mankato Reginal Airport did not have any issues with he proposed dog training facility.

Discussion was held regarding: Patricia Linehan stated she is applying for a permit to operate a dog training facility. There will be no boarding of dogs. This will be her facility and she has recently been become a certified dog trainer. There was discussion on how one becomes a certified dog trainer. There will be other certified trainers on-site besides the applicant and the applicant has trained dogs before. Dogs will not be boarded on-site. One hour long classes will be held for six to eight week periods. The driveway access and comments that were made by David Tiegs, County Highway Engineer, were discussed. Plans for improving the facility to conduct training classes were reviewed. Future retail sales on-site are planned but will only involve toys and treats to aid in training classes. The need for this type of facility in the area was reviewed.

PUBLIC COMMENT: Seth Hammon regarding plans to train service dogs. Patricia Linehan responded that she is not planning to train service dogs at this time. Service dogs are very special and take a lot of work. She hopes to get to do so in the future. It is a long-term goal.

Mary Ellis Hollenhorst regarding how the refuse from the dogs is being handled. Is it going to be buried on-site or deposited in the trash? Patricia Linehan replied that it will go out as solid waste, must be double bagged.

Findings by majority roll call vote:

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

Motion was made by Don Reak to Approve the application with conditions to address access issues.

1. Trees/shrubs need to be trimmed on the East side of the access to allow for appropriate site distance.
2. The profile of the approach needs to be improved to provide a landing area for a vehicle to sit on while accessing the highway.

Discussion was held regarding: None.

Second by Al Gehrke. Motion approved. Motion carried.

ITEM #3: LE SUEUR COUNTY ZONING ORDINANCE REVISIONS: SECTION 4, DEFINITIONS; SECTION 7, CONSERVANCY; SECTION 8, AGRICULTURE; SECTION 9, URBAN/RURAL RESIDENTIAL; SECTION 10, GENERAL BUSINESS; SECTION 11, GENERAL INDUSTRY; SECTION 13, SHORELAND; SECTION 17, SUBSURFACE SEWAGE TREATMENT SYSTEMS; SECTION 18, ENVIRONMENTAL PERFORMANCE STANDARDS; SECTION 19, LAND USE PERFORMANCE STANDARDS; SECTION 30, VIOLATIONS.

Joshua Mankowski presented power point presentation.

TOWNSHIP: Notified. Response None

DNR: Notified. Response None

LETTERS: None

Discussion was held regarding: Spelling out the word condominium instead of abbreviating it as condo in the proposed ordinance. The approved language establishing the exemption for setback from the bluff is for tanks only in the proposed Ordinance revision. There was discussion about

providing a map to show where the proposed Short-Term Private Lodging Rentals would be allowed. Joshua Mankowski explained that the proposal would only allow the use on conforming lots in the Recreational Residential District. We do not have a map of conforming versus Non-conforming lots and this undertaking would require a lot by lot review of the district. Discussion on Conforming versus Non-conforming lots and the different lot requirements for Recreational Residential versus Natural Environment Lakes. Other requirements that can make a lot Non-conforming besides just lot dimensions were elaborated.

PUBLIC COMMENT: Brenda Hennek regarding: Is Conforming Lot in the definitions? Commissioner John King responded that it is defined in the County Zoning Ordinance. Brenda Hennek then asked if all the factors that are required to be considered a conforming lot were part of the definition. Michelle Mettler clarified that the requirements for being a conforming lot are outlined in each Zoning District, including but not limited to lot dimensions, lot size, buildable area. Section 24 of the Zoning Ordinance goes into more details about Non-conformities. Discussion by the Board on how a Conforming Lot is defined in the Zoning Ordinance. Bruce Klugherz explained how difficult it was navigating the County's website to find the information about the meeting and asked that the County try to address this issue. Bruce Klugherz questioned if Short-Term Private Lodging Rentals will be allowed on private roads. Michelle Mettler responded that there is no private road restriction listed in the performance standards for the proposed use. There was then discussion about the issues that may arise for the property owners on a private road and the difficulty that would arise if this use was prohibited on all private roads. This is an issue that could be addressed per Conditional Use Permit application. Bruce Klugherz asked how much the fine would be if there were violations and where to find this information. It was explained that the fines are determined by the County Board and a fine has not been determined. Bruce Klugherz asked how a neighbor would know how to contact the caretaker? Complaints should be filed with Planning and Zoning and the Sheriff's Department. Michelle Mettler clarified that if a Conditional Use Permit is obtained for this use, registration will be required and we would have that contact information on file. If there are issues, Planning and Zoning needs to be contacted so we can document the issue. If the issues are after hours or on holidays, then you would contact the Sheriff's Department. Bruce Klugherz then asked about the definition of a designated parking area. Michelle Mettler explained that information is in Section 19 of the Zoning Ordinance. Bruce Klugherz asked if trailers needed to be kept in the designated parking area? It was explained that it is covered in the performance standards, all motorized vehicles and trailers must be parked in the designated parking area. Bruce Klugherz then asked about rental of motorized watercraft being prohibited. It was explained that this means the property owner cannot rent out motorized watercraft. Bruce Klugherz then asked about the reference to flood plain violations in the ordinance. It was determined that this is not an area being changed by the proposed ordinance revision, the area is not in reference to Short-Term Private Lodging Rental. Bruce Klugherz then asked for clarification on the next step for the proposed Ordinance revisions. It was explained that, depending on the actions of the Planning and Zoning Commission, the proposed ordinance revisions will then be brought to the County Board of Commissioners at a public hearing for consideration. Bruce Klugherz asked that the material be made available for the public to view prior to the next meeting. It was explained by staff that the materials have been available online as well as hard copies in both the Planning and Zoning office and the Auditor/Treasurer's office. David Ellis Hollenhorst voiced his issues with the difficulty navigating the County's website when looking for information for meetings. David Ellis Hollenhorst asked about the allowed capacity and the number of bedrooms. Joshua Mankowski explained that there is information defining a bedroom in the Ordinance and the proposed ordinance also refers to the capacity of the septic system. Jerold Lucas regarding his concerns on the proposed Short-Term Private Lodging Rental Ordinance. The information was very difficult to find and review online. It is important that the public is allowed input, the information was not easy for the public to understand. He voiced his concerns with allowing the use on private roads; the property owners are responsible for the maintenance of the road, increased traffic. Suggest not allowing this use on private roads. Jerold Lucas continued by stating the general public is not able to understand all the requirements, a summary should be provided. Understands that it is our interpretation that the use requires a Conditional Use Permit, this should be more clearly stated. Short-Term Private Lodging in Section 13 should have cross-references to the performance standards. He believes the language used is too cryptic and too short. Jerold Lucas then asked who will be responsible for performing the required building inspection. The proposed language doesn't state it needs to be someone who is certified to do so. He then asked if the County Attorney has reviewed and

