

## Board of Commissioners Agenda

May 23, 2023

Nicollet County Government Center Board Room • 501 South Minnesota Avenue, St. Peter, MN 56082

Commissioners: Jack Kolars - Board Chair; Terry Morrow - Vice Chair; Marie Dranttel; Mark Dehen; Kurt Zins

- 9:00 a.m. Call Board of Commissioners Meeting to Order: Chair**
1. Pledge of Allegiance
  2. Silence Your Cell Phones
  3. Approval of Agenda
  4. Approval of Consent Agenda:
    - a. [May 9, 2023 Board Minutes](#)
    - b. [End of Probations](#)
    - c. [Renewal of Liquor and Tobacco Licenses](#)
    - d. [Annual Boat and Water Safety Grant](#)
    - e. Approval of Bills
  5. Public Appearances
- 9:05 a.m. 6. Finance**
- a. [Negative Drainage System Fund Balance Transfer](#)
- 9:10 a.m. 7. Property Services**
- a. [May 15, 2023 Planning and Zoning Advisory Commission Meeting](#)
    - [PLN23-06 Chelsey Stevensen](#)
- 9:15 a.m. 8. Public Services**
- a. [2023 Local Water Management Plan Extension Request and Resolution](#)
- 9:20 a.m.**
9. County Attorney Update
  10. Chair's Report
  11. Commissioner Committee Reports, Meetings & Conferences
  12. Approve Per Diems and Expenses
  13. Adjourn Board of Commissioners Meeting
- 9:30 a.m. Call Drainage Authority Meeting to Order: Chair**
1. Approval of Agenda
  2. Approval of Consent Agenda:
    - a. [May 9, 2023 Drainage Authority Minutes](#)
  3. Public Appearances

### Mission Statement

Providing efficient services with innovation and accountability.

### Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.

### Core Values

Leadership. Integrity. Accountability. Efficiency. Innovation.

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- 9:30 a.m.**
4. **County Ditch 62A Improvement Project**  
The following portion of the meeting is closed to discuss litigation involving CD62A, pursuant to Minn. Stat. § 13D.05, subd. 3(b).
  5. **County Ditch 86A Improvement Project**  
The following portion of the meeting is closed to discuss potential litigation and legal strategy involving CD 86A, pursuant to Minn. Stat. § 13D.05, subd. 3(b).
- 11:00 a.m.**
6. Adjourn Drainage Authority Meeting

### Notice of Scheduled Meetings

The following is a notice of scheduled meetings. Pursuant to Minnesota Statute 13D.04, this notice of meetings also serves as notice of regular and special meetings of the Nicollet County Board of Commissioners.

Questions or comments regarding any Nicollet County meeting and requests to participate in any meeting can be directed to Mandy Landkamer, Nicollet County Administrator, at 507-934-7074 or [mandy.landkamer@co.nicollet.mn.us](mailto:mandy.landkamer@co.nicollet.mn.us).

May 22 – Greater Mankato Inclusivity Study Launch, 7:30 – 9:30 a.m.; Mayo Clinic Health System Event Center, Mankato

May 23 – Board of Commissioners Meeting, 9 a.m.; Nicollet County Board Room, St. Peter

May 23 – Drainage Authority Meeting, following adjournment of the BOC Meeting; Nicollet County Board Room, St. Peter

June 7 – AMC District Meeting, 8-12 p.m.; McLeod County Government Center

June 12 – Board of Appeals and Equalization Meeting, 6:30 p.m., Nicollet County Board Room, St. Peter

June 13 – Board of Commissioners Meeting, 9 a.m.; Nicollet County Board Room, St. Peter

June 13 – Drainage Authority Meeting, following adjournment of the BOC Meeting; Nicollet County Board Room, St. Peter

June 13 – Board Workshop, 10:30-2 p.m.; Nicollet County Board Room, St. Peter

June 19 – Board of Adjustment & Appeals/Planning & Zoning Advisory Commission, 7 p.m.; Nicollet Co. Board Room, St. Peter

June 20 – Individual Dept. Head Meeting (Health and Human Services), 8:15 a.m.; Nicollet County Board Room, St. Peter

June 20 – Board Workshop, 9:30 a.m.; Nicollet County Board Room, St. Peter

June 27 – Board of Commissioners Meeting, 9 a.m.; Nicollet County Board Room, St. Peter

June 27 – Drainage Authority Meeting, following adjournment of the BOC Meeting; Nicollet County Board Room, St. Peter

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**MAY 9, 2023**  
**OFFICIAL PROCEEDINGS OF THE**  
**BOARD OF COUNTY COMMISSIONERS**

The Nicollet County Board of Commissioners met in regular session on Tuesday, May 9, 2023, at 9:00 a.m. Present at the meeting were Commissioners Jack Kolars, Marie Dranttel, Mark Dehen, and Kurt Zins. Commissioner Morrow was absent. Also present were County Administrator Mandy Landkamer, County Attorney Michelle Zehnder Fischer and Recording Secretary Sarah Frahm.

**Approval of Agenda**

Motion by Commissioner Dehen and seconded by Commissioner Zins to approve the agenda. Motion carried with all voting in favor on a roll call vote.

