

**Minutes of Le Sueur County Board of Commissioners Meeting  
April 28, 2020**

The Le Sueur County Board of Commissioners met in regular session on Tuesday, April 28, 2020 at 9:00 a.m. in the Courthouse at Le Center, Minnesota. Those members present were: John King (remote), Dave Gliszinski (remote), Lance Wetzel (remote), Steve Rohlring and Danny O’Keefe. Also present were Darrell Pettis and Brent Christian.

On motion by O’Keefe, seconded by Wetzel and approved via roll call vote 5 to 0, the Board approved the agenda for the business of the day.

On motion by King, seconded by Gliszinski and approved via roll call vote 5 to 0, the Board approved the consent agenda:

- Approved the April 21, 2020 County Board Minutes and Summary Minutes.

Joshua Mankowski, P&Z Administrator appeared before the Board with 6 items for consideration.

On motion by Wetzel, seconded by O’Keefe and approved via roll call 5 to 0, the Board granted a Conditional Use Permit to LINSEY SCHMAHL, ELYSIAN, MN, (APPLICANT); HARRY J CLARK, ELYSIAN, MN, (OWNER) to allow the applicant to transfer the development right from the NE/SE to the SW/SE in an Agriculture “A” District. Property is located in Government Lot 4 and the SW 1/4 SE 1/4, Section 34, Elysian Township. The application is approved as written. The findings are on file at the Planning & Zoning Office.

On motion by Gliszinski, seconded by O’Keefe and approved via roll call 5 to 0, the Board granted a Conditional Use Permit to JEFF ANDERSON, MADISON LAKE, MN, (APPLICANT) RANDY JOHNSON, CLEVELAND, MN, (OWNER) to allow grading, excavating, and filling of 111.5 total cubic yards on a lot, of which 105.5 cubic yards in the bluff, 6 cubic yards in the bluff impact zone, 70.5 cubic yards in the shore impact zone for the construction of retaining walls, stairs, and shoreline rip rap in a Recreational Residential “RR” District, and a Flood Fringe “FF” Floodplain District on Lake Jefferson, a Recreational Development “RD” lake. Property is located at Lots 9 & 10, Jefferson Highlands, Section 2, Cleveland Township. The application is approved with the following conditions:

1. Installation shall meet all grading, filling, and excavating standards as regulated by this Ordinance.
2. Only natural rock, excluding limestone and similar erosive materials, shall be used that is free of debris that may cause pollution or siltation.
3. Rock rip rap cannot average less than 6 inches or more than 30 inches in diameter.
4. A filter of crushed rock, gravel, excluding limestone or other erosive materials, or filter fabric material shall be placed underneath the rock rip rap.
5. The minimum finished slope above the OHWL shall not be steeper than 3 to 1, as measured horizontal to vertical.
6. The rip rap shall conform to the natural alignment of the shore.
7. For lakes, the riprapped area shall be 200 feet or less along lakes and wetlands.
8. Any activity below the OHWL shall meet all DNR standards.

The findings are on file at the Planning & Zoning Office.

On motion by King, seconded by Wetzel and approved via roll call 5 to 0, the Board granted an After-The-Fact Conditional Use Permit to LINDA HILLIGOSS, ST PETER, MN, (APPLICANT); DANIEL & LINDA HILLIGOSS, ST PETER, MN, (OWNER) to allow the applicant to operate a riding academy and boarding stable in an Agriculture "A" District. Property is located in the SW 1/4, Section 27, Kasota Township. The application is approved with the following conditions:

1. To operate and maintain the facility such that there is no discharge to surface and ground waters.
2. To apply the manure at agronomic rates and if needed, acquire additional acreage for land application.
3. To adhere to County and state setbacks to sensitive features during the land application of manure.
4. To work with the Department to find stockpile locations that will meet the requirements of Minnesota Administrative Rules, Chapter 7020 and Le Sueur County Zoning Ordinance.
5. To adhere to the Minnesota Board of Animal Health's animal mortality requirements.

The findings are on file at the Planning & Zoning Office.

On motion by Gliszinski, seconded by O'Keefe and approved via roll call 5 to 0, the Board granted a Conditional Use Permit to JACOB JAMES, ELYSIAN, MN, (APPLICANT\OWNER) to allow grading, excavating, and filling of approximately 25,389 cubic yards for mineral extraction reclamation in an Agriculture "A" District, and a Mineral Resources "MR" Overlay District. Property is located in the NW 1/4 SE 1/4, Section 36, Elysian Township. The application is approved with the following conditions:

1. All three parties work together.

The findings are on file at the Planning & Zoning Office.

On motion by Gliszinski, seconded by King and approved via roll call 5 to 0, the Board granted a Conditional Use Permit to VETTER STONE COMPANY, MANKATO, MN, (APPLICANT); COVIA CORPORATION, KASOTA, MN, (OWNER) to allow the applicant to amend hours of operation of an existing Conditional Use Permit # 10044 in a Conservancy "C" District, and a Mineral Resources "MR" Overlay District. Property is located in the SW 1/4, Section 17, Kasota Township. The application is approved with the following conditions:

1. Hours of operation 5 a.m. to 7 p.m. Monday through Saturday.

The findings are on file at the Planning & Zoning Office.

