

**McLEOD COUNTY  
BOARD OF COMMISSIONERS  
MEETING MINUTES – April 5, 2016**

**CALL TO ORDER**

The regular meeting of the McLeod County Board of Commissioners was called to order at 9:00 a.m. by Chair Paul Wright in the Hutchinson High School Auditorium. Commissioners Nies, Shimanski, Nagel and Krueger were present. County Administrator Patrick Melvin, Administrative Assistant Donna Rickeman and County Auditor-Treasurer Cindy Schultz were also present.

**PLEDGE OF ALLEGIANCE**

At the request of the Board Chair, all present recited the Pledge of Allegiance.

Recognition of Student Government Day and review of schedule.

**CONSIDERATION OF AGENDA ITEMS**

**Nagel/Krueger motion carried unanimously to approve the agenda.**

**CONSENT AGENDA**

- A) March 22, 2016 Meeting Minutes and Synopsis.
- B) March 18, 2016 Auditor's Warrants.
- C) March 25, 2016 Auditor's Warrants.
- D) Approve Conditional Use Permit JP-C1 requested by Sandi Sportelli to construct an accessory building on her residential property for the purpose of operating a pet grooming, boarding and retail business located in Section 30, Hutchinson Township and within the Hutchinson Joint Planning Area. The Hutchinson Area Joint Planning Board unanimously recommended approval at their March 16, 2016 meeting.
- E) Approve Conditional Use Permit 16-07 requested by Brian Roushar for a kennel (West Country Kennels) for boarding and training up to 70 hunting dogs, of which 15 dogs will be used for breeding purposes. This property is located on 7.39 acres Section 26 of Bergen Township. The Board of Bergen Township unanimously recommended approval at their March 10, 2016 meeting. The Planning Advisory Committee unanimously recommended approval at their March 23, 2016 meeting with the following conditions:
  - 1. The hours of operation shall be Monday through Saturday from 8:00 AM to 5:00 PM. Pick up of boarding dogs shall be Sunday from 2:00 to 4:00 PM.

2. The maximum number of dogs shall be seventy 70.
  3. A licensed veterinary shall conduct a kennel inspection each year.
  4. Westside Country Kennels shall be licensed through the State of Minnesota.
- F) Approve Conditional Use Permit 16-08 requested by Jerry & Stacy Stibal of Lester Prairie to amend their original permit to increase an existing 20 dog kennel to a 30 dog kennel for the purpose of raising and breeding Woodland Beagles. This property is located within the Agricultural District on 4.24 acres Section 35 of Winsted Township. The Board of Winsted Township unanimously recommended approval at their March 17, 2016 meeting. The Planning Advisory Committee unanimously recommended approval at their March 23, 2016 meeting with the following conditions:
1. Applicant shall continue to monitor barking.
  2. The hours of operation are 7:00 AM to 7:00 PM.
- G) Approve Conditional Use Permit 16-10 requested by Mr. Jan T.A. Meske to construct an accessory structure to be 24' X 40' X 9' (960 sq. ft.) to be used for personal storage located in the front yard area on a parcel less than 3 acres within the Agricultural District, Section 11, Hutchinson Township. The Board of Hutchinson Township recommended approval on March 10, 2016. The Planning Advisory Committee recommended approval on March 23, 2016.
- H) Upon appeal, the Personnel Committee met on March 22, 2016 and confirmed Ed Homan's last day of employment will remain January 7, 2016.
- I) Approve Confession of Judgment for Jacob Zimmerman on Property ID 16.052.0150 in the City of Brownston.
- J) Approve agreement with the State of Minnesota for the annual Boat and Water Safety Grant. Matching funds will be \$3,533.00.

**Nies/Shimanski motion carried unanimously to approve the consent agenda.**

**PAYMENT OF BILLS – COMMISSIONER WARRANT LIST**

General Revenue	\$73,560.79
Road & Bridge	\$89,613.57
Solid Waste	\$18,302.96

**Shimanski/Krueger motion carried unanimously to approve payment of bills totaling \$181,477.32 from the aforementioned funds.**

**ROAD AND BRIDGE –Highway Engineer John Brunkhorst**

- A) John Brunkhorst requested adoption of Resolution 16-RB04-15 which designates the remainder of Adams Street as a County State Aid Highway.