**Consent Agenda**

Motion by Commissioner Dehen and seconded by Commissioner Dranttel to approve the consent agenda items as follows:

1. April 25, 2023 Board Meeting Minutes;
2. End of Probations
3. Out of State Travel Request: National Association of County Veterans Service Officers Training
4. Out of State Travel Request: PPSD Annual Amplify Conference
5. Approval of Bills
6. Acknowledgement of the Auditor's Warrants and approval of the Commissioner Warrants as presented for the following amounts:
  - a. General Revenue Fund - \$170,625.63;
  - b. Road & Bridge Fund - \$24,576.86;
  - c. Human Services Fund - \$119,648.27;

Motion carried with all voting in favor on a roll call vote.

**Public Appearances:**

Mary Lade of New Ulm came forward to discuss property line and easement concerns related to the neighboring property. Ms. Lade requested clarification on how to obtain assistance to resolve the property line matter.

**Health and Human Services**

***May as Mental Health Month***

Director Sassenberg came before the Board to present information about Mental Health Month. Nicollet County observes Mental Health Month in May by offering information and educational activities to increase awareness and acceptance. Jeff Luke, a member of Lighthouse on Marshall, was also in attendance to read the Proclamation of May as Mental Health Month.

Motion by Commissioner Dehen and seconded by Commissioner Zins to approve the Proclamation of May as Mental Health Month. Motion carried with all voting in favor on a roll call vote.

***Additional Information:***

Director Sassenberg provided additional updates on Health and Human Services. The Lighthouse on Marshall is currently going through an interior remodel. Garden beds are planned

for the outdoor area and volunteer programs are beginning. Health and Human Services has also partnered with the St. Peter school district to increase outreach efforts. Children's Mental Health will be teaching skills groups and classes on working cooperatively. They are also looking at alternative ways to use Respite funding, such as paying for summer camps and other activities.

### ***Collaborative Safety Overview***

Director Sassenberg introduced Scott Modell and Kelly Knutson from Collaborative Safety, LLC. They presented an overview of the safety model framework, which engages local and state agency leadership and others on safety science principles that support system change. The main focus is to move away from placing blame on an individual and focus on digging deeper to uncover systemic changes that may need to occur.

The Collaborative Safety model has shown promise in increasing staff retention, accountability, and quality of life improvement for people served. It will also assist in creating an environment that promotes staff engagement and values staff perspectives.

### **Human Resources**

#### ***Utilization of Paid Leave During a Public Health Emergency***

During the COVID-19 pandemic, Nicollet County activated a policy regarding utilization of paid leave during a Public Health Emergency. Since the Federal Public Health Emergency will expire on May 11, 2023, the County Administrator will deactivate the policy effective May 11, 2023. The County will continue to follow the CDC's recommendation for isolation and masking in the event of an exposure or positive test.

### **County Attorney Information:**

Attorney Zehnder Fischer shared that staff are still training on the new data management program that was recently implemented. Attorney Zehnder Fisher thanked the Board once again for the approval of the new data management program and is excited for the added benefits once training has been completed.

### **Chair's Report**

- Brown Nicollet Community Health Board
- Traverse de Sioux Finance
- HHS meeting
- MAPO
- Personnel Committee

### **Commissioner Committee Reports:**

#### **Commissioner Marie Dranttel**

- Brown Nicollet Community Health Board
- Personnel Committee

#### **Commissioner Mark Dehen**

- GMG- Business After Hours
- Brown Nicollet Community Health Board

#### **Commissioner Kurt Zins**

- Public Works Tour
- Brown Nicollet Community Health Board

### **Approve Per Diems and Expenses**

Motion by Commissioner Zins and seconded by Commissioner Dehen to approve the expenses and per diems for the meetings noted above during the Commissioner Reports and/or as submitted on approved expense reports, and authorize payment of those expenses and per diems by the Finance Office. Motion carried with all voting in favor.

### **Adjourn**

Chair Kolars adjourned the meeting at 10:06 a.m.

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JACK KOLARS, CHAIR  
BOARD OF COMMISSIONERS

ATTEST:

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MANDY LANDKAMER,  
CLERK TO THE BOARD

# Nicollet County Board of Commissioners

## Board Meeting Agenda Item



<b>Agenda Item:</b>		
End of Probations		
Primary Originating Division/Dept.: Human Resources		Meeting Date: 05/23/2023
Contact: Kristy Larson	Title: HR Director	Item Type: Consent Agenda (Select One)
Amount of Time Requested	minutes	
Presenter: Kristy Larson	Title: HR Director	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Facilities and Space - preserve, maintain and build our assets (Select One)		
<b>BACKGROUND/JUSTIFICATION:</b> <p>Facilities Maintenance Facilities Maintenance Director Cody Johnson has requested the end of probation for Trevette Weingartz, Custodian, effective May 9, 2023.</p> <p>Property &amp; Public Services Property &amp; Public Services Director Jaci Kopet has requested the end of probation for Irasema Nava, License Center Specialist, effective May 31, 2023.</p>		
+		
Supporting Documents: <input type="radio"/> Attached <input checked="" type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input checked="" type="radio"/> Yes <input type="radio"/> No		
If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A		
<b>ACTION REQUESTED:</b> Grant end of probationary status		
<b>FISCAL IMPACT:</b> Other (Select One) If "Other", specify		<b>FUNDING</b> County Dollars = Grant (Select One)
<b>FTE IMPACT:</b> No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		<b>Total</b>

