
Le Sueur County, MN

Tuesday, August 5, 2014

Board Meeting

Item 1

9:00 am Agenda and Consent Agenda

RE: July 22, 2014 Minutes and Summary Minutes

RE: Repair Request, CD # 38

RE: Repair Request, CD # 64

RE: Repair Request, CD # 19

RE: July 2014 Transfers

Staff Contact:

Minutes of Le Sueur County Board of Commissioners Meeting July 22, 2014

The Le Sueur County Board of Commissioners met in regular session on Tuesday, July 22-, 2014 at 9:00 a.m. in the Courthouse at Le Center, Minnesota. Those members present were: Steve Rohlfling, Lance Wetzel, Dave Gliszinski, John King and Joe Connolly. Also present were Darrell Pettis and Brent Christian.

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

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

- Approved the July 15, 2014 Minutes and Summary Minutes
- Approved a 3.2% Malt Beer Liquor License for the Church of the Immaculate Conception
- Approved the Repair Request for CD # 61
- Approved the Repair Request for CD # 69

Kathy Brockway, Environmental and P & Z Director came before the Board with two items for consideration and approval.

On motion by Wetzel, seconded by King and approved via roll call vote 5-0, the Board granted a Conditional Use Permit to LINDEN VAIL, (APPLICANT/OWNER); WATERVILLE MN to allow grading, excavating, and filling of approximately 1,409 cubic yards of material for the construction of a ravine stabilization project in a Recreational Residential "RR" District on a Recreational Development Lake, Lake Sakatah. Property is located at Lot 1,2,3, & 4 Vail's Estate on Lake Sakatah, Section 24, Waterville Township. Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed Findings of Fact which are on file at the Planning and Zoning Office. The application is approved with the following conditions:

- Submit hard copies of the plan / designs to the SWCD Office.
- Submit As-Built upon completion to both the Environmental Services Department and the SWCD Office.

On motion by Connolly, seconded by Gliszinski and approved via roll call vote 5-0, the Board granted a Conditional Use Permit to JOSEPH KERN, (APPLICANT/OWNER); KASOTA MN to allow grading and and filling of approximately 380 cubic yards of material in a Recreational Residential "RR" District, Recreational Development Lake, Lake Washington. Property is located at Lot 1, Block 1, Bakers Acres, Section 12, Kasota Township. Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed Findings of Fact which are on file at the Planning and Zoning Office. The application is approved as written.

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

On motion by Wetzel, seconded by King and unanimously approved, the Board approved the retirement request from Alice Ely, part time Homemaker in Public Health, effective July 30, 2014.

Pam Simonette, Auditor - Treasurer appeared before the Board with two requests for discussion and approval.

On motion by King, seconded by Connolly and unanimously approved, the Board approved the following Resolution:

WHEREAS, Parcel # 22.520.0090 was purchased contract for deed on May 2, 2013 for \$45,300.00 with a down payment of \$4,530.00, and

WHEREAS, this contract for deed was recorded as Document #388639, and

WHEREAS, The legal description for the property is as follows: Commencing at a point 83 ft South and 343 ft West of the Northeast Corner of Section 9-111-23 West, in Le Sueur County, Minnesota, thence running South 50 ft, thence running East 150 ft, thence running North 50 ft, and thence running West 150 ft, to the place of beginning. (being a strip of land 50 ft by 150 ft, in the NE ¼ of NE ¼ Section 9-111-23 West in Le Sueur County also described as Lot 13, in Block 1, of Joseph Handsuch Addition to Montgomery in Le Sueur County, Minnesota, according to the unrecorded plat.) and

WHEREAS, The balance remaining on the contract for deed is \$40,770.00 plus interest, and

WHEREAS, The annual installment payment was due on April 1, 2014 and has not been paid, and

Whereas, A notice of cancellation of contract for deed will be served by the Sheriff's Department and a copy sent via certified mail, and

WHEREAS, The contract for deed is scheduled to be canceled on October 31, 2014, and

WHEREAS, Parcel #22.630.0200 was purchased on July 3, 2013 for \$8,800.00 with a down payment of \$880.00, and,

WHEREAS, this contract for deed was recorded as Document #388638, and

WHEREAS, The legal description for the property is as follows: Lot 22, Block 1, Re-Survey of Schatz 1st Addition, City of Montgomery, Le Sueur County, Minnesota, and

WHEREAS, The balance remaining on the contract is \$7,920.00 plus interest, and

Whereas, The annual installment payment was due on April 1, 2014 and has not been paid, and

WHEREAS, A notice of cancellation of contract for deed will be served by the Sheriff's Department, and a copy sent by certified mail, and

WHEREAS, The contract will be scheduled to be cancelled on October 31, 2014.

NOW, THEREFORE, BE IT RESOLVED, the Board has determined that the purchaser has failed to comply with the requirements of the Auditor's Certificate of Purchase of Tax Forfeited Lands, Document #388639 and Document #388638 and are in default, and

BE IT FURTHER RESOLVED, the Board hereby orders the cancellation of the following contracts for deed: Document #388639 and Document #388638, and,

BE IT FURTHER RESOLVED that the County Auditor-Treasurer is hereby authorized to cancel each contact according to the provisions of M.S. 282.01, Subd. 5, M.S. 282.40, and according to the procedures prescribed in M.S. 559.21.