commented on the proposed ordinance. Michelle Mettler explained that the County Attorney would review the proposed revisions prior to the public hearing that would be the County Board of Commissioners. Bruce Klugherz stated that the document will be what is used to establish a Short-Term Private Lodging Rental and asked that language be added that directed people who suspect a violation to contact the Planning and Zoning Department. Joshua Mankowski responded that Planning and Zoning is responsible for enforcing the Zoning Ordinance, if you suspect a violation of the Zoning Ordinance, please contact Planning and Zoning. Brenda Hennek asked that the County have additional meetings to take additional public comment. She also voiced concern that there is nothing about wells in the proposed ordinance. Allowing this use could cause problems with shared wells. There may also be issues for the sewer system. Brenda Hennek then went on to describe some of the issues she has had living next to a vacation rental. She then requested that the County require that a background check is ran on each person renting a Short-Term Private Lodging Rental before they are allowed to rent. Jerold Lucas voiced additional concerns including possible issues with properties currently being rented out in violation of the Zoning Ordinance claiming they are grandfathered in. Language should be added to make it clear that this will not be allowed. Michelle Mettler responded that information is already in Section 24. They would not be a legal non-conformity. Commissioner Steven Rohlifing asked how many violations would be allowed before terminating the Conditional Use Permit? Joshua Mankowski responded that there is no set number. If there are issues, it would come back to the Planning and Zoning Commission and then the County Board to possibly revoke the Conditional Use Permit. Jeanne Doheny added that they need to look at the seriousness of the violation. Commissioner Steven Rohlifing then asked if covenants overrule the Conditional Use Permit. Joshua Mankowski responded that the County cannot enforce covenants, but upon review it can be used as a reason to deny a Conditional Use Permit. Commissioner Steven Rohlifing then asked if there was a way to allow staff to go onto the property if there is a violation to obtain evidence. Joshua Mankowski responded that, in reference to the specific issues where trespass was filed, after discussing the issue with the County Attorney, staff is still supposed to investigate complaints. Discussion about the how to proceed with the ordinance revisions, the Planning and Zoning Commission can recommend the current language to the County Board, change the current language and then send a recommendation to the Board, or table ordinance revisions to hold additional workshops and public hearings. There was continued discussion about the issues of private roads. Seth Hamman gave an explanation on how the private road he lives on, Limberdink Rd, which is dedicated to the property owners, functions; with each property owner helping pay for repairs and maintenance. Michelle Mettler clarified that Seth Hamman is describing his private road, there are a gamut of private roads in the County and different road authorities. Private roads can be dedicated to the public for example. There are many variables that need to be considered so there isn't just one blanket answer for private roads. Pam Tietz went on to describe the private road that she lives on and how maintenance is shared by all the landowners despite who is using it more or causing more wear. She also went on to describe her use of a shared well and that the County doesn't limit the number of people that can use that private well. Michelle Mettler clarified that all these issues can and should be brought before the Planning and Zoning Commission during a public hearing for Conditional Use Permit for the proposed use. These are factors that should be discussed at that time. Commissioner John King clarified that the neighbors will be notified for the public hearing if an application is being considered and that is how they will know if they are next to a valid Short-Term Private Lodging Rental. Bruce Klugherz explained that the questions on private roads was an issue is because it was discussed during a work session but it wasn't in the proposed language. There was continued discussion about holding additional work sessions and public meetings. Jeanne Doheny asked that the public provide comments to the Planning and Zoning Department by December 1, 2018 to be discussed at a work session and recommended that there should be another public hearing on this topic. Jerold Lucas expressed concern how the public notice was listed and the ability of the public to understand what is being discussed. There was discussion on how the public notice should be written.

Motion was made by Don Reak to Table the proposed Ordinance revisions to address comments made at the meeting and to gather additional public comment.

Discussion was held regarding: None

Second by Pam Tietz. Motion approved. Motion carried.

5. Discussion Items: None

6. Warrants/Claim-signatures.

7. Motion to adjourn meeting by Shirley Katzenmeyer. Second by Jeanne Doheny. Motion approved. Motion carried.

Respectfully submitted,

Joshua Mankowski

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

DRAFT



ENVIRONMENTAL SERVICES

Mailing Address: 88 South Park Avenue, Le Center, MN 56057
Physical Address: 515 South Maple Avenue, Le Center, MN 56057
Direct Dial: 507-357-8538 Fax: 507-357-8541
Email: environmentalservices@co.le-sueur.mn.us
County Website: www.co.le-sueur.mn.us

Date: Wednesday, November 21, 2018
To: Le Sueur County Board of Commissioners
From: Amy Beatty, Le Sueur County Environmental Programs Specialist
RE: 2019 Le Sueur County and City of Le Center Recycling Agreement

Since 2001, the City of Le Center has operated a recycling facility open to all county residents. The county has funded the recycling facility with SCORE¹ funding.

Change to the 2019 agreement:

1. The term of the agreement – January 1, 2019 to December 31, 2019.

A payment of \$2,300 per month for the years 2017, 2018, and 2019 was agreed upon at the December 20, 2016 County Board of Commissioners meeting.

The agreement was reviewed, approved, and signed by the City of Le Center's Mayor and Attorney at the November 13, 2018 City Council Meeting.

If you have further questions or comments regarding this agreement, please contact me at 507-357-8203.

¹ In 1989, the Minnesota Legislature adopted comprehensive waste reduction and recycling legislation based on the recommendations of the Governor's Select Committee on Recycling and the Environment. SCORE is part of Minnesota's Waste Management Act and provides counties with a funding source to develop waste reduction, recycling and solid waste management programs. Ambitious goals for recycling and waste reduction were set for Minnesota counties and have typically been met, if not exceeded.

RECYCLING SERVICES AGREEMENT
BETWEEN CITY OF LE CENTER AND LE SUEUR COUNTY

THIS AGREEMENT is between the City of Le Center and Le Sueur County, through their respective City Council and Board of Commissioners, (hereinafter singly referred to as "Party" or jointly referred to as "Parties").

WHEREAS, Le Sueur County desires to create a mechanism whereby residents of the county may use a county-wide recycling facility; and

WHEREAS, it is recognized that there is a benefit derived from increasing the availability for recycling by the City of Le Center operating a county-wide recycling facility; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City of Le Center and Le Sueur County hereby agree as follows:

1. PURPOSE

This Agreement is to provide recycling and waste reduction services to the residents of Le Sueur County. The City of Le Center has agreed to receive the recyclable materials brought to the recycling center located at the city garage, 112 S. Lexington Avenue, Le Center, by any resident of Le Sueur County.

2. TERM

This Agreement shall commence on January 1, 2019, and terminate on December 31, 2019, unless terminated earlier as provided herein.

3. FACILITIES AND EQUIPMENT

The City agrees to receive recyclable materials at its recycling drop site at 112 S. Lexington Avenue, Le Center. The City has entered into a contract with a waste management company to provide recycling service. In this contract, the company will provide containers and will remove the recyclable materials on a set schedule. These materials will be transported to recycling facility that meets the requirements under state statutes and rules, county ordinances and solid waste management plan, and city ordinances.

The City of Le Center shall provide, at its own expense, such machinery and equipment as may be necessary to receive these recyclable materials.

