

Minutes of Le Sueur County Board of Commissioners Meeting May 28, 2019

The Le Sueur County Board of Commissioners met in regular session on Tuesday, May 28, 2019 at 9:00 a.m. at the Courthouse in Le Center, Minnesota. Those members present were: John King, Dave Gliszinski, Steve Rohlfing, Danny O'Keefe and Lance Wetzel. Attorney Brent Christian and County Administrator Darrell Pettis were also present.

On motion by Gliszinski, seconded by Wetzel and unanimously approved, the Board approved the agenda.

On motion by Rohlfing, seconded by O'Keefe and unanimously approved, the Board approved the consent agenda:

- Approved the February 19, 2019 County Board Minutes and Summary Minutes
- Approved tobacco licenses for Davis Market Place (117 E. Main St. E., Elysian), Vet's Whoa N' Go (205 N Main, Le Sueur), Casey's General Store #2570 in Waterville.
- Church of St. Henry (165 N. Waterville Ave., Le Center) for a 3.2 Beer License

Joshua Mankowski, Planning & Zoning Administrator appeared before the Board with several items for approval.

On motion by Wetzel, seconded by O'Keefe and approved via roll call 3-2 with Wetzel, O'Keefe and Gliszinski voting aye and Rohlfing and King nay, the Board approved the denial of a Conditional Use Permit to USS Water Town Solar LLC, Minneapolis, MN, (Applicant); Robert Culhane Jr, Waterville, MN (Owner) to allow the applicant to construct a 1 MW Solar Garden in an Agriculture "A" District. Property is located in the West half of the SW quarter, Section 34, Waterville Township. The application was denied and findings are on file at the Planning & Zoning Office.

On motion by Wetzel, seconded by Gliszinski approved via roll call 3-2 with Wetzel, O'Keefe and Gliszinski voting aye and Rohlfing and King nay, the Board approved the denial of a Conditional Use Permit to USS Water Town Solar LLC, Minneapolis, MN, (Applicant); Robert Culhane Jr, Waterville, MN (Owner) to allow the applicant to construct a 1 MW Solar Garden in an Agriculture "A" District. Property is located in the West half of the SW quarter, Section 27, Waterville Township. The application was denied and findings are on file at the Planning & Zoning Office.

On motion by Rohlfing, seconded by Wetzel and unanimously approved via roll call 5-0, the Board approved an After-The-Fact Conditional Use Permit to Peter & Kay Weller, Waterville, MN, (Applicant/Owner) to allow grading, excavating, and filling of 147.7 cubic yards of material on the lot which included 58.3 cubic yards of material outside the shore impact zone, 89.4 cubic yards of material within the shore impact zone and within the bluff, and 15 cubic yards within the bluff impact zone; for the construction of a 46' x 1' retaining wall located in the bluff, bluff impact zone, and shore impact zone; and also the ends of three retaining walls located within the shore impact zone, bluff impact zone and bluff resulting from a neighboring

project that extended beyond the property line. Property is located in a Mineral Resources “MR” Overlay District, Flood Fringe “FF” Floodplain “FP” District and a Recreational Residential “RR” District, on Lake Tetonka, a Recreational Development “RD” lake. Property is located at Lot 3, Block 1, Warner’s Tetonka Addition, Section 19, Waterville Township. The application was approved with the following conditions and findings are on file at the Planning & Zoning Office.

1. The applicant maintain the native vegetation that is currently growing on the bluff. The native vegetation will help with slope stability and reducing runoff and erosion.

On motion by Gliszinski, seconded by O’Keefe and unanimously approved via roll call 5-0, the Board approved a Conditional Use Permit to Buell Consulting, St Paul, MN, (Applicant); Randall Roemhildt, Elysain, MN, (Owner) to allow the applicant to construct a 259-foot cell tower in an Agriculture “A” District. Property is located in the SW 1/4 SW 1/4, Section 8, Elysian Township. The application was approved with the following conditions and findings are on file at the Planning & Zoning Office.

1. The footings are removed within eight feet of the surface during decommissioning instead of the proposed three feet.

On motion by Gliszinski, seconded by Rohlfing and unanimously approved, the Board approved to set a bonding requirement at 10% of the total project cost for the construction of a 259 foot cell tower by Buell Consulting, St Paul, MN, (Applicant); Randall Roemhildt, Elysain, MN, (Owner).

On motion by Wetzel, seconded by Gliszinski and unanimously approved via roll call 5-0, the Board approved a Conditional Use Permit to Mathew Cavanaugh, New Prague, MN, (Applicant/Owner) to allow grading, excavating, and filling of 1294 cubic yards of material to accommodate a walkout dwelling in a Recreational Residential “RR” District, on Lake Tetonka, a Recreational Development “RD” lake. Property is located in Government Lot 2, Section 18, Waterville Township. Findings are on file at the Planning & Zoning Office.

