

**LE SUEUR COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA
COMMISSION CHAMBERS
September 16, 2014**

1. **9:00am Agenda and Consent Agenda**
RE: September 2, 2014 Minutes and Summary Minutes
RE: Repair Request, CD #69, Derrynane
RE: Sheriff Application for Exempt Permit
RE: MSU Application for Exempt Permit

2. **9:05am Claims (10 minutes)**

3. **9:15 Human Services - 1 hour**

4. **10:15 AM Kathy Brockway, Request for Action 5 CUP's/Rezone Applications**

5. **10:30 Human Resources (10 min.)**

6. **10:40 am Darrell Pettis, County Administrator**
RE: Request to purchase equipment from 2015 Budget
RE: Approve AIS committee change (replace Rick Connors with Arne Jessen)
RE: Victim Witness Grant
RE: Lake Washington Outlet Structure Bids
RE: Tyrone Twp Bridge
RE: Budgets

Le Sueur County, MN

Tuesday, September 16, 2014

Board Meeting

Item 1

9:00am Agenda and Consent Agenda

RE: September 2, 2014 Minutes and Summary Minutes

RE: Repair Request, CD #69, Derrynane

RE: Sheriff Application for Exempt Permit

RE: MSU Application for Exempt Permit

Staff Contact:

Minutes of Le Sueur County Board of Commissioners Meeting September 2, 2014

The Le Sueur County Board of Commissioners met in regular session on Tuesday, September 2 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 Minutes and Summary Minutes for the August 19, 2014 Regular Meeting
- Approved the Minutes for the August 15, 2014 Canvassing Board

Jim Goltart, Director, Veterans Service appeared before the Board with one request for action.

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

BE IT RESOLVED by Le Sueur County that the County enter into the attached Grant Contract with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following Program: County Veterans Service Office Enhancement Grant Program. The grant must be used to provide outreach to the county's veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social services agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the county veterans service office, as specified in Minnesota Laws 2013 Chapter 142 Article 4. This grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by the Le Sueur County Board of Commissioners the James Goltart, the Director, Veterans Service, be authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

Cindy Shaughnessy, Public Health Director appeared before the Board to present the annual Public Health Agency Evaluation. Presenting along with Cindy were Darlene Tuma, Elisa O'Malley Megan Winyninger and Andrew Nicolin. Their presentation covered Administration and Budget, Home Health Care program, Waivered Services program, Family Health programs, WIC and Community Health.

On motion by King, seconded by Wetzel and unanimously approved the Board authorized to purchase of a Canon DR-601 Scanner in the amount of \$3,114.00 and a LaserJet Printer in the amount of \$967.61 for Public Health.

Cindy Westerhouse, Human Resources Director appeared before the Board with five items for the Board's consideration

On motion by Connolly, seconded by King and unanimously approved, the Board accepted the resignation request from Mary Hayden, part time Registered Nurse in Public Health, effective August 22, 2014.

On motion by Wetzel, seconded by Gliszinski and unanimously approved, the Board authorized the hiring of Meghan Houlihan as a regular, part time Administrative Assistant II in the Sheriff's Office, as a Grade 4, Step 1 at \$14.90 per hour, effective September 3, 2014

On motion by Connolly, seconded by Wetzel and unanimously approved, the Board granted regular status to Sierra Copp, part time Jailer/Dispatcher in the Sheriff's Office, effective August 23, 2014.

Ms. Westerhouse updated the Board on the PERA Correctional Fund Social Security Referendum and the 2015 Health Insurance Premiums.

Tim Briggs, AeroLogix and Justin Lutterman, GIS appeared before the Board to discuss the FAA Approval for UAS Operations in Le Sueur County.

Dave Tietz, Sheriff appeared before the Board with two purchase requests.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board authorized the purchase of a Stalker Radar / Dual - SL Counting Unit for \$2,002.50 from Applied Concepts Inc.

Sheriff Tietz reviewed the quotes they received to equip the 2015 Ford Interceptor unmarked transport vehicle.

Emergency Auto Technologies Inc,	\$3,316.02
Whitewater Wireless	\$4,211.49

On motion by Wetzel, seconded by King and unanimously approved, the Board accepted the quote from Emergency Auto Technologies in the amount of \$3,316.02.

Deputy Sheriff Whiteis demonstrated the Tactical Robot for the Board.

On motion by King, seconded by Wetzel and unanimously approved, the following cases and claims were approved:

Financial: \$ 30,914.53
Soc Serv: \$ 22,181.84

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

Warrant #	Vendor Name	Amount
32908	Bolton & Menk Inc.	\$ 65,139.13
32913	Cook Parts	\$ 7,975.00
32916	Dynamic Imaging Systems Inc.	\$ 2,235.00
32926	Genesis	\$ 27,725.94
32934	Javens Mechanical Contracting Inc.	\$ 2,347.00
32946	MN Counties Computers Coop	\$ 4,628.16
32962	S.E.H. Inc.	\$ 32,050.24
32968	Thomson Reuters	\$ 3,778.42
32969	Traxler Construction	\$ 4,169.39
62 Claims paid less than \$2,000.00:		\$ 18,664.37
9 Claims paid more than \$2,000.00:		\$150,048.28
71 Total all claims paid:		\$168,712.65

On motion by Connolly, seconded by King and unanimously approved, the Board adjourned until Tuesday, September 16, 2014 at 9:00 am.

ATTEST:

Le Sueur County Administrator

Le Sueur County Chairman

Summary Minutes of Le Sueur County Board of Commissioners Meeting September 2, 2014

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●The Board approved the agenda for the business of the day. (Connolly-Wetzel)

●The Board approved the consent agenda: (King-Gliszinski)

- Approved the Minutes and Summary Minutes for the August 19, 2014 Regular Meeting
- Approved the Minutes for the August 15, 2014 Canvassing Board

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

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●The Board accepted the resignation request from Mary Hayden, part time Registered Nurse in Public Health, effective August 22, 2014. (Connolly-King)

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●Sheriff Tietz reviewed the quotes they received to equip the 2015 Ford Interceptor unmarked transport vehicle.

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Whitewater Wireless	\$4,211.49

●The Board accepted the quote from Emergency Auto Technologies in the amount of \$3,316.02. (Wetzel-King)

●Deputy Sheriff Whiteis demonstrated the Tactical Robot for the Board.

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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 # 69 located in Dennance township(s).

Signed

Address & Phone No.