On motion by Wetzel, seconded by Gliszinski and unanimously approved, the Board adopted the July 22, 2014 Terms For the Sale of Tax-Forfeited Land in Le Sueur County. Payment Terms was changed to Cash Only.

Dave Tietz, Sheriff appeared before the Board with the follow two quotes for equipment to outfit the 2014 F-150 squad:

Whitewater Wireless	\$4,524.26
Emergency Automotive Technologies	\$5,275.59

On motion by King, seconded by Wetzel and unanimously approved, the Board authorized purchase of equipment from Whitewater Wireless in the amount of \$4,524.26

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

On motion by Connolly, seconded by King and unanimously approved, the Board set the bid opening for the Lake Washington Outlet Structure for Friday, September 5, 2014 at 1:00 p.m.

On motion by Connolly, seconded by King and unanimously approved, the Board approved the following Sale of Tax Forfeited Property to the City of Elysian for Economic Development Resolution:

WHEREAS, the County Board has reviewed Resolution # 444/44 from the City of Elysian requesting the County to convey certain tax-forfeited parcels described as:

<u>Parcel Number</u>	<u>Legal Description</u>
16.412.0010	CIC #26 Lakeview Manor Lot 1, Block 1 & 2.1276% of Common Area
16.412.0020	CIC #26 Lakeview Manor Lot 2, Block 1 & 2.1276% of Common Area
16.412.0030	CIC #26 Lakeview Manor Lot 3, Block 1 & 2.1276% of Common Area

16.412.0040	CIC #26 Lakeview Manor Lot 4, Block 1 & 2.1276% of Common Area
16.412.0090	CIC #26 Lakeview Manor Lot 1, Block 3 & 2.1276% of Common Area
16.412.0100	CIC #26 Lakeview Manor Lot 2, Block 3 & 2.1276% of Common Area
16.412.0110	CIC #26 Lakeview Manor Lot 3, Block 3 & 2.1276% of Common Area
16.412.0120	CIC #26 Lakeview Manor Lot 4, Block 3 & 2.1276% of Common Area
16.412.0130	CIC #26 Lakeview Manor Lot 1, Block 4 & 2.1276% of Common Area
16.412.0140	CIC #26 Lakeview Manor Lot 2, Block 4 & 2.1276% of Common Area
16.412.0150	CIC #26 Lakeview Manor Lot 3, Block 4 & 2.1276% of Common Area
16.412.0160	CIC #26 Lakeview Manor Lot 4, Block 4 & 2.1276% of Common Area
16.412.0200	CIC #26 Lakeview Manor Lot 1, Block 6 & 2.1276% of Common Area
16.412.0210	CIC #26 Lakeview Manor Lot 2, Block 6 & 2.1276% of Common Area
16.412.0220	CIC #26 Lakeview Manor Lot 3, Block 6 & 2.1276% of Common Area
16.412.0230	CIC #26 Lakeview Manor Lot 4, Block 6 & 2.1276% of Common Area
16.412.0240	CIC #26 Lakeview Manor Lot 1, Block 7 & 2.1276% of Common Area
16.412.0250	CIC #26 Lakeview Manor Lot 2, Block 7 & 2.1276% of Common Area
16.412.0260	CIC #26 Lakeview Manor Lot 3, Block 7 & 2.1276% of Common Area
16.412.0270	CIC #26 Lakeview Manor Lot 4, Block 7 & 2.1276% of Common Area

WHEREAS, the sale at a reduced price of \$75.00 per lot is in the public interest because a reduced price is necessary to provide an incentive to stimulate affordable housing:

WHEREAS, the City of Elysian has documented its specific plans to stimulate affordable housing.

NOW, THEREFORE, BE IT RESOLVED, the sale of said property is awarded to the City of Elysian for \$75.00 per lot, for a total \$1,500 for all 20 lots.

The Notice of Comment Period from the MNPUC on Aurora Energy was reviewed.

On motion by Connolly, seconded by King and unanimously approved, the Board adjourned until Tuesday, August 5th at 9:00 am.

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

July 2014 Transfers

- #1587 Transfer 1,460.59 from Revenue to Road & Bridge
 (2nd Qtr Fuel – Veteran's 818.68; Assessor – 537.28;
 Maint – 104.63)
- #1588 Transfer 103.69 from Human Services to Revenue
 (July MII)
- #1589 Transfer 278.49 from Env Services to Road & Bridge
 (2nd Qtr Fuel)
- #1590 Transfer 7,443.55 from Revenue to Road & Bridge
 (June Fuel – Law Enf)
- #1591 Transfer 1,482.27 from Human Services to Road & Bridge
 (2nd Qtr Fuel)
- #1592 Transfer 119.05 from Revenue to Agency
 (correct payments made from Grant)
- #1593 Transfer 2,092.31 from Human Services to Revenue
 (Frontier 7-16-14)
- #1594 Transfer 2,868.00 from Agency to Revenue
 (July Landshark)
- #1595 Transfer 6,400.00 from Revenue to Env Serv
 (2014 Share of Machine Room)
- #1596 Transfer 8,566.00 from Revenue to Env Serv
 (2014 Water Plan Levy)

Summary Minutes of July 22, 2014 Le Sueur County Board of Commissioners Meeting

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.

