



WASECA COUNTY BOARD OF COMMISSIONERS

August 3, 2021 · 9:30 a.m.

East Annex Public Meeting Room

300 North State Street – East Annex · Waseca, Minnesota 56093

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/550149597>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (646) 749-3122

- One-touch: <tel:+16467493122,,550149597#>

Access Code: 550-149-597

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<https://global.gotomeeting.com/install/550149597>

9:30 a.m.

1. Call to Order and Pledge of Allegiance

Public Comment

Those wishing to speak must state their name and address for the record after they reach the podium. Each person will have three (3) minutes to make his/her remarks. Speakers will address all comments to the Board as a whole and not one individual commissioner. The Board may not take action on an item presented during the Public Comment period, unless the item is already on the agenda for action. When appropriate, the Board may refer inquiries and items brought up during the Public Comment period to the County Administrator for follow up.

2. Approval of Agenda

3. Ditch Authority

- a. Petition for Repair and Realignment of County Ditch 45

4. Consent Agenda

- a. Approval of Bills
- b. Fund Transfer
- c. Reclassification of Human Resources Generalist

5. Public Hearing to Consider Amendment to §3.02(B)(1) and §4.02(C)(2)(f); §6.05 and §6.06 of the Waseca County UDC – Mark Leiferman, Planning and Zoning Admin

6. Planning and Zoning – Mark Leiferman, Planning and Zoning Admin

- a. Preliminary and Final Plat Approval for Sexton Subdivision No. 2
- b. Preliminary and Final Plat Approval for M&M Addition

7. Pavement Markings Contract 812111 - Jim Kollar, Public Works Director/County Engineer

8. Expenditure of American Rescue Plan for Aquatic Weed Harvester Michael Johnson, Waseca County Administrator

- a. Signed Formal Quote
- b. Waseca Lakes Association Letter and Support

9. Administration

- a. Administration Update
- b. Human Resources Announcements

10. Commissioner Reports

Lunch – Pizza Ranch

Upcoming Board Events

August 3 – August 17, 2021

August 3, 2021, 8:30 a.m.

Budget Work Session

Board Room, East Annex

August 3, 2021, 9:30 a.m.

County Board Meeting

Board Room, East Annex

August 5, 2021, 7:30 p.m.

Planning Commission Meeting

Board Room, East Annex

August 10, 2021, 2 p.m.

MN Prairie All Commissioner Meeting

Kasson-Mantorville High School

August 17, 2021, 9:30 a.m.

County Board Meeting

Board Room, East Annex

August 17, 2021 11:30 a.m.

Employee Picnic

Courthouse Lawn

August 17, 2021, 3:00 p.m.

MN Prairie Joint Powers Board Meeting

Virtual Meeting

Lily Garden LLC
2639 Nicollet Ave Suite 200
Minneapolis, MN 55408

Interchange Investors of Waseca LLP
PO Box M
Janesville, MN 56408

July 1, 2021

Waseca County Commissioners and Ditch Authority
307 N State St
Waseca, MN 56093

Re: Petition for Repair and Realignment

Dear Waseca County Commissioners and Ditch Authority,

Nokomis Energy is a Minnesota based solar developer who partners with landowners to transition local utility infrastructure to reliable clean energy generation. Lily Garden LLC, a subsidiary of Nokomis Energy, and Interchange Partners LLP are requesting approval to abandon and rebuild a branch of County Ditch 45, located in section 14 of St. Mary's Township, parcel number 090140400. Enclosed is the design of the proposed change, along with current and design flow capacity calculations, which will maintain the capacity of the existing branch. All costs required, whether approved or dismissed, will be incurred by Lily Garden LLC and Interchange Partners LLP.

The purpose of this request, if approved, is to apply for a Conditional Use Permit to develop a Community Solar Garden on the western half of the parcel. In the branch's current placement, the parcel is cut in half, making it unreasonably difficult to develop the remaining land after accounting for setbacks and other structural prohibition areas. After discussing with the County Ditch Inspector and Ditch Engineer, the proposed location on the eastern half of the parcel was deemed accepted if we are able to meet the criteria of maintaining capacity.

We appreciate the review and consideration of our request.

Sincerely,

RECEIVED

JUL 21 2021

WASECA COUNTY
AUDITOR-TREAS.

Lily Garden LLC

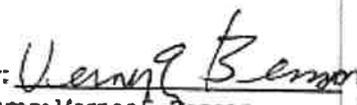
By: 

Name: Daniel Rogers

Interchange Partners LLP

By: 

Name: John H. Gardner

By: 

Name: Verner E. Benson

By: 

Name: William Beschnett

TO: WASECA COUNTY
DATE: JULY 16, 2021
**SUBJECT: LILY GARDEN DRAIN TILE
RELOCATION MEMORANDUM**

 I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT
 WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND
 THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER
 THE LAWS OF THE STATE OF MINNESOTA.

PROJECT: LILY GARDEN
**FROM: SARAH SMEDLEY, PE
CIVIL ENGINEER OF RECORD**


 SARAH SMEDLEY, MINNESOTA LICENSE NO. 52904
 DATE OF SIGNATURE: July 16, 2021

Lily Garden LLC, a 1.0MWac ground mount solar facility, is proposed in the western portion of Parcel Number 090140400, Section 14 of St. Mary's Township. Within that parcel is an existing drain tile, Branch 1C of County Ditch 45. With the potential of conflict between the driven piers of the solar array and the drain tile, a relocated drain tile is proposed. The existing drain and proposed drain locations, along with a profile of the new pipe are shown in the Drain Tile Exhibit, to be submitted with this memorandum.

The existing drain tile is a 24" plastic pipe with a slope of approximately 0.5%. The new pipe will connect just north of the proposed fence line for the solar facility and will continue due east to clear the improvements. The outlet of the drain tile will be in the County Ditch 14, east of the current location. Since the new pipe will be longer and therefore the slope will be flatter, the proposed pipe will need to be a 30" plastic pipe to maintain the current flow capacity. The table below compares the existing pipe to the proposed pipe. Calculations for the existing and proposed pipe are also include with this memorandum.

	Existing 24" Pipe	Proposed 30" Pipe
Slope	0.50%	0.24%
Velocity	6.62 FPS	5.32 FPS
Full Flow Capacity	20.79 CFS	26.12 CFS

This construction will need to be completed before the start of the solar facility. The planned start of construction for the relocation of the tile drain is November 2021 and should be completed before the start of construction on the solar site in May 2022. A proposed 50' drainage easement will also be granted to the County for maintenance. All costs required for the construction of this drain tile will be incurred by Lily Garden LLC and Interchange Partners LLP.

Channel Report

EXISTING DRAIN TILE - LILY GARDEN

Circular

Diameter (ft) = 2.00

Invert Elev (ft) = 1019.20

Slope (%) = 0.50

N-Value = 0.010

Calculations

Compute by: Known Depth

Known Depth (ft) = 2.00

Highlighted

Depth (ft) = 2.00

Q (cfs) = 20.79

Area (sqft) = 3.14

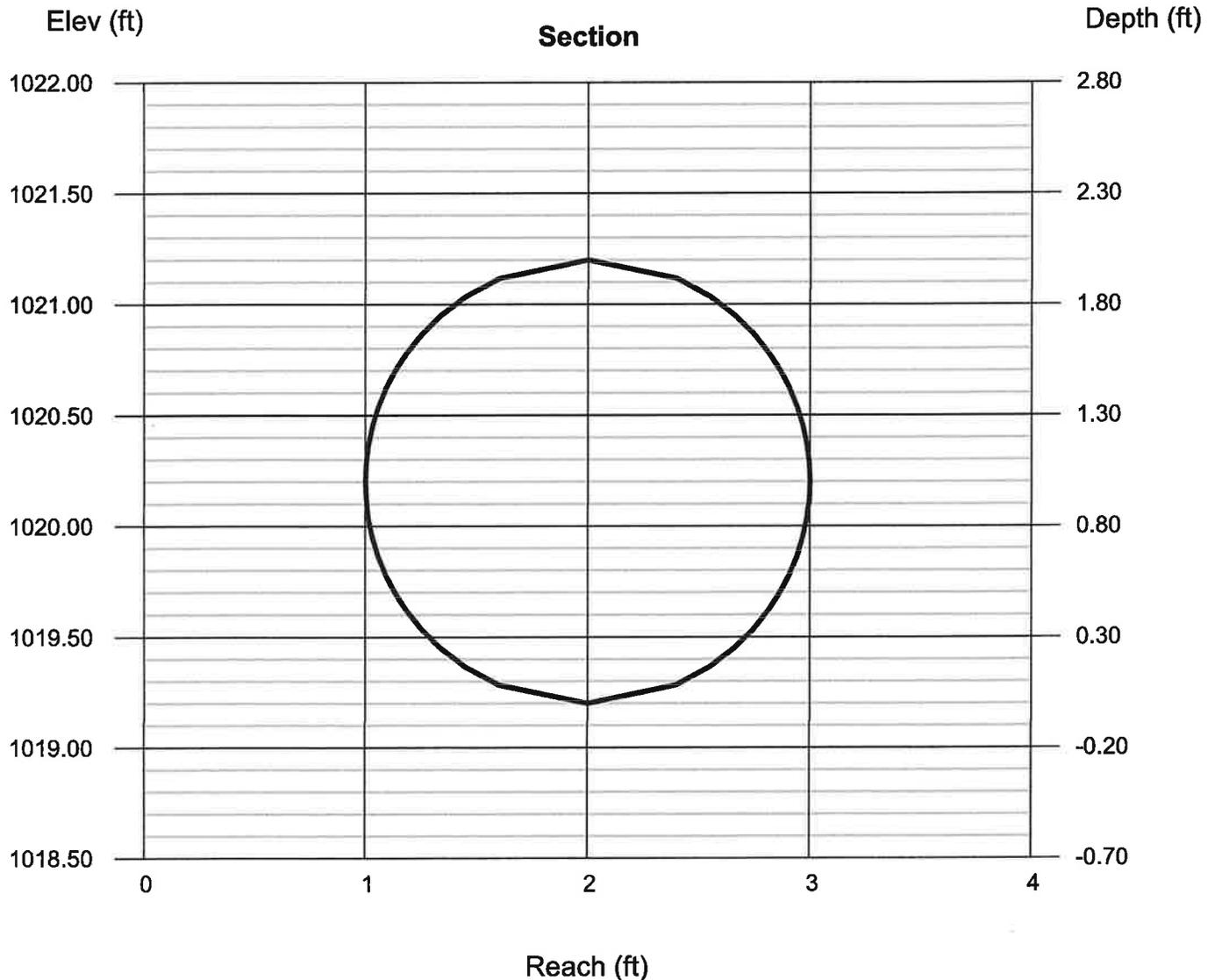
Velocity (ft/s) = 6.62

Wetted Perim (ft) = 6.28

Crit Depth, Yc (ft) = 1.64

Top Width (ft) = 0.00

EGL (ft) = 2.68



Channel Report

Proposed Drain Tile

Circular

Diameter (ft) = 2.50

Invert Elev (ft) = 1118.95

Slope (%) = 0.24

N-Value = 0.010

Calculations

Compute by: Known Depth

Known Depth (ft) = 2.50

Highlighted

Depth (ft) = 2.50

Q (cfs) = 26.12

Area (sqft) = 4.91

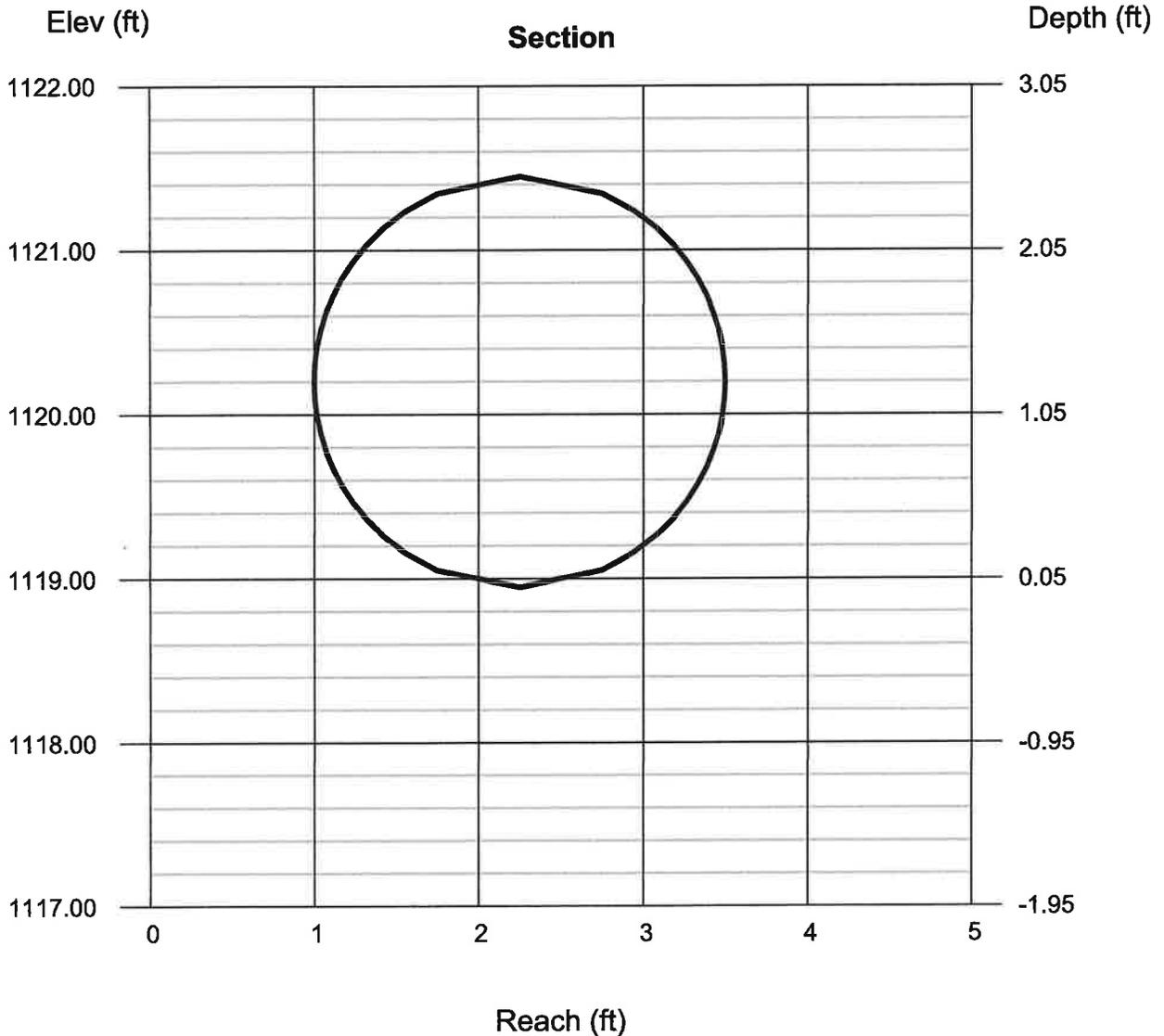
Velocity (ft/s) = 5.32

Wetted Perim (ft) = 7.85

Crit Depth, Y_c (ft) = 1.75

Top Width (ft) = 0.00

EGL (ft) = 2.94



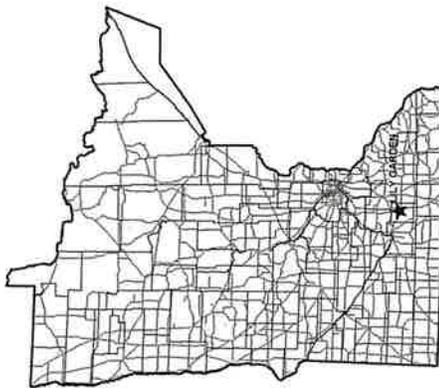
PRELIMINARY
NOT FOR
CONSTRUCTION

CONDITIONAL USE PERMIT PLAN SET LILY GARDEN LLC

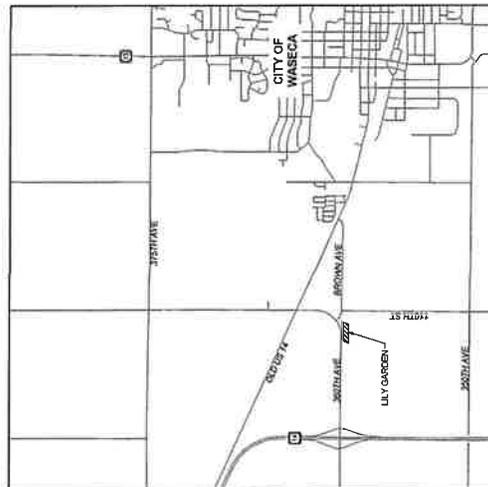
WGS84: 44.0795°, -93.5471°

SECTION 14, TWP 107 N, RNG 23 W, WASECA COUNTY, MINNESOTA

JULY 2021
REVISION 0



STATE MAP
SCALE 1" = 200,000'



LOCAL MAP
SCALE 1" = 2,500'

BASIS OF DESIGN	
GENERAL	WASECA COUNTY
INTERCONNECTION UTILITY	XCEL ENERGY
PRIORITY	INTERCHANGE INVESTORS OF WASECA LLP
LAND OWNER	09016400
PROJECT FENCED AREA	4.4 AC
LAT/LONG @ ENTRANCE	44.0795° -93.5471°
ZONING REGULATIONS	101 - (INDUSTR) AGRICULT, UTIL
ZONING CLASSIFICATION	50 FT FROM ROAD RIGHT OF WAY
FRONT YARD SETBACK	15 FT
SIDE YARD SETBACK	15 FT
REAR YARD SETBACK	
SYSTEM PARAMETERS	
DC SYSTEM SIZE	1,343,121 WATT
AC SYSTEM SIZE	1,000,000 WATT
AC MAX DELIVERABLE @ PCI	1,343,121 WATT
DC/AC SYSTEM RATIO	1.3431
LV AC SYSTEM VOLTAGE	480/277VAC
MODULES	
SOLAR MODULE MAKE	SILICON MODULES
DC POWER @ STC	440W
MODULE QUANTITY	3,018
RACKING	
RACKING TYPE	SPRINKLEBUS TRACKER
PITCH	10°
GROUND COVER RATIO	54%
RANGE OF MOTION	55°

PROJECT DESCRIPTION
THE PROJECT WILL BE CONSTRUCTED WITH XCEL ENERGY THROUGH THEIR SOLAR REWARDS COMMUNITY PROGRAM WHICH IS SUPPORTED BY THE STATE OF MINNESOTA. BY PURCHASING THE PROJECT WILL DELIVER CLEAN LOCAL ENERGY TO XCEL ENERGY. PURCHASE ALL OF THE ENERGY PRODUCED AND COMPENSATE THE SYSTEM OWNER AND GARDEN SUBSCRIBERS IN THE FORM OF XCEL BILL CREDITS. XCEL ENERGY GARDEN SUBSCRIBERS WILL BE BENEFIT BY ALL TOWNSHIP, CITY, COUNTY AND STATE REQUIREMENTS.

DEVELOPER: **NOKOMIS ENERGY** UTILITY: **XcelEnergy™**



ENGINEER: **MERIDIEM ENGINEERING**



DATA SOURCE SUMMARY	
ALTA/POD SURVEY	MINNCO GIS, WASECA COUNTY, ACCESSIBLE FEBRUARY 2021
WETLANDS	TETRA TECH, WYOMING DELINEATED WETLANDS 2020/215 12/16/2020
ARRAY LAYOUT	INTERCHANGE INVESTORS OF WASECA LLP, 09016400, PROPOSED DESIGN - TRACKER PDF 03/07 2021

PROJECT CONTACTS	
DEVELOPER	NOKOMIS ENERGY LLC, 2400 NICOLLET AVE, SUITE 200, MINNEAPOLIS, MN 55408, JULIAN WHITE, JULIAN@NOKOMISENERGY.COM
CIVIL ENGINEER	MERIDIEM ENGINEERING LLC, 6140 EAST WACO CORNER, SCOTTSDALE, AZ 85254, 602-319-4652, SUGAN.LINDSEY@MERIDIEM.ENG.COM

SHEET INDEX	
C200	COVER SHEET
C201	EROSION & SEDIMENT CONTROL NOTES & LEGEND
C210	EXISTING CONDITIONS
C201	SITE PLAN
C201	DRAINAGE & EROSION CONTROL PLAN
C201	DETAILS 1
C202	DETAILS 2

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Jared Smiley
JARED SMILEY, LICENSE NO. 52084
DATE OF SIGNATURE: JULY 14, 2021



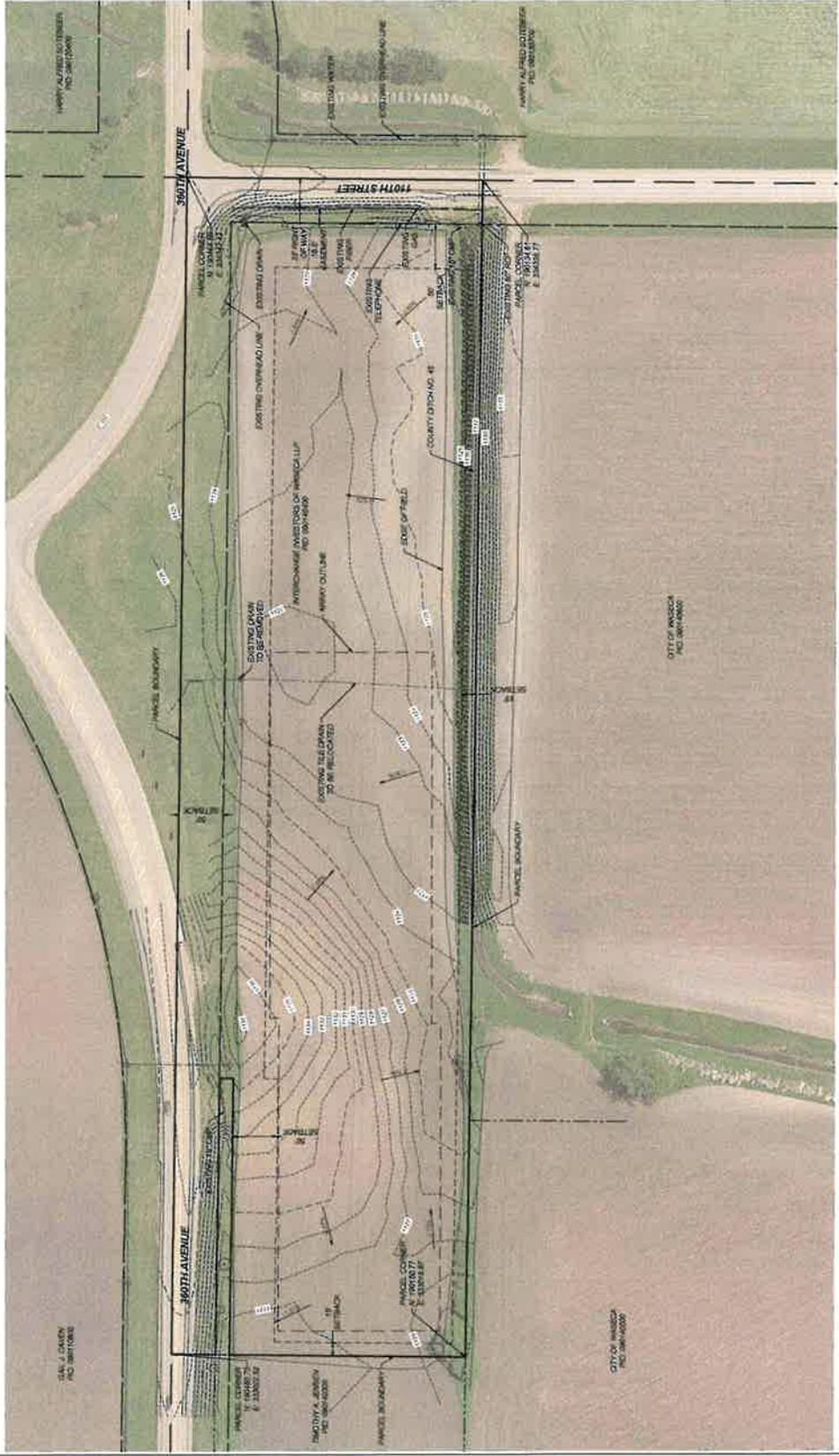
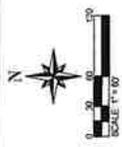
PRELIMINARY
NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION

LILY GARDEN LLC (03579574)
N44.0'75" W83.54'7"
WASECA COUNTY, MN

EXISTING CONDITIONS

C101
22'x34"
0



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Paul Smiley
PAUL SMILEY, MINNESOTA LICENSE NO. 3904
DATE OF EXPIRATION: JUL 15, 2021



PRELIMINARY
NOT FOR CONSTRUCTION

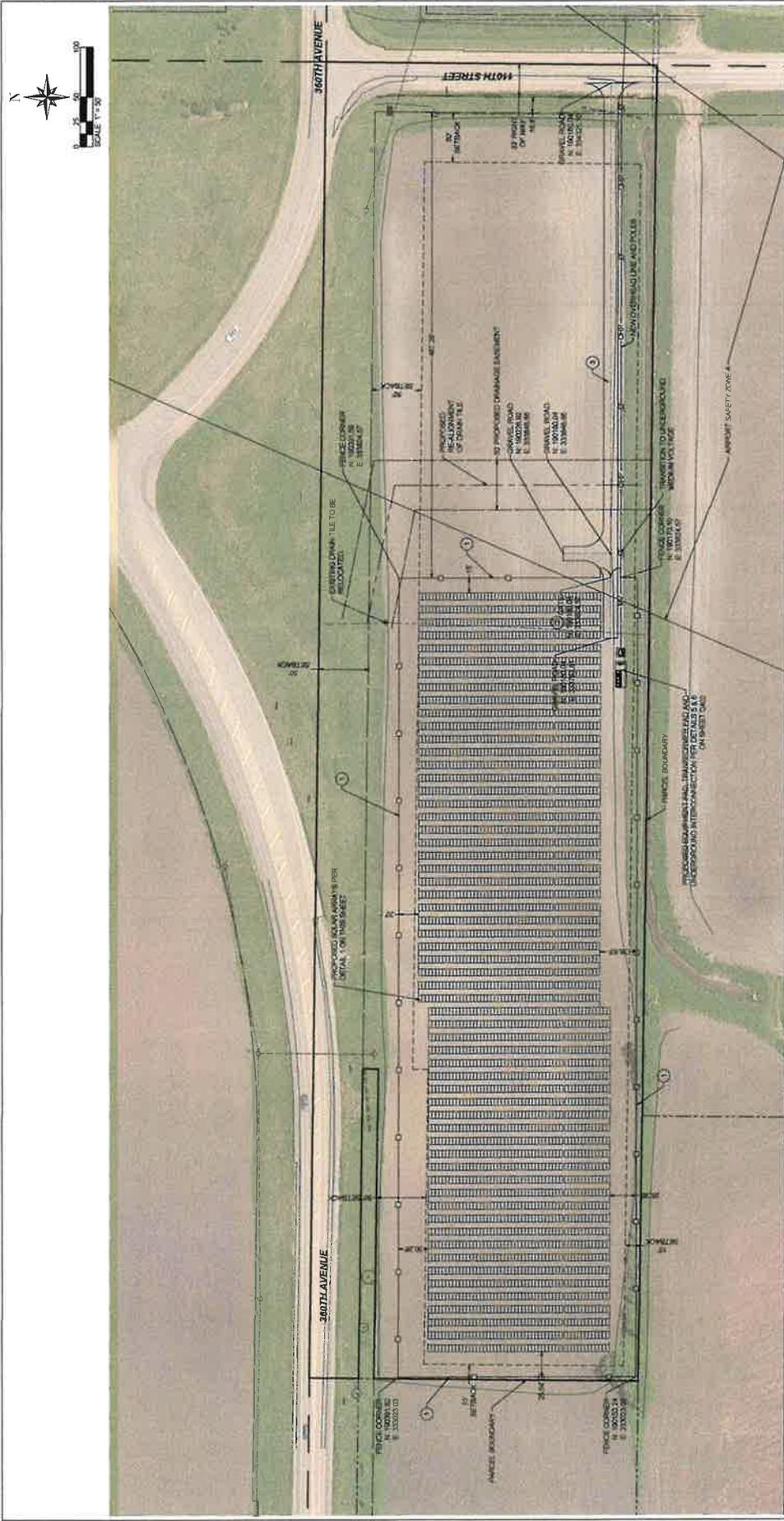
NO.	DESCRIPTION
1	PROPOSED PERMITS
2	PROPOSED PERMITS
3	PROPOSED PERMITS
4	PROPOSED PERMITS
5	PROPOSED PERMITS
6	PROPOSED PERMITS
7	PROPOSED PERMITS
8	PROPOSED PERMITS
9	PROPOSED PERMITS
10	PROPOSED PERMITS

