



Le Sueur County, MN

Tuesday, August 4, 2015

Board Meeting

Item 1

9:00 am Lance Wetzel, Chairperson will call the County Board Meeting to order and recess.

Agenda and Consent Agenda

RE: July 28 Minutes and Summary Minutes

RE: 3.2 Beer License, Church of Immaculate Conception of Marysburg

Staff Contact:

Minutes of Le Sueur County Board of Commissioners Meeting July 28, 2015

The Le Sueur County Board of Commissioners met in regular session on Tuesday, July 28, 2015 at 9:00 a.m. in the Courthouse at Le Center, Minnesota. Those members present were: Steve Rohlffing, Lance Wetzel, Dave Gliszinski, John King and Joe Connolly. Darrell Pettis was also present. Brent Christian was excused.

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

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

- Approved the July 21, 2015 County Board Minutes and Summary Minutes.
- Approved the CD #51 Repair Request

Kathy Brockway, Planning & Zoning Administrator appeared before the Board with four requests for action.

On motion by Rohlffing, seconded by Connolly and approved via roll call vote 4-1 with King voting no, the Board granted a Conditional Use Permit to HUGH VALIANT, WATERVILLE, MN, (APPLICANT); MARTY & CHRISTINA SIMONETTE, ST PETER, MN (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating and filling of approximately 71 cubic yards of material for a shoreline restoration project within the shore impact zone in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Washington. Property is located at Lot 5, Block 1, Connors Point Subdivision, Section 7, Washington Township. Findings are on file at the Planning and Zoning Office.

On motion by Gliszinski, seconded by King and approved via roll call vote 5-0, the Board granted a Conditional Use Permit to BERNARD & HELEN BAUMANN, SHAKOPEE, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to construct a 26 x 30 detached garage that does meet the Regulatory Flood Protection Elevation "RFPE" to allow flood-proofing in a Recreational Residential "RR" District and a Flood Plain, Flood Fringe "FF" Overlay District on a Recreational Development "RD" lake, Lake Tetonka. Property is located at Lots 32, 33 & 34, Tetonka Beach Subdivision, Section 24, Elysian Township. Findings are on file at the Planning and Zoning Office.

On motion by Rohlffing, seconded by Gliszinski and approved via roll call vote 3-2 with Connolly and King voting no, the Board granted a Conditional Use Permit to MINNESOTA VALLEY ELECTRIC COOP, (APPLICANT) JORDAN MN; GARY & SUSAN WITT, (OWNER) LE SUEUR, MN: Request that the County grant a Conditional Use Permit to allow the applicant to establish an Electric Substation in an Agriculture "A" District. Property is located in the S1/2 SW1/4, Section 20, Tyrone Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

1. MVEC shall maintain the area around the substation to CRP standards;
2. Investigate/install a permeable base material around substation if feasible;

3. Operating procedures at the substation shall be utilized to control dust and noise so as not to be in conflict with adjoining property and shall meet the Agency standards;
4. Obtain state and federal permits as required.
5. MVEC shall submit a \$50,000.00 bond to Le Sueur County as a guarantee that the project is built per submitted plans, any road damages are repaired.
6. Environmental Services Staff shall visit the site periodically during construction to make sure the project is being constructed per plans as submitted.

On motion by Gliszinski, seconded by Rohlfing and approved via roll call vote 3-2 with Connolly and King voting no, the Board granted a Conditional Use Permit to GREAT RIVER ENERGY, (APPLICANT) MAPLE GROVE, MN: Request that the County grant a Conditional Use Permit to allow the applicants to construct a 69kv electric transmission line consisting of approximately 4.25 miles within the road right of way, along the north side of 320th Street in Sections 20,21,22,23 and along the south side of 320th Street in Sections 26 and 28; and along the west side of 265th Ave in Section 26, Tyrone Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

1. Ductile iron poles shall be placed adjacent to the Pollack property;
2. Testing of the water from the shallow well at the Pollack site by a third party in order to establish a baseline; the water shall be checked for 3 years; and the reports shall be submitted to the County Health Department and Environmental Services Department. The water testing is done at the applicant's expense;
3. Phase 1 Archeological Study shall be conducted and reviewed by the consultant;
4. Utilize Best Management Practices when installation takes place over Forrest Prairie Creek;
5. Work with DNR and US Fish and Wildlife to install the most effective measures for avian migration;
6. Obtain necessary State and Federal Permits;
7. Utilize Best Management Practices to minimize erosion control;
8. Applicants shall work with the landowners in regards to the feasible placement of the poles.
9. GRE shall submit a \$50,000.00 bond to Le Sueur County as a guarantee that the erosion control measures are met in the high sensitive areas and for road damages that may occur.