This is part of a jurisdictional State Aid road transfer in the City of Hutchinson in accordance with the cooperative agreement that was approved on 9/6/11.

This is contingent upon the City of Hutchinson adopting similar resolutions.

**Shimanski/Nagel motion carried unanimously to adopt Resolution 16-RB04-15 which designates the remainder of Adams Street as a County State Aid Highway in accordance with the cooperative agreement that was approved on 9/6/11.**

- B) John Brunkhorst requested adoption of Resolution 16-RB05-16 which revokes portions of County State Aid Highway 115 (South Grade Road). This is part of a jurisdictional State Aid road transfer in the City of Hutchinson in accordance with the cooperative agreement that was approved on 9/6/11.

This is contingent upon the City of Hutchinson adopting similar resolutions.

**Nies/Shimanski motion carried unanimously to adopt Resolution 16-RB05-16 which revokes portions of County State Aid Highway 115 (South Grade Road) in accordance with the cooperative agreement that was approved on 9/6/11.**

- C) John Brunkhorst requested approval of attendance at the 45<sup>th</sup> Annual MN Transportation Alliance Washington Fly In June 7<sup>th</sup> through June 9<sup>th</sup>.

**Krueger/Nagel motion carried unanimously to approve out of state travel for County Highway Engineer John Brunkhorst and a Commissioner to attend the 45<sup>th</sup> Annual MN Transportation Alliance Washington Fly In June 7<sup>th</sup> through June 9<sup>th</sup>.**

#### **PARKS – Director Al Koglin**

- A) Al Koglin requested approval to set a Public Hearing for the McLeod County Trails Plan on May 3<sup>rd</sup> at 9:30 A.M.

**Krueger/Shimanski motion carried unanimously to set Public Hearing for the McLeod County Trails Plan on May 3<sup>rd</sup> at 9:30 A.M.**

#### **AUDITOR-TREASURER – Auditor-Treasurer Cindy Schultz Ford**

- A) Cindy Schultz Ford requested adoption of Resolution 16-CB-14 to amend Lease Agreement Number PS0332 with the State of Minnesota, Department of Public Safety, Driver and Vehicle Service for North Complex Meeting room rental. The amended lease will extend for 5 years with rent being \$1,500 a year and an additional \$100 each subsequent year.

**Shimanski/Nies motion carried unanimously to adopt Resolution 16-CB-14 to amend Lease Agreement Number PS0332 with the State of Minnesota, Department of Public Safety, Driver and Vehicle Service for North Complex Meeting room rental.**

**SOLID WASTE – Recycling Manager Don Hopp**

- A) Don Hopp requested approval of quote submitted Vik's Landscaping & Lawn Care (Hutchinson, MN) to build a glass conveyor enclosure for a cost of \$12,390.00.

This purchase will help comply with Conditional Use Permit and outdoor storage requirements which will eliminate blowing of shredded paper from the glass collection area.

Additional quote received: Vos Construction (Green Isle, MN) \$48,900.00.

**Nies/Nagel motion carried unanimously to approve quote from Vik's Landscaping & Lawn Care (Hutchinson, MN) to build a glass conveyor enclosure for a cost of \$12,390.00.**

- B) Don Hopp requested approval of a contract extension with Adult Training & Habilitation Center (ATHC) for six months, with revisions of monthly rental fee from \$19,250 to \$15,000 and equipment maintenance language (Currently expires on 4-30-2016).

**Nies/Shimanski motion carried unanimously to approve a contract extension with Adult Training & Habilitation Center (ATHC) for six months, with revisions of monthly rental fee from \$19,250 to \$15,000 and equipment maintenance language.**

- C) Don Hopp requested approval of a pilot project for rural curbside recycling collection for identified rural neighborhoods located in Acoma, Hutchinson, and Helen townships for a \$3.00 per month fee per household for approximately 275 households.

Project timeline to be effective from May 1, 2016 to April 30, 2017.