LILY GARDEN LLC (03579574)
N44.0795° W93.5471°
WASECA COUNTY, MN

SITE PLAN

C201

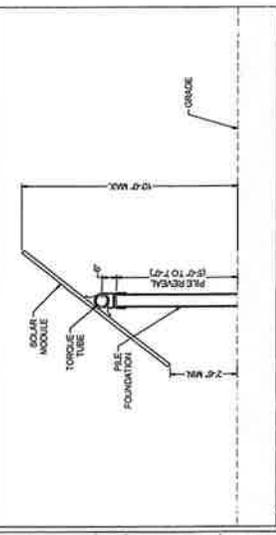
DATE: 2/27/24
SCALE: 1" = 30'



- CONSTRUCTION NOTES**
1. CONSTRUCT ALL GAME FENCE PER DETAIL 1.5
 2. CONSTRUCT 18" WIDE DRIVE GATE PER DETAIL 3 OR DETAIL 4 ON SHEET C01
 3. CONSTRUCT 14" WIDE DRIVEWAY ACCESS ROAD PER DETAIL 4 ON SHEET C01

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

David Smiley
DAVID SMILEY, MINNESOTA LICENSE NO. 3094
OFFICE ADDRESS: 2651 14TH ST





PRELIMINARY
NOT FOR CONSTRUCTION

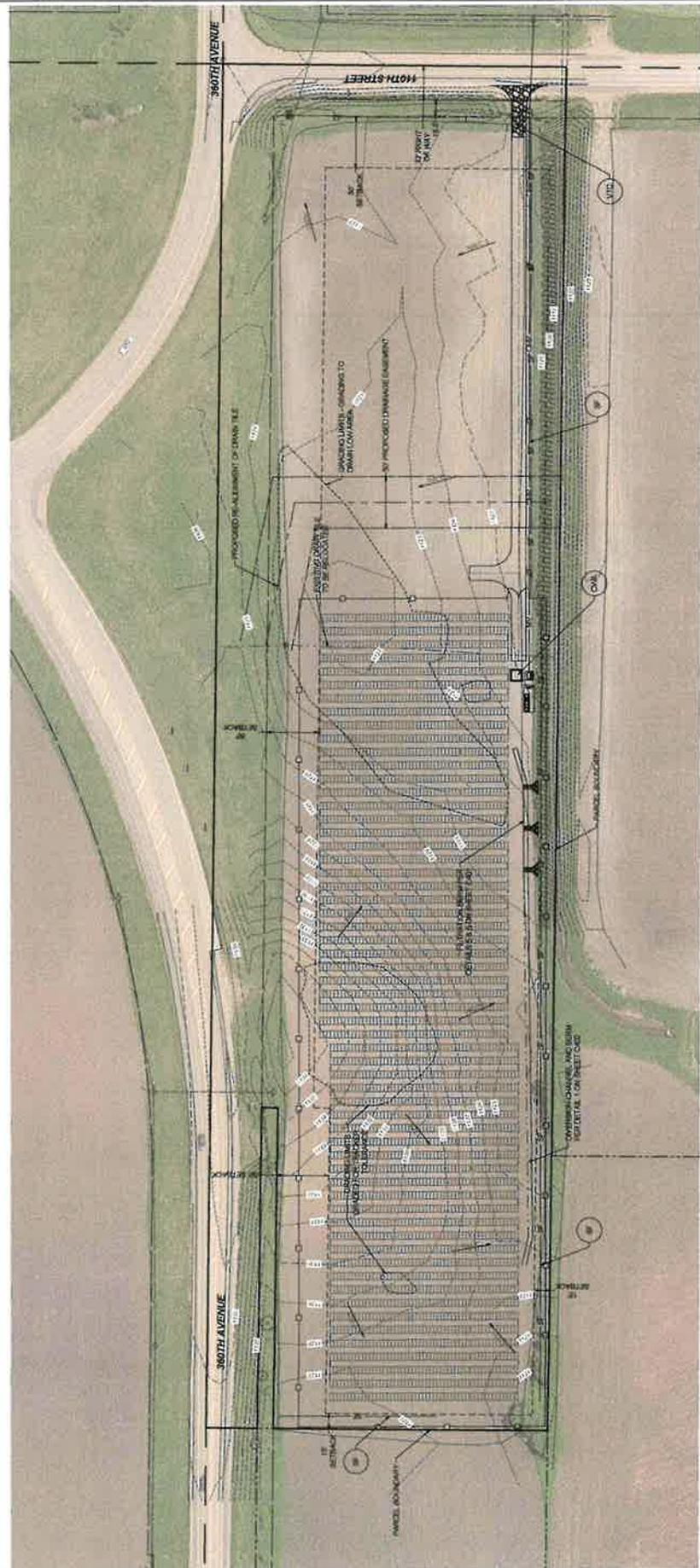
NO.	DATE	DESCRIPTION	BY	CHKD.
1		ISSUED FOR PERMIT		

LILY GARDEN LLC (03579574)
N44.0795° W83.5471°
WASECA COUNTY, MN

PROJECT TITLE
**DRAINAGE &
EROSION
CONTROL
PLAN**

C301

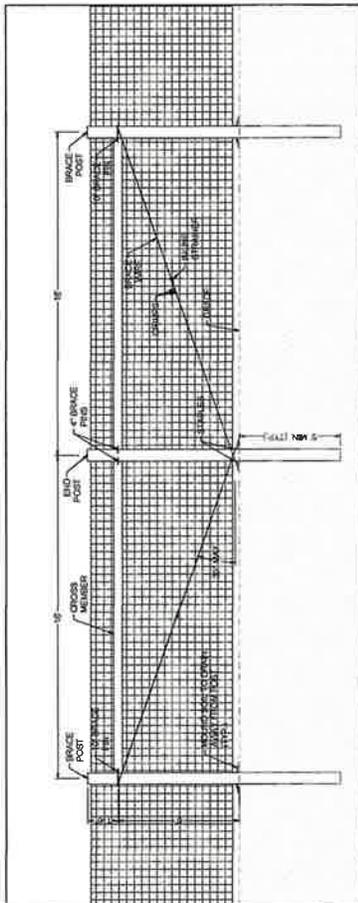
DATE: 2/2/24
SHEET NO: 0



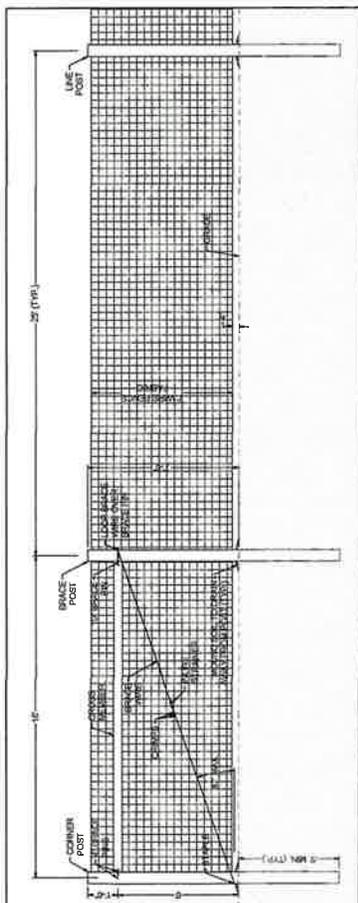
- BMP LEGEND**
- CONCRETE WASTE AREA PER DETAIL 2 ON SHEET C42
 - SILT FENCE PER DETAIL 3 ON SHEET C42
 - VEHICLE TRACKOUT CONTROL PER DETAIL 4 ON SHEET C42

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A duly LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

[Signature]
DATE OF SIGNATURE: JUL 14, 2024
STATE OF MINNESOTA, LICENSE NO. 55864



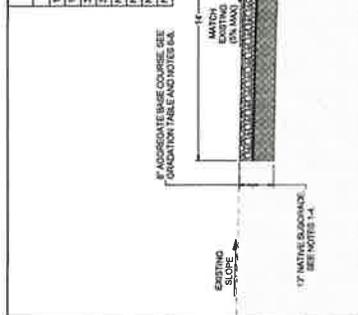
1 PERIMETER GAME FENCE
 SCALE 1/4"=1'-0"
 VIEW ELEVATION



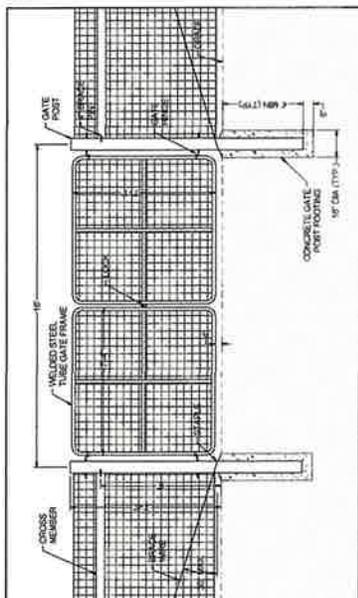
2 GAME FENCE BRACE PANEL
 SCALE 1/4"=1'-0"
 VIEW ELEVATION

AGGREGATE GRADATION TABLE

SIIEVE SIZE	PERCENT PASSING
1/2 INCH (12.50 MM)	100
3/4 INCH (19.05 MM)	100
1 INCH (25.40 MM)	100
1 1/4 INCH (31.75 MM)	100
1 3/4 INCH (38.10 MM)	100
2 INCH (50.80 MM)	100
2 1/2 INCH (63.50 MM)	100
3 INCH (76.20 MM)	100
3 1/2 INCH (88.90 MM)	100
4 INCH (101.60 MM)	100
4 1/2 INCH (114.30 MM)	100
5 INCH (127.00 MM)	100
5 1/2 INCH (139.70 MM)	100
6 INCH (152.40 MM)	100
6 1/2 INCH (165.10 MM)	100
7 INCH (177.80 MM)	100
7 1/2 INCH (190.50 MM)	100
8 INCH (203.20 MM)	100
8 1/2 INCH (215.90 MM)	100
9 INCH (228.60 MM)	100
9 1/2 INCH (241.30 MM)	100
10 INCH (254.00 MM)	100
10 1/2 INCH (266.70 MM)	100
11 INCH (279.40 MM)	100
11 1/2 INCH (292.10 MM)	100
12 INCH (304.80 MM)	100
12 1/2 INCH (317.50 MM)	100
13 INCH (330.20 MM)	100
13 1/2 INCH (342.90 MM)	100
14 INCH (355.60 MM)	100
14 1/2 INCH (368.30 MM)	100
15 INCH (381.00 MM)	100
15 1/2 INCH (393.70 MM)	100
16 INCH (406.40 MM)	100
16 1/2 INCH (419.10 MM)	100
17 INCH (431.80 MM)	100
17 1/2 INCH (444.50 MM)	100
18 INCH (457.20 MM)	100
18 1/2 INCH (469.90 MM)	100
19 INCH (482.60 MM)	100
19 1/2 INCH (495.30 MM)	100
20 INCH (508.00 MM)	100
20 1/2 INCH (520.70 MM)	100
21 INCH (533.40 MM)	100
21 1/2 INCH (546.10 MM)	100
22 INCH (558.80 MM)	100
22 1/2 INCH (571.50 MM)	100
23 INCH (584.20 MM)	100
23 1/2 INCH (596.90 MM)	100
24 INCH (609.60 MM)	100
24 1/2 INCH (622.30 MM)	100
25 INCH (635.00 MM)	100
25 1/2 INCH (647.70 MM)	100
26 INCH (660.40 MM)	100
26 1/2 INCH (673.10 MM)	100
27 INCH (685.80 MM)	100
27 1/2 INCH (698.50 MM)	100
28 INCH (711.20 MM)	100
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29 INCH (736.60 MM)	100
29 1/2 INCH (749.30 MM)	100
30 INCH (762.00 MM)	100
30 1/2 INCH (774.70 MM)	100
31 INCH (787.40 MM)	100
31 1/2 INCH (800.10 MM)	100
32 INCH (812.80 MM)	100
32 1/2 INCH (825.50 MM)	100
33 INCH (838.20 MM)	100
33 1/2 INCH (850.90 MM)	100
34 INCH (863.60 MM)	100
34 1/2 INCH (876.30 MM)	100
35 INCH (889.00 MM)	100
35 1/2 INCH (901.70 MM)	100
36 INCH (914.40 MM)	100
36 1/2 INCH (927.10 MM)	100
37 INCH (939.80 MM)	100
37 1/2 INCH (952.50 MM)	100
38 INCH (965.20 MM)	100
38 1/2 INCH (977.90 MM)	100
39 INCH (990.60 MM)	100
39 1/2 INCH (1003.30 MM)	100
40 INCH (1016.00 MM)	100
40 1/2 INCH (1028.70 MM)	100
41 INCH (1041.40 MM)	100
41 1/2 INCH (1054.10 MM)	100
42 INCH (1066.80 MM)	100
42 1/2 INCH (1079.50 MM)	100
43 INCH (1092.20 MM)	100
43 1/2 INCH (1104.90 MM)	100
44 INCH (1117.60 MM)	100
44 1/2 INCH (1130.30 MM)	100
45 INCH (1143.00 MM)	100
45 1/2 INCH (1155.70 MM)	100
46 INCH (1168.40 MM)	100
46 1/2 INCH (1181.10 MM)	100
47 INCH (1193.80 MM)	100
47 1/2 INCH (1206.50 MM)	100
48 INCH (1219.20 MM)	100
48 1/2 INCH (1231.90 MM)	100
49 INCH (1244.60 MM)	100
49 1/2 INCH (1257.30 MM)	100
50 INCH (1270.00 MM)	100
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52 INCH (1320.80 MM)	100
52 1/2 INCH (1333.50 MM)	100
53 INCH (1346.20 MM)	100
53 1/2 INCH (1358.90 MM)	100
54 INCH (1371.60 MM)	100
54 1/2 INCH (1384.30 MM)	100
55 INCH (1397.00 MM)	100
55 1/2 INCH (1409.70 MM)	100
56 INCH (1422.40 MM)	100
56 1/2 INCH (1435.10 MM)	100
57 INCH (1447.80 MM)	100
57 1/2 INCH (1460.50 MM)	100
58 INCH (1473.20 MM)	100
58 1/2 INCH (1485.90 MM)	100
59 INCH (1498.60 MM)	100
59 1/2 INCH (1511.30 MM)	100
60 INCH (1524.00 MM)	100
60 1/2 INCH (1536.70 MM)	100
61 INCH (1549.40 MM)	100
61 1/2 INCH (1562.10 MM)	100
62 INCH (1574.80 MM)	100
62 1/2 INCH (1587.50 MM)	100
63 INCH (1600.20 MM)	100
63 1/2 INCH (1612.90 MM)	100
64 INCH (1625.60 MM)	100
64 1/2 INCH (1638.30 MM)	100
65 INCH (1651.00 MM)	100
65 1/2 INCH (1663.70 MM)	100
66 INCH (1676.40 MM)	100
66 1/2 INCH (1689.10 MM)	100
67 INCH (1701.80 MM)	100
67 1/2 INCH (1714.50 MM)	100
68 INCH (1727.20 MM)	100
68 1/2 INCH (1739.90 MM)	100
69 INCH (1752.60 MM)	100
69 1/2 INCH (1765.30 MM)	100
70 INCH (1778.00 MM)	100
70 1/2 INCH (1790.70 MM)	100
71 INCH (1803.40 MM)	100
71 1/2 INCH (1816.10 MM)	100
72 INCH (1828.80 MM)	100
72 1/2 INCH (1841.50 MM)	100
73 INCH (1854.20 MM)	100
73 1/2 INCH (1866.90 MM)	100
74 INCH (1879.60 MM)	100
74 1/2 INCH (1892.30 MM)	100
75 INCH (1905.00 MM)	100
75 1/2 INCH (1917.70 MM)	100
76 INCH (1930.40 MM)	100
76 1/2 INCH (1943.10 MM)	100
77 INCH (1955.80 MM)	100
77 1/2 INCH (1968.50 MM)	100
78 INCH (1981.20 MM)	100
78 1/2 INCH (1993.90 MM)	100
79 INCH (2006.60 MM)	100
79 1/2 INCH (2019.30 MM)	100
80 INCH (2032.00 MM)	100
80 1/2 INCH (2044.70 MM)	100
81 INCH (2057.40 MM)	100
81 1/2 INCH (2070.10 MM)	100
82 INCH (2082.80 MM)	100
82 1/2 INCH (2095.50 MM)	100
83 INCH (2108.20 MM)	100
83 1/2 INCH (2120.90 MM)	100
84 INCH (2133.60 MM)	100
84 1/2 INCH (2146.30 MM)	100
85 INCH (2159.00 MM)	100
85 1/2 INCH (2171.70 MM)	100
86 INCH (2184.40 MM)	100
86 1/2 INCH (2197.10 MM)	100
87 INCH (2210.80 MM)	100
87 1/2 INCH (2223.50 MM)	100
88 INCH (2236.20 MM)	100
88 1/2 INCH (2248.90 MM)	100
89 INCH (2261.60 MM)	100
89 1/2 INCH (2274.30 MM)	100
90 INCH (2287.00 MM)	100
90 1/2 INCH (2299.70 MM)	100
91 INCH (2312.40 MM)	100
91 1/2 INCH (2325.10 MM)	100
92 INCH (2337.80 MM)	100
92 1/2 INCH (2350.50 MM)	100
93 INCH (2363.20 MM)	100
93 1/2 INCH (2375.90 MM)	100
94 INCH (2388.60 MM)	100
94 1/2 INCH (2401.30 MM)	100
95 INCH (2414.00 MM)	100
95 1/2 INCH (2426.70 MM)	100
96 INCH (2439.40 MM)	100
96 1/2 INCH (2452.10 MM)	100
97 INCH (2466.80 MM)	100
97 1/2 INCH (2479.50 MM)	100
98 INCH (2492.20 MM)	100
98 1/2 INCH (2507.90 MM)	100
99 INCH (2520.60 MM)	100
99 1/2 INCH (2536.30 MM)	100
100 INCH (2550.00 MM)	100



3 DRIVE GATE
 SCALE 1/4"=1'-0"
 VIEW ELEVATION



4 AT-GRADE ACCESS ROAD
 SCALE 1/4"=1'-0"
 VIEW SECTION

ACCESS ROAD NOTES

- SOIL PREPARATION SHALL INCLUDE THE REMOVAL OF EXISTING VEGETATION, CULTIVATED SOIL, TOPSOIL, AND CLOSURE OF ALL EXISTING UTILITY LINES. ALL EXISTING CLOSURES OR FRAGMENTS LARGER THAN 3" IN ANY DIMENSION SHALL BE REMOVED. ALL MATERIAL SHALL BE COMPACTED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE MOISTURE CONTENT AT 2% OF OPTIMUM AND RECOMPACTED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE.
- THE COMPACTED SUBGRADE SHALL BE PROCTORED AND RECOMPACTED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE.
- ADDITIONAL DESPONDATION/COMPACTION OR REPAIRED BY REMOVED AND REPLACED WITH SUITABLE FILL PRIOR TO PROCEEDING WITH THE CONSTRUCTION OF THE ROAD.
- PROTECTING SHARP OBJECTS SHALL BE REMOVED FROM THE FINISHED SUBGRADE PRIOR TO PLACING THE GEOTEXTILE. STANDARD SPEC 318.
- THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE.
- THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE.
- THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE.
- THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE.
- THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE.
- THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE. THE SUBGRADE SHALL BE PROCTORED TO THE FULL DEPTH OF THE SUBGRADE.

AGGREGATE GRADATION TABLE

SIIEVE SIZE	PERCENT PASSING
1/2 INCH (12.50 MM)	100
3/4 INCH (19.05 MM)	100
1 INCH (25.40 MM)	100
1 1/4 INCH (31.75 MM)	100
1 3/4 INCH (38.10 MM)	100
2 INCH (50.80 MM)	100
2 1/2 INCH (63.50 MM)	100
3 INCH (76.20 MM)	100
3 1/2 INCH (88.90 MM)	100
4 INCH (101.60 MM)	100
4 1/2 INCH (114.30 MM)	100
5 INCH (127.00 MM)	100
5 1/2 INCH (139.70 MM)	100
6 INCH (152.40 MM)	100
6 1/2 INCH (165.10 MM)	100
7 INCH (177.80 MM)	100
7 1/2 INCH (190.50 MM)	100
8 INCH (203.20 MM)	100
8 1/2 INCH (215.90 MM)	100
9 INCH (228.60 MM)	100
9 1/2 INCH (241.30 MM)	100
10 INCH (254.00 MM)	100
10 1/2 INCH (266.70 MM)	100
11 INCH (279.40 MM)	100
11 1/2 INCH (292.10 MM)	100
12 INCH (304.80 MM)	100
12 1/2 INCH (317.50 MM)	100
13 INCH (330.20 MM)	100
13 1/2 INCH (342.90 MM)	100
14 INCH (355.60 MM)	100
14 1/2 INCH (368.30 MM)	100
15 INCH (381.00 MM)	100
15 1/2 INCH (393.70 MM)	100
16 INCH (406.40 MM)	100
16 1/2 INCH (419.10 MM)	100
17 INCH (431.80 MM)	100
17 1/2 INCH (444.50 MM)	100
18 INCH (457.20 MM)	100
18 1/2 INCH (469.90 MM)	100
19 INCH (482.60 MM)	100
19 1/2 INCH (495.30 MM)	100
20 INCH (508.00 MM)	100
20 1/2 INCH (520.70 MM)	100
21 INCH (533.40 MM)	100
21 1/2 INCH (546.10 MM)	100
22 INCH (558.80 MM)	100
22 1/2 INCH (571.50 MM)	100
23 INCH (584.20 MM)	100
23 1/2 INCH (596.90 MM)	100
24 INCH (609.60 MM)	100
24 1/2 INCH (622.30 MM)	100
25 INCH (635.00 MM)	100
25 1/2 INCH (647.70 MM)	100
26 INCH (660.40 MM)	100
26 1/2 INCH (673.10 MM)	100
27 INCH (685.80 MM)	100
27 1/2 INCH (698.50 MM)	100
28 INCH (711.20 MM)	100
28 1/2 INCH (723.90 MM)	100
29 INCH (736.60 MM)	100
29 1/2 INCH (749.30 MM)	100
30 INCH (762.00 MM)	100
30 1/2 INCH (774.70 MM)	100
31 INCH (787.40 MM)	100
31 1/2 INCH (800.10 MM)	100
32 INCH (812.80 MM)	100
32 1/2 INCH (825.50 MM)	100
33 INCH (838.20 MM)	100
33 1/2 INCH (850.90 MM)	100
34 INCH (863.60 MM)	100
34 1/2 INCH (876.30 MM)	100
35 INCH (889.00 MM)	100
35 1/2 INCH (901.70 MM)	100
36 INCH (914.40 MM)	100
36 1/2 INCH (927.10 MM)	100
37 INCH (939.80 MM)	100
37 1/2 INCH (952.50 MM)	100
38 INCH (965.20 MM)	100
38 1/2 INCH (977.90 MM)	100
39 INCH (990.60 MM)	100
39 1/2 INCH (1003.30 MM)	100
40 INCH (1016.00 MM)	100
40 1/2 INCH (1028.70 MM)	100
41 INCH (1041.40 MM)	100
41 1/2 INCH (1054.10 MM)	100
42 INCH (1066.80 MM)	100
42 1/2 INCH (1079.50 MM)	100
43 INCH (1092.20 MM)	100
43 1/2 INCH (1104.90 MM)	100
44 INCH (1117.60 MM)	100
44 1/2 INCH (1130.30 MM)	



July 27, 2021

Kdeter@RinkeNoonan.com

Waseca County Board of Commissioners
c/o Tammy Spooner, Auditor-Treasurer
Waseca County Courthouse
307 North State Street
Waseca, MN 56093

SENT VIA EMAIL: TAMMY.SPOONER@CO.WASECA.MN.US & U.S. MAIL

**Re: CD #45 Repair
Our File No. 15400-0076**

Dear County Commissioners and Tammy:

I have reviewed the request for repair and realignment of a portion of Waseca County Ditch #45. The request adequately describes the area to be realigned and repaired and indicates that all costs will be paid for by petitioner. I am familiar with this request and Steve Penkava may also be familiar. At this point, the County Board, as Drainage Authority, simply needs to accept the Petition and appoint Steve Penkava to review the plan realignment. The main issue is to make sure that no one else is adversely impacted by this realignment. Under 103E.715, the only notice that must be given is a mailed to landowners within the system and must be received at least 10 days before the hearing. At the hearing, the petitioner will present their request, Steve Penkava will give his opinion as to what impact it would have on other landowners, and other landowners would be able to comment on the request.

If you have any questions, please contact me; otherwise, I will wait to hear about possible hearing dates.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'Kurt A. Deter', written over a horizontal line.