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

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

- Approved the July 15, 2014 Minutes and Summary Minutes
- Approved a 3.2% Malt Beer Liquor License for the Church of the Immaculate Conception
- Approved the Repair Request for CD # 61
- Approved the Repair Request for CD # 69

● On motion by Wetzel, seconded by King and approved via roll call vote 5-0, the Board granted a Conditional Use Permit to LINDEN VAIL, (APPLICANT/OWNER); WATERVILLE MN to allow grading, excavating, and filling of approximately 1,409 cubic yards of material for the construction of a ravine stabilization project in a Recreational Residential "RR" District on a Recreational Development Lake, Lake Sakatah. Property is located at Lot 1,2,3, & 4 Vail's Estate on Lake Sakatah, Section 24, Waterville Township. Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed Findings of Fact which are on file at the Planning and Zoning Office. The application is approved with the following conditions:

- Submit hard copies of the plan / designs to the SWCD Office.
- Submit As-Built upon completion to both the Environmental Services Department and the SWCD Office.

● On motion by Connolly, seconded by Gliszinski and approved via roll call vote 5-0, the Board granted a Conditional Use Permit to JOSEPH KERN, (APPLICANT/OWNER); KASOTA MN to allow grading and filling of approximately 380 cubic yards of material in a Recreational Residential "RR" District, Recreational Development Lake, Lake Washington. Property is located at Lot 1, Block 1, Bakers Acres, Section 12, Kasota Township. Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed Findings of Fact which are on file at the Planning and Zoning Office. The application is approved as written.

● The Board approved the retirement request from Alice Ely, part time Homemaker in Public Health, effective July 30, 2014. (Wetzel-King)

● The Board approved the following Resolution: (King-Connolly)

WHEREAS, Parcel # 22.520.0090 was purchased contract for deed on May 2, 2013 for \$45,300.00 with a down payment of \$4,530.00, and

WHEREAS, this contract for deed was recorded as Document #388639, and

WHEREAS, The legal description for the property is as follows: Commencing at a point 83 ft South and 343 ft West of the Northeast Corner of Section 9-111-23 West, in Le Sueur County, Minnesota, thence running South 50 ft, thence running East 150 ft, thence running North 50 ft, and thence running West 150 ft, to the place of beginning. (being a strip of land 50 ft by 150 ft, in the NE ¼ of NE ¼ Section 9-111-23 West in Le Sueur County also described as Lot 13, in Block 1, of Joseph Handsuch Addition to Montgomery in Le Sueur County, Minnesota, according to the unrecorded plat.) and

WHEREAS, The balance remaining on the contract for deed is \$40,770.00 plus interest, and
 WHEREAS, The annual installment payment was due on April 1, 2014 and has not been paid,
 Whereas, A notice of cancellation of contract for deed will be served by the Sheriff's
 Department and a copy sent via certified mail, and
 WHEREAS, The contract for deed is scheduled to be canceled on October 31, 2014, and
 WHEREAS, Parcel #22.630.0200 was purchased on July 3, 2013 for \$8,800.00 with a down
 payment of \$880.00, and,
 WHEREAS, this contract for deed was recorded as Document #388638, and
 WHEREAS, The legal description for the property is as follows: Lot 22, Block 1, Re-Survey of
 Schatz 1st Addition, City of Montgomery, Le Sueur County, Minnesota, and
 WHEREAS, The balance remaining on the contract is \$7,920.00 plus interest, and
 Whereas, The annual installment payment was due on April 1, 2014 and has not been paid, and
 WHEREAS, A notice of cancellation of contract for deed will be served by the Sheriff's
 Department, and a copy sent by certified mail, and
 WHEREAS, The contract will be scheduled to be cancelled on October 31, 2014.
 NOW, THEREFORE, BE IT RESOLVED, the Board has determined that the purchaser has
 failed to comply with the requirements of the Auditor's Certificate of Purchase of Tax Forfeited
 Lands, Document #388639 and Document #388638 and are in default, and
 BE IT FURTHER RESOLVED, the Board hereby orders the cancellation of the following
 contracts for deed: Document #388639 and Document #388638, and,
 BE IT FURTHER RESOLVED that the County Auditor-Treasurer is hereby authorized to cancel
 each contract according to the provisions of M.S. 282.01, Subd. 5, M.S. 282.40, and according to
 the procedures prescribed in M.S. 559.21.

- The Board adopted the July 22, 2014 Terms For the Sale of Tax-Forfeited Land in Le Sueur
 County. Payment Terms was changed to Cash Only. (Wetzel-Gliszinski)

- Dave Tietz, Sheriff appeared before the Board with the follow two quotes for equipment to
 outfit the 2014 F-150 squad:

Whitewater Wireless	\$4,524.26
Emergency Automotive Technologies	\$5,275.59

- On motion by King, seconded by Wetzel and unanimously approved, the Board authorized
 purchase of equipment from Whitewater Wireless in the amount of \$4,524.26

- The Board set the bid opening for the Lake Washington Outlet Structure for Friday, September
 5, 2014 at 1:00 p.m. (Connolly-King)

- The Board approved the following Sale of Tax Forfeited Property to the City of Elysian for
 Economic Development Resolution: (Connolly-King)

WHEREAS, the County Board has reviewed Resolution # 444/44 from the City of Elysian
 requesting the County to convey certain tax-forfeited parcels described as:

<u>Parcel Number</u>	<u>Legal Description</u>
16.412.0010	CIC #26 Lakeview Manor Lot 1, Block 1 & 2.1276% of Common Area
16.412.0020	CIC #26 Lakeview Manor Lot 2, Block 1 & 2.1276% of Common Area
16.412.0030	CIC #26 Lakeview Manor Lot 3, Block 1 & 2.1276% of Common Area
16.412.0040	CIC #26 Lakeview Manor Lot 4, Block 1 & 2.1276% of Common Area
16.412.0090	CIC #26 Lakeview Manor Lot 1, Block 3 & 2.1276% of Common Area
16.412.0100	CIC #26 Lakeview Manor Lot 2, Block 3 & 2.1276% of Common Area
16.412.0110	CIC #26 Lakeview Manor Lot 3, Block 3 & 2.1276% of Common Area
16.412.0120	CIC #26 Lakeview Manor Lot 4, Block 3 & 2.1276% of Common Area

16.412.0130	CIC #26 Lakeview Manor Lot 1, Block 4 & 2.1276% of Common Area
16.412.0140	CIC #26 Lakeview Manor Lot 2, Block 4 & 2.1276% of Common Area
16.412.0150	CIC #26 Lakeview Manor Lot 3, Block 4 & 2.1276% of Common Area
16.412.0160	CIC #26 Lakeview Manor Lot 4, Block 4 & 2.1276% of Common Area
16.412.0200	CIC #26 Lakeview Manor Lot 1, Block 6 & 2.1276% of Common Area
16.412.0210	CIC #26 Lakeview Manor Lot 2, Block 6 & 2.1276% of Common Area
16.412.0220	CIC #26 Lakeview Manor Lot 3, Block 6 & 2.1276% of Common Area
16.412.0230	CIC #26 Lakeview Manor Lot 4, Block 6 & 2.1276% of Common Area
16.412.0240	CIC #26 Lakeview Manor Lot 1, Block 7 & 2.1276% of Common Area
16.412.0250	CIC #26 Lakeview Manor Lot 2, Block 7 & 2.1276% of Common Area
16.412.0260	CIC #26 Lakeview Manor Lot 3, Block 7 & 2.1276% of Common Area
16.412.0270	CIC #26 Lakeview Manor Lot 4, Block 7 & 2.1276% of Common Area

WHEREAS, the sale at a reduced price of \$75.00 per lot is in the public interest because a reduced price is necessary to provide an incentive to stimulate affordable housing:

WHEREAS, the City of Elysian has documented its specific plans to stimulate affordable housing.

NOW, THEREFORE, BE IT RESOLVED, the sale of said property is awarded to the City of Elysian for \$75.00 per lot, for a total \$1,500 for all 20 lots.

- The Notice of Comment Period from the MNPUC on Aurora Energy was reviewed.
- On motion by Connolly, seconded by King and unanimously approved, the Board adjourned until Tuesday, August 5th at 9:00 am.

ATTEST: Le Sueur County Administrator Le Sueur County Chairman

REPAIR REQUEST

We, the undersigned land owners, do hereby request the Le Sueur County Board Of Commissioners to clean out and repair Le Sueur County Ditch # 38 located in Riley township(s).
Section 27

Signed

Address & Phone No.