4. RECYCLABLE MATERIAL

The following recyclable materials will be received at this recycling drop site at no charge to residents of Le Sueur County:

- a. Corrugated Cardboard. These are corrugated cardboard materials used primarily for packaging. Materials to be accepted must be 100% true corrugated, not coated with wax, plastics, or food contaminants or contain no chipboard.
- b. Aluminum, Tin/Steel, and Bi-Metal Food and Beverage Cans. These are containers fabricated primarily of aluminum, bi-metal, and tin-plated steel and commonly used for beverages and canned food products. Cans shall be rinsed and be reasonably clean. The following types of metals shall not be accepted aerosol cans, sheet metal, or scrap metal.
- c. Plastics, Numbers 1 through 7. Plastic containers must have a neck or pourable content. Containers shall be rinsed with all caps and lids removed. The following items shall not be accepted margarine tubs, ice cream buckets, food trays, and 5-gallon plastic pails.
- d. Glass Food and Beverage Containers. Clear, green, blue, and amber glass. These shall include containers fabricated of glass and used for packaging and bottling of various foods and beverages. Containers shall be rinsed with the caps removed. The following types of glass shall not be accepted window glass, mirrors, light bulbs, ceramics, and glass jars or

- bottles that contained hazardous materials.
- e. Mixed Paper. This included newspaper, magazines, catalogs, direct mail advertisements, brochures, booklets, office paper, hard and soft cover books, phone books, manila office folders, computer paper, envelopes, letters, and boxboard (cookie, cake, cereal, and chip boxes). The following items shall not be accepted beer/pop carrying cases, egg cartons, milk cartons, frozen food boxes, foil, plastic wrap, and carbon paper.

It is understood that recyclable materials will be accepted "commingled." Commingled recyclable materials shall be aluminum, bi-metal, steel/tin food and beverage containers, glass food and beverage containers, and numbers 1 through 7 plastic containers received together and handled as one commodity.

Recycled materials may be added to or deleted from the list by written request of the parties or as required by law.

5. FACILITY OPERATIONS

- a. Hours for operation of the recycling drop site are as follows: Each Saturday from 7:00 am to 12:00 pm. On the event a state or federal holiday falls on a Saturday, the recycling drop site is not required to be open to the public.
- b. The City of Le Center agrees to have at least one employee on site at all times during operational hours to assist county residents with recycling questions and sorting of recyclables.

6. PAYMENT

Le Sueur County shall pay the City of Le Center in the amount of \$2,300.00 per month for the term of the agreement. This payment will cover the costs for labor, recycling services, insurance, and miscellaneous costs.

7. PERMITS AND LICENSES

The City of Le Center shall be responsible for all applicable state and county permits and licenses required to operate the facility.

8. RECORDS

Each Party shall maintain financial and other records and accounts in accordance with requirements of the State of Minnesota. Each Party shall maintain strict accountability of all funds and maintain records of all receipts and disbursements.

9. AUDIT/ACCESS TO FACILITY

Each Party shall allow the other Party and the State of Minnesota pursuant to Minn. Stat. § 16C.05, subdivision 5, including the Legislative Auditor or the State Auditor, access to its records at reasonable hours, including all books, records, documents, and accounting procedures and practices relevant to the subject matter of this Agreement, for purposes of audit.

8. COMPLIANCE WITH REQUIREMENTS OF THE LAW

In performing the provisions of this Agreement, each Party agrees to comply with all applicable federal, state or local laws, ordinances, rules and regulations.

9. AFFIRMATIVE ACTION

No person shall illegally, on the grounds of race, creed, color, religion, sex, marital status, public assistance status, sexual preference, handicap, age or national origin, be excluded from full employment rights in, participation in, be denied the benefits of, or be otherwise subject to unlawful discrimination under any program, service or activity hereunder.

10. ENTIRE AGREEMENT

It is understood and agreed that this Agreement constitutes the entire agreement of the parties and that this Agreement supersedes all oral and written agreements and negotiations between the parties relating to the subject matter hereof.

11. AMENDMENTS

Except as otherwise provided in this Agreement, any amendments, alterations, variations, modifications, or waivers of this Agreement shall be valid only when they have been reduced to writing and duly signed by each Party.

12. TERMINATION

Either Party may terminate this Agreement, with or without cause, by providing ninety (90) days' written notice to other Party. Termination shall not act to discharge any liability incurred by any Party before the effective date of termination, including payments or credits due. Such liability shall continue until appropriately discharged by law or agreement.

13. CONTACTS

The individuals designated as contact persons for this agreement for each party shall be:

Chris Collins
City of Le Center
10 West Tyrone Street
Le Center, MN 56057
Ph: 507-357-4450
Email: collinschrisl@yahoo.com

Amy Beatty
Le Sueur County Environmental Services
88 South Park Avenue
Le Center, MN 56057
Ph: 507-357-8203
Email: abeatty@co.le-sueur.mn.us

14. LIABILITY/INDEMNIFICATION AMONG THE PARTIES

- a. General Indemnification. The Parties agree that each Party will be responsible for its own acts and the results thereof and shall not be responsible for the acts of the other Party and the results thereof. Each Party therefore agrees that it will assume liability for itself, its agents, employees, or contractors for any injury to persons or property resulting in any manner from the conduct of its own operations, and operations of its agents, employees or contractors. Each Party shall defend, indemnify and hold harmless the other Party for all liability, obligations, claims, loss and expense, including reasonable attorneys and other professional fees, resulting from its acts or the acts of its agents, employees or contractors.
- b. Indemnification for Benefit of Parties. The indemnification provisions of this Section 14 are for the benefit of the Parties only and shall not establish, of themselves, any liability to third parties. Nothing in this Agreement is intended to waive or limit the provisions of Minn. Stat. Chap. 466, or any other law, legislative or judicial, which limits governmental liability.

IN WITNESS WHEREOF, the parties to this Agreement have hereunto set their hands on the date written as follows:

CITY OF LE CENTER

COUNTY OF LE SUEUR

Mayor, City of Le Center

Chair, Le Sueur County Board of Commissioners

Date

Date

Approved as to form:

Approved as to form:

City of Le Center Attorney's Office

Le Sueur County Attorney's Office

Date

Date

City of Le Center Recycling Facility

Year	Co-Mingled (tons)	Paper/Cardboard (tons)	Cost Per Month	Yearly Cost
2001	53.785	126.57	\$ 1,000.00	\$ 7,000.00
2002	51.4	150.01	\$ 1,033.00	\$ 12,396.00
2003	58.47	153.89	\$ 1,056.00	\$ 12,672.00
2004	62.67	168.18	\$ 1,073.00	\$ 12,876.00
2005	58.95	162.3	\$ 1,110.56	\$ 13,326.72
2006	69.44	160.31	\$ 1,149.43	\$ 13,793.16
2007	75.82	163.48	\$ 1,500.00	\$ 18,000.00
2008	77.19	153.12	\$ 1,564.50	\$ 18,774.00
2009	80.88	137.08	\$ 1,581.71	\$ 18,980.52
2010	84.42	141.83	\$ 1,950.00	\$ 23,400.00
2011	78.92	132.93	\$ 1,950.00	\$ 23,400.00
2012	86.28	139.32	\$ 1,950.00	\$ 23,400.00
2013	90.38	137.77	\$ 1,950.00	\$ 23,400.00
2014	97.64	128.88	\$ 1,950.00	\$ 23,400.00
2015	103.32	143.52	\$ 1,950.00	\$ 23,400.00
2016	103.13	148.97	\$ 1,950.00	\$ 23,400.00
2017	103.94	137.74	\$ 2,300.00	\$ 27,600.00
Total	1336.635	2485.9		\$ 319,218.40

1st year of county-wide operation

*Will receive the 2018 recycling tonnages when the city submits its next license application (May 1, 2019 to April 30, 2020) .