On motion by Wetzel, seconded by Gliszinski and approved via roll call 5 to 0, the Board granted a Conditional Use Permit to MARIGOLD COMMUNITY SOLAR GARDEN, LLC EDINA, MN (APPLICANT); ROGER & DARLENE ADAMS & MONICA KELLY, WATERVILLE, MN (OWNER) to allow the applicant to construct a 1MW Solar Garden in an Agriculture "A" District. Property is located in the SW 1/4 SE 1/4, Section 32, Waterville Township. The application is approved as written. The findings are on file at the Planning & Zoning Office.

Holly Kalbus, Environmental Resource Specialist, appeared before the Board with three items for consideration.

On motion by Gliszinski, seconded by King and approved via roll call vote 5 to 0, the Board approved and authorized the Chair to sign the Agreement for Services with Wildlife Forever for AIS Prevention public service announcements.

On motion by O'Keefe, seconded by Wetzel and approved via roll call 5 to 0, the Board approved an Aggregate Tax cost share project with Linda Good. Estimated project cost of \$9,041, cost share of 50% of eligible project costs with the total cost share not to exceed \$5,000.

On motion by King, seconded by O'Keefe and approved via roll call 5 to 0, the Board approved an Aggregate Tax cost share project with Janice Graff. Estimated project cost of \$10,971, cost share of 50% of eligible project costs with the total cost share not to exceed \$5,000.

Amy Beatty, Environmental Services appeared before the Board with several items for discussion and approval.

On motion by Wetzel, seconded by Gliszinski and approved via roll call vote 5 to 0, the Board approved the 2020 - 2021 Solid Waste Licenses and the City Composting/Recycling Facilities as follows:

City Composting Facilities - waive the licensing fee, insurance and bonding requirements.

1. City of Cleveland
2. City of Le Center
3. City of Le Sueur
4. City of Montgomery
5. City of St. Peter

City Recycling Facilities - waive the licensing fee and bonding requirement.

1. City of Le Center

Township Recycling Facilities - waive the licensing fee and bonding requirement.

1. Waterville Township

County Recycling Facilities - waive the licensing fee and bonding requirement.

2. Le Center Highway Shop (515 South Maple Ave, Le Center)
3. Cleveland Highway Shop (1199 Dodd Rd, Cleveland)

Collection and Transportation of Solid Waste License

1. City of Le Center- 1 truck-waive the licensing fee and bonding requirement.

Collection and Transportation of Solid Waste and Recyclables

- Clean and Green Divine Dumpsters LLC/DBA Bin Pro – 2 Trucks - \$120.00
- Lakers New Prague Sanitary, Inc-New Prague, MN-5 Trucks-\$225.00
- LJP Enterprises, Inc-North Mankato, MN-13 Trucks-\$505.00

Recycling Facilities

1. Barnett Brothers, Inc-Kilkenny, MN - \$200.00
2. Fessel's Wood Recycling Services, LLC – Waterville, MN - \$200.00
3. Selly Excavating, Inc-Le Center, MN-\$200.00

On motion by O'Keefe, seconded by Wetzel and approved via roll call 5 to 0, the Board approved the request by Waterville Township for SCORE funding in the amount of \$9,099,60 for the operation of the recycling facility during the period of May 1, 2019 to April 30, 2020.

On motion by King, seconded by O'Keefe approved via roll call 4 to 0 with Rohlfing abstaining, the Board changed the Section 2, Duration, from July 20, 2020 to September 1, 2020 and approved the Interim Ordinance Establishing Temporary Feedlot Regulations.

Mike Schultz, SWCD District Manager appeared before the Board with one item for consideration.

On motion by O'Keefe, seconded by King and approved via roll call vote 5 to 0, the Board approved the January 1, 2020 to December 31, 2020 SWCD Contract for Ditch Services.

Cindy Shaughnessy, Public Health Director appeared before the Board to discuss Le Sueur County's response to the COVID-19 pandemic.

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

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

On motion by Gliszinski, seconded by Wetzel and approved via roll call vote 3 to 2, with Gliszinski, Wetzel and Rohlfing voting Yea and King and O'Keefe voting Nay, the Board approved the On and Off Sale 3.2% Beer License for Beaver Dam.

**Commissioner Committee Reports:**

- Commissioner Gliszinski reported on Dept. Head meetings.
- Commissioner King reported on Personnel Committee, Broadband meetings.
- Commissioner Wetzel reported on Dept. Head meetings.
- Commissioner O'Keefe reported on Dept. Head meetings.
- Commissioner Rohlfing reported on Region 9.

On motion by O'Keefe, seconded by Wetzel and unanimously approved, the Board adjourned until Tuesday, May 5, 2020 at 9:00 a.m.

**ATTEST:** \_\_\_\_\_  
**Le Sueur County Administrator**

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**Le Sueur County Chairman**