Kurt A. Deter
KAD/cmt

cc: Chris Borneke (via email)
Steve Penkava (via email)

07/28/2021 13:23
5264aschauer

Waseca, MN
Vendor Warrant List Report

P 1
apwarrnt

DATE: 08/03/2021 CHECK RUN: C080321 AMOUNT: \$ 104,968.57

APPROVED BY: _____

07/28/2021 13:23
5264aschauer

Waseca, MN
| DETAIL INVOICE LIST

P 2
| apwarrnt

CASH ACCOUNT: 99000000 1001

FNB Checking

CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
4561 ALVIN GRAMS	1 01062000 6111	00000		INV	07/28/2021	7/21/21 STMNT	
				CenSvcs	PerDiems	80.00	
				Invoice Net		80.00	
				CHECK TOTAL			80.00
1143 APG MEDIA OF SOUTHERN	1 01107000 6240	00000		INV	07/28/2021	10710-0621 2	
				P&Z	AdLgNt/Sub	44.40	
				Invoice Net		44.40	
				CHECK TOTAL			44.40
1548 ARNOLD'S SUPPLY AND KL	1 01111000 6410	00000		INV	07/28/2021	643879	
	2 01112000 6410			CHBldgMtc	CstBldgSpp	125.00	
	3 01115000 6410			LEBldgMtc	CstBldgSpp	125.00	
	4 01116000 6410			EABldMtc	CstBldgSpp	125.00	
	5 01117000 6410			ExtBldMtc	CstBldgSpp	54.04	
				HSPHBldgMt	CstBldgSpp	125.00	
				Invoice Net		554.04	
				CHECK TOTAL			554.04
4699 BETH WEIMERT	1 01031000 6334	00000		INV	07/28/2021	7/22/21 STMNT	
				CoAdmn	Mileage	16.24	
				Invoice Net		16.24	
				CHECK TOTAL			16.24
2779 BLUE EARTH CO	1 01061061 6262	00000		INV	07/28/2021	18113	
				ITTechnlgy	SftwrSpprt	1,170.00	
				Invoice Net		1,170.00	
				CHECK TOTAL			1,170.00
807 BOB BARKER COMPANY INC	1 01201217 6803	00000		INV	07/28/2021	INV1639970	
				ShrfBrdPrs	MiscExp	404.58	
				Invoice Net		404.58	
807 BOB BARKER COMPANY INC	1 01201217 6803	00000		INV	07/28/2021	INV1640507	
				ShrfBrdPrs	MiscExp	79.08	
				Invoice Net		79.08	
807 BOB BARKER COMPANY INC	1 01201217 6803	00000		INV	07/28/2021	INV1641670	
				ShrfBrdPrs	MiscExp	54.70	
				Invoice Net		54.70	
				CHECK TOTAL			538.36
4943 BOLTON & MENK INC	1 13320000 6260	00000		INV	07/28/2021	0271974	
				HwyEng/Con	ProTechSvc	1,258.50	
				Invoice Net		1,258.50	
				CHECK TOTAL			1,258.50
2366 BOMGAARS SUPPLY	1 01521000 6509	00000		INV	07/28/2021	081-009-5 7/16/21	
				CoParks	MntcSppl	173.84	
				Invoice Net		173.84	

07/28/2021 13:23
5264aschauer

Waseca, MN
| DETAIL INVOICE LIST

P 3
apwarrnt

CASH ACCOUNT: 99000000 1001

FNB Checking

CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
						CHECK TOTAL	173.84
2366 BOMGAARS SUPPLY		00000		INV	07/28/2021	081-007-9 7/16/21	
1	13340000 6564			HwyEqMt/Sh	MchVehPrts	65.27	
2	13340000 6590			HwyEqMt/Sh	TlsShpMat	217.85	
				Invoice Net		283.12	
						CHECK TOTAL	283.12
2714 BRAUN INTERTEC CORP		00000		INV	07/28/2021	B255906	
1	13340000 6260			HwyEqMt/Sh	ProTechSvc	2,200.00	
				Invoice Net		2,200.00	
						CHECK TOTAL	2,200.00
4624 CDW GOVERNMENT INC		00000		INV	07/28/2021	G770005	
1	25052000 6480			AmerResPln	NonCapInv	1,863.73	
				Invoice Net		1,863.73	
						CHECK TOTAL	1,863.73
2252 CIT INC		00000		INV	07/28/2021	312798	
1	01061061 6260			ITTechnlgy	ProTechSvc	228.00	
				Invoice Net		228.00	
						CHECK TOTAL	228.00
3477 COLE PAPERS INC		00000		INV	07/28/2021	10013103	
1	01111000 6410			CHBldgMtc	CstBldgSpp	325.00	
2	01112000 6410			LEBldgMtc	CstBldgSpp	325.00	
3	01115000 6410			EABldMtc	CstBldgSpp	325.00	
4	01116000 6410			ExtBldMtc	CstBldgSpp	71.78	
5	01117000 6410			HSPHBldgMt	CstBldgSpp	325.00	
				Invoice Net		1,371.78	
						CHECK TOTAL	1,371.78
2445 COMMUNITY COMPLIANCE M		00000		INV	07/28/2021	JUNE21A-WSC	
1	01254000 6264			ElecMonit	ElecMntrg	576.00	
				Invoice Net		576.00	
						CHECK TOTAL	576.00
5818 CPS TECHNOLOGY SOLUTIO		00000		EFT	07/28/2021	380551	
1	01061061 6310			ITTechnlgy	EqRepMtc	98.00	
				Invoice Net		98.00	
						CHECK TOTAL	98.00
989 CRYSTAL VALLEY COOP		00001		INV	07/28/2021	1352336	
1	01111000 6411			CHBldgMtc	FuelOil	990.41	
				Invoice Net		990.41	
						CHECK TOTAL	990.41

07/28/2021 13:23
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Waseca, MN
| DETAIL INVOICE LIST

P 4
| apwarrnt

CASH ACCOUNT: 99000000 1001

FNB Checking

CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
330 DAVE'S BODY SHOP	1 01119000 6560	00000		INV	07/28/2021	16164	
		Fleet		AutoRep		100.00	
		Invoice Net				100.00	
				CHECK TOTAL			100.00
8663 DIVERSIFIED POLYGRAPH	1 01252000 6260	00000		INV	07/28/2021	608894	
		CrtSvcs		ProTechSvc		275.00	
		Invoice Net				275.00	
				CHECK TOTAL			275.00
8662 DTN	1 25207000 6481	00001		INV	07/28/2021	5979546	
		E911		E911Equip		3,412.80	
		Invoice Net				3,412.80	
				CHECK TOTAL			3,412.80
1573 EXPRESS SERVICES INC	1 19393000 6261	00000		INV	07/28/2021	25745420	
		Recycling		ContLabor		1,162.91	
		Invoice Net				1,162.91	
1573 EXPRESS SERVICES INC	1 19393000 6261	00000		INV	07/28/2021	25710350	
		Recycling		ContLabor		898.73	
		Invoice Net				898.73	
				CHECK TOTAL			2,061.64
8624 FOTH INFRASTRUCTURE &	1 13320000 6260	00000		INV	07/28/2021	73394	
		HwyEng/Con		ProTechSvc		740.25	
		Invoice Net				740.25	
				CHECK TOTAL			740.25
4534 GOVERNMENT FORMS AND S	1 01041000 6401	00000		INV	07/28/2021	0328625	
		Aud-Treas		OffcSuppls		698.95	
		Invoice Net				698.95	
				CHECK TOTAL			698.95
8524 GREYSTONE CONSTRUCTION	1 13340000 6611	00000		INV	07/28/2021	28741	
		HwyEqMt/Sh		BldgImp		18,000.00	
		Invoice Net				18,000.00	
				CHECK TOTAL			18,000.00
2405 HILLYARD INC	1 01111000 6310	00000		INV	07/28/2021	700470079	
		CHBldgMtc		EqRepMtc		85.89	
		Invoice Net				85.89	
				CHECK TOTAL			85.89
3057 HY-VEE OWATONNA	1 01065000 6803	00000		INV	07/28/2021	263009 7/12/21	
		HumnRsracs		MiscExp68		596.32	
		Invoice Net				596.32	
				CHECK TOTAL			596.32

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Waseca, MN
| DETAIL INVOICE LIST

P 5
| apwarrnt

CASH ACCOUNT: 99000000 1001

FNB Checking

CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
235	INNOVATIVE OFFICE SOLU	00000		INV	07/28/2021	IN3404058	
	1 01091000 6401			Attrny	OffcSuppls	90.62	
				Invoice Net		90.62	
235	INNOVATIVE OFFICE SOLU	00000		INV	07/28/2021	IN3411936	
	1 25259000 6401			PermtCrry	OffcSuppls	21.52	
				Invoice Net		21.52	
235	INNOVATIVE OFFICE SOLU	00000		INV	07/28/2021	IN3407029	
	1 01201229 6478			OffSupShrf	DepSppl	62.32	
				Invoice Net		62.32	
235	INNOVATIVE OFFICE SOLU	00000		INV	07/28/2021	IN3413361	
	1 01041000 6401			Aud-Treas	OffcSuppls	10.79	
				Invoice Net		10.79	
235	INNOVATIVE OFFICE SOLU	00000		INV	07/28/2021	SO3413253	
	1 01031000 6401			CoAdmn	OffcSuppls	6.10	
				Invoice Net		6.10	
235	INNOVATIVE OFFICE SOLU	00000		INV	07/28/2021	CIN102069	
	1 01091000 6401			Attrny	OffcSuppls	2,867.00	
				Invoice Net		2,867.00	
235	INNOVATIVE OFFICE SOLU	00000		INV	07/28/2021	CIN102061	
	1 01252000 6480			CrtSvcs	NonCapInv	1,290.50	
				Invoice Net		1,290.50	
235	INNOVATIVE OFFICE SOLU	00000		INV	07/28/2021	IN3417102	
	1 25259000 6401			PermtCrry	OffcSuppls	7.75	
				Invoice Net		7.75	
				CHECK TOTAL		4,356.60	_____
4122	INTERSTATE POWER SYSTE	00000		INV	07/28/2021	R001178123:01	
	1 01111000 6340			CHBldgMtc	RntSvcAgrt	525.00	
	2 01112000 6340			LEBldgMtc	RntSvcAgrt	525.00	
				Invoice Net		1,050.00	
				CHECK TOTAL		1,050.00	_____
4334	J R BRUENDER CONST INC	00000		INV	07/28/2021	38840	
	1 01521000 6260			CoParks	ProTechSvc	485.00	
				Invoice Net		485.00	
4334	J R BRUENDER CONST INC	00000		INV	07/28/2021	38839	
	1 01521000 6260			CoParks	ProTechSvc	97.00	
				Invoice Net		97.00	
4334	J R BRUENDER CONST INC	00000		INV	07/28/2021	38909	
	1 01521000 6260			CoParks	ProTechSvc	87.00	
				Invoice Net		87.00	
				CHECK TOTAL		669.00	_____
971	J SCOTT BRADEN LAW OFF	00000		INV	07/28/2021	26738	
	1 01014000 6260			CrtAdmnCo	ProTechSvc	65.50	
				Invoice Net		65.50	
971	J SCOTT BRADEN LAW OFF	00000		INV	07/28/2021	26922	

07/28/2021 13:23
5264aschauer

Waseca, MN
| DETAIL INVOICE LIST

P 6
apwarrnt

CASH ACCOUNT: 99000000 1001

FNB Checking

CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
	1 01014000 6260			CrtAdmnCo	ProTechSvc	800.00	
				Invoice Net		800.00	
971	J_SCOTT BRADEN LAW OFF	00000		INV	07/28/2021	JAN-JUNE 2021 STMNT	
	1 01014000 6260			CrtAdmnCo	ProTechSvc	990.58	
				Invoice Net		990.58	
				CHECK TOTAL		1,856.08	_____
1969	JENSEN CONSERVATION SE	00000		INV	07/28/2021	1025	
	1 01111000 6310			CHBldgMtc	EqRepMtc	577.40	
				Invoice Net		577.40	
				CHECK TOTAL		577.40	_____
4687	JONES HAUGH & SMITH	00000		INV	07/28/2021	42168	
	1 13330000 6260			HwyMntnc	ProTechSvc	2,978.74	
				Invoice Net		2,978.74	
				CHECK TOTAL		2,978.74	_____
1237	MIDWEST MOTOR SUPPLY C	00000		INV	07/28/2021	8927079	
	1 13340000 6562			HwyEqMt/Sh	OthAutoSup	893.77	
				Invoice Net		893.77	
1237	MIDWEST MOTOR SUPPLY C	00000		INV	07/28/2021	9037632	
	1 13340000 6562			HwyEqMt/Sh	OthAutoSup	1,500.65	
				Invoice Net		1,500.65	
1237	MIDWEST MOTOR SUPPLY C	00000		INV	07/28/2021	9051308	
	1 13340000 6562			HwyEqMt/Sh	OthAutoSup	75.86	
				Invoice Net		75.86	
				CHECK TOTAL		2,470.28	_____
83	LOWER 48 TRANSPORT SER	00000		INV	07/28/2021	22353	
	1 19393000 6260			Recycling	ProTechSvc	746.56	
				Invoice Net		746.56	
83	LOWER 48 TRANSPORT SER	00000		INV	07/28/2021	22663	
	1 19393000 6260			Recycling	ProTechSvc	752.48	
				Invoice Net		752.48	
83	LOWER 48 TRANSPORT SER	00000		INV	07/28/2021	22746	
	1 19393000 6260			Recycling	ProTechSvc	752.48	
				Invoice Net		752.48	
				CHECK TOTAL		2,251.52	_____
8401	MNCVSO ASSISTANTS & SE	00000		INV	07/28/2021	2021 STMNT	
	1 25123000 6803			VtSv OpImp	MiscExp	131.00	
				Invoice Net		131.00	
				CHECK TOTAL		131.00	_____
2797	NAPA AUTO PARTS MPEC	00000		INV	07/28/2021	310971	
	1 01119000 6564			Fleet	VehPrts	24.99	
				Invoice Net		24.99	

07/28/2021 13:23
5264aschauer

Waseca, MN
| DETAIL INVOICE LIST

P 7
apwarrnt

CASH ACCOUNT: 99000000 1001

FNB Checking

CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
						CHECK TOTAL	24.99
5849	OLMSTED CO CENTRAL FIN	00000		INV	07/28/2021	SHER-137988	
	1 01201217 6258			ShrfBrdPrs	OtCoInmts	780.00	
				Invoice Net		780.00	
						CHECK TOTAL	780.00
4473	OVERHEAD DOOR CO OF MA	00000		INV	07/28/2021	60632	
	1 13340000 6410			HwyEqMt/Sh	CstBldgSpp	868.56	
				Invoice Net		868.56	
						CHECK TOTAL	868.56
2813	PEMBERTON LAW PLLP	00000		INV	07/28/2021	20176309-000M #31	
	1 01065000 6260			HumnRsrcls	ProTechSvc	283.50	
				Invoice Net		283.50	
2813	PEMBERTON LAW PLLP	00000		INV	07/28/2021	20176309-000M 30	
	1 01065000 6260			HumnRsrcls	ProTechSvc	453.00	
				Invoice Net		453.00	
						CHECK TOTAL	736.50
4859	RECOVERY TREK LLC	00000		INV	07/28/2021	3984001121	
	1 25252103 6213			DrgCrtDWI	DrgTstgSvc	135.00	
				Invoice Net		135.00	
4859	RECOVERY TREK LLC	00000		INV	07/28/2021	4131001121	
	1 25252103 6213			DrgCrtDWI	DrgTstgSvc	135.00	
				Invoice Net		135.00	
						CHECK TOTAL	270.00
1934	RIVER BEND BUSINESS PR	00000		INV	07/28/2021	526632	
	1 01062000 6341			CenSvcs	CopierMain	21.59	
				Invoice Net		21.59	
1934	RIVER BEND BUSINESS PR	00000		INV	07/28/2021	526313	
	1 01062000 6341			CenSvcs	CopierMain	309.63	
				Invoice Net		309.63	
1934	RIVER BEND BUSINESS PR	00000		INV	07/28/2021	526435	
	1 01062000 6341			CenSvcs	CopierMain	103.91	
				Invoice Net		103.91	
						CHECK TOTAL	435.13
2380	MJB HANSEN FAMILY LP	00000		INV	07/28/2021	103315	
	1 01062000 6341			CenSvcs	CopierMain	1,451.96	
				Invoice Net		1,451.96	
						CHECK TOTAL	1,451.96
8316	RIVER VALLEY FORENSIC	00000		INV	07/28/2021	1526	
	1 01211000 6260			Coroner	ProTechSvc	1,000.00	
				Invoice Net		1,000.00	

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CASH ACCOUNT: 99000000 1001

FNB Checking

CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
						CHECK TOTAL	1,000.00
8377	CHARLES VINCENT DAWLEY						
	1 01014000 6260	00000		INV	07/28/2021	81-JV-20-346	
				CrtAdmnCo	ProTechSvc	1,500.00	
				Invoice Net		1,500.00	
						CHECK TOTAL	1,500.00
1629	RS EDEN						
	1 01252000 6412	00000		INV	07/28/2021	64778	
				CrtSvcs	UATstng	154.85	
				Invoice Net		154.85	
						CHECK TOTAL	154.85
1299	SAFETY KLEEN SYSTEMS I						
	1 13340000 6562	00000		INV	07/28/2021	86580271	
				HwyEqMt/Sh	OthAutoSup	300.79	
				Invoice Net		300.79	
						CHECK TOTAL	300.79
4636	SCHWAAB INC						
	1 01107000 6401	00000		INV	07/28/2021	5475536	
				P&Z	OffcSuppls	49.43	
				Invoice Net		49.43	
						CHECK TOTAL	49.43
4528	SHARE CORPORATION						
	1 01111000 6410	00000		INV	07/28/2021	173782	
	2 01112000 6410			CHBldgMtc	CstBldgSpp	56.06	
	3 01116000 6410			LEBldgMtc	CstBldgSpp	56.05	
	4 01117000 6410			ExtBldMtc	CstBldgSpp	56.05	
				HSPHBldgMt	CstBldgSpp	56.05	
				Invoice Net		224.21	
						CHECK TOTAL	224.21
2589	SMITH TOLLEFSON RAHRIC						
	1 01014000 6261	00000		INV	07/28/2021	21-14695	
				CrtAdmnCo	CrtAptAtty	310.00	
				Invoice Net		310.00	
2589	SMITH TOLLEFSON RAHRIC						
	1 01014000 6261	00000		INV	07/28/2021	20-14485 7/9/21	
				CrtAdmnCo	CrtAptAtty	40.00	
				Invoice Net		40.00	
2589	SMITH TOLLEFSON RAHRIC						
	1 01014000 6261	00000		INV	07/28/2021	20-14458 7/9/21	
				CrtAdmnCo	CrtAptAtty	160.00	
				Invoice Net		160.00	
2589	SMITH TOLLEFSON RAHRIC						
	1 01014000 6261	00000		INV	07/28/2021	21-14576 7/9/21	
				CrtAdmnCo	CrtAptAtty	20.00	
				Invoice Net		20.00	
2589	SMITH TOLLEFSON RAHRIC						
	1 01014000 6261	00000		INV	07/28/2021	19-14134 7/9/21	
				CrtAdmnCo	CrtAptAtty	170.00	
				Invoice Net		170.00	
						CHECK TOTAL	700.00

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CASH ACCOUNT: 99000000 1001

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CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
2749	SPEE-DEE DELIVERY SERV 1 01107000 6260	00000		INV	07/28/2021	4279366 10.14 10.14 Invoice Net	
						CHECK TOTAL	10.14
4631	SPORTSMAN STOP 1 01521000 6566	00000		INV	07/28/2021	40 7/9/21 33.69 33.69 Invoice Net	
						CHECK TOTAL	33.69
2594	STONEBROOKE ENGINEERIN 1 13320000 6260	00000		INV	07/28/2021	00663.39 22,077.50 22,077.50 Invoice Net	
						CHECK TOTAL	22,077.50
72	STREICHERS 1 01201201 6461	00000		INV	07/28/2021	I1514021 250.00 250.00 Invoice Net	
72	STREICHERS 1 01201201 6461	00000		INV	07/28/2021	I11514015 250.00 250.00 Invoice Net	
72	STREICHERS 1 01201201 6461	00000		INV	07/28/2021	I11514012 250.00 250.00 Invoice Net	
72	STREICHERS 1 01201201 6461	00000		INV	07/28/2021	I1514011 250.00 250.00 Invoice Net	
72	STREICHERS 1 01201201 6461	00000		INV	07/28/2021	I1513797 250.00 250.00 Invoice Net	
						CHECK TOTAL	1,250.00
519	THE SHOP LLC 1 13340000 6310	00000		INV	07/28/2021	22298 95.00 95.00 Invoice Net	
						CHECK TOTAL	95.00
2755	TOM BORNEKE CONSTRUCTI 1 25451453 6260	00000		INV	07/28/2021	7/16/21 STMNT 7,500.00 7,500.00 Invoice Net	
						CHECK TOTAL	7,500.00
6711	TRIMIN SYSTEMS INC 1 25105000 6450	00000		INV	07/28/2021	50827 325.00 325.00 Invoice Net	
						CHECK TOTAL	325.00

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CASH ACCOUNT: 99000000 1001

FNB Checking

CHECK RUN: C080321 08/03/2021

DUE DATE: 07/28/2021

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	INVOICE/AMOUNT	CHECK
3729 UNIVERSAL RECYCLING TE		00000		INV	07/28/2021	ARINV173167	
1 19393000 6260				Recycling	ProTechSvc	972.30	
				Invoice Net		972.30	
				CHECK TOTAL			972.30
2812 WASECA MOTOR CO		00000		INV	07/28/2021	WAS307 7/1/21	
1 13340000 6564				HwyEqMt/Sh	MchVehPrts	121.43	
				Invoice Net		121.43	
				CHECK TOTAL			121.43
2316 WASECA GLASS INC		00000		INV	07/28/2021	3329	
1 13340000 6310				HwyEqMt/Sh	EqRepMtc	85.00	
2 13340000 6564				HwyEqMt/Sh	MchVehPrts	160.00	
				Invoice Net		245.00	
				CHECK TOTAL			245.00
304 WASECA SAND & GRAVEL I		00000		INV	07/28/2021	15624/15633	
1 13330000 6511				HwyMntnc	CncMtrl	10,084.20	
				Invoice Net		10,084.20	
				CHECK TOTAL			10,084.20
=====							
89 INVOICES				CHECK RUN TOTAL		104,968.57	104,968.57
				CASH ACCOUNT BALANCE			6,719,667.94
=====							

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DUE DATE: 07/28/2021

FUND	ORG	ACCOUNT	AMOUNT	AVLB	BUDGET	
01	01014000	Court Admin Waseca	01-014-010-000-0000-0000-6260-	Prof & Tech Services	3,356.08	14,959.92
01	01014000	Court Admin Waseca	01-014-010-000-0000-0000-6261-	Court Appointed Attorn	700.00	65,374.18
01	01031000	County Administrat	01-031-010-000-0000-0000-6334-	Mileage	16.24	422.38
01	01031000	County Administrat	01-031-010-000-0000-0000-6401-	Office Supplies	6.10	1,076.79
01	01041000	Auditor-Treasurer	01-041-010-000-0000-0000-6401-	Office Supplies	709.74	5,303.38
01	01061061	IT Technology	01-061-010-061-0000-0000-6260-	Prof & Tech Services	228.00	14,005.47
01	01061061	IT Technology	01-061-010-061-0000-0000-6262-	Software Support	1,170.00	35,237.40
01	01061061	IT Technology	01-061-010-061-0000-0000-6310-	Equipment Repairs/Main	98.00	1,214.01
01	01062000	Central Services	01-062-010-000-0000-0000-6111-	Per Diems	80.00	900.00
01	01062000	Central Services	01-062-010-000-0000-0000-6341-	Copier Maintenance	1,887.09	-1,944.48
01	01065000	Human Resources	01-065-010-000-0000-0000-6260-	Prof & Tech Services	736.50	1,008.07
01	01065000	Human Resources	01-065-010-000-0000-0000-6803-	Miscellaneous Expense	596.32	-2,169.06
01	01091000	Attorney	01-091-010-000-0000-0000-6401-	Office Supplies	2,957.62	-1,438.77
01	01107000	Planning and Zonin	01-107-010-000-0000-0000-6240-	Advertising/Legal Noti	44.40	1,168.13
01	01107000	Planning and Zonin	01-107-010-000-0000-0000-6260-	Prof & Tech Services	10.14	26,273.52
01	01107000	Planning and Zonin	01-107-010-000-0000-0000-6401-	Office Supplies	49.43	152.56
01	01111000	Courthouse Buildin	01-111-010-000-0000-0000-6310-	Equipment Repairs/Main	663.29	1,943.27
01	01111000	Courthouse Buildin	01-111-010-000-0000-0000-6340-	Rentals & Service Agre	525.00	2,526.23
01	01111000	Courthouse Buildin	01-111-010-000-0000-0000-6410-	Custodial & Building S	506.06	2,778.96
01	01111000	Courthouse Buildin	01-111-010-000-0000-0000-6411-	Fuel Oil	990.41	509.59
01	01112000	Law Enforcement Bu	01-112-020-000-0000-0000-6340-	Rentals & Service Agre	525.00	1,953.48
01	01112000	Law Enforcement Bu	01-112-020-000-0000-0000-6410-	Custodial/Building Sup	506.05	1,272.85
01	01115000	East Annex Buildin	01-115-010-000-0000-0000-6410-	Custodial/Building Sup	450.00	862.90
01	01116000	Extension Building	01-116-090-000-0000-0000-6410-	Custodial/Building Sup	181.87	321.94
01	01117000	Hman Svcs/Pub Hlth	01-117-050-000-0000-0000-6410-	Custodial/Building Sup	506.05	5,794.47
01	01119000	Fleet	01-119-010-000-0000-0000-6560-	Automotive Repairs	100.00	1,981.28
01	01119000	Fleet	01-119-010-000-0000-0000-6564-	Vehicle Parts	24.99	962.55
01	01201201	General Sheriff	01-201-020-201-0000-0000-6461-	Uniform Expense	1,250.00	14,951.64
01	01201217	Sheriff Board of P	01-201-020-217-0000-0000-6258-	Out Of County Inmates	780.00	47,613.00
01	01201217	Sheriff Board of P	01-201-020-217-0000-0000-6803-	Miscellaneous Expense	538.36	7,765.36
01	01201229	Office Supplies, S	01-201-020-229-0000-0000-6478-	Deputies Supplies	62.32	23,543.54
01	01211000	Coroner	01-211-020-000-0000-0000-6260-	Prof & Tech Services	1,000.00	7,391.31
01	01252000	Court Services	01-252-020-000-0000-0000-6260-	Prof & Tech Services	275.00	4,475.00
01	01252000	Court Services	01-252-020-000-0000-0000-6412-	UA Testing	154.85	668.60
01	01252000	Court Services	01-252-020-000-0000-0000-6480-	Non-Capitalized Invent	1,290.50	709.50
01	01254000	Electronic Monitor	01-254-020-000-0000-0000-6264-	Electronic Monitoring	576.00	7,004.00
01	01521000	County Parks	01-521-070-000-0000-0000-6260-	Prof & Tech Services	669.00	-19.00
01	01521000	County Parks	01-521-070-000-0000-0000-6509-	Grounds Maintenance Su	173.84	292.16
01	01521000	County Parks	01-521-070-000-0000-0000-6566-	Gas	33.69	618.35

FUND TOTAL 24,427.94

CASH ACCOUNT 99000000 1001 BALANCE 6,719,667.94

13	13320000	Hwy Engineering/Co	13-320-030-000-0000-0000-6260-	Prof & Tech Services	24,076.25	181,567.07
13	13330000	Highway Maintenanc	13-330-030-000-0000-0000-6260-	Prof & Tech Services	2,978.74	321,912.23
13	13330000	Highway Maintenanc	13-330-030-000-0000-0000-6511-	Concrete Material	10,084.20	-7,345.24
13	13340000	Hwy Equipment Main	13-340-030-000-0000-0000-6260-	Prof & Tech Services	2,200.00	14,335.82
13	13340000	Hwy Equipment Main	13-340-030-000-0000-0000-6310-	Equipment Repairs/Main	180.00	-34,655.58

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DUE DATE: 07/28/2021

FUND ORG	ACCOUNT	AMOUNT	AVLB BUDGET	
13	13340000 Hwy Equipment Main 13-340-030-000-0000-0000-6410-	Custodial/Building Sup	868.56	-2,035.30
13	13340000 Hwy Equipment Main 13-340-030-000-0000-0000-6562-	Other Auto Supplies	2,771.07	29,567.16
13	13340000 Hwy Equipment Main 13-340-030-000-0000-0000-6564-	Machinery/Vehicle Part	346.70	-9,977.86
13	13340000 Hwy Equipment Main 13-340-030-000-0000-0000-6590-	Tools & Shop Materials	217.85	5,573.13
13	13340000 Hwy Equipment Main 13-340-030-000-0000-0000-6611-	Building Improvements	18,000.00	284,125.52
		FUND TOTAL	61,723.37	
CASH ACCOUNT 99000000 1001	BALANCE	6,719,667.94		
19	19393000 Recycling 19-393-040-000-0000-0000-6260-	Prof & Tech Services	3,223.82	13,180.10
19	19393000 Recycling 19-393-040-000-0000-0000-6261-	Contracted Labor	2,061.64	6,775.45
		FUND TOTAL	5,285.46	
CASH ACCOUNT 99000000 1001	BALANCE	6,719,667.94		
25	25052000 American Rescue Pl 25-052-000-000-0000-0000-6480-	Non-Capitalized Invent	1,863.73	.00
25	25105000 Recorder's Complia 25-105-010-000-0000-0000-6450-	Software Purchases & U	325.00	-6,825.00
25	25123000 Vet's Svcs Operati 25-123-010-000-0000-0000-6803-	Miscellaneous Expense	131.00	-981.00
25	25207000 E911 25-207-020-000-0000-0000-6481-	Notify Emgncy Svcs Equ	3,412.80	-30,006.91
25	25252103 Drug Court DWI Tra 25-252-020-103-0000-0000-6213-	Drug Testing Services	270.00	16,703.55
25	25259000 Permit To Carry 25-259-020-000-0000-0000-6401-	Office Supplies	29.27	-2,792.16
25	25451453 Pub Hlth SSTS Upgr 25-451-050-453-0000-0000-6260-	Prof & Tech Services	7,500.00	-23,500.00
		FUND TOTAL	13,531.80	
CASH ACCOUNT 99000000 1001	BALANCE	6,719,667.94		
		CHECK RUN SUMMARY TOTAL	104,968.57	
		GRAND TOTAL	104,968.57	

** END OF REPORT - Generated by Amy Schauer **



Waseca County Board of Commissioners
Request for Board Action

Fund Transfer

Meeting Date:	8/3/21	Fiscal/FTE Impact:	<input checked="" type="checkbox"/> None
Item Type:	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Action	<input type="checkbox"/> Current budget	<input type="checkbox"/> New FTE(s) Requested
Department:	Recorder	<input type="checkbox"/> Other	<input type="checkbox"/> Amendment Requested
Contact:	Amy Schauer		
Contact Phone:	507-835-0612		
Prepared by:	Amy Schauer		

PURPOSE/ACTION REQUESTED

Transfer a receipt in the amount of \$90 from the State Revenue Fund, Recording Fee State Surcharge (80841.2124) to Recorder Technology Fund (25104.5513).

SUMMARY

Upon reconciling the Recording Fee-State Surcharge account, it was discovered a receipt in the amount of \$90 was deposited into the Recording Fee State Surcharge account instead of the Recorder Technology Fund account.