Richard Stangler

507-595-2883

Richard Stangler

Date: 7-22-14

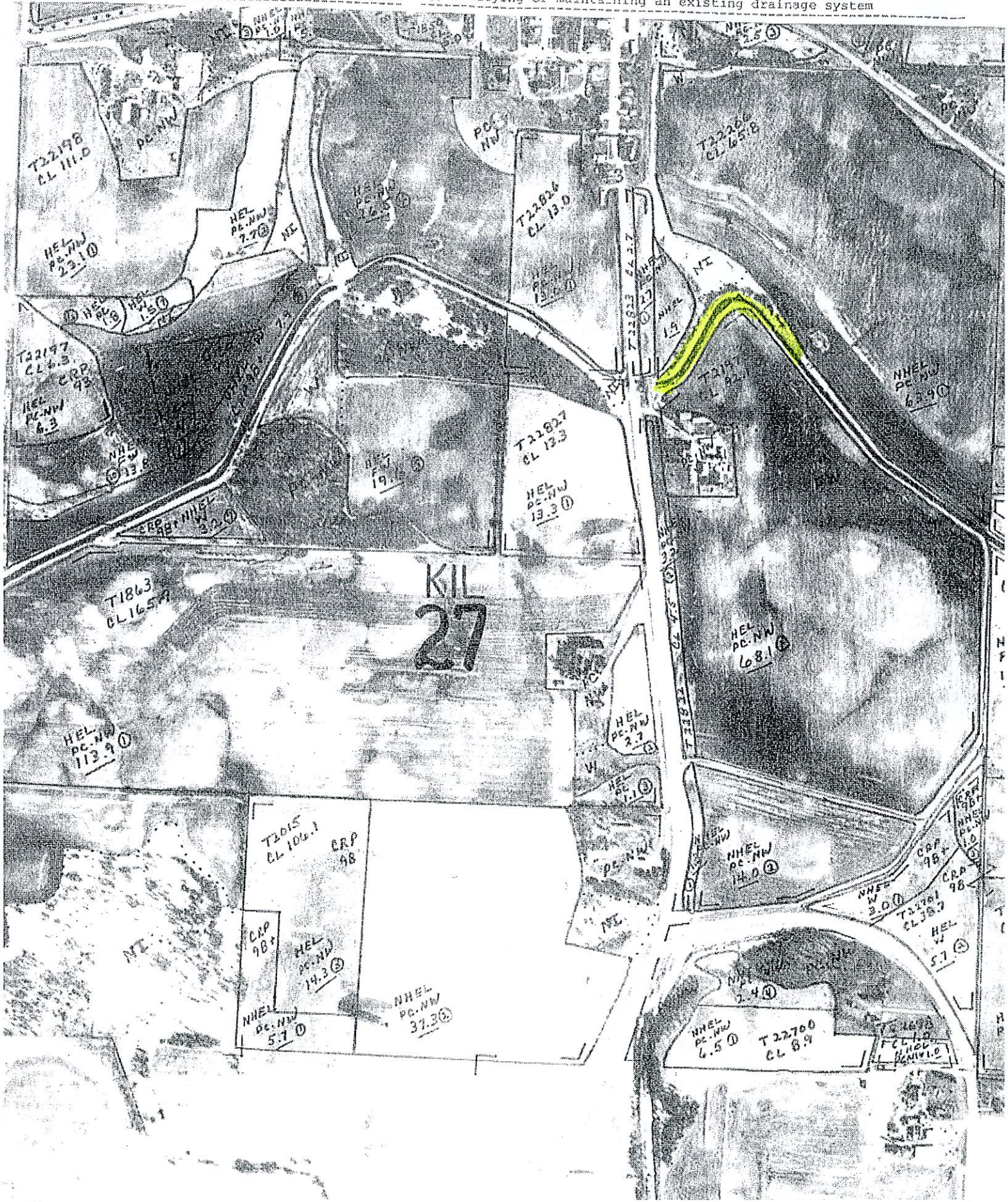
Description of problem: Bank Slide

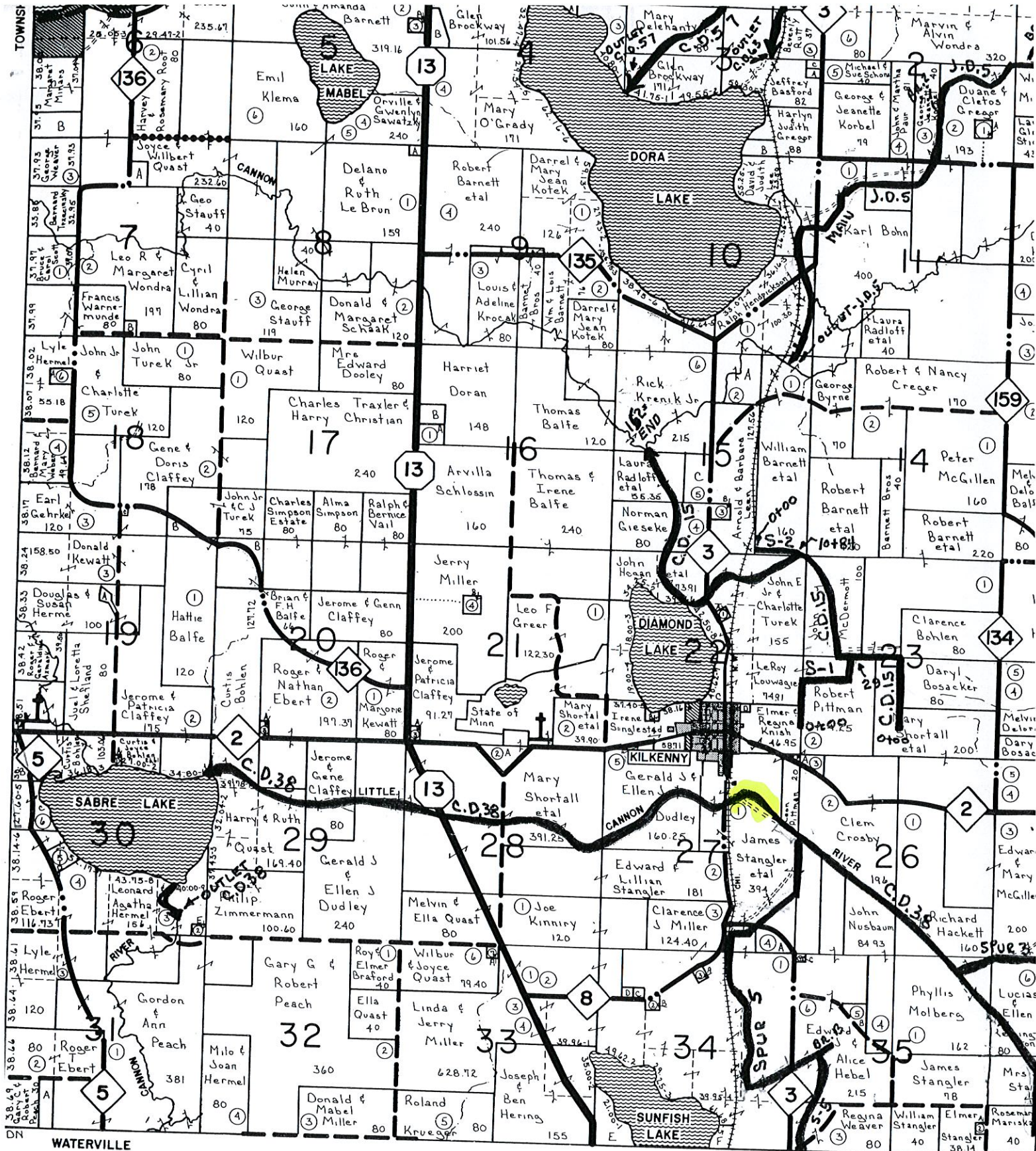
Next to Railroad Culvert's

Needs to be repaired
Roger Kuhler
7-24-14

W-Wetland	NY Multiple Tract Number	ECW-Exempt (Commenced) CW	MW-Minimal Effect Wetland (Exempt)
FW-Farmed Wetland	CW-Converted Wetland	NOT TO REPRODUCED	MWC, MWM, MWR-Special Cond (See SCS)
NW-Non-Wetland	NA-Non-Agricultural	SCALE	NC-Non-cropland
	AW-Artificial Wetland	1999	NI-Non-inventoried
COUNTY		CROP	PHOTO NO
Le Sueur		YEAR	2000 H9-R

WARNING: Contact NRCS before draining, dredging, filling, or leveling any wet areas or wetland coded fields or improving, modifying or maintaining an existing drainage system