# Nicollet County Board of Commissioners

## Board Meeting Agenda Item



<b>Agenda Item:</b>		
Renewal of Liquor/Tobacco License		
Primary Originating Division/Dept.: Public Services	Meeting Date: 05/23/2023	
Contact: Jaci Kopet	Title: Public Services	Item Type: Consent Agenda (Select One)
Amount of Time Requested	minutes	
Presenter:	Title:	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
<b>BACKGROUND/JUSTIFICATION:</b> Approval of Liquor License for: North Links Nicollet Conservation Club Church of St George  Approval of Tobacco License for; Turbes Oil Inc/Courtland Mart FillMeUp LLC Mum's the Word/Nicollet Mart DG Retail, LLC		
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No		
If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A		
<b>ACTION REQUESTED:</b> Approval of Liquor/Tobacco Licenses		
<b>FISCAL IMPACT:</b> Other (Select One) If "Other", specify	<b>FUNDING</b> County Dollars = Other (Select One)	
<b>FTE IMPACT:</b> No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	<b>Total</b>	



**LISTING OF RETAILERS THAT SELL TOBACCO  
PRODUCTS IN NICOLLET COUNTY  
JULY 1, 2023 – JUNE 30, 2024**

<b><u>NAME</u></b>	<b><u>LICENSE FEE</u></b>
Turbes Oil Co, Inc/Courtland Mart 301 Main St. Courtland, MN 56021-2009	\$100.00
Mum's The Word, LLC/Nicollet Mart 220 Main St. Nicollet, MN 56074-2069	\$100.00
FillMeUp LLC 180 9 <sup>th</sup> St. Lafayette, MN 56054-7702	\$100.00
DG Retail, LLC DBA Dollar General Store #21884 440 9 <sup>th</sup> St. Nicollet, MN 56074	\$100.00

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**LISTING OF RETAILERS THAT SELL  
LIQUOR IN NICOLLET COUNTY  
JULY 1, 2023 – JUNE 30, 2024**

<u>NAME</u>	<u>LIQUOR LICENSES</u>	<u>LICENSE FEE</u>
North Links LLC (North Links Golf Course) 41553 520 <sup>th</sup> St North Mankato MN 56003	On-Sale Incl Sunday-County	\$ 1,700.00
Nicollet Conservation Club 46045 471 <sup>st</sup> Ln Nicollet MN 56073	3.2 Beer-County Wine/Strong Beer	\$ 200.00
Church of Saint George 63105 Fort Rd PO Box 5 Lafayette, MN 56054-0005	3.2 Beer/1-4 Day Temp On-Sale (Sept 2022)	\$ 25.00

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# Nicollet County Board of Commissioners

## Board Meeting Agenda Item



<b>Agenda Item:</b> Annual Boat and Water Safety Grant		
Primary Originating Division/Dept.: Sheriff's Office  Contact: Dave Lange                      Title: Sheriff  Amount of Time Requested:        minutes  Presenter: Dave Lange                      Title: Sheriff	Meeting Date: 05/23/2023  Item Type: Consent Agenda <small>(Select One)</small>	
Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No		
County Strategy: Financial Security - prudent use of taxpayer resources <small>(Select One)</small>		
<b>BACKGROUND/JUSTIFICATION:</b> Annually the Sheriff's Office is awarded a Department of Natural Resources Boat and Water Safety grant. The duration of this grant is from January 1, 2023 to June 30, 2024. Amount of the grant is for \$1,011.00 to be used for boat and water safety activities.		
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input checked="" type="radio"/> Yes <input type="radio"/> No  If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A		
<b>ACTION REQUESTED:</b> Board approval and appropriate signatures.		
<b>FISCAL IMPACT:</b> Other <small>(Select One)</small>  If "Other", specify:	<b>FUNDING</b> County Dollars =  Grant                      \$1,011.00 <small>(Select One)</small>	
<b>FTE IMPACT:</b> No FTE change <small>(Select One)</small>  If "Increase or "Decrease," specify:  Related Financial/FTE Comments:	<b>Total:</b>	



# DEPARTMENT OF NATURAL RESOURCES

## 2023 STATE OF MINNESOTA ANNUAL COUNTY BOAT AND WATER SAFETY GRANT CONTRACT AGREEMENT

### ENCUMBRANCE WORKSHEET

Contract#

226094

PO#

3-226792

#### State Accounting Information:

Dept. ID R29	PC Bus. Unit R2901	Fiscal Year 2023	Source Type State	Vendor Number 0000197335-001
Total Amount \$1011	Project ID R29CG70CBLA21	Billing Location R297000221	UEI FM1HRXZU4986	

#### Accounting Distribution:

Fund 2100	Fin. Dept. ID R2937714	Appropriation ID R297400	Category 84101501	Account 441302	Activity A7CG002
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Grant Begin Date January 1, 2023	Grant End Date June 30, 2024
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#### Grantee Name and Address:

Nicollet County Sheriff's Office  
501 S Minnesota Avenue, PO Box 117  
St. Peter, MN 56082

#### Payment Address:

(where DNR sends the check)

Nicollet Co. Treasurer  
501 S. Minnesota Ave.  
St. Peter, MN 56082

**2023 STATE OF MINNESOTA  
ANNUAL COUNTY BOAT AND WATER SAFETY  
GRANT CONTRACT AGREEMENT**

This grant contract agreement is between the State of Minnesota, acting through its Commissioner of Natural Resources, Enforcement Division ("State") and Nicollet County Sheriff's Office, 501 S Minnesota Avenue, PO Box 117, St. Peter, MN 56082, (FM1HRXZU4986) ("Grantee"). The payment address for this grant contract agreement is Nicollet Co. Treasurer, 501 S. Minnesota Ave., St. Peter, MN 56082.