W. E. Gulew

19186 320th St

New Prague

507 364 7472

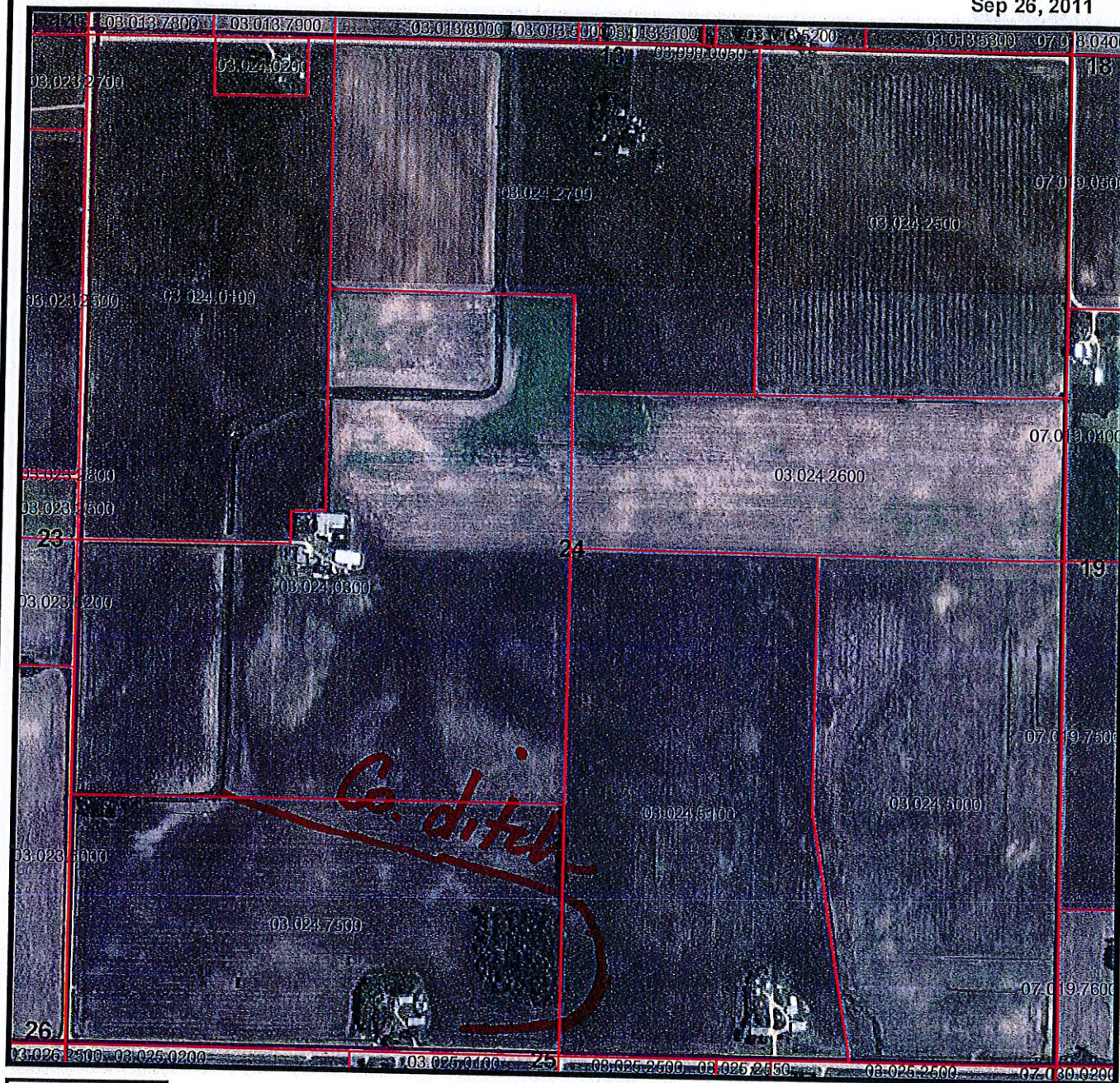
Date: 6-27, 14

Description of problem: County tile blow out
due to heavy rains

Le Sueur County
Soil and Water
Conservation District




Le Sueur SWCD
181 W. Minnesota St.
Le Center, MN 56057
Tel. (507) 357-4870 Ext. 3
Fax. (507) 357-6982

Sep 26, 2011



A dark, textured surface, possibly a book cover or endpaper, featuring a prominent red diagonal line. A small white label with the number '500' is visible in the lower-left corner. The background has a mottled, dark appearance with some faint, illegible markings.

