

**McLEOD COUNTY
BOARD OF COMMISSIONERS
MEETING MINUTES – July 5, 2017**

CALL TO ORDER

The regular meeting of the McLeod County Board of Commissioners was called to order at 9:00 a.m. by Chair Joe Nagel at the Glencoe City Center. Commissioners Pohlmeier, Shimanski, Krueger and Wright were present. County Administrator Patrick Melvin, Administrative Assistant Donna Rickeman and County Attorney Michael Junge were also present.

PLEDGE OF ALLEGIANCE

CONSIDERATION OF AGENDA ITEMS

- A) Add under Administration Item D: Consider approval of letter from McLeod County to Meeker-McLeod-Sibley Community Health Board regarding office space request.
- B) Move from under Consent to County Administration Item I: Approve Conditional Use Permit 17-12 requested by Gerald Vasek for the purpose of an accessory structure for personal storage in which the combined square footage of garage and accessory buildings will be greater than 2,000 square feet in the "R-1" Rural Residential District, Swan Lake Estates, Lot One (1) Block Three (3), Section 29, Hale Township. The Board of Hale Township unanimously recommended approval on June 8, 2017. The Planning Advisory Committee unanimously recommended approval on June 28, 2017. This was removed to clarify property description.

Krueger/Pohlmeier motion carried unanimously to approve the agenda as revised.

CONSENT AGENDA

- A) June 20, 2017 Meeting Minutes and Synopsis.
- B) June 16, 2017 Auditor's Warrants.
- C) June 19, 2017 Auditor's Warrants.
- D) June 21, 2017 Auditor's Warrants.
- E) June 23, 2017 Auditor's Warrants.
- F) Approve Judicial Ditch #9 Change Order #3 in the amount of \$1,650 to remedy bank failures and washouts by adding two (2) spill pipe outlets to collect the overland water flow before ditch bank erosion occurs.

- G) Approve application and permit for a 1 day temporary on-sale liquor license for St. Mary's Care Center, Winsted, Minnesota for their event being held on September 9, 2017 at 230th St., Winsted, Minnesota.
- H) Approve request from Ron Swenson, representing Peace Lutheran Church, to expand burial area of the cemetery by .848 acre of 1.056 surveyed areas. The addition will utilize their existing entrance. Zoning staff has no concerns. The request meets the McLeod County Comprehensive Land Use Plan and is consistent with the Joint Planning Ordinance. This property is owned by Peace Lutheran Church in Section 26 of Acoma Township. The Board of Hutchinson Joint Planning recommended approval on June 21, 2017 with the following conditions:
 - 1. Use existing easement.
 - 2. Fence be moved to new westerly perimeter and work with neighbor.
 - 3. Quit Claim and combine the two properties together as one parcel.

Wright/Krueger motion carried unanimously to approve the consent agenda.

PAYMENT OF BILLS – COMMISSIONER WARRANT LIST

Road and Bridge Fund	\$30,910.00
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Shimanski/Krueger motion carried unanimously to approve payment of bills totaling \$30,910.00 from the aforementioned funds.

SOCIAL SERVICES – Director Gary Sprynczynatyk

- A) Gary Sprynczynatyk requested approval to transfer \$200,000 to Trailblazer Transit for temporary purposes until Trailblazer receives MnDOT funding it is entitled to but won't be released until later.

McLeod Social Service Center has \$ 50,000 in 2017 budget for Trailblazer Transit Operations but has not been billed for these moneys. This \$50,000, plus \$150,000 from Social Service Reserves, is requested as soon as possible as a loan through likely July 2017. Funds would be returned upon receipt of MnDOT withhold moneys which should be within 4-6 weeks. Trailblazer is seeking a line of credit with local bank to alleviate this problem in the future.

Nagel/Krueger motion carried unanimously to approve the transfer of \$200,000 to Trailblazer Transit for temporary purposes until Trailblazer receives MnDOT funding.

ROAD AND BRIDGE – Engineer John Brunkhorst

- A) John Brunkhorst requested approval of quote from Vreeman Construction, Inc. (Clara City, MN) to install centerline drain tile and headwalls for CP 17-062-01 on County Road 62 between CR 70 and TH 22 for an estimated cost of \$43,050 with funding coming from Wheelage Funds.

Other quotes include: Wuetherich Drainage (Norwood, MN) \$26,152 and Litzau Farm Drainage (Lake Lillian, MN) \$75,200.

Highway Department recommends hiring Vreeman because they are trenching the tile instead of plowing it in. The trenching will disturb the road core less.

Wright/Krueger motion carried unanimously to approve quote from Vreeman Construction, Inc. (Clara City, MN) to install centerline drain tile and headwalls for CP 17-062-01 on County Road 62 between CR 70 and TH 22 for an estimated cost of \$43,050 with funding coming from Wheelage Funds.

- B) John Brunkhorst requested approval of quote from Travis Plut (LeSueur, MN) to bore a 24" steel pipe under County State Aid Highway 17 near Underwood Avenue for a lump sum fee of \$25,500 with funding coming from Local and State Aid.