Dave Tietz, Sheriff came before the Board with one item for approval.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved the purchase of 2 radar replacements from Stalker Radar Applied Concepts, Inc. in the amount of \$4081.60.

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

On motion by Rohlfing, seconded by King and unanimously approved, the Board approved the purchase of a 2015 MACK GU713 Tandem truck in the amount of \$109,819.96 and a 2015 Truck Body with plow equipment in the amount of \$100,788 through the State Contract.

On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to withhold parcel #20.470.1030 from the tax forfeit sale.

Reed Grunzke and Neil Pekrul with Unimin Corporation came before the Board to present the 2014 Kasota and Ottawa Plant Annual Reports.

Richard Peterson, Ottawa Township Supervisor addressed the Board. Township concerns included sending the annual report sent to the townships earlier and measures to reduce the amount of silica sand and dust in the area.

On motion by Connolly, seconded by Rohlfing and unanimously approved, the Board accepted the Unimin Annual Reports and set the 2015 Annual Performance Bonds in the amount of \$2,174,623 for the Kasota Plants and \$2,730,166 for the Ottawa Plant.

On motion by Connolly, seconded by King and unanimously approved, the Board adjourned until Tuesday, August 4, 2015 at 9:00 a.m.

ATTEST:

Le Sueur County Administrator

Le Sueur County Chairman

Summary Minutes of Le Sueur County Board of Commissioners Meeting, July 28, 2015

● 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.

● The Le Sueur County Board of Commissioners met in regular session on Tuesday, July 28, 2015 at 9:00 a.m. in the Courthouse at Le Center, Minnesota. Those members present were: Steve Rohlffing, Lance Wetzel, Dave Gliszinski, John King and Joe Connolly. Darrell Pettis was also present. Brent Christian was excused.

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

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

- Approved the July 21, 2015 County Board Minutes and Summary Minutes.

- Approved the CD #51 Repair Request

● On motion by Rohlffing, seconded by Connolly and approved via roll call vote 4-1 with King voting no, the Board granted a Conditional Use Permit to HUGH VALIANT, WATERVILLE, MN, (APPLICANT); MARTY & CHRISTINA SIMONETTE, ST PETER, MN (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating and filling of approximately 71 cubic yards of material for a shoreline restoration project within the shore impact zone in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Washington. Property is located at Lot 5, Block 1, Connors Point Subdivision, Section 7, Washington Township. Findings are on file at the Planning and Zoning Office.

● On motion by Gliszinski, seconded by King and approved via roll call vote 5-0, the Board granted a Conditional Use Permit to BERNARD & HELEN BAUMANN, SHAKOPEE, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to construct a 26 x 30 detached garage that does meet the Regulatory Flood Protection Elevation "RFPE" to allow flood-proofing in a Recreational Residential "RR" District and a Flood Plain, Flood Fringe "FF" Overlay District on a Recreational Development "RD" lake, Lake Tetonka. Property is located at Lots 32, 33 & 34, Tetonka Beach Subdivision, Section 24, Elysian Township. Findings are on file at the Planning and Zoning Office.

● On motion by Rohlffing, seconded by Gliszinski and approved via roll call vote 3-2 with Connolly and King voting no, the Board granted a Conditional Use Permit to MINNESOTA VALLEY ELECTRIC COOP, (APPLICANT) JORDAN MN; GARY & SUSAN WITT, (OWNER) LE SUEUR, MN: Request that the County grant a Conditional Use Permit to allow the applicant to establish an Electric Substation in an Agriculture "A" District. Property is located in the S1/2 SW1/4, Section 20, Tyrone Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

1. MVEC shall maintain the area around the substation to CRP standards;
2. Investigate/install a permeable base material around substation if feasible;
3. Operating procedures at the substation shall be utilized to control dust and noise so as not to be in conflict with adjoining property and shall meet the Agency standards;
4. Obtain state and federal permits as required.
5. MVEC shall submit a \$50,000.00 bond to Le Sueur County as a guarantee that the project is built per submitted plans, any road damages are repaired.
6. Environmental Services Staff shall visit the site periodically during construction to make sure the project is being constructed per plans as submitted.