Legend

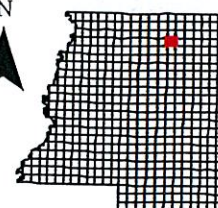
-  ParcelPoly
-  Section
-  County



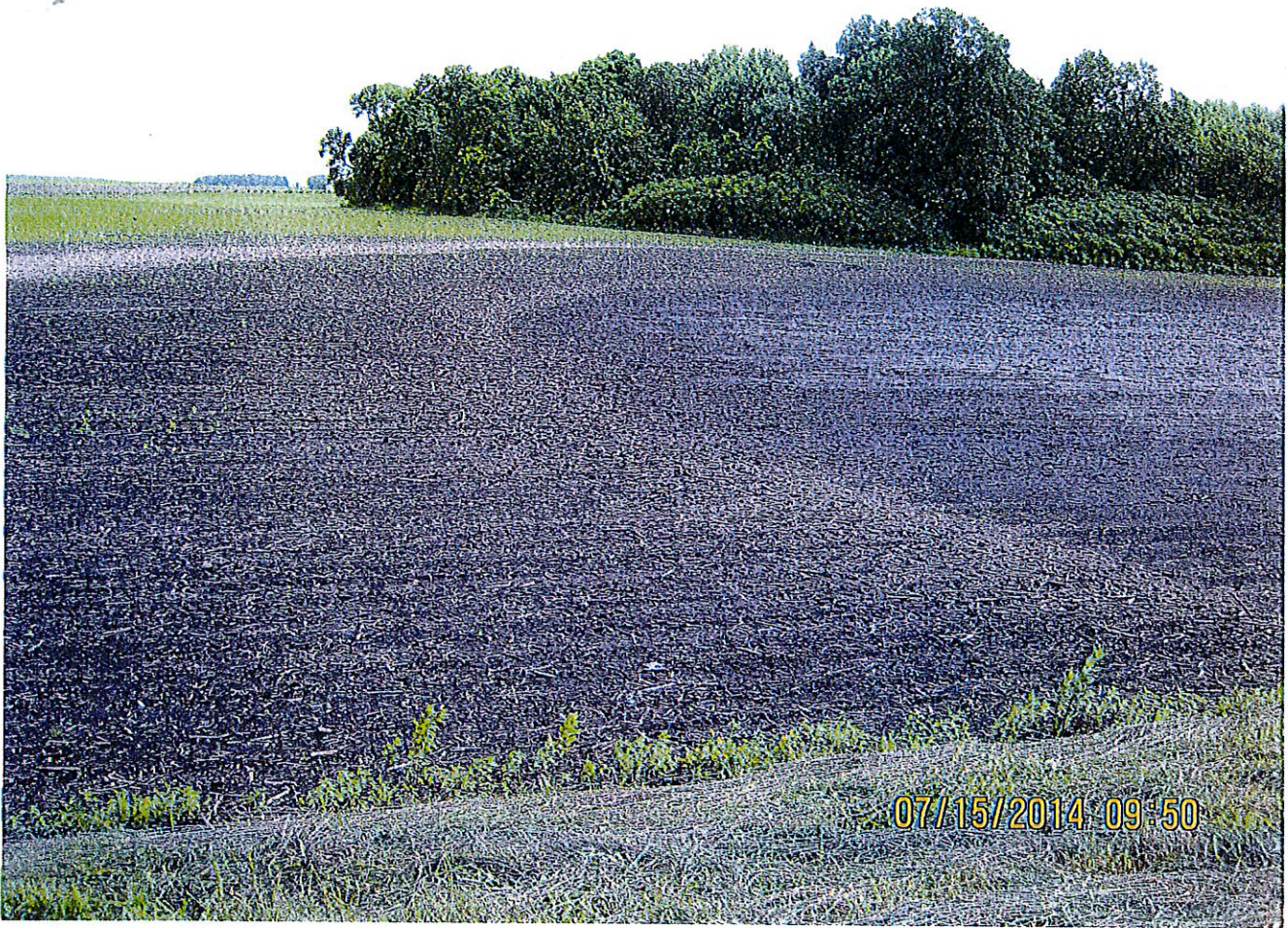
Projection: UTM NAD83 Zone 15



Location Map



Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, SWCD cannot assume liability for any damages caused by any errors or omissions in the data, nor as a result of the failure of the data to function on a particular system. SWCD makes no warranty, expressed or implied, nor does the fact of distribution constitute such a warranty.



LG220 Application for Exempt Permit

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

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

Application fee

If application postmarked or received:

less than 30 days before the event	more than 30 days before the event
\$100	\$50

ORGANIZATION INFORMATION

Check # _____ \$ _____

Organization name

SHERIFF'S YOUTH PROJECT of LeSueur County

Previous gambling permit number

X-92998

Minnesota tax ID number, if any

Federal employer ID number, if any

80-0800938

Type of nonprofit organization. Check one.☐

Fraternal

☐

Religious

☐

Veterans

☒

Other nonprofit organization

Mailing address

City

State

Zip Code

County

610 N. PARK AVE

LeCenter

MN

56057

LeSueur

Name of chief executive officer (CEO)

Daytime phone number

Email address

BRETT V.P. MASON

(612) 414 7636

bmason@Co.LeSueur.MN.US

Attach a copy of ONE of the following for proof of nonprofit status.

Do not attach a sales tax exempt status or federal employer ID number as they are not proof of nonprofit status.

☒**Nonprofit Articles of Incorporation OR a current Certificate of Good Standing .**

Don't have a copy? This certificate must be obtained each year from:

Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155

Phone: 651-296-2803

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

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer

contact the IRS at 877-829-5500.

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

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

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

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted. For raffles, list the site where the drawing will take place.

TRAXLER'S HUNTING PRESERVE

Address (do not use PO box)

City or township

Zip Code

County

37699 HUNTING PRESERVE LANE

LeCenter

MN 56057

LeSueur

Date(s) of activity (for raffles, indicate the date of the drawing)

OCTOBER 7TH 2014

Check the box or boxes that indicate the type of gambling activity your organization will conduct:

Bingo*

☒ Raffles

Paddlewheels*

Pull-Tabs*

Tipboards*

* **Gambling equipment** for pull-tabs, bingo paper, tipboards, and paddlewheels must be obtained from a distributor licensed by the Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4000.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT	
<p>If the gambling premises is within city limits, a city official must check the action that the city is taking on this application and sign the application.</p> <p>____ The application is acknowledged with no waiting period.</p> <p>____ The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).</p> <p>____ The application is denied.</p> <p>Print city name _____</p> <p><i>On behalf of the city, I acknowledge this application.</i> Signature of city personnel receiving application _____</p> <p>Title _____ Date _____</p>	<p>If the gambling premises is located in a township, a county official must check the action that the county is taking on this application and sign the application. A township official is not required to sign the application.</p> <p>____ The application is acknowledged with no waiting period.</p> <p>____ The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.</p> <p>____ The application is denied.</p> <p>Print county name _____</p> <p><i>On behalf of the county, I acknowledge this application.</i> Signature of county personnel receiving application _____</p> <p>Title _____ Date _____</p> <p>(Optional) TOWNSHIP: <i>On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. [A township has no statutory authority to approve or deny an application (Minnesota Statute 349.166)]</i></p> <p>Print township name _____</p> <p>Signature of township official acknowledging application _____</p> <p>Title _____ Date _____</p>
<p>CHIEF EXECUTIVE OFFICER'S SIGNATURE</p> <p><i>The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the date of our gambling activity.</i></p> <p>Chief executive officer's signature _____ Date _____</p>	
<p>Complete a separate application for each gambling event:</p> <ul style="list-style-type: none"> • one day of gambling activity • two or more consecutive days of gambling activity • each day a raffle drawing is held <p>Send application with:</p> <ul style="list-style-type: none"> • a copy of your proof of nonprofit status, and • application fee for each event <p>Make check payable to "State of Minnesota."</p> <p>To: Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p>	<p>Financial report and recordkeeping required</p> <p>A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us. Within 30 days of the activity date, complete and return the financial report form to the Gambling Control Board.</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-639-4000.</p>

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

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

Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public.

Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.



August 26, 2014

Le Sueur County
Auditor-Treasurer
88 South Park Ave
Le Center, MN 56057

To Whom it may Concern,

I have included an LG220 Application for Exempt Permit for the Big Bobber event that will be held at Westwood Marina on January 31, 2015. Please sign the permit and return it to me at your earliest convenience. If you have any questions, don't hesitate to call or email.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurel Gustafson". The signature is stylized with a large, looped "L" and a trailing flourish.

Laurel Gustafson
University Advancement Assistant
224 Alumni Foundation Center
Mankato, MN 56001
507-389-2021
laurel.gustafson@mnsu.edu

121 ALUMNI FOUNDATION CENTER • MANKATO, MN 56001
PHONE 507-389-1514 OR 800-662-2705 (V) • 711 OR 800-627-3529 (MRS/TTY) • FAX 507-389-1567

An Affirmative Action/Equal Opportunity Foundation.