**Nagel/Krueger motion carried unanimously to approve a pilot project for rural curbside recycling collection for identified rural neighborhoods located in Acoma, Hutchinson, and Helen townships for a \$3.00 per month fee per household for approximately 275 households.**

- D) Don Hopp requested approval to provide refreshments at the 2016 Earth Day Open House Event on Friday, April 22<sup>nd</sup> at a cost not to exceed \$650.00.

**Nies/Nagel motion carried unanimously to provide refreshments at the 2016 Earth Day Open House Event on Friday, April 22<sup>nd</sup> at a cost not to exceed \$650.00.**

## PLANNING AND ZONING – Administrator Larry Gasow

- A) Tom Ollig of the Holy Trinity 2016 Winstock Country Music Festival requested approval for application of “Licenses to Permit Large Assemblies in McLeod County for the upcoming 2016 Winstock Country Music Festival. The event is scheduled June 9<sup>th</sup> through June 11<sup>th</sup>.

The purpose is to raise funds to help support Holy Trinity Schools in Winsted, MN. Holy Trinity has an enrollment in grades Preschool through 12<sup>th</sup> grade. This is a major fundraiser in their annual budget.

The assembly will begin on the 9<sup>th</sup> day of June, 2016 at 5:00 P.M. and end on the 11<sup>th</sup> day of June, 2016 at 11:59 P.M. The maximum number of persons anticipated to attend is 20,000 each day. The maximum number of tickets to be issued, sold or distributed is 20,000.

This property is located in the Northwest Quarter of the Northeast Quarter of Section (15) in the Township (117) North of Range (27) West.

Approvals have been granted by the property owners, Township and City. All appropriate signatures have been obtained for the City of Winsted and the State of Minnesota for the application to conduct annual Off-site Gambling and Permit for 1 to 4 day temporary on-sales liquor license. Both the pull tab booth and beer tent are located on property within the City of Winsted. Because of their location it is not necessary to secure approval for these licenses from either the Township or County.

McLeod County Sheriff granted written approval on March 16, 2016.

McLeod County Zoning Administrator granted written approval on March 17, 2016.

**Shimanski/Krueger motion carried unanimously to approve application of “Licenses to Permit Large Assemblies in McLeod County for the upcoming 2016 Winstock Country Music Festival. The event is scheduled June 9<sup>th</sup> through June 11<sup>th</sup>.**

- B) Larry Gasow requested approval of Conditional Use Permit 16-01 requested by CleodSun LLC on behalf of SunShare, LLC as an Essential Service on property owned by Steinkraus Lester Prairie LLC for the purpose of a Community Solar Garden. SunShare, LLC is planning an up to a 3 Megawatt (MW) garden upon approval by Xcel Energy of their application to provide them with renewable energy on the Xcel Energy power grid. The proposed Solar Garden meets all setbacks and requirements of the Zoning

Ordinance. The property will be fenced for security and safety reasons. Appropriate applications shall be submitted to local and State Agencies. This property is located within approximately 25 AC parcel in NW ¼ of NE ¼ of Section 32, Winsted Township.

Winsted Township did not make recommendation of the proposed application at their regular meeting on January 14, 2016 due to the request for additional information, which was provided on January 22, 2016.

On January 27, 2016, the Planning Advisory Committee recommended approval by majority vote being taken In Favor - 2; being In Opposition - 1, with the following conditions being applied:

1. Proof of Insurance shall be provided to the Zoning Office prior to any permits being issued.
2. A Bond or Letter of Credit in the amount of \$60,000 shall be submitted to the Zoning Office prior to any permits being issued. (3 MW @ \$20,000 each = \$60,000).
3. Copy of MnDOT proposal granting access to utilize the gravel access road to site location shall be provided to the Zoning Office prior to any permits being issued.
4. SunShare will do preliminary stray voltage checks on-site and on 7 neighboring sites at a total cost not to exceed \$3,000.00. SunShare will test for on-site stray voltage quarterly for one year and annually for next five years. A copy shall be provided to the Zoning Office.
5. A contact person for noxious weeds and other concerns shall be identified by a placard sign at the sight with contact name and phone number.
6. A contact name shall be provided to the Zoning Office for decommission and reclamation once the essential service is no longer in use.
7. A landscape buffer plan and vegetative management shall be added including one row of maintained healthy living 4' trees with vegetative shrubbery along Highway 7 frontage, Southeast corner and east along Mr. Neaton's property. A copy shall be provided to the Zoning Office.
8. A wetland Delineation shall be performed by contacting Environmental Services Officer.
9. Applicant shall meet all NPDES Permit requirements.
10. 6' agricultural fencing with no barb wire shall be installed.