Monthly payment adjusted annually by an amount equal to the percentage increase from the previous 12 month period by the Consumer Price Index. In 2006, the city asked for the 2007 monthly payment to be \$1500 + Consumer Price Index increase to cover the costs to operate.

The City of Le Center is responsible for all applicable permits and insurance.



Le Sueur County, MN

Tuesday, November 27, 2018

Board Meeting

Item 4

9:15 a.m. Nik Kadel, Ditch Specialist (10 min)

RE: Ditch Update

Staff Contact:

Le Sueur County Ditch Report: 12/1/18 ■ =New ■ =Closed white=current ■ = In Review

Drainage	DB Repair #	Date Received	Township	Section	Landowner	Person Requesting Repair	Problem/Proposed Work	Contractor	Cost Estimate	Start Date	Project complete Date	Final Bill Invoice	Notes
CD6	18-026	10/1/2018	Montgomery	18	Rynda, William	Richard Kuckaka	Beaver Dams	selly/ Shane Steven's					Trapper has been out there and cleared a few dams.
CD16	16-037	11/1/2016	Montgomery	18	TRINKA, BETTY A		Culvert is failing, needs field review.						Culvert needs cleaning around it
CD16	16-040	11/3/2016	Lexington	13	NYTES, JAMES L & RUTH A		clean out to the lake. Need DNR permits to proceed. Water control structure?						waiting on DNR water permit
CD16	16-041	11/3/2016	Montgomery	18	TRINKA, BETTY A		clean out, need DNR permits, control structure?	selly?	20566.4				Starting meetings with DNR!!!!
CD21	16-007	4/25/2016	Lexington	28		Joe Schloesser	washing out next to culvert in driveway						Sent letters, no response
CD23	18-025	9/21/2018	Lexington	35	Goettl, Robert & Lori A	Goettl, Robert & Lori A	Beaver dams and beaver problems.	selly/ Shane Steven's				\$ 1,270.00	We have a trapper out ther along the ditch now.
CD23	16-024	9/29/2016	Lexington	20	WIELAND, ROBERT A & CYNTHIA		washouts due to heavy rain. side inlets? ditch plugged						Did a ditch inspection on about half the ditch. It's going to need a lot of work and a redetermination. Having a meeting with board about how to proceed.
CD23	16-044	11/14/2016				Don Westerman	Don Westerman wants the outlet structure for mareks lake repaired before any ditch clean out takes place. Site needs to be visited and photos taken winter of 2016-17.						drop inlet structure needs replacment.
CD29	18-035	10/1/2018	Derrynane	9	O'connell, James J	O'connell, Mike	Replace all tile on his property.						This needs a to be discussed about replacine whole tile line and have ISG take a look.
CD29	18-013	6/11/2018	Derrynane	9	Stuedemann, Kevin	Stuedemann, Kevin	Crossing repair.						wanted to have their own contractor do the work. Have not heard anything from them since.
CD31	17-052	12/12/2017	Derrynane	13	Hoefs, Johns J	Dennis Dietz	Water not flowing through						Needs DNR permit to clean through public waters.
CD31	16-055	42709	derrynane		JAHN, BRIAN C FAMILY LP	john Widmer	where 31 and 44 meet is clogged with grass.						Needs DNR permit to clean through public waters. Found Culvert in Ditch need to more information.
JD38	18-006	5/4/2018	Kilkenny	25	Houser, Terry W & Bev E	Jim Hebel	Erosion from public waters coming into the county ditch.						Going to get some second opinions before we start repiaring ditch.
JD38	17-054	12/21/2017	Kilkenny	36	Miller, Jerome A	Kenneth Wetzel	Need elevation shots on a culvert, Landowner believes culvert is too high.						Need to get elevation shots!

Le Sueur County Ditch Report: 12/1/18 ■ =New ■ =Closed white=current ■ = In Review

CD40	16-061	42725	Montgomery	22	BAUER, LEROY O & BONNIE	BAUER, LEROY O & BONNIE	LO stopped in saying lots of sloughing and erosion along his land and further along the ditch							Land owner spread spoil on his own, I let him know he could be paid for his work but he was not interested.
CD40	17-004	1/12/2017	Montgomery	26	KORBEL, DALE & ALICIA	Dan Gregor	Banks are sloughing from excess rains and water							Need to site inspection for work
CD40	16-014	9/21/2016	Montgomery	28	KRAUTKREMER, DENNIS		Ditch has been cleaned out and install a 30' culvert	Havel						Land was too wet to finish cleaning by havel.
CD41	17-043	1/24/2017	Lexington	30	Beer, George	Jerry Cooney	Tile failing, Water siting in the field not draining in the culvert.							Petition was put in!
CD43	17-007	2/3/2017	Lexington	21	MORAVEC, JACQUELYN M		water not being able to get into Tyler lake							Tyler lake has been looked at waiting on DNR to provide results of OWL. To see if we can clean into the lake.
CD44	16-035	10/20/2016	Lanesburgh	20	TIEDE, RUSTY & NANCY	Rusty Tiede	Rusty Tiede called in to office describing water backing up in Main of CD#44. Problem he said appears to be downstream.							CD 44 needs inspection for a few problems
CD44	16-054	11/30/2016	Lanesburgh	7	JAHN, BRIAN C FAMILY LP	John Widmer	plugged with grass at the point where 31 and 44 meet up.							Was inspected, needs a DNR permit to be filled out to be cleaned.
CD45	18-029	11/1/2018	Lexington	2	Miller, Jeff	Dale Tiede	Beaver Dam	selly/ Shane Steven's						Have a Trapper out there and cleared the Dam.
CD45	18-021	8/7/2018	Derrynane	27	Wacker, Mark	Tom Binzick	Culvert washing out.	Aufderhar					\$ 875.00	Culvert was replaced, waiting on payment from LO.
CD57	17-051	43069	Kilkenny	3	Brockway, Richard & Kathleen	Brookway, Richard & Kathleen	Beaver dams and beaver problems, going to trapp before clearing dams.	Rollings						We have a trapper out ther along the ditch now.
CD58	18-030	11/15/2018	Cleveland	29	Struck, Gerald	Lynn Loeffler	Debri in culvert holding back water.							Found a few rocks, looks like culvert will have to be replace. Its starting to rust through.
CD59	16-017	9/23/2016	Elysian	3	Domonoske, Donald & Judy	Domonoske, Doanld & Judy	Asked about this same are again, will have to inspect in the spring for a clean out.							This stretch was attempted last year but it was too wet. Land owner asked for it to be looked at again. 10/2017
CD61	18-033	11/19/2018	Cordova	23	Haefner, Charles	Chad Domonoske	A few Sloughs obstructing the sitch.							needs inspection. Holding off work
CD61	18-028	10/22/2018	Cordova	23	Domonoske, Donald & Judy	Tom Jindra	Crossing repair.	zimmerman					\$ 3,443.82	Found that the culvert needs to be replaced.