● On motion by Gliszinski, seconded by Rohlffing and approved via roll call vote 3-2 with Connolly and King voting no, the Board granted a Conditional Use Permit to GREAT RIVER ENERGY, (APPLICANT) MAPLE GROVE, MN: Request that the County grant a Conditional Use Permit to allow the applicants to construct a 69kv electric transmission line consisting of approximately 4.25 miles within the road right of way, along the north side of 320th Street in Sections 20,21,22,23 and along the south side of 320th Street in Sections 26 and 28; and along the west side of 265th Ave in Section 26, Tyrone

Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

1. Ductile iron poles shall be placed adjacent to the Pollack property;
 2. Testing of the water from the shallow well at the Pollack site by a third party in order to establish a baseline; the water shall be checked for 3 years; and the reports shall be submitted to the County Health Department and Environmental Services Department. The water testing is done at the applicant's expense;
 3. Phase 1 Archeological Study shall be conducted and reviewed by the consultant;
 4. Utilize Best Management Practices when installation takes place over Forrest Prairie Creek;
 5. Work with DNR and US Fish and Wildlife to install the most effective measures for avian migration;
 6. Obtain necessary State and Federal Permits;
 7. Utilize Best Management Practices to minimize erosion control;
 8. Applicants shall work with the landowners in regards to the feasible placement of the poles.
 9. GRE shall submit a \$50,000.00 bond to Le Sueur County as a guarantee that the erosion control measures are met in the high sensitive areas and for road damages that may occur.
- The Board approved the purchase of 2 radar replacements from Stalker Radar Applied Concepts, Inc. in the amount of \$4081.60. (Gliszinski-Connolly)
 - The Board approved the purchase of a 2015 MACK GU713 Tandem truck in the amount of \$109,819.96 and a 2015 Truck Body with plow equipment in the amount of \$100,788 through the State Contract. (Rohlfing-King)
 - On motion by Gliszinski, seconded by Connolly and unanimously approved, the Board approved to withhold parcel #20.470.1030 from the tax forfeit sale. (Gliszinski-Connolly)
 - The Board accepted the Unimin Annual Reports and set the 2015 Annual Performance Bonds in the amount of \$2,174,623 for the Kasota Plants and \$2,730,166 for the Ottawa Plant. (Connolly-Rohlfing)
 - The Board adjourned until Tuesday, August 4, 2015 at 9:00 a.m. (Connolly-King)
- ATTEST: Le Sueur County Administrator Le Sueur County Chairman

STATE OF MINNESOTA
Combination Application for Retailer's (On-Sale) (Off Sale)
3.2 Percent Malt Liquor License

To the Le Sueur County Board of Commissioners
Name of licensing authority (county) (city)

County of Le Sueur
I, Church of Immaculate Conception of Marysburg, of the city, or
town of Washington, county of Le Sueur, State
of Minnesota, hereby make application for a Retailer's (On-sale) (Off-sale) 3.2 Percent Malt
Liquor License to sell such Malt Liquor under and pursuant to an ordinance (resolution) passed by city
council, county board of Le Sueur
and Chapter 340, Minnesota Statutes 1945, as amended, providing for licensing and regulating the
sale of 3.2 percent malt liquor.

During the past five years, my residence has been as follows: 27528 Patrick St
Attn: Ann Madison Lake, Mn 56013

I was born _____ at _____
Month Day Year City

Borough Town State or County

I am a (native) (naturalized) citizen of the United States.

I am _____ married. My (wife's) (husband's) name and address is _____

I am proprietor _____

Firm was incorporated _____ in the state of _____

Corporation is authorized to do business in Minnesota.

License is for Church festival (street) (highway) located as follows:

27528 Patrick St Madison Lake Mn

The license will be in connection with Parish Community
Drug Store, Cafe, Restaurant, Hotel, Club

which has been in operation 150 yrs
Months Years

The establishment is located on the _____ floor.

The business premises are owned by Church of Immaculate Conception

The taxes on the property are not delinquent. of Marysburg

I am not engaged in the retail sale of intoxicating liquor.

I have not had an application for license rejected as follows:

I have never been convicted of a felony nor of violating any National or state liquor law or local
ordinance relating to the manufacture, sale or transportation, or possession for sale or transportation of
intoxicating liquor.

Gambling or gambling devices will not be permitted on the licensed premises.

I am the owner of the leasehold, furniture, fixtures, and equipment in the premises for which the
license is applied, except _____

I have no intention or agreement to transfer the license to another person.

I submit the following names of persons, including a bank, for reference, with whom I have had business relations
as follows: Hometown Bank