LG220 Application for Exempt Permit

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

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

If total prize value for the year will be \$1,500 or less, contact the licensing specialist assigned to your county.

Application fee (non refundable)

If application is postmarked or received 30 days or more before the event **\$50**; otherwise **\$100**.

ORGANIZATION INFORMATION

Organization name
Minnesota State University, Mankato Foundation

Previous gambling permit number
36244

Minnesota tax ID number, if any
Federal employer ID number (FEIN), if any
41-6033423

Type of nonprofit organization. Check one.

☐ Fraternal ☐ Religious ☐ Veterans ☐ Other nonprofit organization

Mailing address
224 Alumni Foundation Center

City
Mankato

State
MN

Zip code
56001

County
Blue Earth

Name of chief executive officer [CEO]
R. Kent Clark

Daytime phone number
507-389-2021

E-mail address
kent.clark@mnsu.edu

NONPROFIT STATUS

Attach a copy of ONE of the following for proof of nonprofit status.

☐ **Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.**

Don't have a copy? This certificate must be obtained each year from:
Secretary of State, Business Services Div., 60 Empire Drive, Suite 100, St. Paul, MN 55103
Phone: 651-296-2803

☒ **IRS income tax exemption [501(c)] letter in your organization's name.**

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

☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter]**

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

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

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted. For raffles, list the site where the drawing will take place.
Westwood Marina

Address [do not use PO box]
1400 Lake Washington Access Rd

City or township
Kasota

Zip code
56050

County
Kasota

Date[s] of activity. For raffles, indicate the date of the drawing.
1/31/2015

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

☒ Bingo* ☐ Raffle [total value of raffle prizes awarded for year \$_____] ☐ Paddlewheels* ☐ Pull-tabs* ☐ Tipboards*

***Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. **EXCEPTION:** Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

To find a licensed distributor, go to www.gcb.state.mn.us and click on **Distributors** under the **WHO'S WHO? LIST OF LICENSEES**, or call 651-539-1900.

Future Meetings 2014

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
September 30, 2014	No Board Meeting
October 7, 2014	Board Meeting, 9am
October 9, 2014	P & Z Meeting at 7:00pm, Environmental Services Bldg.
October 14, 2014	No Board Meeting
October 16, 2014	Board of Adjustment Variance Meeting at 3:00pm, Environmental Services Bldg.
October 21, 2014	Board Meeting, 9am
October 28, 2014	Board Meeting, 9am
November 4, 2014	Board Meeting, 9am
November 11, 2015	Offices closed for Veteran's Day, No Board Meeting
November 13, 2014	P & Z Meeting at 7:00pm, Environmental Services Bldg.
November 18, 2014	Board Meeting, 9am
November 18, 2014	Le-Sueur-Waseca Community Health Board Meeting, 1:30pm – Waterville
November 20, 2014	Board of Adjustment Variance Meeting at 3:00pm, Environmental Services Bldg.

Le Sueur County, MN

Tuesday, September 16, 2014

Board Meeting

Item 2

9:05am Claims (10 minutes)

Staff Contact:

Le Sueur County, MN

Tuesday, September 16, 2014

Board Meeting

Item 3

9:15 Human Services - 1 hour

Staff Contact: Sue Rynda



Department of Human Services

88 SOUTH PARK AVENUE • LE CENTER, MINNESOTA 56057-1646
507-357-2251 • FAX 507-357-6122

Human Services Board Agenda September 16th 2014 @ 9:05 a.m.

100- PRESENTATIONS:

110:

200- INFORMATIONAL ITEMS:

- 210- Finance Graphs/Report;
- 220- Income Maintenance/Child Support Graphs;
- 230- Family Services Graphs-
 - 231- Social Services Team
 - 232- Child Services Team
 - 232.1- Out Of Home Placement Report
 - 232.2- In-Home Family Therapy Report;
 - 233- Behavioral Health Team
- 240- Legislative Topics
 - 241- MH Roundtable in Mankato 8/29/14
 - 242- Legislative Meeting in Mankato 9/3/14
 - 243- MACSSA Updates

300- BOARD APPROVAL ITEMS:

310 - Commissioner's Warrants

Le Sueur County, MN

Tuesday, September 16, 2014

Board Meeting

Item 4

10:15 AM Kathy Brockway, Request for Action 5 CUP's/Rezone Applications

Staff Contact:

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
September 11, 2014

MEMBERS PRESENT: Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Steve Olson, Doug Krenik, Al Gehrke, Betty Bruzek, Pam Tietz

MEMBERS ABSENT: Don Reak, Chuck Retka

OTHERS PRESENT: Kathy Brockway, Commissioners Connolly, Wetzel, Rohlfing

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

ITEM #1: OMG MIDWEST DBA SMC, MANKATO MN (APPLICANT\OWNER): Requests that the County grant a Conditional Use Permit to allow mineral extraction of 89 acres in Agriculture "A", Conservancy "C" & Special Protection "SP" District, on Shanaska Creek. Property is located in Sections 28 & 33, Kasota Township. *Application was tabled at the September 14, 2012 due to mandatory EAW.*

Kathy Brockway presented power point presentation. Terry Overn, representative for SMC and Nick McCabe, Engineering Consultant, I & S Engineering were present for the application.

TOWNSHIP: Joe Kienlen, Kasota Township Board Member, township has a good working relationship with SMC, no problems with the proposal. **DNR:** N/A **LETTERS:** none

PUBLIC COMMENT: Debra Bauernfiend, questioned whether work would be done on State Hwy 22, safety concerns, left turns can be dangerous. Terry Overn responded that there is a turn lane off 22 to County Road 102.

Discussion was held regarding: Utilizing the existing accesses, mining below water table, would require permitting from the MPCA and DNR, no plans at this time, bond set by the county board, life expectancy of the pit, depends on the demand, hours of operation, environmental review.

Findings by majority roll call vote:

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

Motion was made by Doug Krenik to approve the application as written with the condition that the hours of operation follow the zoning ordinance, and should the need arise to deviate from the hours, the applicant must notify the Department. Seconded by Betty Bruzek. Motion approved. Motion carried.

ITEM #2: GENESIS COOPERATIVE, LE SUEUR, MN, (APPLICANT\OWNER): Requests that the County rezone of 21.19 acres from an Agriculture "A" District to a General Industry "I" District. Property is located in the NE 1/4, Section 31, Lexington Township.

Don Rynda, removed himself from the discussion due to a conflict of interest with the application.