Le Sueur County Ditch Report: 12/1/18 ■ =New ■ =Closed white=current ■ = In Review

CD61	16-013	9/20/2016	Cordova	23	THEIS,JOHN L & CANDI L	David Novotny	Find where the tile has been plugged or blown out, repair that area to get water flowing again, were told to get a cost estimate before work could be done	Pat Traxler		3/31/2017		Traxler Thinks the problem is the tile in the easment land on the McGillen land. Will have to look into it in the future. Waiting on invoice!
CD61	17-021	42846	Cordova	23	McgILLEN,JOHN E & PAMEL	David Novotny	Tile Holding back water. Needs to be replaced or fixed.					having ISG make an engineering report for the county to replace couy tile.
CD61	17-046	9/11/2017	Cordova	23	McgILLEN,JOHN E & PAMELA K	david Novotny	Clean open ditch for fall.					Did inspection waiting until after meeting to do work.
CD63	18-004	5/3/2018	Montgomery	36	James Fisher	James fisher	Two culverts, one located on 99 and on located on the fisher land with logs blocking it.					Land owner was concerned about being flooded out by the culvert on 99 that was put in a few years ago. (Found info, Working with HWY DPT)
CD63	17-009	2017-15-3	Montgomery	35	Trcka, Steve & Theresa	Mark Chicoine	Needs inspections for cleaning, there is sloughing.					needs inspection. Holding off work
CD64	18-020	7/27/2018	Cordova	21	DNR Real Estate MGT	Kolander, Leroy	Culvert underwater on highway 11	Selly		7/30/2018		found a beaver dam holding back about 3 ft of water.
CD64	18-031	11/15/2018	Cordova	26	Zimprich, Joseph	Marvin Novotny	ditch clean out.	Zimmerman				Sediment and grass blocking up tile.
CD64	17-053	12/13/2017	Cordova	20	Chadderdon, Orbbe	Norman Schmidt	Beaver dams blocking up ditch					I have ran parts of this ditch and could not find any dams. I will run the ditch this spring.
CD68	18-027	10/1/2018	Cordova	27	Marvin Novotny	Marvin Novotny	Slough	Zimmerman			\$ 360.00	Slough cleaned up.
CD70	18-024	9/14/2018	Tyrone	10	Loewe,Adam	Loewe,Adam	Ditch Abandonment					Did a site check to see if anyone else is benefiting.
JD1 Scott	18-032	11/19/2018	Tyrone	9	Felmlee,Judith ann	Lyle Felmlee	Two sloughs take outlet tile into ditch.					Need to find contractor
JD1 Scott	18-011	6/6/2018	Tyrone	4	Butchel, Ron	Butchel, Ron	Spoils left from previous cleanout has never been spread	Selly				Spoils have been spread.
JD1 Scott	18-005	5/3/2018	Tyrone	2	Kessler, William	Kessler, William	Ersion and sloughing and undercutting.					Looks like his tile might be cause some of his problem on the sloughing part, the ditch bank is mud mid way up next to the tile. Once he fixes his tile we will repair the ditch.

Le Sueur County Ditch Report: 12/1/18 ■ =New ■ =Closed white=current ■ = In Review

JD4 SCOTT	16-058	12/12/2016	Tyrone	1	LINDEMAN,LLOYD	Lyle Wagner	Lyle wagner stopped in saying that he and a few neighbors think the ditch will have to be cleaned out							Needs inspection this spring.
JD5 RICE	17-002	1/3/2017	Kilkenny	10	SCHULTZ,JERRY L	ken kline	In the Cannon River section of kilkenny, below Dora. Need to ok with DNR and Knish. the Bill should be split equally between JD5, CD40, CD57 and CD63- these are backed up by beaver dams with in the area.							needs action.
JD15 BE	17-008	2/16/2017	Washington	14	MCCARTHY,JAMES R	Mark Krenik	ditch clean out.	zimmerman	5500			\$ 5,310.00	was cleaned and spoiles spread!	

■ = New inquiries within the last 2 months that have not been looked into.

■ = Closed projects that have been inspected and paid for work done.

White= projects that are in progress, they are currently being worked on and still have issue that need to be done.

■ = Projects that are in review, they are projects that have to be looked into or are being set aside for future work.



Le Sueur County, MN

Tuesday, November 27, 2018

Board Meeting

Item 5

9:25 a.m. Human Resources (5 min)

Staff Contact:



Human Resources

88 SOUTH PARK AVENUE • LE CENTER, MINNESOTA 56057
Telephone: 507-357-8517 • Fax: 507-357-8607
Cindy Westerhouse – Human Resources Director

HUMAN RESOURCES AGENDA ITEMS November 27, 2018

Recommendation to set the 2019 salaries, pursuant to Minnesota Statute 388.18, 387.20, 385.373 and 384.151 and 386.015 for the following Le Sueur County elected officials:

County Attorney -	\$107,864.96
County Sheriff -	\$119,613.68
County Auditor-Treasurer -	\$106,361.35
County Recorder -	\$ 76,481.11

Recommendation to set the 2019 wages for Nick Greenig, Chief Deputy Sheriff in the Sheriff's Office, from \$44.78 per hour to \$46.57 per hour, effective the first pay period of 2019.

Recommendation to post and advertise for a full time Office Manager/Evidence Coordinator in the Sheriff's Office, Grade 9, Step 4 at \$24.25 per hour.

