

**Minutes of Le Sueur County Board of Commissioners Meeting
Tuesday, May 26, 2009**

The Le Sueur County Board of Commissioners met in regular session on Tuesday, May 26, 2009 at 9:30 a.m. in the Courthouse at Le Center, Minnesota. Those members present were: Joe Connolly, John Grimm, Robert Culhane, William Stangler, and Joseph Doherty, Chairman. Also present were Brent Christian and Peggy Donovan.

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 Stangler and unanimously approved, the Board approved the consent agenda:

- Approval of May 19, 2009 County Board Meeting Minutes
- Approval of County Ditch #4 Repair Request

Kathy Brockway, Planning and Zoning Administrator appeared before the Board with the following action items:

On motion by Connolly, seconded by Culhane and unanimously approved via roll call vote 5-0, the Board granted a Conditional Use Permit to DAVE & ANN FALTIN, HENDERSON, MN (APPLICANT/OWNER); to allow the applicant to construct a single-family dwelling in an Agricultural Residential "AR" District. Property is located in the SE 1/4 NE 1/4, Section 7, Sharon Township.

On motion by Culhane, seconded by Stangler and unanimously approved via roll call vote 5-0, the Board granted a Conditional Use Permit to LE SUEUR COUNTY PARK DEPARTMENT, LE CENTER, MN (APPLICANT); LE SUEUR COUNTY, LE CENTER, MN (OWNER); to allow grading and filling of approximately 150 cubic yards of materials in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Volney. Property is located in Government Lot 3, Section 6, Kilkenny Township.

On motion by Culhane, seconded by Connolly and unanimously approved via roll call vote 5-0, the Board granted a renewal of Conditional Use Permit #24033 to MATHIOWETZ CONSTRUCTION CO., SLEEPY EYE, MN (APPLICANT); JEFF STANGLER, WATERVILLE, MN, (OWNER); granted in April 2004 in an Agricultural Residential "AR" District. Property is located in the SE 1/4 SW 1/4, Section 29, Waterville Township. This renewal is approved with the following conditions:

- Continue to abide by conditions as set forth in Section 20, of the LSC Ordinance;
- Work with the County Engineer on an agreement regarding the maintenance of the access and road shoulders to the pit.

LINCOLN OUTDOOR ADVERTISING, BURNSVILLE, MN (APPLICANT); JAKE FRETTEY & DAVID SIWEK, JORDAN, MN (OWNER); request that the County grant a

Conditional Use Permit to allow the applicant to construct a billboard in a Business “B” District. Property is located in SE 1/4 SW 1/4, Section 17, Tyrone Township. On motion by Grimm, seconded by Culhane with Commissioners Culhane, Connolly, and Grimm voting aye and Commissioners Stangler and Doherty voting nay, the motion to grant a Conditional Use Permit to allow the applicant to construct a billboard in a Business “B” District failed. Commissioner Stangler made a motion to deny the issuance of a Conditional Use Permit due to safety issues and adequate advertising. Commissioner Doherty stepped down from the Chair and Vice-Chair Connolly presided. Commissioner Doherty seconded the motion. The roll call results were Commissioners Stangler and Doherty voting aye and Commissioners Connolly, Culhane and Grimm voting nay. The motion fails. There is a 60-day time limit to make certain land use decisions by Le Sueur County. This time limit does apply to applications for Conditional Use Permits. The 60-day time limit expires on June 12, 2009 at 4:30 pm on this application; therefore if the Le Sueur County Board of Commissioners does not take action on the application at a future meeting, it is automatically approved.

Commissioner Doherty resumed the Chair.

On motion by Grimm, seconded by Stangler and approved via a roll call vote 5-0, the Board granted to ANGIE MC LAUGHLIN, MONTGOMERY, MN (APPLICANT/OWNER) a 1-year extension to Conditional Use Permit # 28008 granted on April 1, 2008 for the operation of a Level 2 Home Occupation to allow for keeping of more than 2 boarders for an Adult Foster Care Facility. Property is located in the SW 1/4 NE 1/4, Section 26, Lanesburgh Township.

On motion by Stangler, seconded by Grimm and unanimously approved, the Board authorized the Chair and the County Coordinator to sign the Agreement between Unimin Minnesota Corporation and Le Sueur County for the CSAH 23/36 Road Project.

The following bids were received for County Road 100, CP 2019:

Chard Tiling and Excavating, Inc.	\$1,014,916.85
Borneke Construction, Inc.	\$1,029,547.62
Barnett Bros., Inc.	\$1,147,509.32
Friedges Contracting, Inc.	\$1,170,667.17
Midwest Contracting, LLC	\$1,177,602.67
North Pine Aggregate Inc.	\$1,191,148.61
The Mathiowetz Construction Company	\$1,249,337.22
Central Specialties Incorporated	\$1,270,212.06
Griffin Construction Co.	\$1,325,652.14
Scherff Inc.	\$1,439,673.41
Rud Excavating	\$1,457,674.31
Minnerath Construction, Inc.	\$1,490,789.64

On motion by Stangler, seconded by Grimm and approved, the Board accepted the low bid for County Road 100, CP 2019 in the amount of \$1,014,916.85 from Chard Tiling and Excavating, Inc.

Bob Goede, Minnesota Counties Insurance Trust Account Representative, presented the 2008 Member Report for the county's liability/property and worker's compensation insurance.

On motion by Culhane, seconded by Grimm and unanimously approved, the Board granted permission to Cindy Westerhouse, Personnel Coordinator, to post and call for the merit system list for a full time Social Worker in the Human Services Department at a C41 Step 1 \$18.94 per hour.

Jim McMillen, Building Maintenance Engineer, appeared before the Board to discuss maintenance projects for 2009. The Board directed Jim to gather cost estimates for tree replacements for the courthouse park and the area around the Sheriff's Department. These trees were lost in the wind storm in July 2008.

Jim McMillen was instructed by the Board to check into the most cost effective way to repair the sidewalk lights on the east side of the courthouse and to report back to the Board.

On motion by Grimm, seconded by Connolly and unanimously approved, the Board authorized the Board Representative, Commissioner John Grimm, to sign the South Central WorkForce Council Joint Powers Agreement on behalf of Le Sueur County for the period of July 1, 2009 to June 30, 2012.

On motion by Connolly, seconded by Stangler and approved, the Board adjourned until Tuesday, June 9, 2009 at 9:30 am.

Cindy Westerhouse, Personnel Coordinator, provided video training to the Board on harassment and respect in the workplace.

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