RECOMMENDATION

Approve to Transfer \$90 from the Recording Fee State Surcharge to the Recorder Technology Fund.

EXPLANATION OF FISCAL/FTE IMPACTS

It will increase the Special Revenue Fund, Recorder's Technology Fund (25104.5513) in the amount of \$90. This will also bring the State Revenue Fund, Recording Fee State Surcharge (80841.2124) to balance what was paid to the state in fees that were collected.

Supporting Documents:

Attachment A:
Attachment B:

Previous Board Action(s):

Resolution #



DDA

Human Resources, Inc.
a David Drown Associates Company

TO: WASECA COUNTY BOARD
FROM: TESSIA MELVIN, DDA MANAGEMENT CONSULTANT
DATE: JULY 28, 2021
CC: MICHAEL JOHNSON, COUNTY ADMINISTRATOR AND MELISSA SEXTON, HUMAN RESOURCE DIRECTOR
SUBJECT: CLASSIFICATION OF HUMAN RESOURCES GENERALIST

JOB CLASSIFICATION

A classification plan defines the internal relationship among positions. This relationship is developed based on the evaluation of each position within an organization. For each position within an organization a job description is developed which includes the essential duties of the position or class of positions and the required education and experience needed for the job (training, certification, licensure and level of knowledge, skills and abilities to perform essential duties.

The SAFE system generates numerical values for each position based on defined values associated with (6) skill levels comprised of (16) work characteristics and (9) job factors. Job Factors are evaluated by the following areas:

Factors	
Training and Ability	Working Conditions and Hazards
Experience	Independence of Action
Level of Work	Impact of End Results
Human Relation Skills	Supervision Exercised
Physical Demands	

The County Board has agreed to hire DDA to perform an ongoing maintenance contract. A maintenance contract is designed to eliminate the need for a large compensation and classification study every 4 to 6 years. Services include everything to keep a freshly updated compensation perpetually up-to-date and aligned with market conditions. In addition, this maintenance program ensures job descriptions are updated, classifications are done by a consistent unbiased manner and include employee and manager engagement.

BACKGROUND

With the recent restructure of the Property and Election Services, the payroll function will be moving to Human Resources. The job description for the HR Technician (now titled as HR Generalist) has been updated to reflect this added function. The position description has been reviewed and classified. Under the County's current system and review of the revised job position, I would classify the HR Generalist position as a Grade 7. Important to note, the previous Payroll Coordinator job description was classified at a grade 7 as well.

BOARD ACTION

Per County Policy, the Board, must approve any job classification of more than two grades. We are asking the Board to consider approving the HR Technician (grade 5) to HR Generalist (grade 7).



**Waseca County Board of Commissioners
Request for Board Action**

Public Hearing to Consider Amendment to §3.02(B)(1) and §4.02(C)(2)(f);
§6.05 and §6.06 of the Waseca County UDC

Meeting Date:	August 3, 2021	Fiscal/FTE Impact:
Item Type:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Action	<input type="checkbox"/> None
Department:	Planning and Zoning Department	<input type="checkbox"/> Current budget
Contact:	Mark Leiferman, Planning and Zoning Administrator	<input type="checkbox"/> New FTE(s) Requested
Contact Phone:	(507) 835-0651	<input type="checkbox"/> Other
Prepared by:	Maame Yorke	<input checked="" type="checkbox"/> Amendment Requested

PURPOSE/ACTION REQUESTED

PUBLIC HEARING. Waseca County request to amend §3.02(B)(1) and §4.02(C)(2)(f); §6.05 and §6.06 of the Waseca County Unified Development Code.

SUMMARY

On Thursday, July 1, 2021, the Waseca County Planning Commission held its regularly scheduled meeting and unanimously moved to recommend approval by the Waseca County Board of Commissioners of the following amendments to the UDC.

- I. *Waseca County requested to amend UDC §3.02(B)(1) and §4.02(C)(2)(f). The amendment was in response to staff recent discovery of some discrepancies and contradicting information in the UDC.*
- II. *Waseca County requested an amendment to §6.05(D) Animal Units. Table 6.3. Changes include adding language that defines one swine between 55 and 300 pounds as 0.3 animal units, adding a new category that defines one swine over 300 pounds as 0.4 animal units, and also adding a new category that defines one goat as 0.15 animal units.*
- III. *Waseca County requested an amendment to §6.06(C) Provisions for New Feedlots. A new (1) provision for the paragraph would read as follows: Sites proposing to maintain ten or more animal units, or a manure storage area capable of holding the manure produced by ten or more animal units, shall be defined as a feedlot and must meet the required feedlot setbacks. To correspond to the previous amendment, Waseca County requests amendment to §6.06(D) Provisions for Existing Feedlots, Including Modification and Expansion. (1) Registration Requirements. (a) Owners required to register. Following changes, the language would then read: Sites with ten or more animal units, or a manure storage capable of holding the manure produced by ten or more animal units, shall be required to register with the County Feedlot Officer as a feedlot and meet required setbacks.*
- IV. *Waseca County requested an amendment to §6.06 (E) the County Feedlot Site Inspection Team. New portions of paragraphs (1) and (4) would require new feedlots of 50 animal units or more and existing feedlots proposing an expansion of 100 animal units or more, or a change in operation as determined by the feedlot officer, to receive an inspection and review by the County Feedlot Site Inspection Team. Current language requires all new feedlots and all feedlots experiencing any change in operation or when animal units will increase by 200 animal units or greater within a two-year period to receive a County Feedlot Site Inspection Team review.*

- V. *Waseca County requested an amendment to §6.06 (C), (1) Permit Requirements, paragraph (M) to remove contradicting language that assigns an animal unit equivalent of 0.4 to all hogs, instead of separate animal unit equivalent categories based on the size of the animal.*
- VI. *Waseca County requested an amendment to §6.06 (G) Manure Transportation and Storage. (5) Stacking of Manure Onsite. (a) General Requirements. New language would require solid manure that is stacked for more than one year to be stored on a concrete containment pad. The purpose of this amendment is to remove contradiction and have the requirement correspond with the current language in paragraph (b) Short-term Stockpile Site Requirements, that states manure must be removed from the site and land applied within one year of the date when the stockpile was initially established.*

The full Planning Commission Report on this request can be found on the Waseca County website on the Agendas tab at: <https://www.co.waseca.mn.us/AgendaCenter/ViewFile/Agenda/07012021-538>

RECOMMENDATION

Waseca County staff recommends that the Waseca County Board of Commissioners review the attached Ordinance amendment of the UDC in substantially the form as appended to this memorandum.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:

Attachment “A”: Ordinance 147 Amending §5.02(S)(1) of the Waseca County UDC with Exhibit A.

Administrator’s Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed – No Recommendation
- Reviewed – Information Only
- Submitted at Commissioner Request

Reviewed By (if required):

- County Attorney’s Office
- Risk Management
- Human Resources
- Information Technology
- Building and Grounds

County Administrator

Attachment A

ORDINANCE 147

WASECA COUNTY

**AN ORDINANCE AMENDING §3.02(B)(1) AND §4.02(C)(2)(f); §6.05 AND §6.06 OF THE
WASECA COUNTY UNIFIED DEVELOPMENT CODE**

The County Board of Commissioners for Waseca County hereby ordains as follows:

WHEREAS, Waseca County Planning and Zoning requested an amendment to the Waseca County Unified Development Code §3.02(B)(1), §4.02(C)(2)(f); §6.05 and §6.06; and

WHEREAS, the Waseca County Planning Commission conducted a public hearing on July 1, 2021 regarding the proposed amendment to the Waseca County Unified Development Code, and recommends its approval as depicted in Exhibits A through F to the Waseca County Board of Commissioners; and

WHEREAS, the Waseca County Board of Commissioners held a public hearing at their meeting on August 3, 2021 to adopt the amendment to the Waseca County Unified Development Code as shown in Exhibit A through F;

NOW, THEREFORE, Waseca County Board of Commissioners does ordain that the Waseca County Unified Development Code shall be amended as shown in Exhibit A through F appended to this Ordinance.

Adopted by Waseca County on this 3rd day of August, 2021 and effective on date of adoption.

DeAnne Malterer
Chair, Waseca County Board of Commissioners

ATTEST:

Tamara Spooner
County Auditor –Treasurer

EXHIBIT A
WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 3: DEVELOPMENT REVIEW PROCESSES AND REQUIREMENTS
AND ARTICLE 4: GENERAL REGULATIONS

(Note: Proposed Changes with additions *italicized and underlined* with Subtractions ~~struck~~)

§ 3.02 ZONING PERMITS.

(B) *Notice to proceed required.*

(1) *Applicability.* A notice to proceed is required for non-structural repairs that do not require a zoning permit. Circumstances in which a notice to proceed is required include, but are not limited to roof re-shingling, re-roofing, window replacement, same size, window replacement - enlargement or made smaller, siding, foundation repair/replacement (no structural raising involved), construction of an accessory structure ~~less than 100 square feet~~ *one hundred (100) square feet or less* and less than 14 feet in height. All repairs must meet all ordinance requirements.

§ 4.02 GENERAL REGULATIONS FOR STRUCTURES.

(C) *Accessory structures.* Accessory structures located in any residential or agricultural zoning district, shall meet the following requirements.

(2) *Detached.* Detached accessory structures shall meet all of the following requirements.

(f) *Permit exception.* Outside the Shoreland Overlay District, a ~~building zoning~~ permit shall not be required for any accessory building of ~~150~~ *one hundred (100)* square feet or less, but applicable setbacks shall be met.

EXHIBIT B
WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 6: ZONING DISTRICT REGULATIONS

(Note: Proposed Changes with additions *italicized and underlined* with Subtractions ~~struck~~)

§6.05 GENERAL STANDARDS FOR AGRICULTURAL AND NATURAL RESOURCE USES.

(D) *Animal units.* Table 6.3 shows the animal unit measures for common agricultural animals.

<i>Table 6.3 Animal Unit Equivalents</i>	
<i>Animal</i>	<i>Per Animal</i>
One mature dairy cow over 1,000 pounds	1.4 animal units
One dairy cow under 1,000 pounds	1.0 animal units
One heifer	0.7 animal units
One calf (under 500 pounds)	0.2 animal units
One slaughter steer or stock cow	1.0 animal units
One feeder cattle	0.7 animal units
One cow and calf pair	1.2 animal units
One swine over <i>Between 55 and 300</i> pounds	0.3 animal units
<i><u>One swine over 300 pounds</u></i>	<i><u>0.4 animal units</u></i>
One nursery pig under 55 pounds	0.05 animal units
One horse	1.0 animal units
One sheep or lamb	0.1 animal units
One laying hen or broiler (using liquid manure system)	0.033 animal units
One chicken over 5 pounds (using dry manure system)	0.005 animal units
One chicken under 5 pounds (using dry manure system)	0.003 animal units
One turkey over 5 pounds	0.018 animal units
One turkey under 5 pounds	0.005 animal units
One duck	0.01 animal units
<i><u>One Goat</u></i>	<i><u>0.15 animal units</u></i>
For any animal not appearing in the above chart, the average weight of the animal divided by 1,000 pounds will determine its AU value.	

EXHIBIT C
WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 6: ZONING DISTRICT REGULATIONS

(Note: Proposed Changes with additions *italicized and underlined* with Subtractions ~~struck~~)

§6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(C) *Provisions for new feedlots.*

(1) Sites proposing to maintain ten or more animal units, or a manure storage area capable of holding the manure produced by ten or more animal units shall be defined as a feedlot and must meet the required feedlot setbacks.

(2) ~~(1)~~ *Permit requirements.* A construction short form shall be required for all new feedlots over 50 animal units.

(a) A permit application shall be made available by the County Feedlot Officer.

(b) The following information shall be included for application:

(D) *Provisions for existing feedlots, including modification and expansion.* (The provisions of this subsection (D) apply to existing feedlots.)

(1) *Registration requirements.*

(a) Sites Owners required to register. Owners Sites with ~~of an animal feedlot capable of holding ten or more animal units, or a manure storage area capable of holding the manure produced by ten or more animal units shall be required to register with the County Feedlot Officer~~ as a feedlot and meet required setbacks.

EXHIBIT D
WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 6: ZONING DISTRICT REGULATIONS

(Note: Proposed Changes with additions italicized and underlined with Subtractions ~~struck~~)

§6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(1) *Registration requirements:*

(d) *Other.* An existing feedlot proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer ~~A change in operation of a feedlot or manure storage structure or an expansion of 200 animal units or more within a two year period~~ must obtain a conditional use permit. A conditional use permit would not be required if the County Feedlot Site Inspection Team recommendations are implemented pursuant to subsection (E) below (The County Feedlot Site Inspection Team”) of this article. All sites 3,000 animal units or larger shall obtain County Feedlot Site Inspection Team inspection and a conditional use permit.

(E) *The County Feedlot Site Inspection Team.*

(1) *Intent.* Feedlot site locations are one of the most important decisions facing feedlot owners, neighbors and local governments. New feedlots of 50 animal units or more and existing feedlots proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer. ~~experiencing a change in operation~~ shall require a site inspection prior to issuance of any feedlot permits. To assist in the early and careful consideration of sites, a team approach to site inspection and selection is a desirable way to provide a wide range of information to ensure that permit applicants will select a site that is both economically and environmentally suitable. The expertise of a site selection team ~~will be provided at no cost and~~ is intended for the benefit and convenience of permit applicants and for the early notification to neighbors. Recommendations of the County Feedlot Site inspection Team (“Feedlot Site inspection Team”) are intended to save time and money during the permitting process and to enhance goodwill between neighbors by alerting applicants to possible concerns of neighboring residents and communities.

(4) *Duties.* The Feedlot Site Inspection Team shall be required to conduct a site inspection of any proposed new feedlot of ~~over 50 ten~~ animal units or more. Site inspection shall be conducted for an existing feedlot proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer ~~any change in operation or when the animal units will increase by 200 animal units or greater within a two year period~~. The Feedlot Officer shall establish a meeting date and time for an onsite inspection with the feedlot owner/operator within 30 days of notification of the feedlot owner/operator’s intent for any new construction or expansion when a site inspection is required. The County Feedlot Officer shall execute notification to the Feedlot Site Inspection Team.

EXHIBIT E
WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 6: ZONING DISTRICT REGULATIONS

(Note: Proposed Changes with additions *italicized and underlined* with Subtractions ~~struck~~)

§6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(C) Provisions for new Feedlots

(1) Permit Requirements

(m) New feedlots of 50 animal units or more shall obtain a conditional use permit unless recommendations of the County Feedlot Site Inspection Team are implemented pursuant to subsection (E) below (“The County Feedlot Site Inspection Team”) of this article. All sites 3,000 animal units or larger, ~~using the County Animal Unit Equivalent of 0.4 for hogs,~~ shall obtain these reviews: the County Feedlot Site Inspection Team inspection, recommendation and a conditional use permit from the County Board. The Site Team recommendation shall be forwarded to the Planning Commission and Board of Commissioners for review when considering a conditional use permit.

EXHIBIT F
WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 6: ZONING DISTRICT REGULATIONS

(Note: Proposed Changes with additions *italicized and underlined* with Subtractions ~~struck~~)

§ 6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(D) *Provisions for existing feedlots, including modification and expansion.* (The provisions of this subsection (D) apply to existing feedlots.)

(5) *Stacking of manure on site.*

(a) *General requirements.*

1. Solid manure that is stacked for more than ~~six months~~ *one year* shall be stored on a concrete containment pad designed with a Water Containment and Diversion Plan approved by the Feedlot Officer as addressed in the site plan. Manure shall be stored or stockpiled in a location where natural forces of nature do not cause it, or leachate from it, to enter waters of the state.

2. Manure must not be placed on a stockpiling site unless a three-to-one horizontal-to-vertical ratio can be maintained or the manure has at least, a 15% solids content.

3. The use of rock quarries, gravel or sand pits, bedrock and mining excavation sites for stockpiling manure is prohibited.

4. The size of a short-term stockpile must not exceed a volume based on agronomic needs of the crops on 320 acres of fields and must not exceed the agronomic needs of the crops on the tract of land on which the stockpile is to be applied.

(b) *Short-term stockpile sites requirements.*

1. The manure must be removed from the site and land applied within one year of the date when the stockpile was initially established.

2. A vegetative cover must be established on the site for at least one full growing season prior to reuse as a short-term site, except for the following:

a. Sites located within the confines of a hoofed-animal open lot at a facility having the capacity to hold less than 100 animal units; and

b. Sites where manure is stockpiled for fewer than ten consecutive days and no more than six times per calendar year.



Waseca County Board of Commissioners
Request for Board Action

Preliminary and Final Plat Approval for (Sexton Subdivision No. 2)

Meeting Date:	August 3, 2021	Fiscal/FTE Impact:	<input checked="" type="checkbox"/> None
Item Type:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Action		<input type="checkbox"/> Current budget
Department:	Planning and Zoning Department		<input type="checkbox"/> New FTE(s) Requested
Contact:	Mark Leiferman, Planning and Zoning Administrator		<input type="checkbox"/> Other
Contact Phone:	(507) 835-0651		<input type="checkbox"/> Amendment Requested
Prepared by:	Maame Yorke		

PURPOSE/ACTION REQUESTED

Preliminary and Final Plat Approval for (Sexton Subdivision No. 2). The current owner is Martin H. Sexton.

SUMMARY

On Thursday July 1, 2021, the Waseca County Planning Commission held its regularly scheduled meeting and unanimously moved to recommend approval of the following request to the Waseca County Board of Commissioners:

Request for Preliminary and Final Plat Approval – Martin H. Sexton.

Martin H. Sexton requests approval of a preliminary and final plat for a one lot and one outlot plat to be known as Sexton Subdivision No. 2. The Waseca Unified Development Code (UDC) contains the provisions for subdividing property in §3.06 Subdivision Regulations; (2) Major subdivision. The property is located in the LR Limited Residential District and Shoreland Overlay District of Lake Elysian. The property address is 42293 East Elysian Lake Road and is located in part of Government Lot 3 in the Southwest Quarter of Section 11, T108N, R24W (PID 06.011.1000).

The full Planning Commission Report on these matters can be found on the Waseca County website on the Agendas tab at: <https://www.co.waseca.mn.us/AgendaCenter/ViewFile/Agenda/07012021-538>

RECOMMENDATION

Staff suggests the Board to consider:

1. The approval of Criteria for Approval and the Findings of Facts;
2. The approval of the preliminary and final plat in substantially the form as appended to this report.

The Planning Commission recommend approval of the preliminary and final plat for Sexton Subdivision No. 2 in substantially the form as presented to include the following conditions:

1. Recording the Plat: The proposed subdivision must be recorded within twelve months of approval by the Waseca County Board. The approval of the subdivision shall be considered void if the applicant does not apply for an extension of the approval within twelve months.
2. Title Opinion: The approval is subject to the receipt and approval of a title opinion.

3. Sewage Treatment and Wells: There must be two on-site subsurface sewage treatment systems on each lot that shall meet or exceed MN Rules 7080 and must be approved by the Waseca County Health Services Department. Any wells constructed on the property may serve more than one residence and must meet or exceed Waseca County and any State of Minnesota standards.
4. Wetlands: Wetlands are protected by Minnesota Statute. No lot owner shall conduct any activity within the wetland without prior authorization from the Local Unit of Government (currently Waseca County).
5. Park Dedication: A park dedication fee of five percent of the market value of the land within the subdivision shall be paid prior to the recording of the plat.
6. Subsurface Sewer Treatment System (SSTS): Prior to recording the plat, the applicant must provide documentation to the Waseca County Public Health Department that the existing SSTS system is in compliance with state and county requirements for such systems and documentation the site can support a second (future) SSTS.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:

Attachment A: Resolution Approving preliminary and Final Plat for Sexton Subdivision No. 2

Attachment B: Findings of Facts (not for recording purposes)

Administrator's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed – No Recommendation
- Reviewed – Information Only
- Submitted at Commissioner Request

Reviewed By (if required):

- County Attorney's Office
- Risk Management
- Human Resources
- Information Technology
- Building and Grounds

County Administrator

RESOLUTION NO: 2021-33

**RESOLUTION OF THE WASECA COUNTY BOARD OF COMMISSIONERS
APPROVING THE PRELIMINARY AND FINAL PLAT OF SEXTON SUBDIVISION
NO. 2 TO WASECA COUNTY, MINNESOTA**

WHEREAS, Martin H. Sexton, owner of the property with identification number 06.011.1000 and described in Attachment “A” attached hereto and have requested that the parcel above be subdivided into a new subdivision to be known as Sexton Subdivision No. 2 in Janesville Township.

WHEREAS, Waseca County Unified Development Code specifies that a major subdivision is required for proposed land divisions that will result in more than one lot; or divisions that would create an increase in residential density greater than provided for within the code; and

WHEREAS, the site meets the minimum lot size for properties that are located in the LR Limited Residential District which allows a residential base density of eight residential dwellings per 40 acres of land; and

WHEREAS, the access to the site will be from the East Elysian Lake Road (County Road 3); and

WHEREAS, the Unified Development Code requires that five (5) percent of the gross area of the subdivision to be dedicated for public recreation space, school sites or other public use with such percentage being in addition to property dedicated for streets, alleys, easements, or other public ways, or contribute fee-in-lieu to a capital fund for recreational facilities; and

WHEREAS, when a subdivision is too small for the practical dedication of public land or if no land in the subdivision is suitable for such use, the subdivider shall be required by the County to pay a fee equal to five (5) percent of the land value prior to subdivision as determined by the Waseca County Assessor; and

WHEREAS, notice of public hearing was published and mailed notices were sent to adjacent property owners and the Waseca County Planning Commission met and held a public hearing on this matter on July 1, 2021; and

WHEREAS, the Waseca County Planning Commission recommended approval of the Preliminary and Final Plats as depicted in Attachments B and C with the conditions as outlined in Attachment “D” attached hereto following the public hearing on July 1, 2021.

NOW, THEREFORE, be it resolved by the County Board for Waseca County that:

- (A) The Preliminary and Final Plat of Sexton Subdivision No. 2 as described above and as depicted on the Attachment “B” and Attachment “C” attached hereto, will not negatively impact the public health, safety, or welfare or interest of any owners of property surrounding the proposed subdivision nor will such use be inconsistent with the Comprehensive Plan or Unified Development Code for Waseca County.
- (B) That the Preliminary Plat and Final Plat of Sexton Subdivision No. are approved subject to the conditions recommended by the Waseca Planning Commission described above.
- (C) That the Preliminary and Final Plat drawings depicted on the Attachment “B” and Attachment “C” attached hereto are approved in substantially the same form as prepared by Bolten and Menk and as the plans presented to the Planning Commission on July 1, 2021.

Resolution No. 2021-33 was adopted by Waseca County on this 3rd day of August, 2021 and effective on the date of adoption.

DeAnne Malterer
Chair, Waseca County Board of Commissioners

ATTEST:

Tamara Spooner
County Auditor –Treasurer

ATTACHMENT "A"
LEGAL DESCRIPTION

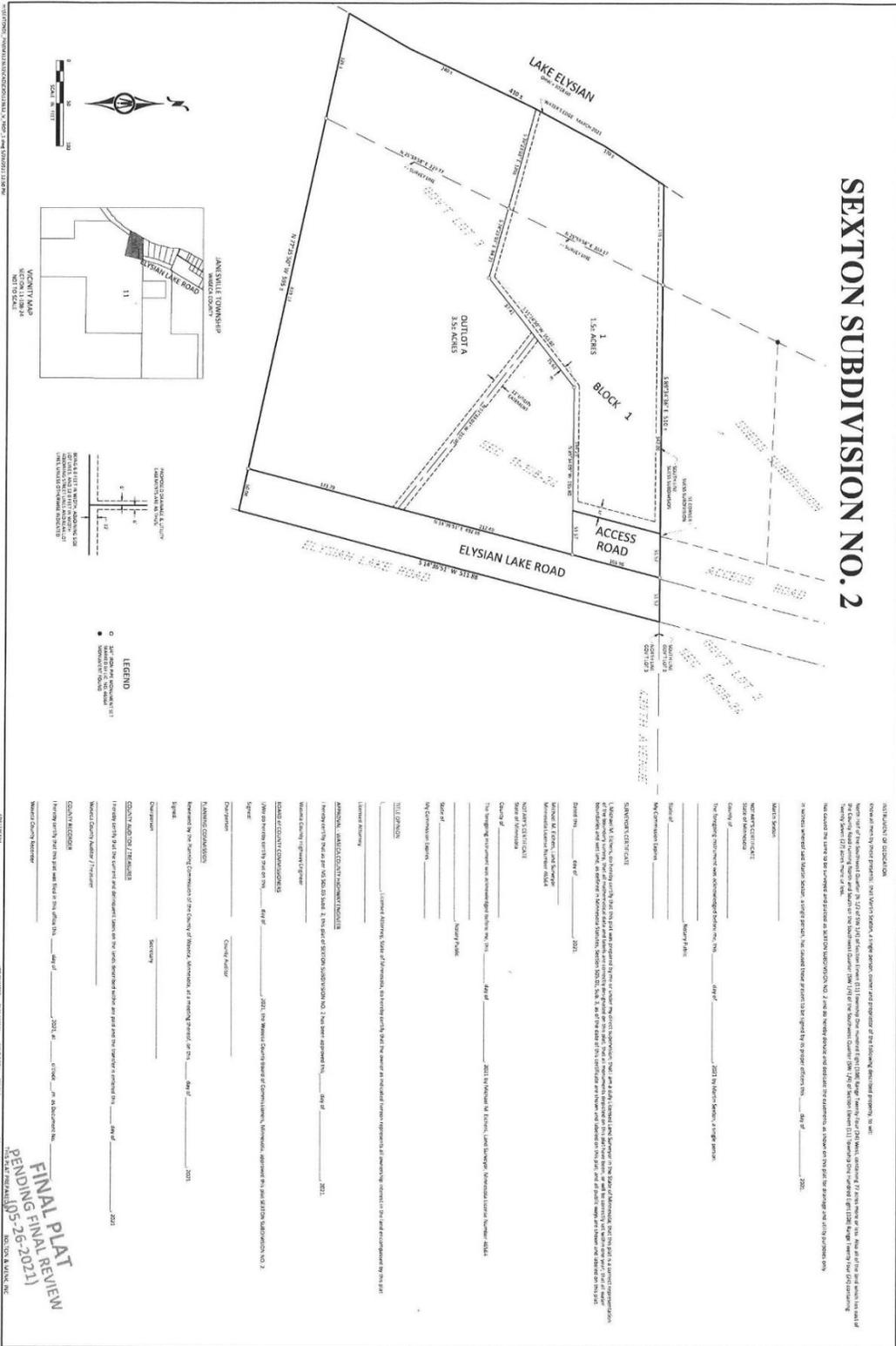
That part of Government Lot 3 of Section 11, Township 108 North, Range 24 West, Waseca County, Minnesota, described as follows: Beginning at the Southeast Corner of Lot 1, SUESS SUBDIVISION, according to the recorded plat thereof; thence South 89 degrees 34 minutes 36 seconds East (bearings based on Waseca County Coordinate System NDA83, 1996 Adjustment) on the south line of said SUESS SUBDIVISION, a distance of 100.06 feet; thence South 14 degrees 36 minutes 51 seconds West, a distance of 502.87 feet; thence North 77 degrees 35 minutes 50 seconds West, a distance of 593 feet, more or less to the water's edge of Lake Elysian; thence Northeasterly along said shoreline, a distance of 175 feet, more or less to the south line of SUESS SUBDIVISION; thence South 89 degrees 34 minutes 36 seconds East on said south line, a distance of 410 feet, more or less to the point of beginning.

Said parcel contains 5.6 acres of land, more or less.