**Recitals**

1. Under Minnesota Statutes § 86B.701 & .705 the State is empowered to enter into this grant.
2. The State is in need of Sheriff's duties to carry out the provisions of Chapter 86B and the Boat and Water Safety Rules, hereinafter referred to as the "Minnesota Rules", including patrol, enforcement, search and rescue, watercraft inspection, issuance of temporary structure & event permits, waterway marking and accident investigation, all hereinafter referred to as the "Sheriff's Duties".
3. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant contract agreement to the satisfaction of the State. Pursuant to [Minn.Stat. §16B.98](#), Subd.1, the Grantee agrees to minimize administrative costs as a condition of this grant.

**Grant Contract Agreement**

**1 Term of Grant Contract Agreement**

- 1.1 **Effective date:** January 1, 2023 or the date the State obtains all required signatures under [Minn. Stat. §16B.98](#), Subd. 5. Once this grant contract agreement is fully executed, the Grantee may claim reimbursement for 2023 grant expenditures incurred back to effective date. Per [Minn.Stat. §16B.98](#) Subd. 7, no payments will be made to the Grantee until this grant contract agreement is fully executed. Reimbursements will only be made for expenditures made according to the terms of this grant contract agreement.
- 1.2 **Expiration date:** June 30, 2024, or until all obligations have been satisfactorily fulfilled, whichever occurs first. Pursuant to Minnesota Statute §16A.28, Subdivision 6, the encumbrance may be certified for one year beyond the year in which funds were appropriated. The Grantee shall submit a final billing invoice within 30 days of the expiration of the grant as specified herein.
- 1.3 **Survival of Terms.** The following clauses survive the expiration or cancellation of this grant contract agreement: 8. Liability; 9. State and Single Audits; 10. Government Data Practices and Intellectual Property; 12. Publicity and Endorsement; 13. Governing Law, Jurisdiction, and Venue; and 15. Data Disclosure.

**2 Grantee's Duties**

The Grantee, who is not a state employee, will:

Provide county sheriff services for boat and water safety activities. As stated in Minnesota Statute § 86B.701, the Grantee will submit to the State a spending plan (Exhibit "A", which is attached and incorporated into this grant) along with this form to carry out the Sheriff's Duties. Boat and water safety activities are those outlined in Minnesota Statutes § 86B, Minnesota Rules, Chapter 6110, search and recovery operations in the waters of the State and the portions of Chapter 169A that are applicable to motorboats. Exhibit "B", which is attached and incorporated into this grant further defines the allowable expenditures. The Grantee is responsible for maintaining an adequate conflict of interest policy throughout the term of this grant contract.

The Grantee shall monitor and report any actual, potential or perceived conflicts of interest to the State's Authorized Representative.

The grantee will comply with required grants management policies and procedures set forth through Minnesota Statutes Section 16B.97, subdivision 4 (a)(1), and 2CFR 200.

**Reporting Requirements:** The Grantee must satisfactorily submit all activity and financial reports by the date(s) requested by the State, unless the State grants an extension in writing. Exhibit "B", which is attached and incorporated into this grant further defines reporting requirements.

**3 Time**

The Grantee must comply with all the time requirements described in this grant contract agreement. In the performance of this grant contract agreement, time is of the essence.

**4 Consideration and Payment**

- 4.1 **Consideration.** The State will pay for all services performed by the Grantee under this grant contract agreement as follows:
  - (a) **Compensation.** The Grantee will be paid for all boat and water safety activities performed by the Grantee during the term of the grant up to one thousand eleven dollars (\$1,011).
  - (b) **Total Obligation.** The total obligation of the State for all compensation and reimbursements to the Grantee under this grant contract agreement will not exceed one thousand eleven dollars (\$1,011).
  - (c) **Match:** *Grant funds cannot be used by the Grantee as match or for reimbursement for any other grant or program without written authorization from the State's Authorized Representative.*

#### 4.2 **Payment**

- (a) **Invoices.** The State will promptly pay the Grantee after the Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Submit **one** invoice at the end of the grant period or when all obligations have been satisfactorily fulfilled, whichever occurs first in a form prescribed by the State within the dates previously noted in "Term of Grant Contract Agreement" in this contract.

#### 4.3 **Contracting and Bidding Requirements**

Per [Minn. Stat. §471.345](#), grantees that are municipalities as defined in Subd. 1 must follow the law.

- (a) For projects that include construction work of \$25,000 or more, prevailing wage rules apply per [Minn. Stat. §§177.41](#) through [177.44](#). These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole.
- (b) The grantee must not contract with vendors who are suspended or debarred in MN:  
<https://mn.gov/admin/osp/government/suspended-debarred/index2.jsp>
- (c) The grantee agrees if it subcontracts any portion of the project to another entity, the agreement with the subcontractor will contain all applicable provisions of the agreement with the state. The grantee also agrees to comply with 2 CFR 200.318-3321 and 2 CFR 200.323-326.