SMALL TRACT OWNERS

SEE SMALL TRACT SECTION FOLLOWING TOWNSHIP MAPS

LAKE VOLNEY SUBDIVISIONS

MINARS SUBDIVISION

2 BROCKWAY'S BEACH



REPAIR REQUEST

We, the undersigned land owners; do hereby request the Le Sueur County Board Of Commissioners to clean out and repair Le Sueur County Ditch # 64 located in Cordova township(s).

Signed

Address & Phone No.

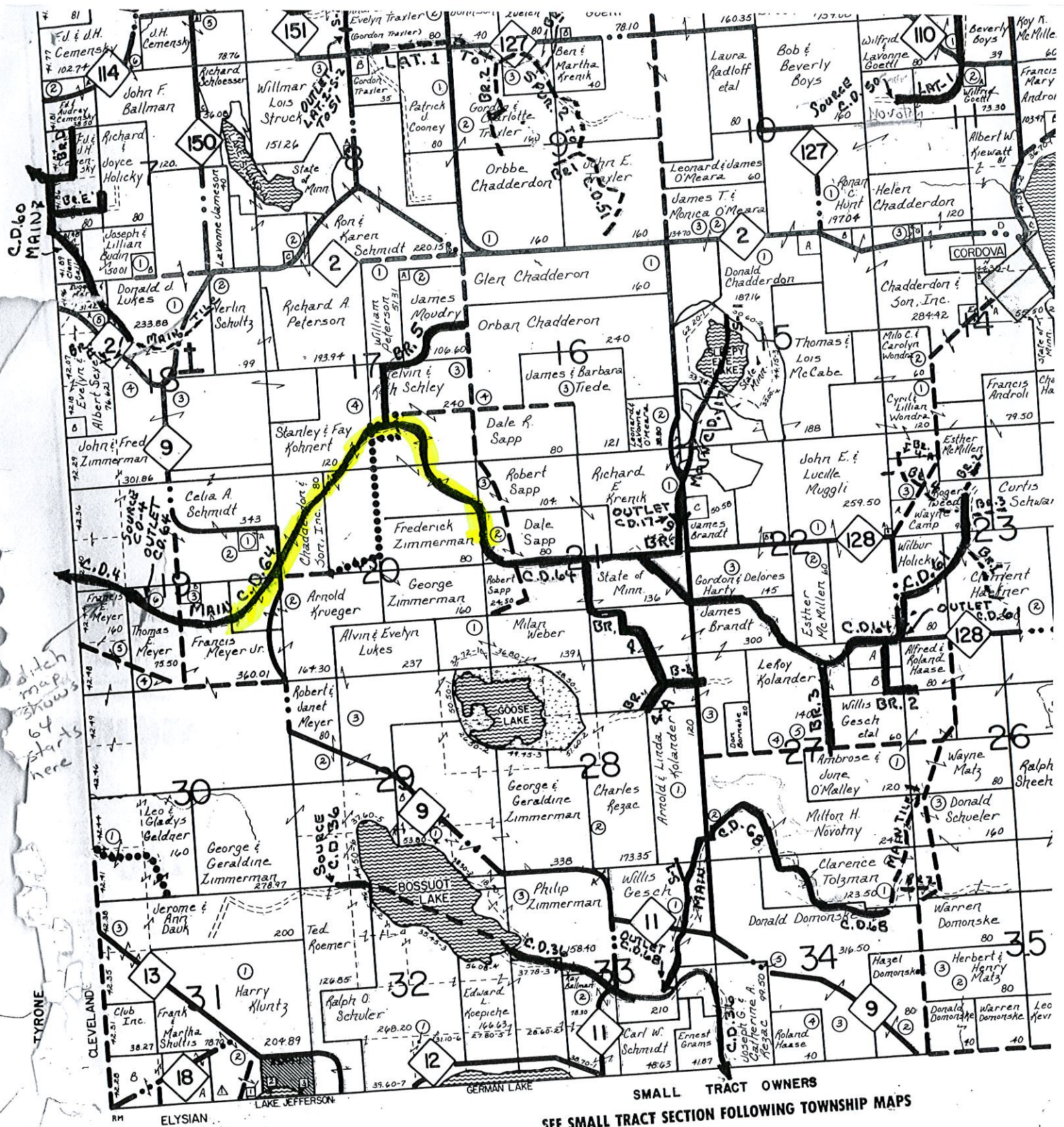
Ron Schmidt

23714 Dodd Rd Center
612-214-5636

Date: 7/25/14

Description of problem: slide & grass holding silt
& water bank

7-25-14
Needs to be
repaired
Roger Rubel



REPAIR REQUEST

We, the undersigned land owners; do hereby request the Le Sueur County Board Of Commissioners to clean out and repair Le Sueur County Ditch # 19 located in Lexington 2 township(s).