ATTACHMENT "C" FINAL PLAT

SEXTON SUBDIVISION NO. 2

OFFICIAL PLAT COPY



FINAL PLAT
PENDING FINAL REVIEW
NOV 26 2021

ATTACHMENT “D”
CONDITIONS FOR PLAT APPROVAL

1. Recording the Plat: The proposed subdivision must be recorded within twelve months of approval by the Waseca County Board. The approval of the subdivision shall be considered void if the applicant does not apply for an extension of the approval within twelve months.
2. Title Opinion: The approval is subject to the receipt and approval of a title opinion.
3. Sewage Treatment and Wells: There must be two on-site subsurface sewage treatment systems on each lot that shall meet or exceed MN Rules 7080 and must be approved by the Waseca County Health Services Department. Any wells constructed on the property may serve more than one residence and must meet or exceed Waseca County and any State of Minnesota standards.
4. Wetlands: Wetlands are protected by Minnesota Statute. No lot owner shall conduct any activity within the wetland without prior authorization from the Local Unit of Government (currently Waseca County).
5. Park Dedication: A park dedication fee of five percent of the market value of the land within the subdivision shall be paid prior to the recording of the plat.
6. Subsurface Sewer Treatment System (SSTS): Prior to recording the plat, the applicant must provide documentation to the Waseca County Public Health Department that the existing SSTS system is in compliance with state and county requirements for such systems and documentation the site can support a second (future) SSTS.

**Sexton Subdivision No. 2
Preliminary and Final Plat Approval
July 1, 2021**

FINDINGS OF FACT

1. On June 11, 2021 Martin H. Sexton, presented an application for approval of a preliminary and final plat for a one lot and one outlot plat to be known as Sexton Subdivision No. 2. The Waseca Unified Development Code (UDC) contains the provisions for subdividing property in §3.06 Subdivision Regulations; (2) Major subdivision. The property is located in the LR Limited Residential District and Shoreland Overlay District of Lake Elysian. The property address is 42293 East Elysian Lake Road and is located in part of Government Lot 3 in the Southwest Quarter of Section 11, T108N, R24W (PID 06.011.1000). Legal description for the proposed development site is attached to the resolution.
2. As of the date of the application, the above-listed application was on file for public inspection in the Waseca County Planning and Zoning Office. The above listed application and supporting documents are incorporated into these Findings by reference.
3. Notice of the public hearing scheduled for on the applicants' request for a conditional use permit was published in the Waseca County News (the 2021 official newspaper for Waseca County) on June 16. The Affidavit of Publication is included in the files and are incorporated herein by reference.
4. On or before June 18, the Planning and Zoning Office notified owners of nearby properties and all of the Township Officers as per requirements of the Unified Development Code for the public hearing scheduled for July 1, 2021 by first-class mail. The Affidavits of mailing are included in the file and are incorporated herein by reference. Staff reports were provided by email to the Minnesota Department of Transportation, the Minnesota Department of Natural Resources, Waseca Public Health Services Department, the Waseca County Sheriff, the Waseca County Attorney and the Waseca County Highway Department port for their comments and review.
5. On June 25, the Planning and Zoning Office notified the applicants in writing about the 60 days extension of the required timeline deadline for agency action as per the Minnesota Statute Chapter 15.99.
6. On June 25, 2021, Planning and Zoning Department staff sent the staff report to the members of the Waseca County Planning Commission by first-class mail regarding the application and accompanying documents. This staff report is incorporated in these Findings by reference. Attachments included:
 - i. Recommended Conditions, if granting,
 - ii. Application materials as submitted and documented.
7. On July 1, 2021, Mark Leiferman, Waseca County Planning and Zoning Administrator, presented a PowerPoint presentation highlighting the applicants request, site data and approvals for the preliminary and final plat approval request. The information provided was based on a staff report provided to the Planning Commission prior to the meeting.
8. The following is an extract of the draft Planning Commission minutes of the meeting held on July 1, 2021 starting at 7:00 p.m.:

WASECA COUNTY PLANNING COMMISSION MEETING
MINUTES OF JULY 1, 2021

CALL TO ORDER/ESTABLISH A QUORUM

A quorum to conduct business was established and the Chair Russ Frederick called the Waseca County Planning Commission meeting to order at 7:00 p.m. at the meeting room in the East Annex Building.

MEMBERS PRESENT

DeAnne Malterer, Russ Frederick, Stephanie Roemhildt, Mark Sommers, Marv Pearson, Leon Schoenrock (arrived two minutes late after agenda and prior minutes were approved).

MEMBERS ABSENT

None.

STAFF PRESENT

Mark Leiferman, Planning and Zoning Administrator, Maame Yorke, Planning and Zoning Specialist, Brian Zabel, Feedlot Officer.

OTHERS PRESENT

Names include as seen on sign-in sheet. Spellings of names shown as best as possible from handwritten signatures.

Mike Cahill (in-person), Mike Burke (in-person), Heidi, No Last Name Provided (online).

APPROVAL OF AGENDA

Sommers made a motion to approve the agenda with Malterer seconding. Motion passed unanimously.

Note: Commission Member Schoenrock was not present to vote on the Agenda

REVIEW/APPROVAL OF MINUTES – May 6, 2021

Malterer made a motion with Roemhildt seconding to approve the May 6, 2021 minutes. Motion passed unanimously.

Note: Commission Member Schoenrock was not present to vote on the Agenda

PUBLIC HEARINGS:

(A) Request for Preliminary and Final Plat Approval – Martin H. Sexton.

Leiferman started the public hearing for approval of preliminary and final plat for Sexton Subdivision No. 2 by presenting a PowerPoint. The owner of the site is Martin H. Sexton. The property address of the parent parcel (PID: 06.011.1000) is 42293 East Elysian Lake Road in Janesville Township. The applicant submitted an application on June 11, 2021. First class mail notices were sent to adjacent property owners within a quarter mile from the proposed site on June 18, 2021. Legal notice of public hearing was published in the newspaper on June 16, 2021. 60-day from the date of application is August 10, 2021. 60-days' notice extension was provided to the applicant on June 25, 2021 (extension requested from the Applicants).

Comprehensive Plan extracts:

The Land Use Plan, which is part of the Waseca Comprehensive Plan, calls for the area to be developed into shoreland residential uses. The plat proposal is related to the Housing Goals and Policies as stated in the Waseca County Comprehensive Plan:

- Goal 1: Provide for the orderly development of safe and efficient housing opportunities in Waseca County.
- Goal 2: Increase the ability of the private sector to provide housing to meet Waseca County's anticipated population and changing demographic trends.

Leiferman showed the zoning Map extract of the area. The map places the receiving site in the LR Limited Residential zoning district. He then proceeded to showing sections of the UDC that regulates the request under review:

- §3.06 Subdivision Regulations
- §6.14 LR Limited Residential District.
- §6.22 SO Shoreland Overlay District Standards.

Leiferman then showed and explained the Planning Commission the preliminary and final plat drawings of the proposed subdivision.

Issues with the request

1. **Title Opinion.** *The applicant has not provided a title opinion at the time that this report was prepared and one will need to be provided.* The County Attorney should review the title opinion in order to determine if all owners and other interests such as any easements are shown on the plat.
2. **Park Dedication.** The Unified Development Code requires that five (5) percent of the gross area of the subdivision to be dedicated for public recreation space, school sites or other public use with such percentage being in addition to property dedicated for streets, alleys, easements, or other public ways, or contribute fee-in-lieu to a capital fund for recreational facilities. When a subdivision is too small for the practical dedication of public land or if no land in the subdivision is suitable for such use, the subdivider shall be required by the County to pay a fee equal to five (5) percent of the land value prior to subdivision. This parcel includes a residence and may be considered developed by the Planning Commission and County Board. If a park dedication fee is required, staff suggests that a cash payment of the park dedication fee be utilized.
3. **Subsurface Sewer Treatment System (SSTS).** *The SSTS will need to be brought into compliance to transfer the property.*

Note: the sentence in italics were added after the staff report had been mailed to the Planning Commission members and before the public hearing meeting.

Criteria and Proposed Findings:

1. That the proposed subdivision conforms to the county land use plan.
2. That the proposed subdivision conforms to the county subdivision ordinance.
3. That the proposed subdivision will not degrade the water quality of the county.
4. That the proposed subdivision will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed subdivision.
6. That the proposed subdivision does not create a potential pollution hazard.
7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. That the proposed subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
9. That the establishment of the proposed subdivision will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area

Conditions for Approval

Staff recommended approval of the request if the Waseca county Planning Commission finds that the proposal meets the standard criteria for approval. Only the changes (italicized) to the conditions were provided to the Commission. If approved, staff recommended the following conditions be applied:

Recording the Plat:

1. The proposed subdivision must be recorded within twelve months of approval by the Waseca County Board. The approval of the subdivision shall be considered void if the applicant does not apply for an extension of the approval within twelve months.

Title Opinion:

2. The approval is subject to the receipt and approval of a title opinion.

Wetlands:

3. Wetlands are protected by Minnesota Statute. No lot owner shall conduct any activity within the wetland without prior authorization from the Local Unit of Government (currently Waseca County).

Park Dedication:

4. A park dedication fee of five percent of the market value of the land within the subdivision shall be paid prior to the recording of the plat

Subsurface Sewer Treatment System (SSTS)

5. *Prior to recording the plat, the applicant must provide documentation to the Waseca County Public Health Department that the existing SSTS system is in compliance with state and county requirements for such systems and documentation the site can support a second (future) SSTS.*

Public Agency Comments

An email containing the link to the staff report was provided to the Department of Natural Resources (Dan Girolamo), Waseca County Environmental Specialist, Sheriff, Attorney, Recorder, Public Works Director and the Soil and Water Conservation District for their review.

Agency comments were received from the County Environmental Specialist and the DNR as shown in the images below:

*From: Girolamo, Daniel (DNR) [mailto:daniel.girolamo@state.mn.us]
Sent: Wednesday, June 30, 2021 4:22 PM
To: Maame Yorke <Maame.Yorke@co.waseca.mn.us>
Subject: RE: Waseca County Planning Commission Meeting - July 1, 2021*

Hi Maame, I reviewed your staff report and found it to very detailed. I recognized most of the applicant's names and believe I already provided written or verbal comments for your consideration. I do not have any further comments or concerns to share. Sorry for the slow reply.

*From: Kimberly Jewison
Sent: Wednesday, June 30, 2021 3:10 PM
To: Maame Yorke <Maame.Yorke@co.waseca.mn.us>
Subject: RE: Waseca County Planning Commission Meeting - July 1, 2021*

Have you received any proof that the lots can support two septic systems for the Sexton and Cahill subdivisions? St Peter Well had been in contact with me regarding the Sexton property, but I haven't seen anything. Do you have record of the systems the Cahill subdivision could support before?

Thanks,

Kim

There were no other government agencies present at the meeting both online or in the conference room to comment on the project.

Township Review:

A copy of the notice of public hearing was provided to the Janesville Township for their consideration.

Public Comments:

Public hearing notices were sent to adjacent property owners within half a mile of the property under review. No written correspondence has been received from any neighboring property owner or other members of the public.

Frederick opened and closed the public hearing at 7:09 p.m.

Sommers asked if the parcels under review had been discussed previously. Leiferman responded that they had been replatted in the past.

Pearson asked if the applicant wanted to develop the proposed outlot. Leiferman responded that outlots were not buildable or developable until it has been platted in the future.

Malterer made a motion to approve the criteria as amended with Roemhildt seconding the motion. Motion was passed unanimously with 5 Yes 0 No.

Malterer made a motion to approve the Sexton Subdivision No. 2 preliminary and final plat with amended conditions and recommend approval to the County Board. Roemhildt seconded and it was passed unanimously with 5 Yes 0 No.

(B) Request for Preliminary and Final Plat Approval – Michael T. & Kathryn M. Cahill and Michael Burke.

Leiferman continued the public hearing for approval of preliminary and final plat for M&M Addition. This is a replat of a portion of the RBK Subdivision and RBK Subdivision 3. The owners of the site are Michael Burke (Also Known As Michael Steven Burke) And Michael T. Cahill (Also Known As Michael Terrance Cahill) & Kathryn M Cahill. The property addresses of the parcels to be replatted (PID: 06.524.0050; 06.526.0050; & 06.526.0040) are 40805 – 35th St.; 40829 – 35th St. & 40855 – 35th St. in Janesville Township. The applicant submitted an application on June 11, 2021. First class mail notices were sent to adjacent property owners within a quarter mile from the proposed site on June 18, 2021. Legal notice of public hearing was published in the newspaper on June 16, 2021. 60-day from the date of application is August 10, 2021. 60-days' notice extension was provided to the applicant on June 25, 2021 (extension requested from the Applicants).

Comprehensive Plan extracts:

The Land Use Plan, which is part of the Waseca Comprehensive Plan, calls for the area to be developed into shoreland residential uses. The plat proposal is related to the Housing Goals and Policies as stated in the Waseca County Comprehensive Plan:

- Goal 1: Provide for the orderly development of safe and efficient housing opportunities in Waseca County.
- Goal 2: Increase the ability of the private sector to provide housing to meet Waseca County's anticipated population and changing demographic trends.

Leiferman showed the zoning Map extract of the area. The map places the receiving site in the LR Limited Residential zoning district and shoreland overlay district of Lake Elysian. He then proceeded to showing sections of the UDC that regulates the request under review:

- §3.06 Subdivision Regulations
- §6.14 LR Limited Residential District.
- §6.22 SO Shoreland Overlay District Standards.

Leiferman explained a map showing a shoreland protection easement and lake access for prior plat of the same parcels. He then explained that the applicants were looking to vacate an easement which will run in the middle of one of the replatted lots. Afterwards, Leiferman showed and explained the Planning Commission the preliminary and final plat drawings of the proposed subdivision.

Issues with the request

1. **Title Opinion.** The applicants did provide the title opinion (*for one lot*) prior to time that this report was prepared. *The opinion should be expanded to include the remaining property.* The County Attorney should review the title opinion in order to determine if all owners and other interests such as any easements are shown on the plat.
2. **Easements.** There are utility easements between the lots to be re-platted. There is also a shared lake access easement located between the two existing lots to be re-platted. The access easement is likely no longer needed. The County Board could approve a resolution vacating these easements. The resolution to vacate the easements should be approved with the new plat and recorded prior to recording the M & M subdivision. The County Attorney should advice regarding the appropriate form of the vacation instrument. Waseca County Unified Development Code (UDC) requires utility easements adjacent to lot lines. Appropriate easement should be added to the plat.
3. **Road dedication:** The current road right of way will remain as they exist today on the new plat.
4. **Easement Vacations:** The County should vacate and rededicate the easements including the Lake Access Easement.
5. **Wetlands.** There are previously delineated wetlands located on the parcels to be re-platted. The wetlands were shown on the original plats. Wetlands impact the location of building setbacks and the location of the shore impact zone. Setbacks for structures are 100 feet from the ordinary high water level (OHWL) or 100 feet from a delineated wetland. The OHWL for Lake Elysian is 1018 feet above sea level with wetlands located higher than this elevation. Wetland elevations were approved for the existing subdivisions and the Waseca County Water Resource Specialist determined no new delineation was needed for this subdivision. It may be wise to require the location of the existing delineation be shown on the new plat.
6. **Building setback.** The front yard structure set back in the Shoreland overlay District is greater than the setback within the LR limited residential district. The front yard setbacks in the LR Limited Residential District is 40 where as 50 feet front yard setback is required in the SO Shoreland overlay District. In this case, the greater of the two setbacks prevail.
7. **Park Dedication.** Park dedication was provided when the parcels were originally subdivided. No new dedication will be required.

Note: the sentence is italics were added after the staff report had been mailed to the Planning Commission members and before the public hearing meeting.

Criteria and Proposed Findings:

1. That the proposed subdivision conforms to the county land use plan.
2. That the proposed subdivision conforms to the county subdivision ordinance.
3. That the proposed subdivision will not degrade the water quality of the county.
4. That the proposed subdivision will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed subdivision.
6. That the proposed subdivision does not create a potential pollution hazard.
7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. That the proposed subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
9. That the establishment of the proposed subdivision will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area

Conditions for Approval

Staff recommended approval of the request if the Waseca county Planning Commission finds that the proposal meets the standard criteria for approval. Only the changes (italicized) to the conditions were provided to the Commission. If approved, staff recommended the following conditions be applied:

Recording the Plat:

1. The proposed subdivision must be recorded within twelve months of approval by the Waseca County Board. The approval of the subdivision shall be considered void if the applicant does not apply for an extension of the approval within twelve months.

NPDES and SWPPP:

2. A National Pollution Discharge Elimination Plan Systems (NPDES) Permit may be required from the Minnesota Pollution Control Agency prior to the commencement of any construction on the site. A copy of the Storm Water Pollution Prevention Plan and the NPDES permit shall be provided to the Planning and Zoning Office.

Sewage Treatment and Wells:

3. There must be two on-site subsurface sewage treatment systems on each lot that shall meet or exceed MN Rules 7080 and must be approved by the Waseca County Health Services Department. Any wells constructed on the property may serve more than one residence and must meet or exceed Waseca County and any State of Minnesota standards.

Shoreland Protection:

4. The requirements of the Shoreland Protection Easement described in the Agreement dated the 15th day of September, 2014 and recorded in the Office of the County Recorder as Document No. 301839 shall remain in full force and effect.

Natural Environment:

5. Trees and natural vegetation in the Shore Impact Zone shall be maintained and or left undisturbed to maintain a natural landscape and to prevent soil erosion. No lot owner shall cut down or girdle any living tree on any lot except to allow for the construction of the trails to access the lake and for the creation of the recreational use area (15 feet x 20 feet) and/or for placement of an accessory structure (no more than 250 Square feet) to be placed in the recreational use area. For any tree removed for placement of the six foot wide trail access, recreational use area or an accessory structure, a new tree of a native species shall be planted on the lot. Any removed tree 12 inches or larger in diameter at breast height shall be replaced with a tree no less than 4 feet in height. A sketch or plan of the property showing the type and location of new trees planted and the type and location of trees removed shall be submitted by the applicant prior to the removal of any tree.

Wetlands:

9. Wetlands are protected by Minnesota Statute. No lot owner shall conduct any activity within the wetland without prior authorization from the Local Unit of Government (currently Waseca County).
10. The conditions referenced above shall replace the conditions filed with the Conditional Use Permit as filed with the Waseca County Recorder as Document No. 267099 as they pertain to the re-platted subdivision. The conditions will remain in effect for the remainder of the RBK Subdivision and RBK Subdivision 3.

Subsurface Sewer Treatment System (SSTS)

11. *Prior to recording the plat, the applicant must provide documentation to the Waseca County Public Health Department that the existing SSTS system is in compliance with state and county requirements for such systems and documentation the site can support a second (future) SSTS for Lot 1 as well as two SSTS for Lot 2.*

12. *Utility easements as required by the Waseca Unified development code shall be required and shown on the Final Plat.*

Note: Conditions #11 and 12 were added after the staff report had been mailed to the Planning Commission members and before the public hearing meeting.

Public Agency Comments

An email containing the link to the staff report was provided to the Department of Natural Resources (Dan Girolamo), Waseca County Environmental Specialist, Sheriff, Attorney, Recorder, Public Works Director and the Soil and Water Conservation District for their review.

Agency comments were received from the County Environmental Specialist and the DNR as shown in the images below:

*Sent: Wednesday, June 30, 2021 4:22 PM
To: Maame Yorke <Maame.Yorke@co.waseca.mn.us>
Subject: RE: Waseca County Planning Commission Meeting - July 1, 2021*

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Thanks,

Kim

There were no other government agencies present at the meeting both online or in the conference room to comment on the project.

Township Review:

A copy of the notice of public hearing was provided to the Janesville Township for their consideration.

Public Comments:

Public hearing notices were sent to adjacent property owners within half a mile of the property under review. No written correspondence has been received from any neighboring property owner or other members of the public.

Frederick opened the public hearing at 7:24 p.m.

Mike Cahill added that he was working on a second SSTS and the intent of the replat was to add more buildable space. Leiferman advised Cahill that the proposed shed would have to meet setback requirements.

Pearson asked if access will be from County Road or Access Road. Leiferman responded that the road system for prior plat remain unchanged and access will be as is.

Frederick closed the public hearing at 7:28 pm.

Schoenrock made a motion to approve the criteria as amended with Sommers seconding the motion. Motion was passed unanimously with 5 Yes 0 No.

Malterer made a motion to approve the Sexton Subdivision No. 2 preliminary and final plat with amended conditions and recommend approval to the County Board. Schoenrock seconded and it was passed unanimously with 5 Yes 0 No.

(C) Request for an amendment to §3.02(B) (1) and §4.02(C) (2) (f) of the Waseca County UDC.

Leiferman continued his PowerPoint presentation for the meeting by reading the zoning case which was a request by Waseca County to amend §3.02(B) (1) & §4.02(C) (2) (f) of the Waseca County UDC. The proposed additions to the UDC are shown below underlined with subtractions ~~struck~~:

§ 3.02 ZONING PERMITS.

(B) Notice to proceed required.

(1) *Applicability.* A notice to proceed is required for non-structural repairs that do not require a zoning permit. Circumstances in which a notice to proceed is required include, but are not limited to roof re-shingling, re-roofing, window replacement, same size, window replacement - enlargement or made smaller, siding, foundation repair/replacement (no structural raising involved), construction of an accessory structure ~~less than 100 square feet~~ one hundred (100) square feet or less and less than 14 feet in height. All repairs must meet all ordinance requirements.

§ 4.02 GENERAL REGULATIONS FOR STRUCTURES.

(C) *Accessory structures.* Accessory structures located in any residential or agricultural zoning district, shall meet the following requirements.

(2) *Detached.* Detached accessory structures shall meet all of the following requirements.

(f) *Permit exception.* Outside the Shoreland Overlay District, a building permit shall not be required for any accessory building of ~~450~~ one hundred (100) square feet or less, but applicable setbacks shall be met.

Public Hearing Comments:

Public hearing notices was published in the Waseca County News and sent to the governing bodies of all towns and all municipalities located within the county.

The public hearing was opened and closed at 7:35 pm since no public testimonies both in person and online were received.

Frederick asked if the code change was applicable to utility sheds and all. Leiferman responded that utility sheds were normally less than a 100 square feet and would not require a zoning permit but rather a Notice to Proceed.

Sommers asked Leiferman to explain Notice to Proceed. Leiferman provided an explanation and added that there was no fee for the issuance of a Notice to Proceed.

Malterer made a motion to approve the zoning code amendment to §3.02 and §4.02 with Pearson seconding the motion. Motion failed with 3 Yes 3 No.

There were discussions on rather amending the code to increase the area requirement to 150 square feet as opposed to 100 square feet or leaving the UDC as is. Malterer explained that leaving the code without amendments created a gap but the restrictive one (which is 100 square feet) applied.

After some deliberation between Planning Commission members and staff, Schoenrock made a motion to approve the zoning code change as presented by staff. Sommers seconded the motion and it was approved with 5 Yes 0 No

(D) Request for an amendment to §6.05 General Standards for Agricultural and Natural Resource Use of the Waseca County UDC.

Zabel continued the hearing by reading the zoning case which was a request by Waseca County to amend §6.05 General Standards for Agricultural and Natural Resource Use of the Waseca County UDC.

Reasoning for Swine Animal Unit Changes: Follows Minnesota Pollution Control Agency (MPCA) animal unit structure and more accurately describes swine of that size. MPCA permitting covers most large swine operations and their animal unit equivalents are used to permit the site; County and State authorities having different AU equivalents causes confusion for swine producers.

Reasoning for Adding Goat Animal unit: Follows MPCA animal unit structure for goats. Raising goats is becoming increasingly popular and a more regular animal unit. Having a defined animal unit for goats will make it clearer for producers raising that type of livestock.

The proposed additions to the UDC are shown below underlined with subtractions ~~struck~~:

(D) Animal units. Table 6.3 shows the animal unit measures for common agricultural animals

<i>Table 6.3 Animal Unit Equivalents</i>	
<i>Animal</i>	<i>Per Animal</i>
One cow and calf pair	1.2 animal units
One swine Between <u>over 55 and 300</u> pounds	0.3 animal units
<u>One swine over 300 pounds</u>	<u>0.4 animal units</u>
One nursery pig under 55 pounds	0.05 animal units
<u>One Goat</u>	<u>0.15 animal units</u>
For any animal not appearing in the above chart, the average weight of the animal divided by 1,000 pounds will determine its AU value.	

Public Hearing Comments:

Public hearing notices was published in the Waseca County News and sent to the governing bodies of all towns and all municipalities located within the county. A written email was received from Bill Green, City of Waseca, expressing no comments on the proposed change.

The public hearing was opened and closed at 7:50 pm since no public/agency testimonies both in person and online were received.

Roemhildt made a motion to approve the zoning code amendment with Pearson seconding the motion. Motion was passed unanimously with 5 Yes 0 No.

(E) Request for an amendment to §6.06 Specific Standards for Animal Agriculture (Feedlot Ordinance) of the Waseca County UDC.

Zabel then continued with the next proposed amendment which affected sections of the feedlot ordinance. The proposed changes are as follows:

I. An amendment to §6.06 Specific Standards for Animal Agriculture (Feedlot Ordinance) of the Waseca County Unified Development Code (UDC).

Reasoning for Addition to §6.06(C) Provisions for new feedlots: Determining and defining what a feedlot is can be confusing because sometimes strictly animal units and head counts are used and other times it can be defined as an area that is unable to support vegetative growth due to manure coverage and animal activity. The State of MN and MPCA says a site is a feedlot once it reaches 50 animal units outside of shoreland or 10 animal units inside of shoreland areas. Waseca County has tried to simplify the State’s determination of a feedlot and just say any site over 10 animal units regardless of location is a feedlot and must meet setbacks. This is a long standing practice for the county, but it is not clearly defined in either the feedlot ordinance (§6.06 Specific Standards for Animal Agriculture) or definition portion (§ 8.03 Definitions and Acronyms) of the UDC. Adding this sentence to the provisions for new feedlots will add a lot of clarity to the feedlot ordinance.

Reasoning for wording restructuring to §6.06(D) Provisions for Existing Feedlots, Including Modification and Expansion: This is the section of code that has been relied on to determine that sites with 10 animal units or more are a feedlot and must register with the feedlot officer. The rewording of this sentence adds clarity to the practice. Some smaller sites have claimed that they will register their animals with the feedlot officer but don’t have to meet feedlot setbacks because they are a pasture.

§6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(C) Provisions for new feedlots.

(1) Sites proposing to maintain ten or more animal units, or a manure storage area capable of holding the manure produced by ten or more animal units shall be defined as a feedlot and must meet the required feedlot setbacks.

(2) (4) Permit requirements. A construction short form shall be required for all new feedlots over 50 animal units.

(a) A permit application shall be made available by the County Feedlot Officer.

(b) The following information shall be included for application:

(D) *Provisions for existing feedlots, including modification and expansion.* (The provisions of this subsection (D) apply to existing feedlots.)

(1) Registration requirements.

(a) Sites Owners required to register. ~~Owners~~ **Sites with** ~~of an animal feedlot capable of holding~~ ten or more animal units, or a manure storage area capable of holding the manure produced by ten or more animal units shall be required to register with the County Feedlot Officer **as a feedlot and meet required setbacks.**

Schoenrock asked if an individual keeping one (1) animal but with more area capable of pasture would be considered a feedlot. Zabel responded no.

Sommers asked for the definitions of storage capabilities and “permanently” in the context of the amendment. Zabel provided definitions from the ordinance stand point. Malterer added that the code changes were to clarify correct practice.

II. An amendment to §6.06 (E) The County Feedlot Site Inspection Team

Reasoning for Changes: The way “Change in Operation” is defined (see below) in the UDC, technically means FSIT meetings have to be held for every single change that goes on with a feedlot. Organizing public hearings and an environmental review for every change on a feedlot is not practical or the most efficient use of staff/producer’s time and money. Holding FSIT meetings for new feedlots of 50 animal units or more and

expansions of 100 animal units or more saves staff/producer’s time and money as meetings would be for significant changes.

Definition from UDC: CHANGE IN (THE) OPERATION. An increase beyond the permitted maximum number of animal units, an increase in the number of animal units which are confined at an unpermitted animal feedlot requiring a construction investment, or a change in the construction or operation of an animal feedlot that would affect the storage, handling, utilization or disposal of animal manure.

§ 6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(1) Registration requirements:

(d) Other. An existing feedlot proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer ~~A change in operation of a feedlot or manure storage structure or an expansion of 200 animal units or more within a two year period~~ must obtain a conditional use permit. A conditional use permit would not be required if the County Feedlot Site Inspection Team recommendations are implemented pursuant to subsection (E) below (The County Feedlot Site Inspection Team”) of this article. All sites 3,000 animal units or larger shall obtain County Feedlot Site Inspection Team inspection and a conditional use permit.

(E) The County Feedlot Site Inspection Team.