Equal Opportunity Employer



Le Sueur County, MN

Tuesday, November 27, 2018

Board Meeting

Item 6

9:30 a.m. Darrell Pettis, County Administrator

RE: 2019 Budget Discussion

RE: Review and update Commissioner Committees list for 2019

RE: AMC Conference - New Commissioner

RE: DNR Grant Agreement

RE: CD54 Sanborn Lake Drawdown

Staff Contact:

Commissioner Committee Assignments 2019 Draft

Commissioner Gliszinski (1): AMC, NACO, Tri-County Solid Waste, Le Sueur-Waseca Board of Health, ~~German—Jefferson Sewer District~~, Roads & Bridge, Guardian Ad Litem, Transportation Alliance, Fair Board, Work Force Council, Labor Management, Insurance Review, Le Sueur – Rice Joint Drainage Authority, Le Sueur – Scott Joint Drainage Authority, AMC Public Safety Policy Committee, West Jefferson Sewer District, Building Committee, Township Board Meetings, City Council Meetings, Annual Lake Association Meetings

Commissioner O’Keefe (2): AMC, NACO, Tri-County Solid Waste, Le Sueur-Waseca Board of Health, ~~German—Jefferson Sewer District~~, Roads & Bridges, Law Library, Le Sueur County Aging & Transit, AMC General Government Policy Committee, Le Sueur – Rice Joint Drainage Authority, Le Sueur – Scott Joint Drainage Authority, West Jefferson Sewer District, Township Board Meetings, City Council Meetings, Annual Lake Association Meetings

Commissioner King (3): AMC, NACO, Tri-County Solid Waste, Le Sueur-Waseca Board of Health, ~~German—Jefferson Sewer District~~, Roads & Bridges, Airport Commission for Le Sueur, MSSA, Joint Powers, MCIT, Transportation Alliance, Safety Committee, Greater Blue Earth River Basin Alliance (GBERBA), Ney Foundation, Le Sueur – Waseca Regional Library, AMC Health & Human Services Policy Committee and Le Sueur – Scott Joint Drainage Authority, Le Sueur – Blue Earth Joint Drainage Authority, Regional Radio Board, TH169 Coalition, 3 County Transit, West Jefferson Sewer District, Building Committee, Township Board Meetings, City Council Meetings, Annual Lake Association Meetings, **Parks Board**

Commissioner Wetzel (4): AMC, NACO, Tri-County Solid Waste, Le Sueur-Waseca Board of Health, ~~German—Jefferson Sewer District~~, Roads & Bridges, Le Sueur County Developmental Services (LCDS), EMS Joint Powers, MVMCOG, Cannon River Watershed, Public Health Advisory Committee, Public Health Emergency Preparedness Advisory, Family Services Collaborative, Regional Radio Board, AMC Transportation & Infrastructure Policy Committee, Le Sueur – Rice Joint Drainage Authority, Le Sueur – Blue Earth Joint Drainage Authority and Transportation Alliance, Personnel Committee, 3 County Transit, West Jefferson Sewer District, Township Board Meetings, City Council Meetings, Annual Lake Association Meetings, 1W1P,

Commissioner Rohlffing (5): MVAC, AMC, NACO, Tri-County Solid Waste, Le Sueur-Waseca Board of Health, ~~German—Jefferson Sewer District~~, Roads & Bridges, MCIT, Mental Health Advisory, Immtrack Joint Powers Board, Transportation Alliance, VIP, Scenic Byway Alliance, MN River Basins, Region 9, SBA, Le Sueur County Developmental Services (LCDS), Le Sueur – Waseca Regional Library, Mental Health Advisory, AMC Environment & Natural Resources Policy Committee, Historical Society, Le Sueur – Blue Earth Joint Drainage Authority, Airport Commission for Mankato, SHIP Community Leadership Team, West Jefferson Sewer District, Township Board Meetings, City Council Meetings, Annual Lake Association Meetings, 1W1P, **Parks Board**

Chair and Vice Chair:

- Chair and Vice Chair - Human Resources Committee (Recruitment, Labor Relations, Employee Benefits, Employee Relations, Compensation/Classification, Staff Development and Strategic Planning),
- Chair and Vice Chair - Extension Committee
- Board Chair - Planning & Zoning Commission

Hello Rudy-

I apologize for the delay in my response, I was out of the office until Tuesday. Yes, your new commissioner is welcome to come to the conference. You should check with your county attorney and administrator, but I believe the state statutes allow the county board to reimburse a newly elected commissioner for attending the conference ([375.055 subd. 8](#); copied below).

Subd. 8. Training expenses. The county board may reimburse a newly elected county commissioner for expenses incurred prior to assuming office for attendance at a training or education program which will familiarize the commissioner with official duties.

The newly elected commissioner does not need to do anything special to register for the conference. They can register at this link:

http://www.mncounties.org/meetings_and_education/amc_annual_conference/registration.php

If they have trouble getting a hotel room or being added to the waiting list for a hotel room, please contact Laurie Klupacs AMC's deputy director (lkupacs@mncounties.org).

Best-
Jill

1. STATE ENCUMBRANCE
VERIFICATION

Individual certifies that funds have been encumbered
as required by Minn. Stat. '§ 16A.15 and 16C.05.

By: Kristel Peters

Date: 10/24/18

Purchase Order Number:

3-142827

Contract #: 149528

3. DEPARTMENT OF NATURAL RESOURCES

By: _____
with delegated authority

Name: James T. Leach

Title: Director, Division of Fish and Wildlife

Date: _____

2. GRANTEE

The Grantee certifies that the appropriate person(s)
have executed the grant contract on behalf of the
Grantee as required by applicable articles, bylaws,
resolutions, or ordinances.

By: Tyler Luethje

Name: Tyler Luethje

Title: Parks Director / Land Manager

Date: 10/31/18

By: _____

Name: _____

Title: County Administrator / Project Manager

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

Conservation Partners Legacy Grant Application

Printed 2018-10-10

Project Contact

Project name

Lake Washington Regional Park Restoration

Organization name

Le Sueur County

Organization type

Government

Mailing address 1

88 South Park Ave

Mailing address 2

City

Le Center

State

MN

Zip code

56057

Project manager

Darrell Pettis

Title

County Administrator

Phone

507-357-8220

Email

dpettis@co.le-sueur.mn.us

Project Overview

Sites / Locations

County name:

Le Sueur

Project site name:

Lake Washington Regional Park

Total project sites:

3

Total project sites:

3

Total project acres:

49

Land Ownership

Primary land ownership:

County

Additional land ownerships:

Habitat

Primary habitat type:

Prairie

Additional habitat types:

Fish, Game or Wildlife Habitat

Activities

Primary activity:

Restoration

Additional activities:

ECP activities:

Establish New Prairie/Grassland, Mow/Herbicide For Invasives Or Recent Est.
Grassland/Prairie, Seed Purchase Of Native Species, Site Prep for Habitat Enhancement,
Tree Planting, Upland Vegetation Enhancement

Project Finding Summary

Total grant amount requested	\$22,329
Total match amount pledged	\$2,558
Additional funding amount	
Total project cost	\$24,887

Project Summary

Have you ever received a CPL grant before? No

Project Location Summary

Primary county

Le Sueur

Project site name

Lake Washington Regional Park

Primary land ownership

County

Habitat and Activity Summary

Habitat type

Prairie

Primary activity

Restoration

Total project sites

3

Total project acres

49

Site information

Lake Washington Regional Park is a 166 acre county park that is located along nearly one mile of shoreline on Lake Washington in Le Sueur County. The park currently has diverse habitat and we are looking to continue our restoration of the park to enhance the habitat. Presently, there are 26 acres of wetlands, 62 acres of forest or timber areas, 2 acres of mowed grass for recreational purposes, 4 acres of a walnut tree grove, 12 acres of campground, and 49 acres of tillable cropland, along with 1 mile of Shanaska Creek flowing out of Lake Washington through the park. The restoration project with the CPL Grant is going to be used on taking the 49 acres of tillable land out of crop production and restoring it with native grasses and trees. To get the full benefit of the land, improve wildlife habitat, promote outdoor recreation, and do our part to enhance water quality within Lake