Signed

Address & Phone No.

Donny Pj

20676 340th St. LeCenter

Date: 7-24-14

Description of problem: mud slides & silt

7-28-14
Needs to be
repaired.
Roger Ruffant

T = Tract Number	MT = Multiple Tract Number	HEL = Highly Erodible Land	MW = Minimal Effect Wetland (Exempt)
W = Wetland	OW = Converted Wetland	NHEL = Non-Highly Erodible	MWC, MWM, MWR = special cond. See NRCS
PM = Farmed Wetland	NA = Non-Agricultural	PC = Prior Converted Wetland	NC = Non-Cropland
NW = Non-Wetland	AW = Artificial Wetland	ECW = (Commenced) Converted Wetland	NI = Non-Inventoried

OWNER

LE SUEUR

NOT TO SCALE

REPRODUCED

MARCH 1999

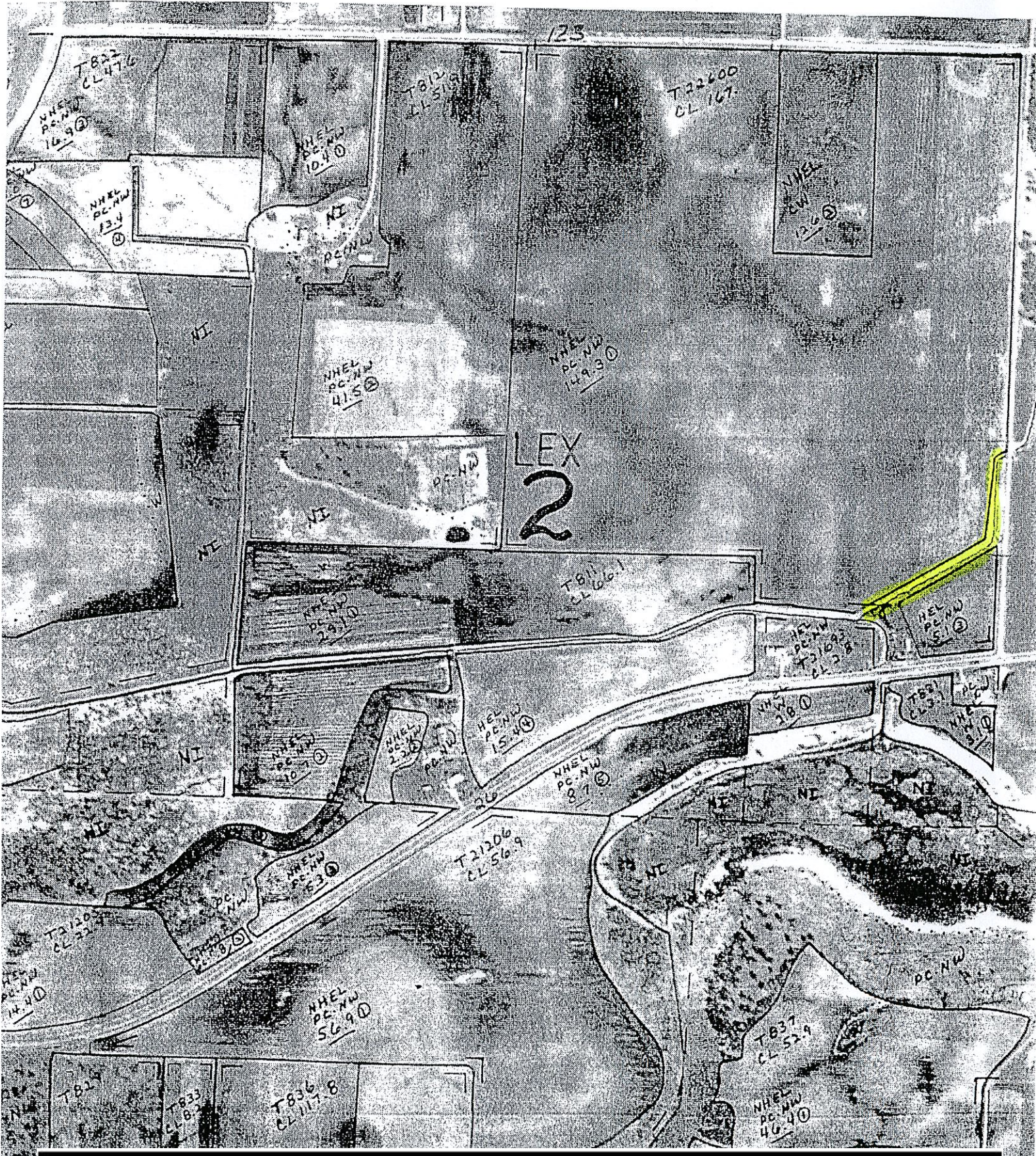
CROP YEAR

1999

PHOTO NUMBER

65L

WARNING: Contact NRCS before draining, dredging filling, or leveling any wet areas or wetland coded fields, or NI. Also contact NRCS before improving, modifying, or doing maintenance on an existing drainage system.