(1) Intent. Feedlot site locations are one of the most important decisions facing feedlot owners, neighbors and local governments. New feedlots of 50 animal units or more and existing feedlots proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer. ~~experiencing a change in operation~~ shall require a site inspection prior to issuance of any feedlot permits. To assist in the early and careful consideration of sites, a team approach to site inspection and selection is a desirable way to provide a wide range of information to ensure that permit applicants will select a site that is both economically and environmentally suitable. The expertise of a site selection team ~~will be provided at no cost~~ and is intended for the benefit and convenience of permit applicants and for the early notification to neighbors...

(4) Duties. The Feedlot Site Inspection Team shall be required to conduct a site inspection of any proposed new feedlot of ~~over 50 ten~~ 50 or more animal units or more. Site inspection shall be conducted for an existing feedlot proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer ~~any change in operation or when the animal units will increase by 200 animal units or greater within a two year period~~. The Feedlot Officer shall establish a meeting date and time for an onsite inspection with the feedlot owner/operator within 30 days of notification of the feedlot owner/operator’s intent for any new construction or expansion when a site inspection is required. The County Feedlot Officer shall execute notification to the Feedlot Site Inspection Team.

Leiferman asked how shoreland were handled in the feedlot ordinance. Zabel responded that feedlots were allowed in the shoreland and existing feedlot in the shoreland could not be expanded.

III. An amendment to §6.06 (C)(1) Permit Requirements, paragraph (M)

Reasoning for Removing Sentence: The 0.4 hog animal unit equivalent is currently not listed in the animal equivalent chart of §6.05 General Standards For Agricultural And Natural Resource Uses of the UDC and that sentence actually contradicts what the animal equivalent chart currently states by eliminating the separate swine categories and just generalizes that any swine is equivalent to 0.4 animal units. Removing the sentence reduces confusion on this ordinance.

§ 6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(C) Provisions for new feedlots.

(1) Permit Requirements

(m) New feedlots of 50 animal units or more shall obtain a conditional use permit unless recommendations of the County Feedlot Site Inspection Team are implemented pursuant to

subsection (E) below (“The County Feedlot Site Inspection Team”) of this article. All sites 3,000 animal units or larger, ~~using the County Animal Unit Equivalent of 0.4 for hogs,~~ shall obtain these reviews: the County Feedlot Site Inspection Team inspection, recommendation and a conditional use permit from the County Board. The Site Team recommendation shall be forwarded to the Planning Commission and Board of Commissioners for review when considering a conditional use permit.

IV. An amendment to §6.06 (G) Manure Transportation and Storage. (5) Stacking of Manure Onsite. (a) General Requirements.

Reasoning for Timeline Change: the first requirement of the (a) general requirements section contradicts the first requirement of (b) short-term stockpile site requirements section. If you use a typical turkey litter stockpile in a field as an example for short term stockpiling, the current language is saying producers have up to one year to land apply that stockpile, but according to the first statement of the general requirements section, solid manure stacked for more than 6 months has to be on a concrete containment pad.

§ 6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(D) Provisions for existing feedlots, including modification and expansion. (The provisions of this subsection (D) apply to existing feedlots.)

(5) Stacking of manure on site.

(a) General requirements.

1. Solid manure that is stacked for more than ~~six months~~ **one year** shall be stored on a concrete containment pad designed with a Water Containment and Diversion Plan approved by the Feedlot Officer as addressed in the site plan...

(b) Short-term stockpile sites requirements.

1. The manure must be removed from the site and land applied within one year of the date when the stockpile was initially established.

Malterer asked if there were any problems with manure being stacked for one year. Zabel responded that there were no problems when manure was stacked on a concrete pad.

Public Hearing Comments:

Public hearing notices was published in the Waseca County News and sent to the governing bodies of all towns and all municipalities located within the county. A written email was received from Bill Green, City of Waseca, expressing no comments on the proposed change.

The public hearing for the four (4) changes to the feedlot ordinance was opened and closed at 8:06 pm since no public/agency testimonies both in person and online were received.

Sommers made a motion to approve the zoning code amendment with Roemhildt seconding the motion. Motion was passed unanimously with 5 Yes 0 No.

MISCELLANEOUS

(A) Feedlot- Code Clean-up

Zabel informed the Planning Commission of his intent to clean up the Feedlot Ordinance to make the requirements consistent with state statutes and with other sections of the ordinance as well. He furthered that the intent will not change the content of the ordinance in any way but make the feedlot ordinance clearer and more understandable.

(B) TDR Township Study

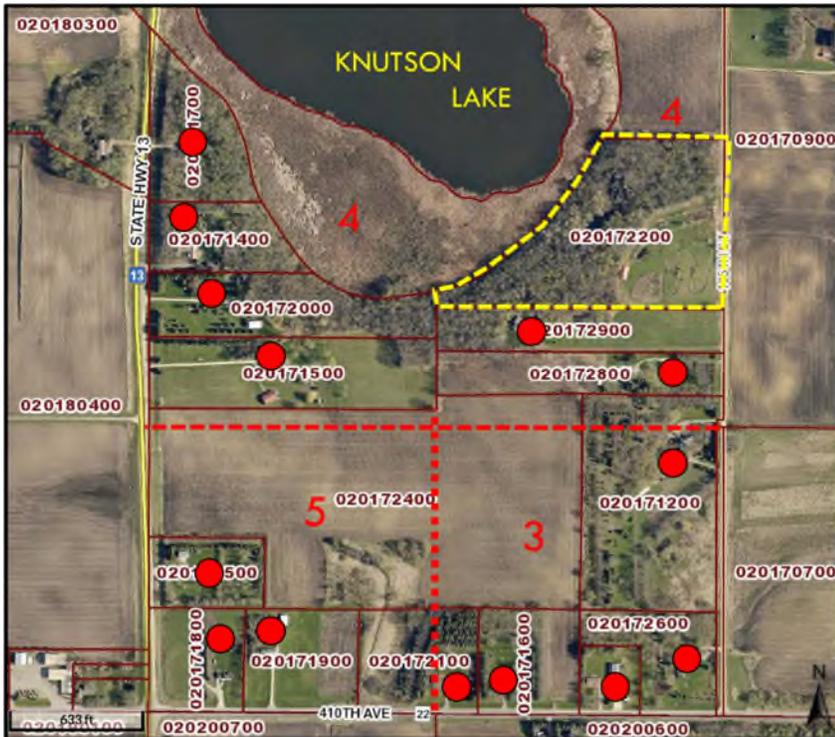
Leiferman informed the Planning Commission that the TDR discussion was a continuation of prior discussions with the commission on TDR regulations within the county. He showed a map of new homes in the county from 2008 and 2020 which showed a yearly average of 12 to 13 new homes with approximately 15% of all the homes occurring with a TDR. He then showed and explained a table for some selected townships with the open quarter-quarters and used up quarter-quarters. Conclusions on the table revealed that there was on average over 200 open quarter-quarters to be utilized for TDR purposes. Leiferman then posed three statements on the next few steps regarding TDRs which were:

1. Whether to allow development of smaller tracts in the county without a TDR since there was not a great number of parcels that would be impacted.
2. Whether to prohibit development without a TDR since so few parcels would be impacted
3. Whether the county could sell TDRs.

Malterer mentioned that there was a possibility of the county competing with private property owners in the sale of TDRs so it wouldn't be in the interest of private owners should the county engage in such an endeavor. She added that there had been some discussion at the County Board level regarding this matter.

(C) TDR Alternates

Leiferman continued the TDR discussion by showing a map of an area south of Knutson Lake as depicted in the image below.



The dilemma was as to whether to allow developments of parcels created post 2009 without requiring a TDR. The options Leiferman provided the commission are as follows:

1. Create exemptions in the code to allow existing parcels of record from 2009 to add a residence without requiring a Transfer of Development Right (TDR);
Proposed code amendment with this option will read as follows:

Article 6

§ 6.08 A-1 AGRICULTURAL PROTECTION DISTRICT STANDARDS.

(D) *Density standards. The base density permitted in the A-1 District is one dwelling unit per quarter-quarter section or parcel of record existing on July 21, 2009. Dwellings existing at the time of the adoption of this ordinance will be included when determining whether or not a quarter-quarter section is at its maximum density. The density within a quarter-quarter may be increased pursuant to the provisions of § 6.09 (Transfer of development rights (TDR)). A TDR is not required for a parcel of record as described in this paragraph existing on July 21, 2009 which meets all other Uniform Development Code size and dimensional standards.*

2. Rezone certain areas in the A-1 Agriculture Protection District to VMX Village Mixed Use and/or LR Limited Residential;
3. Creating a new district for these areas.

Staff mentioned that rezoning to VMX or LR was not a preferred alternative since the UDC lays out good reasons to justify why the districts were created since it does not seem like a logical approach to deal with such a minor issue. The sections of the UDC backing this are shown below:

§ 6.21 VMX VILLAGE MIXED USE DISTRICT STANDARDS.

(A) *Purpose.*

The purpose of the Village Mixed Use District is to recognize the existence of small rural unincorporated villages that were developed prior to contemporary land use and environmental regulations and that include a mixture of land uses. Development in many of these villages is constrained by small lot sizes that are inadequate to support on-site wastewater treatment.

§ 6.14 LR LIMITED RESIDENTIAL DISTRICT.

(A) *Purpose.*

Allow limited residential development within the Shoreland Overlay District of the general development and recreational development lakes (except Goose Lake, due to the shallow nature of this water body), as shown on the approved zoning map, and in areas between general development lakes and natural environment lakes where a parcel is: within one mile of a general development lake as shown on the approved zoning map; and where a concept plan was submitted prior to the approval of this code.

(D) TDR – Replacement Structure

Leiferman then showed a map of a parcel located within the county. He added that the TDR requirement is one the County may want to visit. As background, when an owner wants to develop a new replacement home, a TDR is required when there is another home within the quarter-quarter. Leiferman then mentioned that staff was of the opinion that replacement homes should not require a TDR when the County can be assured the original home will be removed. He asked the Planning Commissions opinion and they concurred that since the existing density was not changing, then a TDR should not be required in such a case.

(E) Solar Power Transmission Lines

To conclude the miscellaneous items for the hearing, Leiferman read out code requirements concerning power and communication lines under §6.16 of the UDC as shown below:

WASECA UNIFIED DEVELOPMENT CODE

ARTICLE 6: ZONING DISTRICT REGULATIONS

§ 6.16 SPECIFIC STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES.

(OO) Solar farms.

(1) *Power and communication lines.* Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Planning and Zoning Administrator in instances where shallow bedrock, watercourses or other elements of the natural landscape interfere with the ability to bury lines.

UDC Definition- SUBSTATIONS. Any electrical facility designed to convert electricity produced by wind turbines to a voltage for interconnection with transmission lines.

Leiferman added that the code definition of substations was vague and required a change or enhanced requirements in the future. He then showed aerial photos of existing solar projects; Byron Sunshare. He explained that the project was located west of US 14 with the developers constructing power transmission poles/lines and interconnections which was not aesthetically pleasing. He added that it might be a good idea to change the UDC requirements especially when the solar farm was constructed near a residence. Leiferman also showed another solar farm; Novel Haley where poles were installed within the easement or leased area between the facility and the three phase power lines in the right-of-way. He finally showed a third solar project; Novel David, which is in the permitting process currently. He added that the applicants were proposing to install new poles from this facility to a three phase line on the other side of Old US 14. Leiferman after showing and explaining the photos asked the Planning Commission their opinion on amending the UDC to depict the language below:

WASECA UNIFIED DEVELOPMENT CODE

ARTICLE 6: ZONING DISTRICT REGULATIONS

§ 6.16 SPECIFIC STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES.

(OO) Solar farms.

(5) *Power and communication lines.* Power and communication lines running between banks of solar panels and Transformer and meter utility pads and from such pads to any public right-of-way to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Planning and Zoning Administrator in instances where shallow bedrock, watercourses or other elements of the natural landscape interfere with the ability to bury lines.

Or specify conditions when lines need to be buried in individual CUPs

ADJOURNMENT

Pearson made a motion with Roemhildt seconding to adjourn the meeting.

Meeting adjourned at 8:48 p.m.



Waseca County Board of Commissioners
Request for Board Action

Preliminary and Final Plat Approval for
M&M Addition.

Meeting Date:	August 3, 2021	Fiscal/FTE Impact:
Item Type:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Action	<input checked="" type="checkbox"/> None
Department:	Planning and Zoning Department	<input type="checkbox"/> Current budget
Contact:	Mark Leiferman, Planning and Zoning Administrator	<input type="checkbox"/> New FTE(s) Requested
Contact Phone:	(507) 835-0651	<input type="checkbox"/> Other
Prepared by:	Maame Yorke	<input type="checkbox"/> Amendment Requested

PURPOSE/ACTION REQUESTED

Preliminary and Final Plat Approval for M&M Addition. The owners of the parcels under review are Michael T. Cahill (also known as Michael Terrance Cahill) and Kathryn M. Cahill and Michael Burke (also known as Michael Steven Burke).

SUMMARY

On Thursday July 1, 2021, the Waseca County Planning Commission held its regularly scheduled meeting and unanimously moved to recommend approval of the following request to the Waseca County Board of Commissioners:

Request for Preliminary and Final Plat Approval – Michael T. & Kathryn M. Cahill.

Michael T. Cahill (also known as Michael Terrance Cahill) and Kathryn M. Cahill and Michael Burke (also known as Michael Steven Burke) request approval of a preliminary and final plat for two (2) lots to be known as M & M Addition in Janesville Township. This is a replat of a portion of the RBK Subdivision and RBK Subdivision 3. The Waseca Unified Development Code (UDC) contains the provisions for subdividing property in §3.06 Subdivision Regulations; (2) Major subdivision. The property is located in the LR Limited Residential District and Shoreland Overlay District of Lake Elysian. The addresses of the properties are 40805 – 35th Street (PID: 06.524.0050), 40829 – 35th Street (PID: 06.526.0050) and 40855 – 35th Street (PID: 065260040) and is located in Lot 3 Block 2 of RBK Subdivision and Lot 4 and 5 Block 1 of RBK Subdivision No. 3.

The full Planning Commission Report on these matters can be found on the Waseca County website on the Agendas tab at: https://www.co.waseca.mn.us/AgendaCenter/ViewFile/Agenda/_07012021-538

RECOMMENDATION

Staff suggests the Board to consider:

1. The approval of Criteria for Approval and the Findings of Facts;
2. The approval of the preliminary and final plat in substantially the form as appended to this report.

The Planning Commission recommend approval of the preliminary and final plat for M&M Addition in substantially the form as presented to include the following conditions:

1. Recording the Plat: The proposed subdivision must be recorded within twelve months of approval by the Waseca County Board. The approval of the subdivision shall be considered void if the applicant does not apply for an extension of the approval within twelve months.
2. NPDES and SWPPP: A National Pollution Discharge Elimination Plan Systems (NPDES) Permit may be required from the Minnesota Pollution Control Agency prior to the commencement of any construction on the site. A copy of the Storm Water Pollution Prevention Plan and the NPDES permit shall be provided to the Planning and Zoning Office.
3. Sewage Treatment and Wells: There must be two on-site subsurface sewage treatment systems on each lot that shall meet or exceed MN Rules 7080 and must be approved by the Waseca County Health Services Department. Any wells constructed on the property may serve more than one residence and must meet or exceed Waseca County and any State of Minnesota standards.
4. Shoreland Protection: The requirements of the Shoreland Protection Easement described in the Agreement dated the 15th day of September, 2014 and recorded in the Office of the County Recorder as Document No. 301839 shall remain in full force and effect.
5. Natural Environment: Trees and natural vegetation in the Shore Impact Zone shall be maintained and or left undisturbed to maintain a natural landscape and to prevent soil erosion. No lot owner shall cut down or girdle any living tree on any lot except to allow for the construction of the trails to access the lake and for the creation of the recreational use area (15 feet x 20 feet) and/or for placement of an accessory structure (no more than 250 Square feet) to be placed in the recreational use area. For any tree removed for placement of the six foot wide trail access, recreational use area or an accessory structure, a new tree of a native species shall be planted on the lot. Any removed tree 12 inches or larger in diameter at breast height shall be replaced with a tree no less than 4 feet in height. A sketch or plan of the property showing the type and location of new trees planted and the type and location of trees removed shall be submitted by the applicant prior to the removal of any tree.
6. Wetlands: Wetlands are protected by Minnesota Statute. No lot owner shall conduct any activity within the wetland without prior authorization from the Local Unit of Government (currently Waseca County).
7. The conditions referenced above shall replace the conditions filed with the Conditional Use Permit as filed with the Waseca County Recorder as Document No. 267099 as they pertain to the re-platted subdivision. The conditions will remain in effect for the remainder of the RBK Subdivision and RBK Subdivision 3.
8. Subsurface Sewer Treatment System (SSTS): Prior to recording the plat, the applicant must provide documentation to the Waseca County Public Health Department that the existing SSTS system is in compliance with state and county requirements for such systems and documentation the site can support a second (future) SSTS.
9. Utility easements as required by the Waseca Unified development code shall be required and shown on the Final Plat.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:

Attachment A: Resolution Approving preliminary and Final Plat for M&M Addition

Attachment B: Findings of Facts (not for recording purposes)

Administrator's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed – No Recommendation
- Reviewed – Information Only
- Submitted at Commissioner Request

Reviewed By (if required):

- County Attorney's Office
- Risk Management
- Human Resources
- Information Technology
- Building and Grounds

County Administrator

RESOLUTION NO. 2021-34

**RESOLUTION OF THE WASECA COUNTY BOARD OF
COMMISSIONERS VACATING THE UTILITY
EASEMENTS AND APPROVING THE PLAT OF M & M
ADDITION TO WASECA COUNTY**

WHEREAS, Michael T. Cahill (also known as Michael Terrance Cahill) and Kathryn M. Cahill are the owners of Lot 3, Block Two (2), RBK Subdivision to Waseca County, as such subdivision was filed for record in the Office of the Waseca County Recorder as Document No. 267366 on September 13, 2006; and

WHEREAS, Michael Burke (also known as Michael Steven Burke) owns Lot 4, Block One (1), RBK Subdivision No. 3, as such subdivision was filed for record in the Office of the Waseca County Recorder as Document No. 285466 on September 2, 2010; and

WHEREAS, Michael T. Cahill (also known as Michael Terrance Cahill) and Michael Burke (also known as Michael Steven Burke) are the joint tenant owners of Lot 5, Block One (1), RBK Subdivision No. 3 and filed for record as referenced above; and

WHEREAS, the above owners of the above described properties in Waseca County, Minnesota, have requested that Waseca County vacate certain utility easements within the lots referenced above; and

WHEREAS, the above owners of the above described properties have also requested that Waseca County vacate the six foot wide Lake Access Easement located between Lot 4 and Lot 5, Block One (1), RBK Subdivision No. 3, as described and depicted in the Amendment to Development Agreement, RBK Subdivision No. 3 to Waseca County dated August 21, 2014 and filed for record in the Office of the County Recorder on September 15, 2014 as Document No. 301838 and as depicted in the Amendment to Shoreland Preservation Easement dated and filed on the same date and recorded as Document No. 301839; and

WHEREAS, the above owners of the above described properties wish to re-plat the lots described above within the above-referenced subdivisions and create the M & M Addition to Waseca County; and

WHEREAS, with the exception of the vacation of the Lake Access Easement referenced above, Waseca County finds it in the public interest to maintain the requirements contained in the Shoreland Preservation Easement dated August 13, 2010 and filed for record in the Office of the County Recorder on September 2, 2010 as Document No. 301839 (as amended as referenced herein) and the Development Agreement dated August 13, 2010 and filed for record in the Office of the County Recorder on September 2, 2010 as Document No. 301838 (as amended as referenced herein).

NOW, THEREFORE, Waseca County does hereby ordain:

Section 1. The County Board of Waseca County finds that the vacation of the utility easements within the lots referenced above and the Lake Access Easement between the two lots described above will not impact the public health, safety, or welfare or interest of any owners of property surrounding the proposed easements, any public utility nor will such vacation be inconsistent with the Comprehensive Plan of Waseca County.

Section 2. Waseca County hereby vacates the utility easements within Lot 3, Block two (2), RBK Subdivision and Lots 4 and 5, Block One (1), RBK Subdivision No. 3 and vacates the six foot Lake Access Easement adjacent to property line between Lots 4 and 5, Block One (1), RBK Subdivision No. 3.

Section 3. Waseca County agrees 35th Street and the easements contained within the remainder of the RBK Subdivision and within RBK Subdivision No. 3 will exist as platted and further that 35th Street will remain a private drive until such a time as it is formally accepted as a public road by either Janesville Township or Waseca County.

Section 4. Waseca County agrees that the vacation of the easements referenced herein shall take effect upon the recording of the plat known as M & M Addition.

Section 5. This resolution vacates the easements referenced in Sections 2 and 3 above and does not modify or change the requirements contained within the above-referenced Shoreland Preservation Easement (Recorded as Document No. 285468 as amended in Document No. 301839) or the Development Agreement (Document No. 283582 as amended in Document No. 301838).

Section 6. The easements to be vacated from the RBK Subdivision and the RBK Subdivision No. 3 are depicted on Attachment A to this resolution.

Section 7. The Preliminary Plat and Final Plat drawings for the M & M Addition depicted on Attachment B and C to this Resolution are approved subject to the Conditions for Approval provided in Attachment D.

Section 8. The Preliminary and Final Plat drawings are approved in substantially the same form as the plans presented to the Planning Commission on July 1, 2021 as prepared by Bolton and Menk.

Adopted this 3rd day of August, 2021.

Waseca County Board of Commissioners

De Anne Malterer
County Board Chairperson

ATTEST:

Tamera J. Spooner,
Waseca County Auditor Treasurer

ATTACHMENT A
EASEMENTS TO BE VACATED

To be provided

ATTACHMENT D
CONDITIONS FOR PLAT APPROVAL

Request for Preliminary and Final Plat Approval – Michael T. & Kathryn M. Cahill.

Michael T. Cahill (also known as Michael Terrance Cahill) and Kathryn M. Cahill and Michael Burke (also known as Michael Steven Burke) request approval of a preliminary and final plat for two (2) lots to be known as M & M Addition in Janesville Township. This is a re-plat of a portion of the RBK Subdivision and RBK Subdivision 3. The Waseca Unified Development Code (UDC) contains the provisions for subdividing property in §3.06 Subdivision Regulations; (2) Major subdivision. The property is located in the LR Limited Residential District and Shoreland Overlay District of Lake Elysian. The addresses of the properties are 40805 – 35th Street (PID: 06.524.0050), 40829 – 35th Street (PID: 06.526.0050) and 40855 – 35th Street (PID: 065260040) and is located in Lot 3 Block 2 of RBK Subdivision and Lot 4 and 5 Block 1 of RBK Subdivision No. 3.

The request as proposed is hereby recommended for approval subject to the following conditions:

Recording the Plat.

1. The proposed subdivision must be recorded within twelve months of approval by the Waseca County Board. The approval of the subdivision shall be considered void if the applicant does not apply for an extension of the approval within twelve months.

NPDES and SWPPP.

2. A National Pollution Discharge Elimination Plan Systems (NPDES) Permit may be required from the Minnesota Pollution Control Agency prior to the commencement of any construction on the site. A copy of the Storm Water Pollution Prevention Plan and the NPDES permit shall be provided to the Planning and Zoning Office.

Sewage Treatment and Wells.

3. There must be two on-site subsurface sewage treatment systems on each lot that shall meet or exceed MN Rules 7080 and must be approved by the Waseca County Health Services Department. Any wells constructed on the property may serve more than one residence and must meet or exceed Waseca County and any State of Minnesota standards.

Shoreland Protection.

4. The requirements of the Shoreland Protection Easement described in the Agreement dated the 15th day of September, 2014 and recorded in the Office of the County Recorder as Document No. 301839 shall remain in full force and effect.

Natural Environment.

5. Trees and natural vegetation in the Shore Impact Zone shall be maintained and or left undisturbed to maintain a natural landscape and to prevent soil erosion. No lot owner shall cut down or girdle any living tree on any lot except to allow for the construction of the trails to access the lake and for the creation of the recreational use area (15 feet x 20 feet) and/or for placement of an accessory structure (no more than 250 Square feet) to be placed in the recreational use area. For any tree removed for placement of the six foot wide trail access, recreational use area or an accessory structure, a new tree of a native species shall be planted on the lot. Any removed tree 12 inches or larger in diameter at breast height shall be replaced with a tree no less than 4 feet in height. A sketch or plan of the property showing the type and

location of new trees planted and the type and location of trees removed shall be submitted by the applicant prior to the removal of any tree.

Wetlands.

6. Wetlands are protected by Minnesota Statute. No lot owner shall conduct any activity within the wetland without prior authorization from the Local Unit of Government (currently Waseca County).
7. The conditions referenced above shall replace the conditions filed with the Conditional Use Permit as filed with the Waseca County Recorder as Document No. 267099 as they pertain to the re-platted subdivision. The conditions will remain in effect for the remainder of the RBK Subdivision and RBK Subdivision 3.

**M&M Addition
Preliminary and Final Plat Approval
July 1, 2021**

FINDINGS OF FACT

1. On June 11, 2021 Michael T. & Kathryn M. Cahill, presented an application for approval of a preliminary and final plat for two (2) lots to be known as M & M Addition in Janesville Township. This is a replat of a portion of the RBK Subdivision and RBK Subdivision 3. The Waseca Unified Development Code (UDC) contains the provisions for subdividing property in §3.06 Subdivision Regulations; (2) Major subdivision. The property is located in the LR Limited Residential District and Shoreland Overlay District of Lake Elysian. The addresses of the properties are 40805 – 35th Street (PID: 06.524.0050), 40829 – 35th Street (PID: 06.526.0050) and 40855 – 35th Street (PID: 065260040) and is located in Lot 3 Block 2 of RBK Subdivision and Lot 4 and 5 Block 1 of RBK Subdivision No. 3. Legal description for the proposed development site is attached to the resolution.
2. As of the date of the application, the above-listed application was on file for public inspection in the Waseca County Planning and Zoning Office. The above listed application and supporting documents are incorporated into these Findings by reference.
3. Notice of the public hearing scheduled for on the applicants' request for a conditional use permit was published in the Waseca County News (the 2021 official newspaper for Waseca County) on June 16. The Affidavit of Publication is included in the files and are incorporated herein by reference.
4. On or before June 18, the Planning and Zoning Office notified owners of nearby properties and all of the Township Officers as per requirements of the Unified Development Code for the public hearing scheduled for July 1, 2021 by first-class mail. The Affidavits of mailing are included in the file and are incorporated herein by reference. Staff reports were provided by email to the Minnesota Department of Transportation, the Minnesota Department of Natural Resources, Waseca Public Health Services Department, the Waseca County Sheriff, the Waseca County Attorney and the Waseca County Highway Department port for their comments and review.
5. On June 25, the Planning and Zoning Office notified the applicants in writing about the 60 days extension of the required timeline deadline for agency action as per the Minnesota Statute Chapter 15.99.
6. On June 25, 2021, Planning and Zoning Department staff sent the staff report to the members of the Waseca County Planning Commission by first-class mail regarding the application and accompanying documents. This staff report is incorporated in these Findings by reference. Attachments included:
 - i. Recommended Conditions, if granting,
 - ii. Application materials as submitted and documented.
7. On July 1, 2021, Mark Leiferman, Waseca County Planning and Zoning Administrator, presented a PowerPoint presentation highlighting the applicants request, site data and approvals for the preliminary and final plat approval request. The information provided was based on a staff report provided to the Planning Commission prior to the meeting.
8. The following is an extract of the draft Planning Commission minutes of the meeting held on July 1, 2021 starting at 7:00 p.m.:

WASECA COUNTY PLANNING COMMISSION MEETING
MINUTES OF JULY 1, 2021

CALL TO ORDER/ESTABLISH A QUORUM

A quorum to conduct business was established and the Chair Russ Frederick called the Waseca County Planning Commission meeting to order at 7:00 p.m. at the meeting room in the East Annex Building.

MEMBERS PRESENT

DeAnne Malterer, Russ Frederick, Stephanie Roemhildt, Mark Sommers, Marv Pearson, Leon Schoenrock (arrived two minutes late after agenda and prior minutes were approved).

MEMBERS ABSENT

None.

STAFF PRESENT

Mark Leiferman, Planning and Zoning Administrator, Maame Yorke, Planning and Zoning Specialist, Brian Zabel, Feedlot Officer.

OTHERS PRESENT

Names include as seen on sign-in sheet. Spellings of names shown as best as possible from handwritten signatures.