Other quotes include: Litzau Farm Drainage (Lake Lillian, MN) \$31,820 PVC and Litzau Farm Drainage (Lake Lillian, MN) \$37,800 Steel.

This pipe is needed to regain capacity of original culvert that was lined a few years back in conjunction with the rehabilitation project on CSAH 17. Boring an additional pipe is cheaper than open cutting the road and installing a new larger culvert.

Wright/Shimanski motion carried unanimously to approve quote from Travis Plut (LeSueur, MN) to bore a 24" steel pipe under County State Aid Highway 17 near Underwood Avenue for a lump sum fee of \$25,500 with funding coming from Local and State Aid.

- C) John Brunkhorst requested adoption of Resolution 17-RB03-23 supporting the abolishment of the Trunk Highway 15 Coalition and utilizing remaining funds toward a MnDOT led passing lane study between Hutchinson and I-94.

Nagel/Pohlmeier motion carried unanimously to adopt 17-RB03-23 supporting the abolishment of the Trunk Highway 15 Coalition and utilizing remaining funds toward a MnDOT led passing lane study between Hutchinson and I-94.

PLANNING AND ZONING – Administrator Larry Gasow

- A) Larry Gasow requested approval of Mining Conditional Use Permit 17-13 requested by David Luedtke of Luedtke Contracting to renew an existing gravel operation to include mining, crushing and stockpiling on property owned by Bonnie Lou Krueger located within 7.87 acres of the W ½ of the SW ¼ Section 22, Acoma Township.

Acoma Township recommended approval at their June 8, 2017 meeting with certain recommended conditions. If those conditions were not applied, they would recommend denial. The Planning Advisory Committee recommended approval at their June 28, 2017 meeting with the following conditions:

1. The hours of operation shall be Monday through Friday 7:00 A.M to 7:30 P.M. and Saturday's from 7:00 A.M. to 12:00 P.M., as needed. Applicant shall notify the Zoning Office if Saturday work occurs.
2. Applicant shall keep current DNR Dewatering Permit and meet all NPDES requirements.
3. No Wetland impacts shall take place unless prior approval from all agencies with jurisdiction.
4. Applicant shall maintain all State, local and Federal Permits.
5. All gravel pit conditions shall be adhered to, such as maintaining haul route and applying appropriate dust control measures.
6. Maintain at least a 25 foot buffer to the ditch and install erosion control measures to keep sediment from entering the ditch.
7. Applicant shall follow a restoration plan with a 4:1 grade and notify the Zoning Office for a restoration inspection.
8. Crushing and stockpiling shall take place within a 15 day period every year.

Tom Dahl, Acoma Township supervisor, indicated the township board approved the Luedtke request based on the premise that the same conditions would be attached to the renewal as were attached to a similar permit for a mining pit operated by Craig Reiner, also in Acoma Township. Larry Gasow indicated the county has an ordinance with general guidelines for mining operations, but then attach conditions for each permit based on the type of operation and location.

Nagel/Pohlmeier motion carried unanimously to approve Mining Conditional Use Permit 17-13 requested by David Luedtke of Luedtke Contracting to renew an existing gravel operation to include mining, crushing and stockpiling on property owned by Bonnie Lou Krueger located within 7.87 acres of the W ½ of the SW ¼ Section 22, Acoma Township with hours changed to 7:00 AM to 7:30 PM, Monday through Friday and additional condition #8 listed above.

- B) Larry Gasow requested approval of Mining Conditional Use Permit 17-14 requested by Duininck Bros. Inc. on property owned by Paul Lind for the purpose

of renewing a mining operation to include processing and stockpiling of gravel. Upon completion, the restoration will be utilized for wildlife purposes. This property is located within Gov't Lot 3 of Section 22 in Acoma Township.*

Acoma Township recommended approval at their June 8, meeting with certain recommended conditions. If those conditions were not applied, they would recommend denial. The Planning Commission unanimously recommended approval at their meeting on June 28, 2017 with the following conditions:

1. The hours of operation shall be Monday through Friday 7:00 A.M to 7:30 P.M. and Saturday's from 7:00 A.M. to 12:00 P.M., as needed. Applicant shall notify the Zoning Office if Saturday work occurs.
2. Applicant shall keep current DNR Dewatering Permit.
3. All MPCA Permits shall be maintained.
4. If pumping, dewatering, or mining in the Pit area west of Underwood Avenue and South of the access, applicant shall try to reclaim at a 4:1 grade as best they are able as mining takes place and notify Zoning Office so an inspection can be made.
5. No wetland or floodplain impacts shall take place unless prior approval from any agency with jurisdiction.
6. All gravel pit conditions shall be adhered to, such as maintaining haul route and applying appropriate dust control measures.
7. Temporary "Trucks Hauling" signs shall be placed on Vista road when hauling.
8. A Letter of Credit or Bond in the amount \$27,000 shall be submitted to the Zoning Office.
9. Applicant shall stay Sixty (60) feet from the Centerline of Underwood Avenue.
10. Applicant shall follow restoration plan with backsloping at a 4:1 grade and shall notify Zoning Office as restoration takes place so an inspection can be made.