### 5 **Conditions of Payment**

All services provided by the Grantee under this grant contract must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

### 6 **Authorized Representative**

The State's Authorized Representative is Adam Block, Boating Law Administrator, Enforcement Division – Central Office, Minnesota Department of Natural Resources (DNR), 500 Lafayette Rd., St. Paul, MN 55155-4047, [adam.block@state.mn.us](mailto:adam.block@state.mn.us) or his/her successor, and has the responsibility to monitor the Grantee's performance and the authority to accept the services provided under this grant contract agreement. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

The Grantee's Authorized Representative is Sheriff David Lange, Nicollet County Sheriff's Office, 501 S Minnesota Avenue, PO Box 117, St. Peter, MN 56082. If the Grantee's Authorized Representative changes at any time during this grant contract agreement, the Grantee must immediately notify the State.

### 7 **Assignment, Amendments, Waiver, and Grant Contract Agreement Complete**

- 7.1 **Assignment.** The Grantee shall neither assign nor transfer any rights or obligations under this grant contract agreement without the prior written consent of the State, approved by the same parties who executed and approved this grant contract agreement, or their successors in office.
- 7.2 **Amendments.** Any amendments to this grant contract agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant contract agreement, or their successors in office.
- 7.3 **Waiver.** If the State fails to enforce any provision of this grant contract agreement, that failure does not waive the provision or the State's right to enforce it.
- 7.4 **Grant Contract Agreement Complete.** This grant contract agreement, including Exhibits "A" and "B," contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this grant contract agreement, whether written or oral, may be used to bind either party.

### 8 **Liability**

The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this grant contract agreement by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this grant contract agreement.

### 9 **Audits (State and Single)**

Under [Minn. Stat. §16B.98, subd. 8](#), the Grantee books, records, documents, and accounting procedures and practices relevant to this grant contract agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this grant contract agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

If the grantee expends \$750,000 or more of Federal awards in a fiscal year, they must have a single audit according to the OMB Uniform Guidance: Cost Principles, Audit and Administrative Awards Requirements for Federal Awards. This is \$750,000 in total Federal awards received from all sources. The grantee will forward a copy of the audit report to both the State's Authorized Representative and the State Auditor.

## **10 Government Data Practices and Intellectual Property**

10.1 **Government Data Practices.** The Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant contract agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this grant contract agreement. The civil remedies of [Minn. Stat. §13.08](#) apply to the release of the data referred to in this clause by either the Grantee or the State. If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State. The State will give the Grantee instructions concerning the release of the data to the requesting party before the data is released. The Grantee's response to the request shall comply with applicable law.

## **11 Workers' Compensation**

The Grantee certifies that it is in compliance with [Minn. Stat. §176.181](#), Subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

## **12 Publicity and Endorsement**

12.1 **Publicity.** Any publicity regarding the subject matter of this grant contract agreement must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors with respect to the program, publications, or services provided resulting from this grant contract agreement. All projects primarily funded by state grant appropriations must publicly credit the State of Minnesota, including on the grantee's website when practicable.

12.2 **Endorsement.** The Grantee must not claim that the State endorses its products or services.

## **13 Governing Law, Jurisdiction, and Venue**

Minnesota law, without regard to its choice-of-law provisions, governs this grant contract agreement. Venue for all legal proceedings out of this grant contract agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

## **14 Termination**

14.1 **Termination by the State.** The State may immediately terminate this grant contract agreement with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

14.2 **Termination for Cause.** The State may immediately terminate this grant contract if the State finds that there has been a failure to comply with the provisions of this grant contract, that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

14.3 **Termination for Insufficient Funding.** The State may immediately terminate this grant contract if:

(a) It does not obtain funding from the Minnesota Legislature.

(b) Or, if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the contract is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State must provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

## **15 Data Disclosure**

Under [Minn. Stat. § 270C.65](#), Subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

## **16 American Disabilities Act**

The Grantee is subject to complying with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.) and all applicable regulations and guidelines.



**17 Non-Discrimination Requirements**

No person in the United States must, on the ground of race, color, national origin, handicap, age, religion, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under, any program or activity receiving Federal financial assistance. Including but not limited to:

- (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) and DOC implementing regulations published at 15 C.F.R. Part 8 prohibiting discrimination on the grounds of race, color, or national origin under programs or activities receiving Federal financial assistance; Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.) prohibiting discrimination on the basis of sex under Federally assisted education programs or activities;
- (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and DOC implementing regulations published at 15 C.F.R. Part 8b prohibiting discrimination on the basis of handicap under any program or activity receiving or benefiting from Federal assistance.
- (c) The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.), and DOC implementing regulations published at 15 C.F.R. Part 20 prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (d) Title II of the Americans with Disabilities Act (ADA) of 1990 which prohibits discrimination against qualified individuals with disabilities in services, programs, and activities of public entities.
- (e) Any other applicable non-discrimination law(s).

**18 Invasive Species Prevention**

The DNR requires active steps to prevent or limit the introduction, establishment, and spread of invasive species during contracted work. The contractor shall prevent invasive species from entering into or spreading within a project site by cleaning equipment prior to arriving at the project site.

If the equipment, vehicles, gear, or clothing arrives at the project site with soil, aggregate material, mulch, vegetation (including seeds) or animals, it shall be cleaned by contractor furnished tool or equipment (brush/broom, compressed air or pressure washer) at the staging area.

The contractor shall dispose of material cleaned from equipment and clothing at a location determined by the DNR Contract Administrator. If the material cannot be disposed of onsite, secure material prior to transport (sealed container, covered truck, or wrap with tarp) and legally dispose of offsite.