On motion by Rohlfing, seconded by O’Keefe and unanimously approved via roll call 5-0, the Board approved a Conditional Use Permit to David & Judy Kerr, Mankato, MN, (Applicant/Owner) to allow grading, excavating, and filling of 290 cubic yards of material to accommodate a walkout dwelling in a Recreational Residential “RR” District, on Lake Jefferson, a Recreational Development “RD” lake. Property is located at Lot 4, Block 2, Roy’s Landing, Section 3, Washington Township. Findings are on file at the Planning & Zoning Office.

Sheriff Brett Mason appeared before the Board with two items for approval.

On motion by Wetzel, seconded by O’Keefe and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the 2019 State of Minnesota Annual County Boat and Water Safety Grant Agreement in the amount of \$9,729.

On motion by O’Keefe, seconded by Rohlfing and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the 2019 State of Minnesota Federal Supplemental Boating Safety Patrol Grant Agreement in the amount of \$3,875.

Holly Kalbus, Environmental Resources Specialist appeared before the Board with one item for approval.

On motion by O’Keefe, seconded by Rohlfing and unanimously approved, the Board approved the use of \$1,692.58 from the Gravel Tax Fund for the Brenda Hennek Project.

Cindy Shaughnessy, Public Health Director and Andrew Nicolin, REHS appeared before the Board to present information on the proposed repeal and replacement of Le Sueur – Waseca Community Health Board County Ordinances.

On motion by Rohlfing, seconded by Wetzel and unanimously approved, the Board approved to open the public hearing on the proposed repeal and replacement of Le Sueur – Waseca Community Health Board County Ordinances at 9:37 a.m.

On motion by O’Keefe, seconded by Gliszinski and unanimously approved, the Board approved to close the public hearing on the proposed repeal and replacement of Le Sueur – Waseca Community Health Board County Ordinances at 9:38 a.m. with no public comments given.

On motion by Wetzel, seconded by Rohlfing and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the Le Sueur County Food and Beverage Ordinance No. 104.

On motion by O’Keefe, seconded by Gliszinski and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the Le Sueur County Lodging Ordinance No. 100.

On motion by Rohlfing, seconded by Wetzel and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the Le Sueur County Manufactured Home Park and Recreational Camping Area Ordinance No. 102.

On motion by O’Keefe, seconded by Gliszinski and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the Le Sueur County Swimming Pool Ordinance No. 103.

On motion by Wetzel, seconded by Rohlfing and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the Le Sueur County Youth Camp Ordinance No. 101.

Dave Tieg, Highway Engineer appeared before the Board with two items for approval.

On motion by Wetzel, seconded by Gliszinski and unanimously approved, the Board approved to award the SAP 040-622-001 (County Road 104) contract to Max Johnson Trucking in the amount of \$11,765,931.94

On motion by Rohlfing, seconded by Wetzel and unanimously approved, the Board approved to award the CP 2015 (County Road 104) to Mathiowetz Construction in the amount of \$1,088,426.67

Justin Lutterman, GIS Director appeared before the Board with one item for approval.

On motion by Rohlfing, seconded by Wetzel and unanimously approved, the Board approved an out-of-state travel request to attend a Schneider (Beacon) Conference in Savannah, GA from September 30 – October 1, 2019.

Darrell Pettis, County Administrator appeared before the Board with several items for discussion and approval.

On motion by Wetzel, seconded by Gliszinski and approved with Rohlfing abstaining, the Board approved to schedule a West Jefferson User Fees Public Hearing for June 18, 2019 at 10:15 a.m.

On motion by Wetzel, seconded by Rohlfing and unanimously approved, the Board approved the recommendation by Lance Wetzel to appoint Roy McIntyre to the Board of Adjustment.

Commissioner Committee Reports:

- Commissioner Wetzel attended a South Central EMS meeting and a MN Valley Coalition meeting.
- Commissioner O’Keefe attended a Justice Center progress meeting.
- Commissioner Rohlfing attended a LCDS meeting and a German Jefferson Lakes Association meeting.
- Commissioner Gliszinski attended a Justice Center progress meeting.
- Commissioner King attended a Justice Center progress meeting, Parks Board meeting and a Broadband Initiative meeting.

On motion by Wetzel, seconded by Rohlfing and unanimously approved, the Board adjourned until Tuesday, June 4, 2019 at 9:00 a.m.

ATTEST: _____
Le Sueur County Administrator

Le Sueur County Chairman