

**Minutes of Le Sueur County Board of Commissioners Meeting
Tuesday, August 4, 2009**

The Le Sueur County Board of Commissioners met in regular session on Tuesday, August 4, 2009 at 9:30 a.m. in the Courthouse at Le Center, Minnesota. Those members present were: Joe Connolly, Robert Culhane, William Stangler, John Grimm and Joseph Doherty, Chairman. Also present were Brent Christian and Ron Germscheid.

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

On motion by Grimm, seconded by Connolly and unanimously approved, the Board approved the consent agenda:

- I Approval of July 28, 2009 County Board Minutes as amended.
- I Approval of BNMJ Enterprises Inc. The Store Tobacco License.

Darrell Pettis, Highway Engineer, gave his monthly Highway Department Report.

Discussion was held regarding Le Sueur County adopted an ordinance allowing the use of Golf Carts and ATV's on County Roads. This was in response to an ordinance enacted by the City of Elysian. On motion by Stangler, seconded by Connolly and passed unanimously, the Board tabled this issue until further information can be garnered.

The public hearing for Le Sueur County Ditch #46 commenced at 10:20 a.m. On motion by Culhane, seconded by Connolly and unanimously approved, the Board authorized a 50% lien for Le Sueur County Ditch #46 in the amount of \$17,590.01 to be spread over a five year period, beginning with the taxes payable in 2010. The interest rate is 4 % and the lien will be filed November 16, 2009. Minimum per parcel payment is \$5.00 and any assessment of \$50.00 or under shall be payable in one year.

The public hearing for Le Sueur County Ditch #63 began at 10:40 a.m. On motion by Connolly, seconded by Grimm, and approved with Commissioner Stangler dissenting, the Board authorized a 40% lien for the Le Sueur County Ditch #63 in the amount of \$17,593.57 to be spread over 5 years beginning with the taxes payable in 2010. The interest rate is 4% and the lien will be filed on November 16, 2009. Minimum per parcel payment is \$5.00 and any assessment of \$50.00 or less will be payable in one year.

The public hearing for Le Sueur County Ditch #6 started at 11:00 a.m. On motion by Grimm, seconded by Culhane and unanimously approved, the Board authorized a 55% lien for Le Sueur county Ditch #6, in the amount of \$24,160.39 to be spread over 7 years beginning with the taxes payable in 2010. The interest rate is 4% and the lien will be filed on November 16, 2009. Minimum per parcel payment is \$5.00 and any assessment \$50.00 or under shall be payable in one year.

On motion by Culhane, seconded by Stangler, and approved, the following July, 2009 transfers were adopted:

- #1214 Transfer 2,706.56 from Human Services to Revenue
- #1215 Transfer 87.55 from Human Services to Revenue
- #1216 Transfer 4,125.00 from Road & Bridge to Ditch
- #1217 Transfer 30,301.44 from Tax & Penalty to Road & Bridge
- #1218 Transfer 9,777.10 from Tax & Penalty to Trust
- #1219 Transfer 1,008.00 from Agency to Revenue
- #1220 Transfer 10.00 from Human Services to Revenue

On motion by Stangler, seconded by Culhane and approved the Board appointed Richard Rohlfig, Cleveland, Mn. as the 5th District Representative to the Le Sueur County Historical Society.

Jim McMillen, Maintenance Engineer presented quotes for repairing the East Entry to the Courthouse. Those quotes received were:

Tuckpointing

Karr Tuckpointing, LLC - \$ 7,615.00
A.J. Spanjers Co., Inc. - \$17,385.00

Roof Repair

Schwickert Co. \$4,553.00

On motion by Stangler, seconded by Grimm and approved, the Board accepted the recommendation of the Maintenance Engineer to award the quotes to Karr Tuckpointing, LLC in the amount of \$7,615.00 and to Schwickert Co. in the amount of \$4,553.00.

Upon consensus motion, the Board allowed Don Reak, Parks Director, to enter into a cost sharing agreement with Roy Winjum dba Winjum S. Shady Acres for solid waste collection & removal at Clear Lake Park. Said cost sharing not to exceed 25% of total expenditures.

On Tuesday July 28, 2009 the Board of Commissioners denied the original Planning & Zoning Application of Al Gehrke (Applicant) and Joe Clarke, Clarke's Campground (Owner) for a Conditional Use Permit allowing the applicant to construct a 12 x 24 Lake Access and a Recreational Development "RD" Lake, Lake Frances. Commissioners Doherty and Stangler voted against the issuance based upon these findings:

- I The request for the Conditional Use Permit does not conform to the County Land Use Plan;
- I There was no evidence of an erosion problem at the site prior to the construction of the Lake Access per the before and after pictures submitted at the Planning and Zoning Commission Public Hearing;
- I Blatant disregard for the Ordinance and County Staff

On motion by Grimm, seconded by Connolly and approved, the Board adjourned until 9:30 a. m. on Tuesday August 18, 2009.

At 1:30 p.m. the Board held a work session with Gary Weiers, Rice County Administrator, on County Government Administration.

ATTEST: _____

Le Sueur County Auditor

Le Sueur County Chairman