The contractor shall ensure that all equipment and clothing used for work in infested waters has been adequately decontaminated for invasive species (ex. zebra mussels) prior to being used in non-infested waters. All equipment and clothing including but not limited to waders, tracked vehicles, barges, boats, turbidity curtain, sheet pile, and pumps that comes in contact with any infested waters must be thoroughly decontaminated.

**19 Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

- 19.1 The prospective lower tier participant certifies, by submission of this grant contract agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- 19.2 Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this grant contract agreement.

**20 Whistleblower Protection Rights**

41 USC §4712, Enhancement of Recipient and Subrecipient Employee Whistleblower Protection

- (a) This award and employees working on this financial assistance agreement will be subject to the whistleblower rights and remedies in the pilot program on Award Recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub.L. 112-239).
- (b) Recipients, their subrecipients, and their contractors awarded contracts over the simplified acquisition threshold related to this award, shall inform their employees in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 USC 4712.
- (c) The recipient shall insert this clause, including this paragraph (c), in all subawards and in contracts over the simplified acquisition threshold related to this award.

Attachments:

- \_\_\_\_\_ A. State Boat Grant Contract Agreement
- \_\_\_\_\_ B. Exhibit A
- \_\_\_\_\_ C. Exhibit B
- \_\_\_\_\_ D. Conflict of Interest Disclosure

**1. STATE ENCUMBRANCE VERIFICATION**

*Individual certifies that funds have been encumbered as required by Minnesota Statutes § 16A.15.*

Signed: \_\_\_\_\_

SWIFT Contract # 226094

Purchase Order # 3-226792

**3. STATE AGENCY: NATURAL RESOURCES**

By: \_\_\_\_\_  
(With delegated authority)

**2. GRANTEE:**

The Grantee certifies that the appropriate person(s) have executed the grant contract agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Distribution:

1. DNR - OMBS

2. Grantee

3. State's Authorized Representative

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



# Conflict of Interest Disclosure Form for Grantees

## Conflict of Interest

A conflict of interest occurs when a person has actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A conflict of interest exists even if no unethical, improper or illegal act results from it. There are several types of conflicts of interest.

### Actual Conflict of Interest

An actual conflict of interest occurs when a person's decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.

### Potential Conflict of Interest

A potential conflict of interest may exist if a person has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests.

### Individual Conflict of Interest

A conflict of interest that may benefit an individual employee *or a* grant reviewer is any situation in which *their* judgment, actions or non-action could be interpreted to be influenced by something that would benefit them directly or through indirect gain to *an immediate family member*, business, or organization with which they are involved.

### Organizational Conflict of Interest

A conflict of interest can also occur with an organization that is a grant applicant in a competitive grant process or grantee of a state agency.

Organizational conflicts of interest occur when:

- A grantee's objectivity in carrying out the grant is impaired or compromised due to competing duties or loyalties
- A grantee, potential grantee or grant applicant has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

**This section to be completed by Grantee's Authorized Representative**

I certify that we will maintain an adequate Conflict of Interest Policy, and throughout the term of our agreement will report any actual or potential conflicts of interests by individual employees or our organization as a whole to the State's Authorized Representative.

Organization Name:

Project Name: 2023 State Boat Grant

Legal Citation: Under Minnesota Statutes § 86B.701 & .705 the State is empowered to enter into this grant.

Authorized Representative Printed Name:

Authorized Representative Signature/Date:

# Nicollet County Board of Commissioners

## Board Meeting Agenda Item



<b>Agenda Item:</b> Negative Drainage System Fund Balance Transfer		
Primary Originating Division/Dept.:		Meeting Date: 05/23/2023
Contact: Heather McCormick	Title: Finance Director	Item Type: Regular Agenda (Select One)
Amount of Time Requested: 5 minutes		
Presenter: Heather McCormick	Title: Finance Director	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Financial Security - prudent use of taxpayer resources (Select One)		
<b>BACKGROUND/JUSTIFICATION:</b> <p>On December 18, 2018 the Board approved a Negative Ditch Fund Balance Policy in order to comply with State Statute Section 103E.655 - Paying Drainage System Costs.</p> <p>Fiscal Year 2022 is now complete. The attachment identifies the negative drainage system cash balance of -\$2,517,760.00. In order to cover this negative balance, we seek approval to temporarily transfer funds from the General Fund. The advancement to be repaid plus 4% interest as the funds become available in the individual ditch funds.</p> <p>We are seeking approval by unanimous resolution.</p>		
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input checked="" type="radio"/> Yes <input type="radio"/> No		
If "yes", when? (provide year; mm/dd/yy if known) 5/24/22		
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A		
<b>ACTION REQUESTED:</b> Unanimously approve Transfer from General Fund to Drainage Fund		
<b>FISCAL IMPACT:</b> Other (Select One)		<b>FUNDING</b> County Dollars =
If "Other", specify:		Other (Select One)
<b>FTE IMPACT:</b> No FTE change (Select One)		<b>Total:</b>
If "Increase or "Decrease," specify:		
Related Financial/FTE Comments:		



**RESOLUTION APPROVING THE TRANSFER  
OF FUNDS TO PAY FOR A NEGATIVE  
DRAINAGE SYSTEM FUND BALANCE**



Whereas, MN Statute 103E.655 states the costs for a drainage project proceeding and construction must be paid from the drainage system account by drawing on the account; and

Whereas, MN Statute 103E.655 also states that if money is not available in the drainage system account on which the warrant is drawn, the board may, by unanimous resolution, transfer funds from any other drainage system account under its jurisdiction or from the county general revenue fund to the drainage system account. If the board transfers money from another account or fund to a drainage system account, the money plus interest must be reimbursed from the proceeds of the drainage system that received the transfer. The interest must be computed for the time the money is actually needed at the same rate per year charged on drainage liens and assessments; and

Whereas, the Nicollet County Ditch Fund has a negative balance as of 12/31/2022.