Kathy Brockway presented power point presentation. Chris Baker, Tim Griep and Bill Rynda were present for application.

TOWNSHIP: No comments
LETTERS: None

CITY OF LE CENTER: No Comments

DNR: N/A

PUBLIC COMMENT: none

Discussion was held regarding: business has been established at this site since the early 70's, Conditional Use Permit granted in 1978 that included bulk storage; rezoning the property brings the property into compliance.

Findings by majority roll call vote:

1. *The proposal reflects and is consistent with the goals and policies of the Le Sueur County Land Use Plan. Agreed*
2. *The proposal is compatible with the overall character of existing development in the immediate vicinity of the affected property. Consideration shall be made if there are similar land uses nearby or if the proposed use would be isolated. Agreed*
3. *The proposal will not have an adverse effect on the value of adjacent properties. Agreed*
4. *The proposal will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted. Agreed*
5. *The proposal will not impede the normal and orderly development of surrounding vacant property for predominant uses in the area. Agreed*
6. *The density of the proposal is not greater than the density of the surrounding neighborhood or density indicated by the applicable Zoning District. Agreed*
7. *Adequate utilities, access roads, drainage, and other necessary infrastructure are being provided. Agreed*
8. *Soil conditions are adequate to accommodate the proposal. Not applicable*
9. *The proposal will not create a potential pollution hazard. Not applicable*
10. *The proposal will not degrade the water quality of the County. Agreed*
11. *The proposal will not have a negative impact upon natural resource areas such as bluffs, wetlands, water bodies, agricultural land, woodlands, and aggregate resource deposits. Agreed*
12. *The proposal will not negatively affect the protection of the public health, safety, and general welfare. Agreed*

Motion was made by Al Gehrke to approve the application as presented. Seconded by Shirley Katzenmeyer. Motion approved. Motion carried.

ITEM #3: ALLIANCE PIPELINE, EDEN PRAIRIE, MN, (APPLICANT); WAYNE TIMM, KASOTA, MN & UNIMIN MINNESOTA CORPORATION, LE SUEUR, MN (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating and filling of approximately 3400 cubic yards of material movement for a bank stabilization project in a Special Protection "SP" District on the Minnesota River, and also in a Mineral Resources "MR" Overlay District & Floodway "FW" Overlay District. Property is located in Sections 7, 12 & 18, Kasota Township.

Kathy Brockway presented power point presentation. Randy Phillips, Alliance Pipeline and Beth Wentzel, Inter-fluve were present for application.

TOWNSHIP: Joe Kienlen, Kasota Township Board, township has no issues with the proposal
DNR: Working with the applicants on the project, permitting from the DNR is required. LETTERS: Lauren Klement, LSC Resource Specialist (see file)

PUBLIC COMMENT: none

Discussion was held regarding: construction timeframe, 1 month or less to complete the project, once all permits are in order, safety issues, halt erosion of the bank towards the 36" natural gas line, addressed Lauren Klement's concerns regarding native plantings, working with the Army Corp of Engineers, most of the work is going to be below the Original High Water level, therefore is not the County's jurisdiction, 1000 cubic yards of material outside shore impact zone, 2400 cubic yards of material within the shore impact zone, riprap placement, necessity of the project to protect the community and to protect infrastructure.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.* Agreed
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.* Agreed
3. *Adequate utilities, access roads, drainage and other facilities are being provided.* Agreed
4. *Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.* Agreed

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

ITEM #4: PAUL ARDISON, ST PETER, MN, (APPLICANT\OWNER): Requests that the County grant a Conditional Use Permit to allow grading, excavating and filling in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Emily. Property is located at Lot 1, Selly Bay Estates, Section 26, Kasota Township.

Kathy Brockway presented power point presentation. Paul Ardison, landowner and Jim Thomas contractor were present for application.

TOWNSHIP: Joe Kienlen, Kasota Township Board member, not part of the townships jurisdiction, however, the Ardison's did go over the proposal with the township prior to meeting. DNR: No comments LETTERS: Lauren Klement, LSC Resource Specialist (see file), Jim and Amy Card, neighbors and Dianne Selly, neighbor, in favor of the proposal (see file).

PUBLIC COMMENT: none

Discussion was held regarding: access to lake would be safer and easier, unique piece of property, retaining wall will be screened by natural vegetation, no removal of vegetation that is existing, disturbance to the shoreline was due to natural causes, 2006 tornado, type of vegetation to be planted, path grass way, no other options for placement of stairways, all work to be done within the shore impact zone.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.* Agreed
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.* Agreed
3. *Adequate utilities, access roads, drainage and other facilities are being provided.* Agreed
4. *Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.* Agreed

Motion was made by Steve Olson to approve the application with the condition that a vegetation plan be developed and approved by Lauren Klement, Le Sueur County Resource Specialist. Seconded by Pam Tietz. Motion approved. Motion carried.

ITEM #5: ERIC & DIANA LOMEN, ST PAUL, MN, (APPLICANT\OWNER): Request that the County grant a Conditional Use Permit to allow the applicant grading, excavating and filling of approximately 693 cubic yards of material for the construction of a detached garage in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Tetonka. Property is located in Government Lot 2, Section 28, Waterville Township.

Kathy Brockway presented power point presentation. Eric Lomen was present for application.

TOWNSHIP: no comments

DNR: no comments

LETTERS: no comments

PUBLIC COMMENT: none

Discussion was held regarding: addressed Lauren Klement's concerns, will be incorporating rain gardens and installation of gutters on his structure, placement of garage will help with the current erosion problem on the site, due to the relocation of the road, the new structure will help screen the headlights into his home, size of garage, bathroom facilities proposed in garage, lengthy discussion on placement of structure.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. Agreed **
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Agreed*
3. *Adequate utilities, access roads, drainage and other facilities are being provided. Agreed**
4. *Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Agreed*

**(possible drainage issues for the neighbors)*

Motion was made by Al Gehrke to approve the application with the condition that a plan to direct water to an area be developed and approved with Lauren Klement, Le Sueur County Resource Specialist. Seconded by Steve Olson. Motion approved. Motion carried.

Motion was made by Doug Krenik to approve the minutes from the August 14, 2014 meeting by Seconded by Steve Olson. Motion approved. Motion carried.