Mike Cahill (in-person), Mike Burke (in-person), Heidi, No Last Name Provided (online).

APPROVAL OF AGENDA

Sommers made a motion to approve the agenda with Malterer seconding. Motion passed unanimously.

Note: Commission Member Schoenrock was not present to vote on the Agenda

REVIEW/APPROVAL OF MINUTES – May 6, 2021

Malterer made a motion with Roemhildt seconding to approve the May 6, 2021 minutes. Motion passed unanimously.

Note: Commission Member Schoenrock was not present to vote on the Agenda

PUBLIC HEARINGS:

(A) Request for Preliminary and Final Plat Approval – Martin H. Sexton.

Leiferman started the public hearing for approval of preliminary and final plat for Sexton Subdivision No. 2 by presenting a PowerPoint. The owner of the site is Martin H. Sexton. The property address of the parent parcel (PID: 06.011.1000) is 42293 East Elysian Lake Road in Janesville Township. The applicant submitted an application on June 11, 2021. First class mail notices were sent to adjacent property owners within a quarter mile from the proposed site on June 18, 2021. Legal notice of public hearing was published in the newspaper on June 16, 2021. 60-day from the date of application is August 10, 2021. 60-days' notice extension was provided to the applicant on June 25, 2021 (extension requested from the Applicants).

Comprehensive Plan extracts:

The Land Use Plan, which is part of the Waseca Comprehensive Plan, calls for the area to be developed into shoreland residential uses. The plat proposal is related to the Housing Goals and Policies as stated in the Waseca County Comprehensive Plan:

- Goal 1: Provide for the orderly development of safe and efficient housing opportunities in Waseca County.
- Goal 2: Increase the ability of the private sector to provide housing to meet Waseca County's anticipated population and changing demographic trends.

Leiferman showed the zoning Map extract of the area. The map places the receiving site in the LR Limited Residential zoning district. He then proceeded to showing sections of the UDC that regulates the request under review:

- §3.06 Subdivision Regulations
- §6.14 LR Limited Residential District.
- §6.22 SO Shoreland Overlay District Standards.

Leiferman then showed and explained the Planning Commission the preliminary and final plat drawings of the proposed subdivision.

Issues with the request

1. **Title Opinion.** *The applicant has not provided a title opinion at the time that this report was prepared and one will need to be provided.* The County Attorney should review the title opinion in order to determine if all owners and other interests such as any easements are shown on the plat.
2. **Park Dedication.** The Unified Development Code requires that five (5) percent of the gross area of the subdivision to be dedicated for public recreation space, school sites or other public use with such percentage being in addition to property dedicated for streets, alleys, easements, or other public ways, or contribute fee-in-lieu to a capital fund for recreational facilities. When a subdivision is too small for the practical dedication of public land or if no land in the subdivision is suitable for such use, the subdivider shall be required by the County to pay a fee equal to five (5) percent of the land value prior to subdivision. This parcel includes a residence and may be considered developed by the Planning Commission and County Board. If a park dedication fee is required, staff suggests that a cash payment of the park dedication fee be utilized.
3. **Subsurface Sewer Treatment System (SSTS).** *The SSTS will need to be brought into compliance to transfer the property.*

Note: the sentence in italics were added after the staff report had been mailed to the Planning Commission members and before the public hearing meeting.

Criteria and Proposed Findings:

1. That the proposed subdivision conforms to the county land use plan.
2. That the proposed subdivision conforms to the county subdivision ordinance.
3. That the proposed subdivision will not degrade the water quality of the county.
4. That the proposed subdivision will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed subdivision.
6. That the proposed subdivision does not create a potential pollution hazard.
7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. That the proposed subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
9. That the establishment of the proposed subdivision will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area

Conditions for Approval

Staff recommended approval of the request if the Waseca county Planning Commission finds that the proposal meets the standard criteria for approval. Only the changes (italicized) to the conditions were provided to the Commission. If approved, staff recommended the following conditions be applied:

Recording the Plat:

1. The proposed subdivision must be recorded within twelve months of approval by the Waseca County Board. The approval of the subdivision shall be considered void if the applicant does not apply for an extension of the approval within twelve months.

Title Opinion:

2. The approval is subject to the receipt and approval of a title opinion.

Wetlands:

3. Wetlands are protected by Minnesota Statute. No lot owner shall conduct any activity within the wetland without prior authorization from the Local Unit of Government (currently Waseca County).

Park Dedication:

4. A park dedication fee of five percent of the market value of the land within the subdivision shall be paid prior to the recording of the plat

Subsurface Sewer Treatment System (SSTS)

5. *Prior to recording the plat, the applicant must provide documentation to the Waseca County Public Health Department that the existing SSTS system is in compliance with state and county requirements for such systems and documentation the site can support a second (future) SSTS.*

Public Agency Comments

An email containing the link to the staff report was provided to the Department of Natural Resources (Dan Girolamo), Waseca County Environmental Specialist, Sheriff, Attorney, Recorder, Public Works Director and the Soil and Water Conservation District for their review.

Agency comments were received from the County Environmental Specialist and the DNR as shown in the images below:

*From: Girolamo, Daniel (DNR) [mailto:daniel.girolamo@state.mn.us]
Sent: Wednesday, June 30, 2021 4:22 PM
To: Maame Yorke <Maame.Yorke@co.waseca.mn.us>
Subject: RE: Waseca County Planning Commission Meeting - July 1, 2021*

Hi Maame, I reviewed your staff report and found it to very detailed. I recognized most of the applicant's names and believe I already provided written or verbal comments for your consideration. I do not have any further comments or concerns to share. Sorry for the slow reply.

*From: Kimberly Jewison
Sent: Wednesday, June 30, 2021 3:10 PM
To: Maame Yorke <Maame.Yorke@co.waseca.mn.us>
Subject: RE: Waseca County Planning Commission Meeting - July 1, 2021*

Have you received any proof that the lots can support two septic systems for the Sexton and Cahill subdivisions? St Peter Well had been in contact with me regarding the Sexton property, but I haven't seen anything. Do you have record of the systems the Cahill subdivision could support before?

Thanks,

Kim

There were no other government agencies present at the meeting both online or in the conference room to comment on the project.

Township Review:

A copy of the notice of public hearing was provided to the Janesville Township for their consideration.

Public Comments:

Public hearing notices were sent to adjacent property owners within half a mile of the property under review. No written correspondence has been received from any neighboring property owner or other members of the public.

Frederick opened and closed the public hearing at 7:09 p.m.

Sommers asked if the parcels under review had been discussed previously. Leiferman responded that they had been replatted in the past.

Pearson asked if the applicant wanted to develop the proposed outlot. Leiferman responded that outlots were not buildable or developable until it has been platted in the future.

Malterer made a motion to approve the criteria as amended with Roemhildt seconding the motion. Motion was passed unanimously with 5 Yes 0 No.

Malterer made a motion to approve the Sexton Subdivision No. 2 preliminary and final plat with amended conditions and recommend approval to the County Board. Roemhildt seconded and it was passed unanimously with 5 Yes 0 No.

(B) Request for Preliminary and Final Plat Approval – Michael T. & Kathryn M. Cahill and Michael Burke.

Leiferman continued the public hearing for approval of preliminary and final plat for M&M Addition. This is a replat of a portion of the RBK Subdivision and RBK Subdivision 3. The owners of the site are Michael Burke (Also Known As Michael Steven Burke) And Michael T. Cahill (Also Known As Michael Terrance Cahill) & Kathryn M Cahill. The property addresses of the parcels to be replatted (PID: 06.524.0050; 06.526.0050; & 06.526.0040) are 40805 – 35th St.; 40829 – 35th St. & 40855 – 35th St. in Janesville Township. The applicant submitted an application on June 11, 2021. First class mail notices were sent to adjacent property owners within a quarter mile from the proposed site on June 18, 2021. Legal notice of public hearing was published in the newspaper on June 16, 2021. 60-day from the date of application is August 10, 2021. 60-days' notice extension was provided to the applicant on June 25, 2021 (extension requested from the Applicants).

Comprehensive Plan extracts:

The Land Use Plan, which is part of the Waseca Comprehensive Plan, calls for the area to be developed into shoreland residential uses. The plat proposal is related to the Housing Goals and Policies as stated in the Waseca County Comprehensive Plan:

- Goal 1: Provide for the orderly development of safe and efficient housing opportunities in Waseca County.
- Goal 2: Increase the ability of the private sector to provide housing to meet Waseca County's anticipated population and changing demographic trends.

Leiferman showed the zoning Map extract of the area. The map places the receiving site in the LR Limited Residential zoning district and shoreland overlay district of Lake Elysian. He then proceeded to showing sections of the UDC that regulates the request under review:

- §3.06 Subdivision Regulations
- §6.14 LR Limited Residential District.
- §6.22 SO Shoreland Overlay District Standards.

Leiferman explained a map showing a shoreland protection easement and lake access for prior plat of the same parcels. He then explained that the applicants were looking to vacate an easement which will run in the middle of one of the replatted lots. Afterwards, Leiferman showed and explained the Planning Commission the preliminary and final plat drawings of the proposed subdivision.

Issues with the request

1. **Title Opinion.** The applicants did provide the title opinion (*for one lot*) prior to time that this report was prepared. *The opinion should be expanded to include the remaining property.* The County Attorney should review the title opinion in order to determine if all owners and other interests such as any easements are shown on the plat.
2. **Easements.** There are utility easements between the lots to be re-platted. There is also a shared lake access easement located between the two existing lots to be re-platted. The access easement is likely no longer needed. The County Board could approve a resolution vacating these easements. The resolution to vacate the easements should be approved with the new plat and recorded prior to recording the M & M subdivision. The County Attorney should advice regarding the appropriate form of the vacation instrument. Waseca County Unified Development Code (UDC) requires utility easements adjacent to lot lines. Appropriate easement should be added to the plat.
3. **Road dedication:** The current road right of way will remain as they exist today on the new plat.
4. **Easement Vacations:** The County should vacate and rededicate the easements including the Lake Access Easement.
5. **Wetlands.** There are previously delineated wetlands located on the parcels to be re-platted. The wetlands were shown on the original plats. Wetlands impact the location of building setbacks and the location of the shore impact zone. Setbacks for structures are 100 feet from the ordinary high water level (OHWL) or 100 feet from a delineated wetland. The OHWL for Lake Elysian is 1018 feet above sea level with wetlands located higher than this elevation. Wetland elevations were approved for the existing subdivisions and the Waseca County Water Resource Specialist determined no new delineation was needed for this subdivision. It may be wise to require the location of the existing delineation be shown on the new plat.
6. **Building setback.** The front yard structure set back in the Shoreland overlay District is greater than the setback within the LR limited residential district. The front yard setbacks in the LR Limited Residential District is 40 where as 50 feet front yard setback is required in the SO Shoreland overlay District. In this case, the greater of the two setbacks prevail.
7. **Park Dedication.** Park dedication was provided when the parcels were originally subdivided. No new dedication will be required.

Note: the sentence is italics were added after the staff report had been mailed to the Planning Commission members and before the public hearing meeting.

Criteria and Proposed Findings:

1. That the proposed subdivision conforms to the county land use plan.
2. That the proposed subdivision conforms to the county subdivision ordinance.
3. That the proposed subdivision will not degrade the water quality of the county.
4. That the proposed subdivision will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed subdivision.
6. That the proposed subdivision does not create a potential pollution hazard.
7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. That the proposed subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
9. That the establishment of the proposed subdivision will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area

Conditions for Approval

Staff recommended approval of the request if the Waseca county Planning Commission finds that the proposal meets the standard criteria for approval. Only the changes (italicized) to the conditions were provided to the Commission. If approved, staff recommended the following conditions be applied:

Recording the Plat:

1. The proposed subdivision must be recorded within twelve months of approval by the Waseca County Board. The approval of the subdivision shall be considered void if the applicant does not apply for an extension of the approval within twelve months.

NPDES and SWPPP:

2. A National Pollution Discharge Elimination Plan Systems (NPDES) Permit may be required from the Minnesota Pollution Control Agency prior to the commencement of any construction on the site. A copy of the Storm Water Pollution Prevention Plan and the NPDES permit shall be provided to the Planning and Zoning Office.

Sewage Treatment and Wells:

3. There must be two on-site subsurface sewage treatment systems on each lot that shall meet or exceed MN Rules 7080 and must be approved by the Waseca County Health Services Department. Any wells constructed on the property may serve more than one residence and must meet or exceed Waseca County and any State of Minnesota standards.

Shoreland Protection:

4. The requirements of the Shoreland Protection Easement described in the Agreement dated the 15th day of September, 2014 and recorded in the Office of the County Recorder as Document No. 301839 shall remain in full force and effect.

Natural Environment:

5. Trees and natural vegetation in the Shore Impact Zone shall be maintained and or left undisturbed to maintain a natural landscape and to prevent soil erosion. No lot owner shall cut down or girdle any living tree on any lot except to allow for the construction of the trails to access the lake and for the creation of the recreational use area (15 feet x 20 feet) and/or for placement of an accessory structure (no more than 250 Square feet) to be placed in the recreational use area. For any tree removed for placement of the six foot wide trail access, recreational use area or an accessory structure, a new tree of a native species shall be planted on the lot. Any removed tree 12 inches or larger in diameter at breast height shall be replaced with a tree no less than 4 feet in height. A sketch or plan of the property showing the type and location of new trees planted and the type and location of trees removed shall be submitted by the applicant prior to the removal of any tree.

Wetlands:

9. Wetlands are protected by Minnesota Statute. No lot owner shall conduct any activity within the wetland without prior authorization from the Local Unit of Government (currently Waseca County).
10. The conditions referenced above shall replace the conditions filed with the Conditional Use Permit as filed with the Waseca County Recorder as Document No. 267099 as they pertain to the re-platted subdivision. The conditions will remain in effect for the remainder of the RBK Subdivision and RBK Subdivision 3.

Subsurface Sewer Treatment System (SSTS)

11. *Prior to recording the plat, the applicant must provide documentation to the Waseca County Public Health Department that the existing SSTS system is in compliance with state and county requirements for such systems and documentation the site can support a second (future) SSTS for Lot 1 as well as two SSTS for Lot 2.*

12. *Utility easements as required by the Waseca Unified development code shall be required and shown on the Final Plat.*

Note: Conditions #11 and 12 were added after the staff report had been mailed to the Planning Commission members and before the public hearing meeting.

Public Agency Comments

An email containing the link to the staff report was provided to the Department of Natural Resources (Dan Girolamo), Waseca County Environmental Specialist, Sheriff, Attorney, Recorder, Public Works Director and the Soil and Water Conservation District for their review.

Agency comments were received from the County Environmental Specialist and the DNR as shown in the images below:

*Sent: Wednesday, June 30, 2021 4:22 PM
To: Maame Yorke <Maame.Yorke@co.waseca.mn.us>
Subject: RE: Waseca County Planning Commission Meeting - July 1, 2021*

Hi Maame, I reviewed your staff report and found it to very detailed. I recognized most of the applicant's names and believe I already provided written or verbal comments for your consideration. I do not have any further comments or concerns to share. Sorry for the slow reply.

*From: Kimberly Jewison
Sent: Wednesday, June 30, 2021 3:10 PM
To: Maame Yorke <Maame.Yorke@co.waseca.mn.us>
Subject: RE: Waseca County Planning Commission Meeting - July 1, 2021*

Have you received any proof that the lots can support two septic systems for the Sexton and Cahill subdivisions? St Peter Well had been in contact with me regarding the Sexton property, but I haven't seen anything. Do you have record of the systems the Cahill subdivision could support before?

Thanks,

Kim

There were no other government agencies present at the meeting both online or in the conference room to comment on the project.

Township Review:

A copy of the notice of public hearing was provided to the Janesville Township for their consideration.

Public Comments:

Public hearing notices were sent to adjacent property owners within half a mile of the property under review. No written correspondence has been received from any neighboring property owner or other members of the public.

Frederick opened the public hearing at 7:24 p.m.

Mike Cahill added that he was working on a second SSTS and the intent of the replat was to add more buildable space. Leiferman advised Cahill that the proposed shed would have to meet setback requirements.

Pearson asked if access will be from County Road or Access Road. Leiferman responded that the road system for prior plat remain unchanged and access will be as is.

Frederick closed the public hearing at 7:28 pm.

Schoenrock made a motion to approve the criteria as amended with Sommers seconding the motion. Motion was passed unanimously with 5 Yes 0 No.

Malterer made a motion to approve the Sexton Subdivision No. 2 preliminary and final plat with amended conditions and recommend approval to the County Board. Schoenrock seconded and it was passed unanimously with 5 Yes 0 No.

(C) Request for an amendment to §3.02(B) (1) and §4.02(C) (2) (f) of the Waseca County UDC.

Leiferman continued his PowerPoint presentation for the meeting by reading the zoning case which was a request by Waseca County to amend §3.02(B) (1) & §4.02(C) (2) (f) of the Waseca County UDC. The proposed additions to the UDC are shown below underlined with subtractions ~~struck~~:

§ 3.02 ZONING PERMITS.

(B) *Notice to proceed required.*

(1) *Applicability.* A notice to proceed is required for non-structural repairs that do not require a zoning permit. Circumstances in which a notice to proceed is required include, but are not limited to roof re-shingling, re-roofing, window replacement, same size, window replacement - enlargement or made smaller, siding, foundation repair/replacement (no structural raising involved), construction of an accessory structure ~~less than 100 square feet~~ one hundred (100) square feet or less and less than 14 feet in height. All repairs must meet all ordinance requirements.

§ 4.02 GENERAL REGULATIONS FOR STRUCTURES.

(C) *Accessory structures.* Accessory structures located in any residential or agricultural zoning district, shall meet the following requirements.

(2) *Detached.* Detached accessory structures shall meet all of the following requirements.

(f) *Permit exception.* Outside the Shoreland Overlay District, a building permit shall not be required for any accessory building of ~~450~~ one hundred (100) square feet or less, but applicable setbacks shall be met.

Public Hearing Comments:

Public hearing notices was published in the Waseca County News and sent to the governing bodies of all towns and all municipalities located within the county.

The public hearing was opened and closed at 7:35 pm since no public testimonies both in person and online were received.

Frederick asked if the code change was applicable to utility sheds and all. Leiferman responded that utility sheds were normally less than a 100 square feet and would not require a zoning permit but rather a Notice to Proceed.

Sommers asked Leiferman to explain Notice to Proceed. Leiferman provided an explanation and added that there was no fee for the issuance of a Notice to Proceed.

Malterer made a motion to approve the zoning code amendment to §3.02 and §4.02 with Pearson seconding the motion. Motion failed with 3 Yes 3 No.

There were discussions on rather amending the code to increase the area requirement to 150 square feet as opposed to 100 square feet or leaving the UDC as is. Malterer explained that leaving the code without amendments created a gap but the restrictive one (which is 100 square feet) applied.

After some deliberation between Planning Commission members and staff, Schoenrock made a motion to approve the zoning code change as presented by staff. Sommers seconded the motion and it was approved with 5 Yes 0 No

(D) Request for an amendment to §6.05 General Standards for Agricultural and Natural Resource Use of the Waseca County UDC.

Zabel continued the hearing by reading the zoning case which was a request by Waseca County to amend §6.05 General Standards for Agricultural and Natural Resource Use of the Waseca County UDC.

Reasoning for Swine Animal Unit Changes: Follows Minnesota Pollution Control Agency (MPCA) animal unit structure and more accurately describes swine of that size. MPCA permitting covers most large swine operations and their animal unit equivalents are used to permit the site; County and State authorities having different AU equivalents causes confusion for swine producers.

Reasoning for Adding Goat Animal unit: Follows MPCA animal unit structure for goats. Raising goats is becoming increasingly popular and a more regular animal unit. Having a defined animal unit for goats will make it clearer for producers raising that type of livestock.

The proposed additions to the UDC are shown below underlined with subtractions ~~struck~~:

(D) Animal units. Table 6.3 shows the animal unit measures for common agricultural animals

<i>Table 6.3 Animal Unit Equivalents</i>	
<i>Animal</i>	<i>Per Animal</i>
One cow and calf pair	1.2 animal units
One swine Between <u>over 55 and 300</u> pounds	0.3 animal units
<u>One swine over 300 pounds</u>	<u>0.4 animal units</u>
One nursery pig under 55 pounds	0.05 animal units
<u>One Goat</u>	<u>0.15 animal units</u>
For any animal not appearing in the above chart, the average weight of the animal divided by 1,000 pounds will determine its AU value.	

Public Hearing Comments:

Public hearing notices was published in the Waseca County News and sent to the governing bodies of all towns and all municipalities located within the county. A written email was received from Bill Green, City of Waseca, expressing no comments on the proposed change.

The public hearing was opened and closed at 7:50 pm since no public/agency testimonies both in person and online were received.

Roemhildt made a motion to approve the zoning code amendment with Pearson seconding the motion. Motion was passed unanimously with 5 Yes 0 No.

(E) Request for an amendment to §6.06 Specific Standards for Animal Agriculture (Feedlot Ordinance) of the Waseca County UDC.

Zabel then continued with the next proposed amendment which affected sections of the feedlot ordinance. The proposed changes are as follows:

I. An amendment to §6.06 Specific Standards for Animal Agriculture (Feedlot Ordinance) of the Waseca County Unified Development Code (UDC).

Reasoning for Addition to §6.06(C) Provisions for new feedlots: Determining and defining what a feedlot is can be confusing because sometimes strictly animal units and head counts are used and other times it can be defined as an area that is unable to support vegetative growth due to manure coverage and animal activity. The State of MN and MPCA says a site is a feedlot once it reaches 50 animal units outside of shoreland or 10 animal units inside of shoreland areas. Waseca County has tried to simplify the State’s determination of a feedlot and just say any site over 10 animal units regardless of location is a feedlot and must meet setbacks. This is a long standing practice for the county, but it is not clearly defined in either the feedlot ordinance (§6.06 Specific Standards for Animal Agriculture) or definition portion (§ 8.03 Definitions and Acronyms) of the UDC. Adding this sentence to the provisions for new feedlots will add a lot of clarity to the feedlot ordinance.

Reasoning for wording restructuring to §6.06(D) Provisions for Existing Feedlots, Including Modification and Expansion: This is the section of code that has been relied on to determine that sites with 10 animal units or more are a feedlot and must register with the feedlot officer. The rewording of this sentence adds clarity to the practice. Some smaller sites have claimed that they will register their animals with the feedlot officer but don’t have to meet feedlot setbacks because they are a pasture.

§6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(C) Provisions for new feedlots.

(1) Sites proposing to maintain ten or more animal units, or a manure storage area capable of holding the manure produced by ten or more animal units shall be defined as a feedlot and must meet the required feedlot setbacks.

(2) (4) Permit requirements. A construction short form shall be required for all new feedlots over 50 animal units.

(a) A permit application shall be made available by the County Feedlot Officer.

(b) The following information shall be included for application:

(D) Provisions for existing feedlots, including modification and expansion. (The provisions of this subsection (D) apply to existing feedlots.)

(1) Registration requirements.

(a) Sites Owners required to register. ~~Owners~~ **Sites with** ~~of an animal feedlot capable of holding~~ ten or more animal units, or a manure storage area capable of holding the manure produced by ten or more animal units shall be required to register with the County Feedlot Officer **as a feedlot and meet required setbacks.**

Schoenrock asked if an individual keeping one (1) animal but with more area capable of pasture would be considered a feedlot. Zabel responded no.

Sommers asked for the definitions of storage capabilities and “permanently” in the context of the amendment. Zabel provided definitions from the ordinance stand point. Malterer added that the code changes were to clarify correct practice.

II. An amendment to §6.06 (E) The County Feedlot Site Inspection Team

Reasoning for Changes: The way “Change in Operation” is defined (see below) in the UDC, technically means FSIT meetings have to be held for every single change that goes on with a feedlot. Organizing public hearings and an environmental review for every change on a feedlot is not practical or the most efficient use of staff/producer’s time and money. Holding FSIT meetings for new feedlots of 50 animal units or more and

expansions of 100 animal units or more saves staff/producer’s time and money as meetings would be for significant changes.

Definition from UDC: CHANGE IN (THE) OPERATION. An increase beyond the permitted maximum number of animal units, an increase in the number of animal units which are confined at an unpermitted animal feedlot requiring a construction investment, or a change in the construction or operation of an animal feedlot that would affect the storage, handling, utilization or disposal of animal manure.

§ 6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(1) Registration requirements:

(d) Other. An existing feedlot proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer ~~A change in operation of a feedlot or manure storage structure or an expansion of 200 animal units or more within a two year period~~ must obtain a conditional use permit. A conditional use permit would not be required if the County Feedlot Site Inspection Team recommendations are implemented pursuant to subsection (E) below (The County Feedlot Site Inspection Team”) of this article. All sites 3,000 animal units or larger shall obtain County Feedlot Site Inspection Team inspection and a conditional use permit.

(E) The County Feedlot Site Inspection Team.

(1) Intent. Feedlot site locations are one of the most important decisions facing feedlot owners, neighbors and local governments. New feedlots of 50 animal units or more and existing feedlots proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer. ~~experiencing a change in operation~~ shall require a site inspection prior to issuance of any feedlot permits. To assist in the early and careful consideration of sites, a team approach to site inspection and selection is a desirable way to provide a wide range of information to ensure that permit applicants will select a site that is both economically and environmentally suitable. The expertise of a site selection team ~~will be provided at no cost~~ and is intended for the benefit and convenience of permit applicants and for the early notification to neighbors...

(4) Duties. The Feedlot Site Inspection Team shall be required to conduct a site inspection of any proposed new feedlot of ~~over 50 ten~~ 50 or more animal units or more. Site inspection shall be conducted for an existing feedlot proposing an expansion of 100 animal units or more or a change in operation as determined by the feedlot officer ~~any change in operation or when the animal units will increase by 200 animal units or greater within a two year period~~. The Feedlot Officer shall establish a meeting date and time for an onsite inspection with the feedlot owner/operator within 30 days of notification of the feedlot owner/operator’s intent for any new construction or expansion when a site inspection is required. The County Feedlot Officer shall execute notification to the Feedlot Site Inspection Team.

Leiferman asked how shoreland were handled in the feedlot ordinance. Zabel responded that feedlots were allowed in the shoreland and existing feedlot in the shoreland could not be expanded.

III. An amendment to §6.06 (C)(1) Permit Requirements, paragraph (M)

Reasoning for Removing Sentence: The 0.4 hog animal unit equivalent is currently not listed in the animal equivalent chart of §6.05 General Standards For Agricultural And Natural Resource Uses of the UDC and that sentence actually contradicts what the animal equivalent chart currently states by eliminating the separate swine categories and just generalizes that any swine is equivalent to 0.4 animal units. Removing the sentence reduces confusion on this ordinance.

§ 6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(C) Provisions for new feedlots.

(1) Permit Requirements

(m) New feedlots of 50 animal units or more shall obtain a conditional use permit unless recommendations of the County Feedlot Site Inspection Team are implemented pursuant to

subsection (E) below (“The County Feedlot Site Inspection Team”) of this article. All sites 3,000 animal units or larger, ~~using the County Animal Unit Equivalent of 0.4 for hogs,~~ shall obtain these reviews: the County Feedlot Site Inspection Team inspection, recommendation and a conditional use permit from the County Board. The Site Team recommendation shall be forwarded to the Planning Commission and Board of Commissioners for review when considering a conditional use permit.

IV. An amendment to §6.06 (G) Manure Transportation and Storage. (5) Stacking of Manure Onsite. (a) General Requirements.

Reasoning for Timeline Change: the first requirement of the (a) general requirements section contradicts the first requirement of (b) short-term stockpile site requirements section. If you use a typical turkey litter stockpile in a field as an example for short term stockpiling, the current language is saying producers have up to one year to land apply that stockpile, but according to the first statement of the general requirements section, solid manure stacked for more than 6 months has to be on a concrete containment pad.

§ 6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(D) Provisions for existing feedlots, including modification and expansion. (The provisions of this subsection (D) apply to existing feedlots.)

(5) Stacking of manure on site.

(a) General requirements.

1. Solid manure that is stacked for more than ~~six months~~ **one year** shall be stored on a concrete containment pad designed with a Water Containment and Diversion Plan approved by the Feedlot Officer as addressed in the site plan...

(b) Short-term stockpile sites requirements.

1. The manure must be removed from the site and land applied within one year of the date when the stockpile was initially established.