Washington and the surrounding area, it is in the best interest of the county to restore the 49 acres of tillable cropland with native prairies and trees. While the county park is not open to public hunting, it provides an abundance of wildlife habitat for several species common to the region, including Deer, Waterfowl, Rabbits, Squirrels, Turkeys, Pheasants, Raccoon, Fox, Beaver, Mink, Muskrat, and Otter, along with a number of different bird species and pollinators. Within our native prairie restoration, we will also be including 2 separate 1 acre pollinator plots. Lake Washington's shoreline is fully developed with residential houses, except for the 1 mile of shoreline along the county park and the 166 acres within the park. With the surrounding area being dominated by agriculture, the county park provides one of the few year round areas for a number of species to survive and thrive. By adding an additional 49 acres of native prairie and trees to the area, we will be providing excellent habitat for a number of animals and pollinators within the area. In addition to providing nature and wildlife benefits by adding 49 acres of native prairie and trees, we will be providing additional outdoor recreation opportunities for the public within the region. The park currently features a 12 acre campground and 3.5 miles of natural trails for hiking. Our plan is to provide additional self guided hiking trails for the public along the perimeter of the newly restored land. The public will be able to enjoy hiking, birding, observing wildlife and nature, amongst others.

Methods

Le Sueur County Parks Department has worked closely with the Le Sueur County Soil & Water Conservation District on how we can get the results we want on our land, which types of seeds to plant, how to manage them, and even on this grant application. Between the Parks Department and the SWCD, a large amount of the work will be done by staff and/or volunteers, and equipment from each department. The 49 acres currently has soybeans growing in it for the 2018 season, SWCD has recommended doing our restoration work following a soybean season rather than a corn season. If awarded this grant, we would start our prairie restoration work right away in the spring of 2019. Le Sueur County Highway Department will provide an in-kind donation of their tractor, SWCD will provide an in-kind donation of their drill. We anticipate approximately 15 hours of staff time to plant the prairie restoration. In addition to the native grass plantings, Le Sueur County Parks will be in charge of any and all long term management of the land. To help with the growing, we plan on mowing it down twice within the two years of planting with a goal of really seeing the prairie take off in year 3. Along with restoring a native prairie, we are also planting 350 bur oak trees. The trees will be 3-4 feet tall at the time of planting. Again, with the help of the Le Sueur County Highway Department and the Le Sueur County Soil & Water Conservation District, the Parks Department and volunteers will be planting the trees using a tractor and tree planter. To help with the long term success of the trees, we will be planting them in rows with tree fabric at the base and tree tubes around the trunks.

Need for funding

Receiving CPL funding to work on our native prairie restoration would greatly increase the quality of land, life, habitat, and water for the region, animals, plants, people, and Lake Washington. Le Sueur County does not have the funds allocated towards the native seeding that would take place on this land. Le Sueur County Parks Department also receives rent

each year on the tillable cropland. By taking that land out of crop production and replacing it with a native prairie, the county is already taking a large financial hit each year. If the county were to pay for the restoration work themselves while losing income on the land, it simply will not get done in the foreseeable future and the land will stay in row crops until another funding source becomes available. Le Sueur County Parks Department is prepared to lose the income on the land and has begun work on future budgets to prepare for the income loss, but adding a large restoration cost is not feasible. While our park is not open to public hunting, it does provide all the habitat that is needed for a wide range of animals in the region to thrive. Adding 50 acres of native grasses and trees to our 166 acre park will be a huge benefit for the area. In addition to the wildlife, we will also be including two separate 1 acre pollinator plots within the prairie to provide an essential piece of habitat for pollinators that are missing in the area. Lastly, this will all be accessible to the public through different forms of outdoor recreation. The perimeter of the area we will be restoring is currently a mowed hiking trail. That trail will remain in place but will be greatly enhanced by allowing the public to now hike along the borders of a restored prairie that is abundant with wildlife, rather than a field full of row crops.

Project Timeline

Time Frame (month, season and/or year)

2019-2022

Goal

Plant in 2019, mow and enhance each year after to complete by 2022

Estimated project completion date

2022-06-30

(must be complete by 2022-06-30)

Budget Information

Name

Tyler Luethje

Title

Parks Director

Email

tluethje@co.le-sueur.mn.us

Phone

507-357-8201

Street address 1

88 South Park Ave

Street address 2

City

Le Center

State

MN

Zip Code

56057

Budget Details

Personnel

Name	Title / work to be completed	Amount	Grant/Match	In-kind/Cash
Parks Dep./SWCD	Planting Native Seed Mix	\$300	Match	In-kind
Parks Dep./SWCD	Mowing 2 times after planting	\$500	Match	In-kind
Parks Dep./SWCD	Treen Planting	\$480	Match	In-kind

Contracts

7

Contractor Name	Contracted Work	Amount	Grant/Match	In-kind/Cash
N/A	Site Prep/Spray/Cultivate	\$1,250	Grant	

Equipment/Tools/Supplies

Item	Purpose	Amount	Grant/Match	In-kind/Cash
Native Seed Mix	Seed	\$16,121	Grant	
Pollinator Seed	Seed	\$1,045	Grant	
Mowing - Two times	Enhance native prairie	\$1,800	Grant	
Bur Oak Trees 3-4'	350 Trees	\$737	Grant	
Tree Tubes	Protect Trees	\$1,026	Grant	
Tree Fabric	Protect Trees	\$350	Grant	
Tractor Rental	Plant Native Prairie Mix	\$156	Match	In-kind
Drill Rental	Plant Native Prairie Mix	\$600	Match	In-kind
Mowing Tractor Rental	Rent tractor to mow	\$300	Match	In-kind
Tree Planter Rental	Plant Trees	\$30	Match	In-kind
Tractor Rental	Plant Trees	\$192	Match	In-kind

Additional Funding

Additional Funds are dollars used towards the project that are not grant funds or counted as match.

Additional funding amount

Budget Overview

Item Type	Grant	Match	Total
Personnel		\$1,280	\$1,280
Contracts	\$1,250		\$1,250
Travel (in-state)			
Professional Services			
Equipment/Tools/Supplies	\$21,079	\$1,278	\$22,357
Additional Budget Items			
Total:	\$22,329	\$2,558	\$24,887

Project Finding Summary

Total grant amount requested	\$22,329
Total match amount pledged	\$2,558
Additional funding amount	
Total project cost	\$24,887

Site Information

Land Manager

Name

Tyler Luethje

Organization

Le Sueur County

Title

Parks Director

Review and approval form

lm-approval.pdf

Phone

507-357-8201

Email

tluethje@co.le-sueur.mn.us

Site Information

Site name

Lake Washington Regional Park

Habitat

Fish, Game or Wildlife Habitat

Activity

Restoration

Land ownership

County

Pls section

T: 109 R: 26 D: W S: 12

Project acres

166

Open to public hunting?

No

Open to public fishing?