Nagel/Shimanski motion carried unanimously to approve Mining Conditional Use Permit 17-14 requested by Duinick Bros. Inc. on property owned by Paul Lind for the purpose of renewing a mining operation to include processing and stockpiling of gravel. Upon completion, the restoration will be utilized for wildlife purposes with hours changed to 7:00 AM to 7:30 PM, Monday through Friday.

- C) Larry Gasow requested approval of Conditional Use Permit 17-12 requested by Gerald Vasek for the purpose of an accessory structure for personal storage in which the combined square footage of garage and accessory buildings will be greater than 2,000 square feet in the "R-1" Rural Residential District, Swan Lake Estates, Lot One (1) Block Three (3), Section 29, Hale Township. The Board of Hale Township unanimously recommended

approval on June 8, 2017. The Planning Advisory Committee unanimously recommended approval on June 28, 2017. Property description was verified.

Pohlmeier/Shimanski motion carried unanimously to approve Conditional Use Permit 17-12 requested by Gerald Vasek for the purpose of an accessory structure for personal storage in which the combined square footage of garage and accessory buildings will be greater than 2,000 square feet in the “R-1” Rural Residential District, Swan Lake Estates, Lot One (1) Block Three (3), Section 29, Hale Township.

CONSTITUENTS – Tim Litzau and Diane Roskammer

- A) Tim Litzau and Diane Roskammer shared concerns related to approval of the Conditional Use Permit JP-17-C3 requested by Adam Kaping to operate a home occupation of a landscaping business. A letter written by their attorney was not included in the June 6th board packet and could have made an impact on the board’s approval of the CUP. A number of reasons against the CUP were included in the letter.

The Zoning Office is scheduled to do an on-site visit on August 1st to ensure Mr. Kaping is operating in compliance to the original Conditional Use Permit and a CUP planning inspection visit on August 1st.

After inspections are complete, this will be brought back to the Board for review at 10:00 AM on August 8th with an invitation extended to the Joint Planning Board.

COUNTY ADMINISTRATION

- A) Pat Melvin requested appointment of Ron Shimanski to McLeod Sibley Trailblazer Health Insurance Joint Powers Board.

Krueger/Pohlmeier motion carried unanimously to appoint Ron Shimanski to McLeod Sibley Trailblazer Health Insurance Joint Powers Board.

- B) Pat Melvin requested appointment of Danielle Flores to the Employee Enrichment & Development Committee to replace Sadie Jenkins.

Pohlmeier/Shimanski motion carried unanimously to appoint Danielle Flores to the Employee Enrichment & Development Committee to replace Sadie Jenkins.

- C) Commissioner Paul Wright requested authorization of Highway Department labor and equipment to mow brush on the horse path adjacent to the Luce Line Trail between Hutchinson and Winsted, contingent on an Agreement

with the State of Minnesota through the DNR. Estimated time involved is 40-60 hours. This would be a onetime event and will be reviewed in a year.

Concerns were raised from Commissioner Shimanski in regards to putting employees and equipment at risk and would also prefer not to subsidize the Department of Natural Resources (DNR).

Sno Pros would like more documentation but are willing to work on getting in-kind dollars to help with the cost.

Krueger moved to have item tabled.

Motion failed for lack of second.

Wright/Krueger motion carried to authorize Highway Department labor and equipment to mow brush on the horse path adjacent to the Luce Line Trail between Hutchinson and Winsted, contingent on an Agreement with the State of Minnesota through the DNR not to exceed 60 hours.

Roll Call: Wright – Yes, Pohlmeier – Yes, Nagel – Yes, Shimanski – No, Krueger – Yes.

D) Commissioner Joe Nagel requested approval of letter from McLeod County to Meeker-McLeod-Sibley Community Health Board regarding office space request. It has been determined that the Solid Waste facility is no longer a viable alternative for space for Meeker-McLeod-Sibley Community Health Services (CHS) employees.

Pohlmeier/Shimanski motion carried unanimously to approve letter from McLeod County to Meeker-McLeod-Sibley Community Health Board indicating the Solid Waste facility is no longer a viable alternative for space for Meeker-McLeod-Sibley Community Health Services (CHS) employees.

CLOSED SESSION

Wright/Pohlmeier motion carried unanimously to close the meeting at 10:33 a.m. to discuss settlement offer for Shopko in Hutchinson and Jungclaus property located at 520 Chandler Avenue in Glencoe.

Pohlmeier/Shimanski motion carried unanimously to open the meeting at 11:12 a.m.

Wright/Pohlmeier motion carried unanimously to recess at 11:13 a.m. until 9:00 a.m. July 18, 2017 at the Glencoe City Center.

ATTEST:

Joe Nagel, Board Chair

Patrick Melvin, County Administrator