Malterer asked if there were any problems with manure being stacked for one year. Zabel responded that there were no problems when manure was stacked on a concrete pad.

Public Hearing Comments:

Public hearing notices was published in the Waseca County News and sent to the governing bodies of all towns and all municipalities located within the county. A written email was received from Bill Green, City of Waseca, expressing no comments on the proposed change.

The public hearing for the four (4) changes to the feedlot ordinance was opened and closed at 8:06 pm since no public/agency testimonies both in person and online were received.

Sommers made a motion to approve the zoning code amendment with Roemhildt seconding the motion. Motion was passed unanimously with 5 Yes 0 No.

MISCELLANEOUS

(A) Feedlot- Code Clean-up

Zabel informed the Planning Commission of his intent to clean up the Feedlot Ordinance to make the requirements consistent with state statutes and with other sections of the ordinance as well. He furthered that the intent will not change the content of the ordinance in any way but make the feedlot ordinance clearer and more understandable.

(B) TDR Township Study

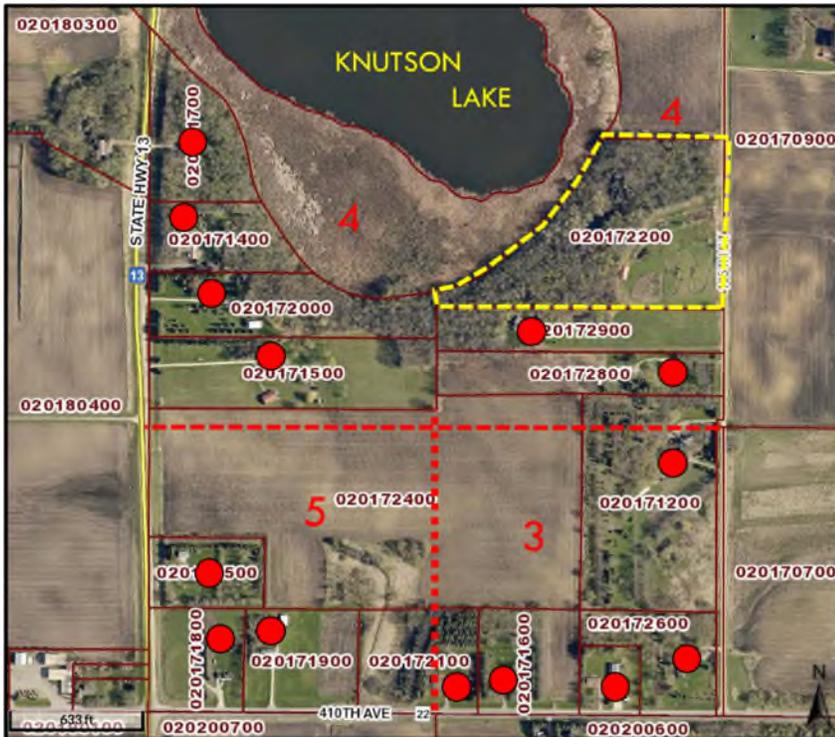
Leiferman informed the Planning Commission that the TDR discussion was a continuation of prior discussions with the commission on TDR regulations within the county. He showed a map of new homes in the county from 2008 and 2020 which showed a yearly average of 12 to 13 new homes with approximately 15% of all the homes occurring with a TDR. He then showed and explained a table for some selected townships with the open quarter-quarters and used up quarter-quarters. Conclusions on the table revealed that there was on average over 200 open quarter-quarters to be utilized for TDR purposes. Leiferman then posed three statements on the next few steps regarding TDRs which were:

1. Whether to allow development of smaller tracts in the county without a TDR since there was not a great number of parcels that would be impacted.
2. Whether to prohibit development without a TDR since so few parcels would be impacted
3. Whether the county could sell TDRs.

Malterer mentioned that there was a possibility of the county competing with private property owners in the sale of TDRs so it wouldn't be in the interest of private owners should the county engage in such an endeavor. She added that there had been some discussion at the County Board level regarding this matter.

(C) TDR Alternates

Leiferman continued the TDR discussion by showing a map of an area south of Knutson Lake as depicted in the image below.



The dilemma was as to whether to allow developments of parcels created post 2009 without requiring a TDR. The options Leiferman provided the commission are as follows:

1. Create exemptions in the code to allow existing parcels of record from 2009 to add a residence without requiring a Transfer of Development Right (TDR);
Proposed code amendment with this option will read as follows:

Article 6

§ 6.08 A-1 AGRICULTURAL PROTECTION DISTRICT STANDARDS.

(D) *Density standards. The base density permitted in the A-1 District is one dwelling unit per quarter-quarter section or parcel of record existing on July 21, 2009. Dwellings existing at the time of the adoption of this ordinance will be included when determining whether or not a quarter-quarter section is at its maximum density. The density within a quarter-quarter may be increased pursuant to the provisions of § 6.09 (Transfer of development rights (TDR)). A TDR is not required for a parcel of record as described in this paragraph existing on July 21, 2009 which meets all other Uniform Development Code size and dimensional standards.*

2. Rezone certain areas in the A-1 Agriculture Protection District to VMX Village Mixed Use and/or LR Limited Residential;
3. Creating a new district for these areas.

Staff mentioned that rezoning to VMX or LR was not a preferred alternative since the UDC lays out good reasons to justify why the districts were created since it does not seem like a logical approach to deal with such a minor issue. The sections of the UDC backing this are shown below:

§ 6.21 VMX VILLAGE MIXED USE DISTRICT STANDARDS.

(A) *Purpose.*

The purpose of the Village Mixed Use District is to recognize the existence of small rural unincorporated villages that were developed prior to contemporary land use and environmental regulations and that include a mixture of land uses. Development in many of these villages is constrained by small lot sizes that are inadequate to support on-site wastewater treatment.

§ 6.14 LR LIMITED RESIDENTIAL DISTRICT.

(A) *Purpose.*

Allow limited residential development within the Shoreland Overlay District of the general development and recreational development lakes (except Goose Lake, due to the shallow nature of this water body), as shown on the approved zoning map, and in areas between general development lakes and natural environment lakes where a parcel is: within one mile of a general development lake as shown on the approved zoning map; and where a concept plan was submitted prior to the approval of this code.

(D) TDR – Replacement Structure

Leiferman then showed a map of a parcel located within the county. He added that the TDR requirement is one the County may want to visit. As background, when an owner wants to develop a new replacement home, a TDR is required when there is another home within the quarter-quarter. Leiferman then mentioned that staff was of the opinion that replacement homes should not require a TDR when the County can be assured the original home will be removed. He asked the Planning Commissions opinion and they concurred that since the existing density was not changing, then a TDR should not be required in such a case.

(E) Solar Power Transmission Lines

To conclude the miscellaneous items for the hearing, Leiferman read out code requirements concerning power and communication lines under §6.16 of the UDC as shown below:

WASECA UNIFIED DEVELOPMENT CODE

ARTICLE 6: ZONING DISTRICT REGULATIONS

§ 6.16 SPECIFIC STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES.

(OO) Solar farms.

(1) *Power and communication lines.* Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Planning and Zoning Administrator in instances where shallow bedrock, watercourses or other elements of the natural landscape interfere with the ability to bury lines.

UDC Definition- SUBSTATIONS. Any electrical facility designed to convert electricity produced by wind turbines to a voltage for interconnection with transmission lines.

Leiferman added that the code definition of substations was vague and required a change or enhanced requirements in the future. He then showed aerial photos of existing solar projects; Byron Sunshare. He explained that the project was located west of US 14 with the developers constructing power transmission poles/lines and interconnections which was not aesthetically pleasing. He added that it might be a good idea to change the UDC requirements especially when the solar farm was constructed near a residence. Leiferman also showed another solar farm; Novel Haley where poles were installed within the easement or leased area between the facility and the three phase power lines in the right-of-way. He finally showed a third solar project; Novel David, which is in the permitting process currently. He added that the applicants were proposing to install new poles from this facility to a three phase line on the other side of Old US 14. Leiferman after showing and explaining the photos asked the Planning Commission their opinion on amending the UDC to depict the language below:

WASECA UNIFIED DEVELOPMENT CODE

ARTICLE 6: ZONING DISTRICT REGULATIONS

§ 6.16 SPECIFIC STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES.

(OO) Solar farms.

(5) *Power and communication lines.* Power and communication lines running between banks of solar panels and Transformer and meter utility pads and from such pads to any public right-of-way to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Planning and Zoning Administrator in instances where shallow bedrock, watercourses or other elements of the natural landscape interfere with the ability to bury lines.

Or specify conditions when lines need to be buried in individual CUPs

ADJOURNMENT

Pearson made a motion with Roemhildt seconding to adjourn the meeting.

Meeting adjourned at 8:48 p.m.



**Waseca County Board of Commissioners
Request for Board Action**

Contract 812111 Award

Meeting Date:	August 3, 2021	Fiscal/FTE Impact:	<input type="checkbox"/> None
Item Type:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Action	<input checked="" type="checkbox"/> Current budget	<input type="checkbox"/> New FTE(s) Requested
Department:	Highway	<input type="checkbox"/> Other	<input type="checkbox"/> Amendment Requested
Contact:	Jim Kollar		
Contact Phone:	507.835.0661		
Prepared by:	Jim Kollar		

PURPOSE/ACTION REQUESTED

Contract 812111 Award for Pavement Markings on various county roads

SUMMARY

The Department received quotes for the annual replacement of pavement markings on various County roads, on July 30, 2021. Award of this contract will provide for pavement markings on approximately 40 miles of roadway. A bid summary will be provided at the Board meeting. This project is proposed to be funded with Maintenance monies.

RECOMMENDATION

Waseca County staff recommends that the Waseca County Board of Commissioners award Contract 812111 to the low responsible bidder, contingent upon reasonable bid results. A formal recommendation will be made at the Board meeting.

EXPLANATION OF FISCAL/FTE IMPACTS

2021 Budget – Maintenance

Supporting Documents:

Attachment A:
Attachment B:

Previous Board Action(s):

Resolution #



Expenditure of American Rescue Plan Dollars for Aquatic Weed Harvester

Meeting Date:	August 3, 2021	Fiscal/FTE Impact:
Item Type:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Action	<input type="checkbox"/> None
Department:	Administration	<input type="checkbox"/> Current budget
Contact:	Johnson, Michael	<input type="checkbox"/> New FTE(s) Requested
Contact Phone:	(507) 837-0631	<input checked="" type="checkbox"/> Other
Prepared by:	Johnson, Michael	<input type="checkbox"/> Amendment Requested
		Board Goals: Good for Community

PURPOSE/ACTION REQUESTED

Expenditure of funds allocated by the American Rescue Plan for the purchase of a community-owned and operated aquatic weed harvester.

SUMMARY

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (H.R. 1319) into law. The \$1.9 trillion package was intended to combat the Covid-19 pandemic, including the public health and economic impacts.

As part of the \$362 billion in federal fiscal recovery aid for state and local governments, \$65.1 billion is provided in direct aid to counties and an additional \$1.5 billion for public land counties. Waseca County, as its own Local Government Unit, stands to receive approximately \$3.6 million in relief funds. To date, we have received the first tranche of approximately \$1.8 million.

The American Rescue Plan Section 603 (c), subsection (A) states that funds can be used “to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality.” Further in subsection (D), the bill states funds can be used “to make necessary investments in water, sewer or broadband infrastructure”.

The Interim Final Rule released by the US Treasury and the FAQs posted by on the Treasury have both stated that American Rescue Plan generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency’s Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

Under the DWSRF, categories of eligible projects include: treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development.

Under the CWSRF, categories of eligible projects include: construction of publicly owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, storm water systems, water conservation, efficiency, and reuse measures, watershed pilot projects, energy efficiency measures for publicly-owned treatment works, water reuse projects, security measures at publicly-owned treatment works, and technical assistance to ensure compliance with the Clean Water Act.

Staff feel that with the available definitions, this purchase would be authorized under the American Rescue Plan.

Supporting Documents:

Attachment A: Signed Formal Agreement

Attachment B: Waseca Lakes Letter & Support

Previous Board Action(s):

RECOMMENDATION

Waseca County staff recommends that the Waseca County Board of Commissioners discuss purchase of an Aquarius Systems 2012 model H820011 Hybrid aquatic weed harvester, T-34 High Speed Transporter, hydraulic tilt deck trailer, and Henning Design C-920-36L Portable Shore Conveyor.

EXPLANATION OF FISCAL/FTE IMPACTS

Total package price for all four (4) items delivered to Waseca County would require \$290,280.00 of American Rescue Plan Funds. This is a non-budgetary item and would not utilize levy dollars. Additional consideration can be made for ongoing maintenance and expenses through 2024 (or accrued through 2026) in any amount the Board should choose.

Supporting Documents:

Previous Board Action(s):

Attachment A: Signed Formal Agreement
Attachment B: Waseca Lakes Letter & Support

RESOLUTION #2021-35

EXPENDITURE OF AMERICAN RESCUE PLAN ACT FISCAL RECOVERY FUNDS FOR THE PURCHASE OF ACQUATIC WEED HARVESTER

WHEREAS, On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (H.R. 1319) into law. The \$1.9 trillion package was intended to combat the Covid-19 pandemic, including the public health and economic impacts; and

WHEREAS, as part of the \$362 billion in federal fiscal recovery aid for state and local governments, \$65.1 billion is provided in direct aid to counties and an additional \$1.5 billion for public land counties; and

WHEREAS, Waseca County, as its own Local Government Unit, stands to receive approximately \$3.6 million in relief funds. To date, we have received the first tranche of approximately \$1.8 million; and

WHEREAS, the American Rescue Plan and supporting explanatory documents give strong emphasis to supporting economic initiatives of the tourism industry and making improvements to water quality and natural conservation; and

WHEREAS, natural lakes are a key economic component of tourism in Waseca County; and

WHEREAS, the water quality and natural vegetation in our community lakes has greatly diminished over the last several decades; and

WHEREAS, the Waseca County Unified Development Code emphasizes sustainable practices and care of our natural resources.

NOW, THEREFORE, BE IT RESOLVED, the Waseca County Board of Commissioners authorize expenditure of American Rescue Plan Fiscal Recovery Dollars in the amount of \$290,280.00 for the purchase of an aquatic weed harvester.

BE IT FURTHER RESOLVED, the Waseca County Board of Commissioners authorize the discretionary spending of ongoing maintenance costs in an amount to be determined and set by the Board.

Dated this 3rd day of August, 2021.

Waseca County Board of Commissioners

By: _____, Board Chair

ATTEST:

Tamara J. Spooner
Waseca County Auditor-Treasurer



Aquatic Weed Harvester Company
Sales and Manufacturing Homosassa, FL USA
Sales and marketing, Fishers, IN 46037
www.aquaticweedharvester.com

Mr. Michael Johnson
Waseca County Administrator
307 N. State Street
Waseca, MN 56093-2053

7/27/2021

I am submitting for your review the following used aquatic weed harvesting equipment subject to availability.

- 1- One used Aquarius Systems 2012 model H820-11 Hybrid aquatic weed harvester.
- 1- One used Aquarius Systems 1991 model T-34 High Speed Transporter to support the H820-11 Hybrid harvester
 - a. propulsion is a 150 Hp Merc Optimax Outboard Motor
- 1- used UMI model T-8T Hydraulic Tilt Deck trailer to transport H820-11 and also the T-34 Transporter

Price Delivered to Waseca County, Waseca, MN.....\$210,000.00 for all 3 items

We can include a new 2022 model Henning Design C-920-36L Portable Shore Conveyor with self-contained power, stainless steel conveyor belting, "grabber" cleats installed on conveyor belting, Floating rear hopper for extra rear into the lake, coupler system to accommodate the 2012 Aquarius H820-11 Hybrid and the Aquarius T-34 Shuttle Transport, and Trailer Road Light Kit.

Price Delivered to Waseca County, Waseca, MN.....\$80,280.00

Delivery time is 12 weeks from payment.

Allow 7-10 working days to deliver.

These four (4) items will complete a high production aquatic weed removal system

Total package price for all four (4) items delivered to Waseca County, Waseca, MN.....\$290,280.00

Respectfully,

A handwritten signature in blue ink, appearing to read "Richard Knauff", is written over a large, stylized blue scribble.

Richard Knauff
President/CEO
12792 Barons Court
Fishers, IN 46037

SDVOB SIC: 3599 CAG: 5WRG6 www.aquaticweedharvester.com

Conversant Conservation Applied to Inland Water Ways



Date: July 27, 2021
To: Waseca County Board of Commissioners
From: Waseca Lakes Association

This letter is to support your efforts to purchase a mechanical weed harvester to improve the water quality of Waseca County lakes.

Our area lakes have reduced water quality by mid-summer due to two invasive weeds; curly leaf pondweed, and Eurasian watermilfoil. These invasive weeds reduce the lakes recreational use due to heavy top growth as well contribute to algae blooms as these weeds decay decreasing water clarity.

The Waseca Lakes Association has used private lakes association funds as well as grants since 2013 to treat specific areas of Clear Lake with aquatic herbicides, but with less than desirable impact as our total funding and acreage limitation does not cover enough of the 600 acre lake.

Mechanical harvesting is something we have looked into, but have been unable to cover the initial equipment purchase cost. Mechanical harvesting is a very attractive means to remove these weeds as it produces immediate results by expanding recreational area and limiting the amount of decaying weed material in the lake. In addition, the acreage allowed by DNR permitting for harvesting is more than can be done by herbicide treatment.

As an association, we would be happy to enter into a joint agreement to assist where needed during harvesting.

Thank you for your efforts to improve our area lakes,

Duane Rathmann

Duane Rathmann
Waseca Lakes Assn
WasecaLakes.org

Clear Lake has an abundance of 2 invasive weeds curly-leaf pondweed and Eurasian milfoil. A recent delineation completed on 6/9/2021 sampled 149 sites and found curly-leaf pondweed in 141 sites and Eurasian water milfoil in 136 sites.

Curly-leaf pondweed is commonly found in alkaline and high nutrient waters, preferring soft substrate and shallow water depths. It generally grows from the shore to water depths of 15 feet, and can grow up to 15 feet tall. Curly-leaf pondweed spreads through burr-like winter buds (turions). As the plants start decomposing, the turions fall to the sediment where they remain dormant until cooling water temperature triggers their germination in the late summer to early fall. Turions have a very high germination rate of 60–80% and can remain viable in the sediment for several years. These plants can also reproduce by seed, but seeds play a relatively small role compared to vegetative reproduction through turions.

New plants form under the ice in winter, making curly-leaf pondweed one of the first nuisance aquatic plants to emerge in the spring. It becomes invasive in some areas because of its tolerance for low light and low water temperatures. These tolerances allow it to get a head start, out-competing native plants in the spring.

In mid-summer, when most aquatic plants are growing, curly-leaf pondweed plants are dying off. Plant die-offs may result in a critical loss of dissolved oxygen. Furthermore, the decaying plants can increase nutrients, contributing to algal blooms, and they can create unpleasant stinking messes on beaches. Curly-leaf pondweed forms surface mats that interfere with aquatic recreation.



Eurasian watermilfoil is a perennial plant that flowers twice a year, usually in mid-June and late-July. It can grow up to 20 feet tall, but typically only grows three to nine feet tall. It creates canopy-like structures as it grows toward the water's surface. It primarily establishes through vegetative fragmentation—a fragment can break off, settle in the sediment, grow roots, and establish a new plant. The plant dies back in the fall, but the root system can survive the winter and begin growing again in the spring.

Filamentous Algae



The Waseca Lakes Association along with help from the City of Waseca, Waseca County and DNR have been treating curly-leaf since 2012. That year 30 acres were treated, because of the unusual emergence patterns in 2013, we were allowed to treat only 13 acres where pondweed was present upon DNR inspection. The following year in 2014 20 acres were treated and the first treatment of Eurasian water milfoil was applied. Since that time annual treatments have been applied to varying acres to both curly-leaf and Eurasian water milfoil.

Unfortunately, the amount of curly-leaf and Eurasian water milfoil are increasing so alternatives are being sought to control and reduce the presence of these weeds. One of those alternatives is mechanical harvesting.

The mechanical harvesting of aquatic plants has no lingering or residual damaging effects and removes from the water both the unwanted plants and the nutrients they produce as they decay, which improves oxygen levels and can reduce algal blooms that encourage their growth. Furthermore, it improves the use of the water for recreational usage as well as navigation immediately after harvesting and has no potential long-term consequences on the ecosystem.

In 2011 and 2012, Minnesota State University, Mankato and their Water Resource Center completed a study of Clear Lake. The final report which was received in 2016 identified opportunities with the total phosphorous (TP) in Clear lake. Based on available data, models calculated the annual TP load in Clear Lake at 78 to 91% higher than would be expected under relatively natural conditions. Proportionally, 53% of the TP entered the lake from the watershed and 47% was annually recycled from sediments and plants within the lake (internal loading). During the 2-year monitoring period, internal loading was the single most significant TP source. To meet the 65 $\mu\text{g}/\text{L}$ TP state water quality standard, Clear Lake annual TP load needs to be reduced by 32 to 43%.

We feel mechanical harvesting can have a positive impact on the internal load as it is physically removing the plant whereas herbicide treatments allow the plant to die and decay in the water. We may consider a harvest application as well as harvesting. We would want to complete an early to mid June harvest to focus on curly-leaf pondweed before turion formation. Then a 2nd harvest to focus on Eurasian watermilfoil. A third harvest may be a consideration later summer to capture some of additional Eurasian watermilfoil before it dies down for fall/winter.

Harvesting Potential for Waseca County lakes

Cumulative Area

The littoral area is the surface area of a body of water where the depth is 15 feet or less and where most aquatic plants will grow. The littoral area is used to calculate the cumulative area in which aquatic plant management may occur. The following permit restrictions are intended to reduce risk of damage to native plants and impacts to water quality. Additional information is available on the [value of aquatic plants and water quality](#).

- **Mechanical Removal:** cannot exceed 50% of the littoral area
- **Herbicide:** cannot exceed 15% of the littoral area
- **Mechanical and Herbicide Combined:** cannot exceed 50% of the littoral area

In some instances, the DNR may allow treatment of more than 15% of the littoral area with herbicides or more than 50% with mechanical removal under a variance and a permit. Consult with the DNR prior to considering this type of treatment

Clear Lake: Is a 652 acre lake with a littoral area of 563 acres. It has the presence of curly-leaf pondweed and Eurasian water-milfoil. The 50% max acreage allowed by the DNR would be 280 acres.

St. Olaf Lake: Is a 91 acre lake with 51 acres of littoral area. It has the presence of curly-leaf pondweed. The DNR states while the species has become integrated into the plant community, it may be contributing to the decreasing trend in water quality observed in recent years. If there was a need to harvest and one harvested the 50% max acreage allowed by the DNR would be 25 acres.

Reeds Lake: Is a 193 acre lake with a 110 acres of littoral area. Reeds Lake has a small watershed with minimal agricultural run-off and is one of the clearest lakes in the Waterville Fisheries Management Area. It was infested with Eurasian water-milfoil in 2014. The 50% max acreage allowed by the DNR would be 55 acres.

Lake Elysian: Is a 2214 acre lake and with its shallow depth (max 13 ft) has a littoral area of 2214 acres. The DNR website does not list Elysian as having any invasive species. The 50% max acreage allowed by the DN would be 1107 acres.

Loon Lake: Is a 125 acre lake and similar to Elysian with its shallow depth has a littoral area of 125 acres. The DNR website does not list Loon Lake as having any invasive species. The 50% max acreage allowed by the DNR that would be 60 acres.

Package price for the following equipment from Lake Minnetonka Conservation District in Orono, MN

1. Used 2012 Aquarius H820-11 Hybrid weed harvester. \$150,000
2. Used 1991 Aquarius T-34 Hi Capacity Shuttle Transport Barge with 2006 150 Hp Merc O/B. \$50,000



- ~~3. Used UMI Portable C-800 Hydraulic Raise and Lower Shore Conveyor with Power Pack. \$20,000~~
New Model C-920-36L Portable Shore conveyor(36 foot long) add.....\$74,280.00



4. Used UMI T-8T Hydraulic Tilt Bed transport trailer. \$10,000
a. Hauls H820 -11 Hybrid Harvester and T-34 transporter.

This is a complete high production aquatic weed management system
All equipment above has been inspected, serviced, fix/repair as needed since purchase 4/2021.
All equipment is guaranteed to start and work as manufacturer intended when built.
No other warranty or guarantee is expressed or implies.

Price for used equipment package above
• \$290,290.00 with new 2022 36' shore conveyer

This same package new would be \$779,300 and take 40-50 weeks to be manufactured and delivered.

5. Additional Fees

- a. Insurance
- b. Fuel - \$1000/wk
- c. Annual Maintenance Contract - \$3500
 - i. Curfman Trucking and Service
West Metro Truck Repair
600 W Railroad St
Norwood Young America, MN 55368
Steve Curfman 952-467-3503
- d. Maintenance Call - \$500 minimum per call with no parts
- e. Portable fuel tank - \$2500 for 100 gallon tank
- f. Storage fees -
- g. Transport fees
- h. Labor

2022 Aquarius H820-11



The 820 Series are the largest harvesters available to tackle the large-scale aquatic plant harvesting.

The 820 harvesters have a 10' wide horizontal cutting swath and can cut up to 5'6" deep. It can hold up to 1050 cubic feet of cut vegetation on board, or up to 16,800 lbs by weight.

Estimated replacement cost on a new Aquarius H820-11 Hybrid weed harvester built to specifications:

H820 with these upgrades from standard built:

85 Hp Cummings Water Cooled diesel engine.

Sauer Danfoss Hydraulic system and valves.

High capacity paddle wheels (72 in. diameter with 11 in. x 32 in. blades).

11 foot high capacity intake #1 conveyor with 11 ft. full width cutter head.

Cost new with 2022 delivery \$300,000.00

Substitute a new Henning Design D 10 high speed harvester with twin stern weedless propeller propulsion and catamaran hulls and cost with delivery is \$355,000.00

Shore Conveyor



Shore conveyers are deployed at water's edge and serve the harvesters, transport barges and trash skimmers as an unloading link between land and water.

New portable 36 ft. shore conveyor with hydraulic raise and lower...\$69,100.00

SPECIFICATIONS		IMPERIAL		
		SC-12	SC-23	SC-34
DIMENSIONS	Overall Length	33' 0"	33' 0"	36' 6"
	Flared Intake Hopper Width	7' 0"	9' 0"	11' 0"
	Maximum Height	10' 6"	10' 6"	12' 2"
	Overall Weight	3200 lb	3500 lb	4200 lb
CONVEYOR BED	Conveyor Bed Length	28' 0"	28' 0"	32' 0"
	Conveyor Bed Width	3' 0"	4' 0"	5' 0"
	Conveyor Bed Sidewall Height	14"	14"	14"
HYDRAULICS	Conveyor Method	Drag angle style conveyor		
	Hydraulic System	Powered via hydraulic quick disconnect hoses		
	Hydraulic Oil	Clarion 46 - environmentally safe, marine grade		
DETAILS	Conveyor Drive Motors	2	2	2
	Electrical System	12 volt via towing vehicle, 6 prong adapter		
	Integrated Lighting	Electric brake lights & turn signals with 6 prong adapter		
	Winch	Manual	Manual	Manual
FABRICATION	Hitch, with Safety Chains	2" pintle ring	2" pintle ring	2" pintle ring
	Jack Stand Capacity	5000 lb	5000 lb	Two x 5000 lb each
	Other	Wheel fenders & wheel chocks		
FINISH	Material	Carbon steel		
	Fasteners	Stainless steel 18-8		
	Preparation	Abrasive sandblast, epoxy primer		
COMPATIBILITY	Paint Type	High quality urethane		
	Color, Manufacturer's Standard	Light blue	Light blue	Light blue
	Harvesters	EH-220, HM-220	EH-220, HM-220, HM-320, HM-420	All Harvesters
	Mini Skimmer - Harvesters	EH-120, FS-12, FB-150	n/a	n/a
	Trash Hunters	TH-12	TH-12, TH-23	All Trash Hunters
Transport Barges	n/a	T-12	All Transports	

T-34 Transport Barge



Transport barges are used on large waterways to shuttle weed loads to shore, increasing the efficiency of a harvesting program by up to 90%. Weed loads are conveyed from the harvester into the transport barge, freeing the cutter to immediately resume harvesting while the barge ferries the weeds to shore.

New T-34 transport barge with coupler system for shore conveyor and harvester...\$302,700.00