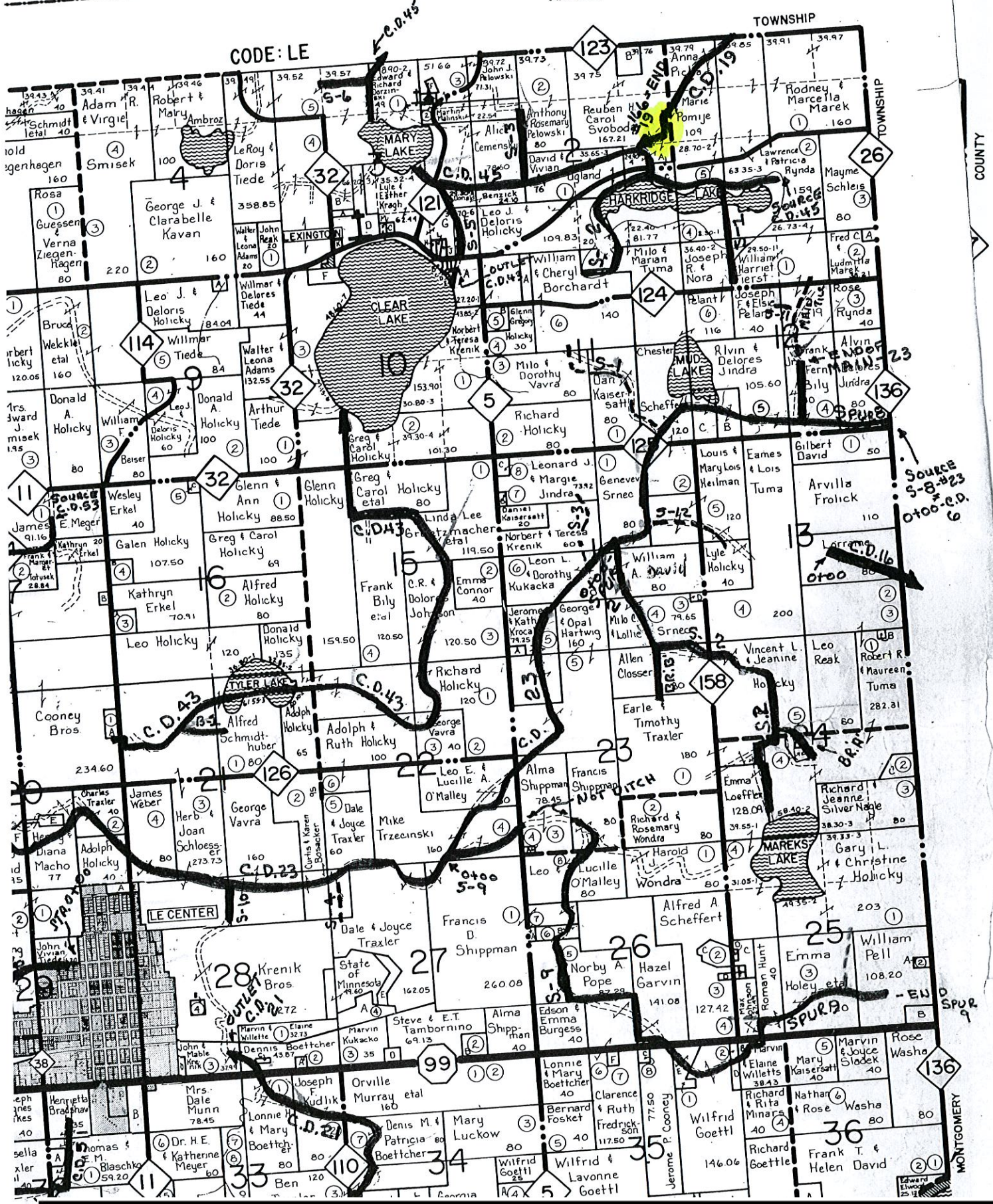


MAP OF LEXINGTON



RANGE: 24 W.

CODE: LE



Future Meetings 2014

August 5, 2014	Board Meeting, 9am
August 5, 2014	Le-Sueur-Waseca Community Health Board Meeting, 1:30pm – Waterville
August 12, 2014	No Board Meeting
August 14, 2014	P&Z Meeting, 7:00pm, Environmental Services Bldg.
August 18, 2014	Budget Meeting with Departments, 9am-4pm
August 19, 2014	Board Meeting, 9am
August 19, 2014	Budget Meeting with Departments, 11am
August 21, 2014	Board of Adjustment Meeting, 3:00pm, Environmental Services Bldg.
August 26, 2014	Board Meeting, 9am
September 1, 2014	Offices closed for Labor Day
September 2, 2014	Board Meeting, 9am
September 9, 2014	No Board Meeting
September 11, 2014	P & Z Meeting, 7:00 pm, Environmental Services Bldg.
September 16, 2014	Board Meeting, 9am
September 18, 2014	Board of Adjustment Variance Meeting, 3:00pm Environmental Services Bldg.
September 23, 2014	Board Meeting, 9am
November 11, 2015	Offices closed for Veteran's Day
November 18, 2014	Le-Sueur-Waseca Community Health Board Meeting, 1:30pm - Waterville