On February 16, 2016, the County Board of Commissioners tabled this item to allow the concerns from the residents that reside close to the proposed Community Solar Garden to be further addressed regarding weed control,

stray voltage, proper set back, and the possibility of reduces real estate values.

After further discussion, the County Board added the following condition to Conditional Use Permit 16-01:

11. If stray voltage is found with SunShare being liable responsible measures will be taken immediately.

After further discussion, the County Board made changes to conditions #4, 7 10, (see new wording in above conditions).

**Nies/Nagel motion carried unanimously to approve Conditional Use Permit 16-01 requested by CleodSun LLC on behalf of SunShare, LLC as an Essential Service on property owned by Steinkraus Lester Prairie LLC for the purpose of a Community Solar Garden. SunShare, LLC is planning an up to a 3 Megawatt (MW) garden upon approval by Xcel Energy of their application to provide them with renewable energy on the Xcel Energy power grid with the addition of condition 11 listed above and changes to conditions 4, 7 10.**

**Shimanski/Krueger motion carried unanimously to recess at 11:40 a.m.**

## **COUNTY ADMINISTRATION**

A) Pat Melvin requested approval to hire a full-time Sheriff Deputy (grade 19) due to resignation.

**Nagel/Krueger motion carried unanimously to approve hiring a full-time Sheriff Deputy (grade 19) due to resignation.**

B) Pat Melvin requested approval to hire an Extension Summer Intern for up to 12 weeks at 40 hours per week. The University of Minnesota Extension will take care of the recruitment process and the funding for the position will come out of the Extension budget.

**Nies/Shimanski motion carried unanimously to hire an Extension Summer Intern for up to 12 weeks at 40 hours per week.**

C) Pat Melvin requested approval to an Amendment to Trailblazer Joint Powers Agreement which stipulates that a quorum for Trailblazer Joint Powers Board consist of four board members instead of three.

**Nagel/Krueger motion carried unanimously to approve an Amendment to Trailblazer Joint Powers Agreement which stipulates that a quorum for Trailblazer Joint Powers Board consist of four board members instead of three.**

D) Pat Melvin requested approval to establish a Building Committee consisting of Board Chairperson, Doug Krueger, Scott Rehmann, Tim Langenfeld, Scott Grivna and Pat Melvin to review change orders and address other issues that may arise during construction and require immediate attention. This committee will disband at the end of the project and all accounts are settled.

**Nies/Shimanski motion carried unanimously to approve the establishment of a Building Committee consisting of Board Chairperson, Doug Krueger, Scott Rehmann, Tim Langenfeld, Scott Grivna and Pat Melvin to review change orders and address other issues that may arise during construction and require immediate attention.**

E) Donna Rickeman requested approval of builders risk insurance for the upcoming jail expansion and courthouse security project for a coverage period of 4/4/2016 to 7/1/2017 at a cost of \$10,063.00.

**Nies/Nagel motion carried unanimously to approve builders risk insurance for the upcoming jail expansion and courthouse security project for a coverage period of 4/4/2016 to 7/1/2017 at a cost of \$10,063.00.**

F) Discussion on PrimeHealth Employee Insurance.

**Wright/Shimanski motion carried unanimously to table discussion on PrimeHealth Employee Insurance until the April 19<sup>th</sup> Board Meeting.**

**Nagel/Shimanski motion carried unanimously to recess at 12:00 p.m. until 9:00 a.m. April 19, 2016 at the Trailblazer Transit Building.**

ATTEST:

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Paul Wright, Board Chair

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Patrick Melvin, County Administrator