Motion to adjourn meeting by Al Gehrke. Seconded by Betty Bruzek. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Shirley Katzenmeyer
By Kathy Brockway

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

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
September 16, 2014

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: OMG MIDWEST DBA SMC, MANKATO MN (APPLICANT\OWNER): Requests that the County grant a Conditional Use Permit to allow mineral extraction of 89 acres in Agriculture "A", Conservancy "C" & Special Protection "SP" District, on Shanaska Creek. Property is located in Sections 28 & 33, Kasota Township. *Application was tabled at the September 14, 2012 due to mandatory EAW.*

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

Therefore, the Planning Commission recommends approval of the application with the following conditions;

1. *Hours of operation shall follow the zoning ordinance, if the need arises and a deviation from the hours of operation is necessary the applicant must contact the department.*
2. *A bond in the amount of \$5,000.00 per acre shall be submitted to the County prior to commencement of mining.*
3. *Abide by Section 20, of the Le Sueur County Zoning Ordinance, unless otherwise stated in the mining plan.*

ITEM #2: GENESIS COOPERATIVE, LE SUEUR, MN, (APPLICANT\OWNER): Requests that the County rezone of 21.19 acres from an Agriculture "A" District to a General Industry "I" District. Property is located in the NE 1/4, Section 31, Lexington Township.

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

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

ITEM #3: ALLIANCE PIPELINE, EDEN PRAIRIE, MN, (APPLICANT); WAYNE TIMM, KASOTA, MN & UNIMIN MINNESOTA CORPORATION, LE SUEUR, MN (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating and filling of approximately 3400 cubic yards of material movement for a bank stabilization project in a Special Protection "SP" District on the Minnesota River, and also in a Mineral Resources "MR" Overlay District & Floodway "FW" Overlay District. Property is located in Sections 7, 12 & 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 following findings for this request:

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

ITEM #4: PAUL ARDISON, ST PETER, MN, (APPLICANT\OWNER): Requests that the County grant a Conditional Use Permit to allow grading, excavating and filling in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Emily. Property is located at Lot 1, Selly Bay Estates, Section 26, Kasota Township.

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

Therefore, the Planning Commission recommends approval of the application with the following condition:

- 1. A vegetation plan be developed and approved with Lauren Klement, Le Sueur County Resource Specialist*

ITEM #5: ERIC & DIANA LOMEN, ST PAUL, MN, (APPLICANT\OWNER): Request that the County grant a Conditional Use Permit to allow the applicant grading, excavating and filling of approximately 693 cubic yards of material for the construction of a detached garage in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Tetonka. Property is located in Government Lot 2, Section 28, Waterville Township

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

Therefore, the Planning Commission recommends approval of the application with the following condition:

- 1. A plan to direct water to an area be developed and approved with Lauren Klement, Le Sueur County Resource Specialist.*

ACTION: ITEM #1: _____
 ITEM #2: _____
 ITEM #3: _____
 ITEM #4: _____
 ITEM #5: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

FINDINGS OF FACT

WHEREAS, OMG MIDWEST DBA SMC, MANKATO MN (APPLICANT\OWNER): has applied for a Conditional Use Permit to allow mineral extraction of 89 acres in Agriculture “A”, Conservancy “C” & Special Protection “SP” District, on Shanaska Creek. *Application was tabled at the September 14, 2012 due to mandatory EAW.* Property is located in Sections 28 & 33, Kasota Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held a public hearing on **September 11, 2014**, in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

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

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

WHEREAS, On **September 16, 2014**, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners approved the Conditional Use Permit application as requested by **OMG MIDWEST DBA SMC**.

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the September 16, 2014, Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

1. **With the imposition of appropriate conditions as stated, 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. **With the imposition of appropriate conditions as stated, 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. **With the imposition of appropriate conditions as stated, adequate utilities, access roads, drainage and other facilities are being provided.**
4. **With the imposition of appropriate conditions as stated, adequate measures will be taken to**

provide sufficient off-street parking and loading space to serve the proposed use.

5. **With the imposition of appropriate conditions as stated, adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.**

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 mineral extraction of 89 acres in Agriculture "A", Conservancy "C" & Special Protection "SP" District, on Shanaska Creek. Property is located in Sections 28 & 33, Kasota Township, is approved.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE:

FINDINGS OF FACT

WHEREAS, GENESIS COOPERATIVE has applied to Rezone 21.19 acres from an Agriculture “A” District to a General Industry “I” District. Property is located in the NE 1/4, Section 31, Lexington Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on **September 11, 2014,** 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 proposal reflects and is consistent with the goals and polices of the Le Sueur County Land Use Plan.*
2. *The proposal is compatible with the overall character of existing development in the immediate vicinity of the affected property. Consideration shall be made if there are similar land uses nearby or if the proposed use would be isolated.*
3. *The proposal will not have an adverse effect on the value of adjacent properties.*
4. *The proposal will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted.*
5. *The proposal will not impede the normal and orderly development of surrounding vacant property for predominant uses in the area.*
6. *The density of the proposal is not greater than the density of the surrounding neighborhood or density indicated by the applicable Zoning District.*
7. *Adequate utilities, access roads, drainage, and other necessary infrastructure are being provided.*
8. *The proposal will not degrade the water quality of the County.*
9. *The proposal will not have a negative impact upon natural resource areas such as bluffs, wetlands, water bodies, agricultural land, woodlands, and aggregate resource deposits.*
10. *The proposal will not negatively affect the protection of the public health, safety, and general welfare.*

WHEREAS, On **September 16, 2014,** at their regularly scheduled meeting, the Le Sueur County Board of Commissioners approved the rezoning as requested by the **GENESIS COOPERATIVE.**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the **September 16, 2014,** 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 proposal reflects and is consistent with the goals and polices of the Le Sueur County Land Use Plan.*
2. *The proposal is compatible with the overall character of existing development in the immediate vicinity of the affected property. Consideration shall be made if there are similar land uses nearby or if the proposed use would be isolated.*
3. *The proposal will not have an adverse effect on the value of adjacent properties.*
4. *The proposal will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted.*
5. *The proposal will not impede the normal and orderly development of surrounding vacant property for predominant uses in the area.*
6. *The density of the proposal is not greater than the density of the surrounding neighborhood or density indicated by the applicable Zoning District.*
7. *Adequate utilities, access roads, drainage, and other necessary infrastructure are being provided.*
8. *The proposal will not degrade the water quality of the County.*

9. *The proposal will not have a negative impact upon natural resource areas such as bluffs, wetlands, water bodies, agricultural land, woodlands, and aggregate resource deposits.*
10. *The proposal will not negatively affect the protection of the public health, safety, and general welfare.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, the rezoning of 21.19 acres from Agriculture to Industrial in the NE1/4 of Section 31, Lexington Township is approved.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE: _____