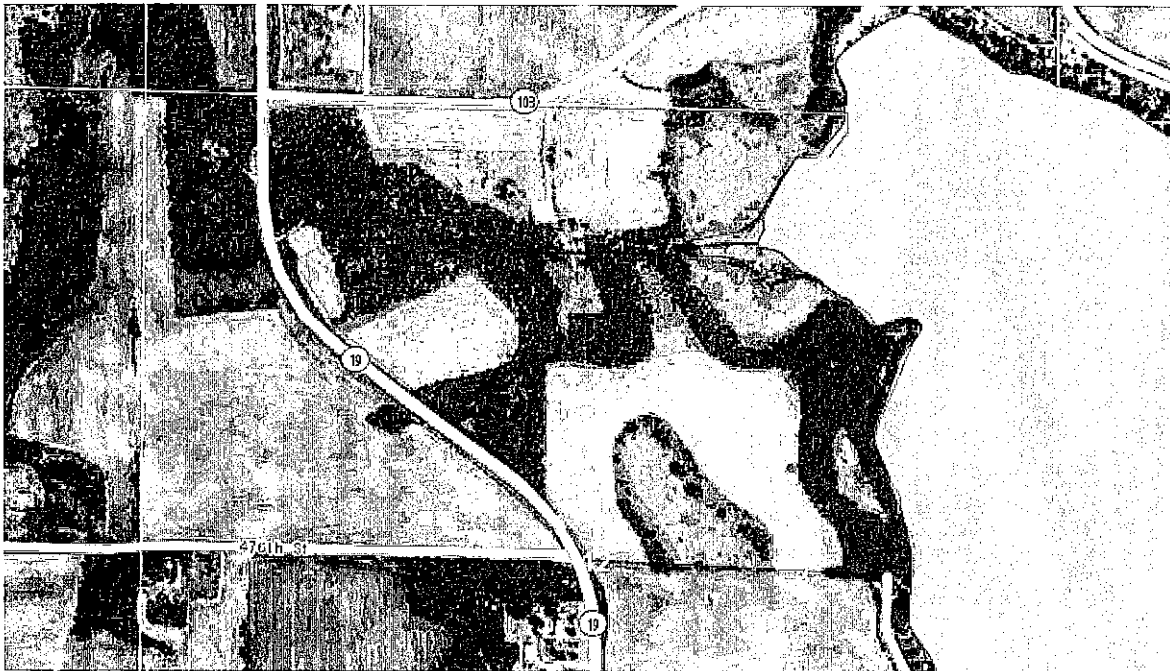
Yes - all

ECP activities

Establish New Prairie/Grassland, Mow/Herbicide For Invasives Or Recent Est.
Grassland/Prairie, Seed Purchase Of Native Species, Site Prep for Habitat Enhancement,
Tree Planting, Upland Vegetation Enhancement

Will you receive any revenues during the grant period from activities on this land?

Yes



Natural Heritage Database Review

Answer the following questions

Natural Heritage elements were found within one mile of my project site(s)

No

List all elements found within one mile of site(s) and discuss how you will mitigate or avoid impacts to these elements.

N/A

Attachments

Additional Documentation

Attach additional documentation as applicable using the appropriate categories below. If you exceed the size limit while uploading, contact CPL staff to discuss your options.

Letters of Support

File	Description
Parks_Board_Letter.pdf	Le Sueur County Parks Board Letter of Support
2018_9_LWIA_cty_park_grant_support.pdf	Lake Washington Improvement Association Letter of Support

Partner Commitment Letters

File	Description
Letter_of_Support_SWCD.pdf	SWCD Letter of Support & Partner Commitment

Photos

File	Description
2018_CPL_Grant_Map_Updated.pdf	Lake Washington Regional Park Map

Restoration Plans

Engineering/Survey/Design Plans

Supplemental Documents

File	Description
Land_Manager_Review_Form.pdf	Land Manager Review Form

Final Application Submission

This completes your CPL Grant Application. Please take the time to revisit the previous sections and make sure you have entered everything completely and correctly. Once you hit the submit button below, you will not be able to return to this application to make changes.

- ✓ I certify that I have read the Conservation Partners Legacy Grants Program Request for Proposal, Program Manual and other program documents, and have discussed this project with the appropriate public land manager, or private landowner and easement holder.

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- ✓ I certify that all of the information contained in the application is correct as of the time of the submission. If anything should change, I will contact CPL Grant Staff immediately to make corrections.

- ✓ I certify that if funded I will give consideration to and make timely written contact to Minnesota Conservation Corps or its successor for consideration of possible use of their services to contract for restoration and enhancement services. I will provide CPL staff a copy of that written contact within 10 days after the execution of my grant, should I be awarded.

- ✓ I certify that I am aware at least one Land Manager Review and Approval form is required for every application and at least one Public Waters Contact form is required for all public waters work. I am aware I must submit all completed forms by uploading them into this application. I have attached the required type and number of forms as necessary for this project.

- ✓ I am aware that by typing my name in the box below, I am applying my signature to this online document.

Signature

Tyler Luethje

Title

Parks Director

Organization / Agency

Le Sueur County

Date

2018-09-14



Le Sueur County, MN

Tuesday, November 27, 2018

Board Meeting

Item 7

Commissioner Committee Reports

Staff Contact:



Le Sueur County, MN

Tuesday, November 27, 2018

Board Meeting

Item 8

Future Meetings

Staff Contact:

Future Meetings November 2018 – January 2019

November 2018

November 23-24	Offices Closed for Thanksgiving
Tuesday, November 27	Board Meeting, 9:00 a.m.
Thursday, November 29	9:00 a.m. CD70 Partial Abandonment Public Hearing, and 9:30 a.m. Final Redetermination Hearings for Le Sueur-Rice JD5, 18 and 63 in the Commissioners Room

December 2018

December 3-4	AMC Conference – (No Board Meeting on December 4)
Tuesday, December 11	Board Meeting, 9:00 a.m. *Bond CIP Hearing, 10:00 a.m.
Thursday, December 13	P&Z Meeting, 7:00 p.m. at Environmental Services
Tuesday, December 18	Board Meeting, 4:30 p.m. *User Fees Public Hearing, 5:50 p.m. *Budget/Levy Public Hearing, 6:00 p.m.
Thursday, December 20	Board of Adjustment Meeting, 3:00 p.m. at Environmental Services
Monday, December 24	Offices Close at noon for Christmas
Tuesday, December 25	Offices Closed for Christmas – (No Board Meeting)

January 2019

Tuesday, January 1	Offices Closed for New Year's Day – (No Board Meeting)
Tuesday, January 8	Board Meeting, 9:00 a.m. – Board Reorganization
Thursday, January 10	P&Z Meeting, 7:00 p.m. at Environmental Services
Tuesday, January 15	Board Meeting, 9:00 a.m.
Thursday, January 17	Board of Adjustment Meeting, 3:00 p.m. at Environmental Services

Monday, January 21

Offices Closed for Martin Luther King Jr. Day

Tuesday, January 22

Board Meeting, 9:00 a.m.