Whereas, Nicollet County adopted a Drainage System Fund Balance Policy on December 18, 2018.

Now, therefore, be it resolved that the Nicollet County Board of Commissioners approves the following transfer of funds from the General Fund to the Ditch Fund to cover a negative cash balance as of 12/31/2022:

<b>County Ditches</b>	
Ditch Inspector/Nathan	1,012.55
#3	18,028.80
#4A	(6,692.07)
#8A	(17,126.22)
#9 Improvement	8,294.31
#11	(4,392.70)
#12	6,630.83
#12 Lateral 1	
#13A	(53,396.96)
#16A	(419.41)
#23	(37,601.94)
#24A	(5,077.03)
#27	1,055.03
#29A	84,070.31
#30A	(55,423.20)
#32A	(13,556.50)
#32A Lateral 1 B8	3,569.80
#33A	9,254.26
#35A	(7,391.89)
#38A	11,296.06
#39	(4,971.52)
#40A	(2,602.58)
#41	(346.91)
#46A Improvement	(2,667.92)
#47A	(11,478.55)
#48A	(57,347.47)
#49	2,782.95
#51A	8,233.82

#52	39.60
#53A	36,681.55
#58C	5,237.92
#59A	9,455.12
#61	12,982.31
#62A Improvement	12,697.73
#65	(8,673.05)
#70	(245.11)
#71	(23,745.23)
#72	5,170.29
#75	(8,248.22)
#76A	(4,127.39)
#77	5,705.33
#77 Lateral 1 B4	2,717.73
#77 Lateral 2	(653,924.85)
#77 Lateral 3	3,847.37
#78	(48,077.17)
#78 Lateral 2 B4	(4,614.67)
#79	(220,635.33)
#80	9,831.23
#81	20,090.07
#82	(48,950.07)
#83	(6,182.06)
#84	(1,619.74)
#85	(23,666.90)
#86A	(680,852.24)
#86A Lateral 1	
#87	(21,724.09)
#88	4,251.52
#90	(176,911.88)
#91	492.22
#92	1,034.97
#94	981.41
#95	2,963.64
#96	3,511.04
#97	(930.35)
<b>Judicial Ditches</b>	
Joint JD 1A NS	(166,615.68)
JD 1A Lateral 2 NS	(193.57)
JD 6 NS	1,126.59
JD 12 NS	(72,052.98)
JD 13 NS	(3,675.94)
JD 14 NS	182.26
JD 15 NS	(30,909.55)
JD 16 NS	(5,884.00)
JD 1 SN	(3,413.18)
JD 1 Lateral 1 SN	(7,264.59)
JD 1 Lateral 1 3B SN	(1,743.28)
JD 3 SN	(1,396.14)
JD 5 SN	(212,220.25)
JD 6A SN	(39,743.57)
JD 6A LA SN	1,918.71
JD 14 SN	(26,223.10)
JD 20 SN	(25,758.80)
JD 7 SRN	(766.33)
JD 13 SRN	2,377.28
JD 13 LA SRN	(1,199.93)
JD 31 RSN	(2,602.50)
<b>Total Ditches</b>	<b>(2,517,760.00)</b>

Therefore, be it further resolved, that the transfer of said funds will be done in accordance with the Nicollet County Drainage System Fund Balance Policy.

Dated this 23rd day of May, 2023.

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Jack Kolars, Chair  
Nicollet County Board of Commissioners

ATTEST:

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Mandy Landkamer  
Clerk to the Board

# Nicollet County Board of Commissioners

## Board Meeting Agenda Item



<b>Agenda Item:</b> May 15, 2023 Planning and Zoning Advisory Commission Meeting		
Primary Originating Division/Dept.: PPSD -Property Services  Contact: Spencer Crawford      Title: Deputy Zoning Administrator  Amount of Time Requested: 5    minutes  Presenter: Spencer Crawford      Title: Deputy Zoning Administrator		Meeting Date: 05/23/2023  Item Type: Regular Agenda (Select One)
		Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
<b>BACKGROUND/JUSTIFICATION:</b> Consideration of the attached Conditional Use Permit request and findings of fact document for the following item:  PLN23-06 Chelsey Stevensen- conditional approval for a Level 2 Home Occupation salon in the Urban/Rural Residential and Conservancy Zoning Districts. The Commission recommended approval with the removal of staff recommended conditions 5 & 6.		
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No  If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A		
<b>ACTION REQUESTED:</b> Consideration of the attached Conditional Use permit request and findings of fact for approval or denial.		
<b>FISCAL IMPACT:</b> No fiscal impact (Select One)  If "Other", specify:		<b>FUNDING</b> County Dollars =  State (Select One)
<b>FTE IMPACT:</b> No FTE change (Select One)  If "Increase or "Decrease," specify:  Related Financial/FTE Comments:		<b>Total:</b>

## PLANNING AND ZONING ADVISORY COMMISSION AGENDA

**Date:** May 15, 2023

**Time:** Following the adjournment of the Nicollet County Board of Adjustments and Appeals Meeting (doors open at 6:45)

**Location:** Nicollet County Board Room, 501 S. Minnesota Avenue, St. Peter, MN

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Copies of the meeting agenda and packet are available on the Nicollet County website at:

<https://mn-nicolletcounty.civicplus.com/AgendaCenter>

Questions or comments regarding the meeting can be directed to Spencer Crawford, Deputy Zoning Administrator, at 507-934-7071, or [spencer.crawford@co.nicollet.mn.us](mailto:spencer.crawford@co.nicollet.mn.us).