FINDINGS OF FACT

WHEREAS, ALLIANCE PIPELINE, EDEN PRAIRIE, MN, (APPLICANT); WAYNE TIMM, KASOTA, MN & UNIMIN MINNESOTA CORPORATION, LE SUEUR. MN (OWNER) has applied for a Conditional Use Permit to allow grading, excavating and filling of approximately 3400 cubic yards of material movement for a bank stabilization project in a Special Protection “SP” District on the Minnesota River, and also in a Mineral Resources “MR” Overlay District & Floodway “FW” Overlay District. Property is located in Sections 7, 12 & 18, Kasota Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on **September 11, 2014**, 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 **denial/approval** of the application due to the following findings:

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

WHEREAS, On September 16, 2014, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners approved the Conditional Use Permit application as requested by the **ALLIANCE PIPELINE,(APPLICANT); WAYNE TIMM, & UNIMIN MINNESOTA CORPORATION.**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the September 16, 2014, Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

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

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 grading, excavating and filling of approximately 3400 cubic yards of material movement for a bank stabilization project in a Special Protection “SP” District on the Minnesota River, and also in a Mineral Resources “MR” Overlay District & Floodway “FW” Overlay District. Property is located in Sections 7, 12 & 18, Kasota Township is approved.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE:_____

FINDINGS OF FACT

WHEREAS, PAUL ARDISON, has applied for a Conditional Use Permit to allow grading, excavating and filling in a Recreational Residential “RR” District, on a Recreational Development “RD” lake, Lake Emily. Property is located at Lot 1, Selly Bay Estates, Section 26, Kasota Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on **September 11, 2014**, 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 with the condition that a vegetation plan be developed and approved with Lauren Klement, Le Sueur County Resource Specialist and due to the following findings:

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

WHEREAS, On September 16, 2014, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners approved the Conditional Use Permit application as requested by the Paul Ardison.

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the September 16, 2014, Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. With the imposition of appropriate conditions as stated, 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. With the imposition of appropriate conditions as stated, 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. With the imposition of appropriate conditions as stated, adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. With the imposition of appropriate conditions as stated, adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*

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 grading, excavating and filling in a Recreational

Residential “RR” District, on a Recreational Development “RD” lake, Lake Emily. Property is located at Lot 1, Selly Bay Estates, Section 26, Kasota Township, is approved.

ATTEST:

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

Sueur County Administrator

Darrell Pettis, Le

DATE:_____

FINDINGS OF FACT

WHEREAS, **ERIC & DIANA LOMEN**, has applied for a Conditional Use Permit to allow the applicant grading, excavating and filling of approximately 693 cubic yards of material for the construction of a detached garage in a Recreational Residential “RR” District, on a Recreational Development “RD” lake, Lake Tetonka. Property is located in Government Lot 2, Section 28, Waterville Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on September 11, 2014, 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 with the condition that a plan to direct water to an area be developed and approved with Lauren Klement, Le Sueur County Resource Specialist and due to the following findings:

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

WHEREAS, On September 16, 2014, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners approved the Conditional Use Permit application as requested by Eric Lomen.

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the September 16, 2014, Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. With the imposition of appropriate conditions as stated, 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. With the imposition of appropriate conditions as stated, 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. With the imposition of appropriate conditions as stated, adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. With the imposition of appropriate conditions as stated, adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*

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 grading, excavating and filling of approximately 693 cubic yards of material for the construction of a detached garage in a Recreational Residential “RR” District, on a Recreational Development “RD” lake, Lake Tetonka. Property is located in Government Lot 2, Section 28, Waterville Township, is approved.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE: _____

Le Sueur County, MN

Tuesday, September 16, 2014

Board Meeting

Item 5

10:30 Human Resources (10 min.)

Staff Contact:



Human Resources

88 SOUTH PARK AVENUE • LE CENTER, MINNESOTA 56057

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

Cindy Westerhouse – Human Resources Director

HUMAN RESOURCES

AGENDA ITEMS

September 16, 2014

Recommendation to hire Karen Kelley as a full time Deputy Auditor-Treasurer I in the Auditor-Treasurer's Office, as a Grade 5, Step 1 at \$15.79 per hour, effective September 8, 2014.

Recommendation to grant regular status to Jody Brown, full time Deputy Auditor-Treasurer II, Motor Vehicle Specialist in the Auditor-Treasurer's Office, effective September 3, 2014. Jody has completed the six-month probationary period.

Recommendation to end the temporary seasonal assignment with Erin Danielson, Administrative Assistant in the Auditor-Treasurer's Office, effective September 5, 2014.

Recommendation to post and advertise for a full time GIS Specialist, in the GIS Department, as a Grade 6, Step 1 at \$16.74 per hour.

Equal Opportunity Employer

Le Sueur County, MN

Tuesday, September 16, 2014

Board Meeting

Item 6

10:40 am Darrell Pettis, County Administrator

RE: Request to purchase equipment from 2015 Budget

RE: Approve AIS committee change (replace Rick Connors with Arne Jessen)

RE: Victim Witness Grant

RE: Lake Washington Outlet Structure Bids

RE: Tyrone Twp Bridge

RE: Budgets

Staff Contact:



Minnesota Department of Public Safety ("State") Commissioner of Public Safety Office of Justice Programs 445 Minnesota Street, Suite 2300 St. Paul, MN 55101-2139	Grant Program: Crime Victim Services 2015 Grant Agreement No.: A-CVS-2015-LESUEAO-00081
Grantee: Le Sueur County Attorney's Office 88 South Park Avenue, PO Box 156 Le Center, Minnesota 56057	Grant Agreement Term: Effective Date: 10/1/2014 Expiration Date: 9/30/2015
Grantee's Authorized Representative: Vicki Walechka, Coordinator Le Sueur County Attorney's Office-Victim/Witness Program 88 South Park Avenue Le Center, Minnesota 56057 (507) 357-8512	Grant Agreement Amount: Original Agreement \$47,000.00 Matching Requirement \$0.00
State's Authorized Representative: Jean Miller, Grants Manager Crime Victim Services 445 Minnesota Street Suite 2300, Bremer Tower St. Paul, Minnesota 55101 (651) 201-7328	Federal Funding: CFDA None State Funding: Minnesota Laws of 2013, Chapter 86, Article 1, Section 12 Special Conditions: Attached and incorporated into this grant agreement. See page 3.

Under Minn. Stat. § 299A.01, Subd 2 (4) the State is empowered to enter into this grant agreement.

Term: Effective date is the date shown above or the date the State obtains all required signatures under Minn. Stat. § 16B.98, subd. 7, whichever is later. Once this grant agreement is fully executed, the Grantee may claim reimbursement for expenditures incurred pursuant to the Payment clause of this grant agreement. Reimbursements will only be made for those expenditures made according to the terms of this grant agreement. Expiration date is the date shown above or until all obligations have been satisfactorily fulfilled, whichever occurs first.

The Grantee, who is not a State employee will:

Perform and accomplish such purposes and activities as specified herein and in the Grantee's approved Crime Victim Services 2015 Application ("Application") which is incorporated by reference into this grant agreement and on file with the State at 445 Minnesota Street, Suite 2300, St. Paul, Minnesota 55101-2139. The Grantee shall also comply with all requirements referenced in the Crime Victim Services 2015 Guidelines and Application which includes the Terms and Conditions and Grant Program Guidelines (<http://app.dps.mn.gov/Egrants>), which are incorporated by reference into this grant agreement.

Budget Revisions: The breakdown of costs of the Grantee's Budget is contained in Exhibit A, which is attached and incorporated into this grant agreement. As stated in the Grantee's Application and Grant Program Guidelines, the Grantee will submit a written change request for any substitution of budget items or any deviation and in accordance with the Grant Program Guidelines. Requests must be approved prior to any expenditure by the Grantee.

Matching Requirements: (If applicable.) As stated in the Grantee's Application, the Grantee certifies that the matching requirement will be met by the Grantee.



Payment: As stated in the Grantee's Application and Grant Program Guidance, the State will promptly pay the Grantee after the Grantee presents an invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services and in accordance with the Grant Program Guidelines. Payment will not be made if the Grantee has not satisfied reporting requirements.

Certification Regarding Lobbying: (If applicable.) Grantees receiving federal funds over \$100,000.00 must complete and return the Certification Regarding Lobbying form provided by the State to the Grantee.

1. ENCUMBRANCE VERIFICATION

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

Signed: _____

Date: _____

Grant Agreement No. A-CVS-2015-LESUEAO-00081/3-28916

3. STATE AGENCY

By: _____
(with delegated authority)

Title: _____

Date: _____

2. GRANTEE

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

By: _____

Title: County Board Chair

Date: _____

By: _____

Title: County Attorney

Date: _____

Distribution: DPS/FAS
Grantee
States' Authorized Representative



Special Conditions

1. Time limitations on funding use:

\$38,070.00 is available from October 1, 2014 through September 30, 2015.

\$8,930.00 is available from July 1, 2015 through September 30, 2015.

2. Special Duties:

\$47,000 for general crime services in Le Sueur County.

Crime Victim Services 2015

Organization: Le Sueur County Attorney's Office

Budget Summary

Budget			
Budget Category		VOCA-Eligible	Other
Personnel			
Salary - Victim/Witness Coordinator		\$0.00	\$37,000.00
Total		\$0.00	\$37,000.00
Payroll Taxes & Fringe			
Payroll Taxes & Benefits for Victim/Witness Coordinator		\$0.00	\$10,000.00
Total		\$0.00	\$10,000.00
Total		\$0.00	\$47,000.00

08/13/2014



**Le Sueur County Hwy Dept
CAT 12M2 AWD Motor Grader Proposal**

Ziegler Inc. outlines the following CAT 12M2 AWD proposal to Le Sueur County Hwy Dept according to the 2014-15 MN State Bid contract.

CAT 12M2 AWD Motor Grader

Includes the following components:

Base Price.....	\$223,800
3.3 Deduct Tier IV Interim Engine.....	(\$10,000)
3.4 All Wheel Drive.....	\$25,130
3.6 Turbo II.....	\$580
6.11 Base + 5 Hydraulics.....	\$890
6.15 Integrated Cross Slope.....	\$5,570
8.23 Para-Lift Hitch Only.....	\$4,370
8.24 Hydraulic Locking Pins.....	\$990
8.25 Factory Install of Pin Assembly.....	\$230
8.29 Falls V-90 V-Plow.....	\$7,350
8.35 Falls Para-Lift Hooks w/Oscillation.....	\$1,520
8.37 Rubber Belt Snow Deflector.....	\$310
8.46 Falls 411H One Way Plow.....	\$6,640
8.50 Plow to fit Para-Lift Hitch.....	\$1,630
8.53 Hydraulic Plow Tilt.....	\$770
8.56 Rubber Deflector for 411H.....	\$310
10.5 Freight to Little Falls.....	\$900
10.7 Falls 2012 (100" Post) Hydrl Wing.....	\$12,920
10.10 Hydrl Rear Brace.....	\$1,030
11.15 Fenders MD Front.....	\$1,270
11.16 Fenders MD Rear.....	\$1,730
11.23 Snow Fight Package.....	\$6,230

Snow Fight Package Includes the following:

- 2.2 Plus Cab
- 2.4 Rear Vision Camera
- 2.7 Heated Outside Mirrors
- 2.14 Comfort Package
- 3.1 Autoshift Transmission
- 3.9 Cold Weather Plus
- 4.3 High Front Headlights
- 4.6 Working Lights Plus
- 4.8 Mounting for Warning Light
- 6.10 Base + 4 Hydraulics
- 7.4 14' X 27" X 1" Moldboard
- 11.4 Mounting, Front Lift
- 11.5 Articulation Guard

-11.20 Snow Wing Ready
 12.23 60 Month/5,000 Hour Powertrain Warranty.....\$3,850
 19.0 Delivery.....\$450

Total 2015 State Bid.....\$298,470
 Trade Deere 772BH s/n 532875
 Year 1991
Ziegler Trade Price.....\$30,000
Subtotal.....\$268,470

NOTE: Trade value assumes all snow equipment to be traded with machine including: snow wing, front hitch, and V-plow. If plow is not traded deduct \$1,000 off trade allowance.



BOLTON & MENK, INC.

Consulting Engineers & Surveyors

1960 Premier Drive • Mankato, MN 56001-5900

Phone (507) 625-4171 • Fax (507) 625-4177

www.bolton-menk.com

September 8, 2014

Darrell Pettis, P.E.
County Engineer
Le Sueur County
88 South Park Avenue
Le Center, MN 56057-1644

RE: Lake Washington Outlet Structure
Lake Washington Improvement Association
Le Sueur County, MN
BMI Project No. M13.106295

Dear Darrell,

Attached is the bid abstract for the project referenced above. Bids were received at the Le Sueur County Courthouse at 1:00 p.m. on Friday, September 5, 2014. The following summarizes the bids received.

Dirt Merchant, Inc.	\$116,316.00
Landwehr Construction, Inc.	\$167,916.80
Engineer's Estimate	\$128,388.50

We recommend awarding a contract to Dirt Merchant, Inc. in the amount of \$116,316.00.

Sincerely,

BOLTON & MENK, INC.

William R. Douglass, P.E.
Principal
Water Resources Group Manager

WRD/rm

Enclosure