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1. Call to Order
2. Roll Call
3. Review of Cancellations and Additions
4. Approval of Minutes: *February 27, 2023*
5. **PUBLIC HEARING: PLN 23-06**
  - Applicant: Chelsey Stevensen
  - Landowner: Chelsey & Nicholas Stevensen
  - Request: Conditional Use Permit request for a Level 2 Home Occupation salon in the Urban Rural Residential & Conservancy Zoning Districts
  - Location: Fleck's Subdivision Lot 4 Block 1, Section 35-110-030, in Courtland Township
  - Parcel Number: 04.532.0040
6. Review Permits
7. Old Business
8. Other Business: Procedural Discussion
9. Communications
10. Adjourn

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### Mission Statement

Providing efficient services with innovation and accountability.

### Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.

### Core Values

Leadership. Integrity.  
Accountability.  
Efficiency. Innovation.





## PLANNING & ZONING ADVISORY COMMISSION

<b>MINUTES</b>	<b>MAY 15, 2023</b>	<b>7:05 PM</b>	<b>NICOLLET COUNTY BOARD ROOM</b>
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ROLL CALL	COMMISSIONERS PRESENT	COMMISSIONERS ABSENT EXCUSED	NICOLLET COUNTY STAFF PRESENT
	<input checked="" type="checkbox"/> Dave Ubel, <b>Chair</b> <input checked="" type="checkbox"/> Jon Thoreson, <b>Vice Chair</b> <input checked="" type="checkbox"/> Marie Drantell, Commissioner <input checked="" type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input checked="" type="checkbox"/> Randy Schwab	<input type="checkbox"/> Dave Ubel, <b>Chair</b> <input type="checkbox"/> Jon Thoreson, <b>Vice Chair</b> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input type="checkbox"/> Randy Schwab	<input checked="" type="checkbox"/> Spencer Crawford, Deputy Zoning Administrator (DZA) <input checked="" type="checkbox"/> Loria Rebuffoni, Property Services Supervisor (PSS) <input checked="" type="checkbox"/> Roxann Klein, Assistant County Attorney (ACA) <input checked="" type="checkbox"/> Crystal Madden, Recording Secretary <input checked="" type="checkbox"/> Other Staff: Sheriff Lange <input checked="" type="checkbox"/> Other Staff: Jaci Kopet, Nicollet County PPSP Director

CANCELLATIONS/ADDITIONS			
<b>PSS Rebuffoni presented the following cancellation &amp; addition to the agenda:</b> 1. Addition of a request to approve moving the June 19, 2023 meeting date to June 26, 2023 in observance of the Juneteenth holiday. 2. Cancellation of agenda item #8.			
MOTION TO MOVE JUNE 19, 2023 MEETING TO JUNE 26, 2023 IN OBSERVANCE OF JUNETEENTH STATE HOLIDAY	MOTION		2 <sup>ND</sup>
<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> APPROVE WITH REVISIONS	<input type="checkbox"/> Dave Ubel, <b>Chair</b> <input type="checkbox"/> Jon Thoreson, <b>Vice Chair</b> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input checked="" type="checkbox"/> Randy Schwab		<input type="checkbox"/> Dave Ubel, <b>Chair</b> <input type="checkbox"/> Jon Thoreson, <b>Vice Chair</b> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input type="checkbox"/> Randy Schwab
<b>VOTE TO MOVE MEETING DATE TO 6/26/23</b>	<input checked="" type="checkbox"/> PASS	<input type="checkbox"/> FAIL	VOTE: 6 - 0

APPROVAL OF FEBRUARY 27, 2023 MINUTES	MOTION		2 <sup>ND</sup>
<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> APPROVE WITH REVISIONS	<input type="checkbox"/> Dave Ubel, <b>Chair</b> <input type="checkbox"/> Jon Thoreson, <b>Vice Chair</b> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input type="checkbox"/> Randy Schwab		<input type="checkbox"/> Dave Ubel, <b>Chair</b> <input type="checkbox"/> Jon Thoreson, <b>Vice Chair</b> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input checked="" type="checkbox"/> Randy Schwab
<b>VOTE TO APPROVE MINUTES</b>	<input checked="" type="checkbox"/> PASS	<input type="checkbox"/> FAIL	VOTE: 6 - 0

## PUBLIC HEARINGS

<b>PLN23-06</b>	<b>APPLICANT/LANDOWNER:</b> Chelsey Stevensen/ Chelsey & Nick Stevensen
<b>DESCRIPTION</b>	Chelsey Stevensen is requesting Conditional Use approval to operate a business, Nu Roots Salon, as a level 2 home occupation at 45402 Jeremy Drive.
<b>STAFF REPORT PRESENTED BY</b>	DZA Crawford

<b>APPLICANT TESTIMONY</b>	Chelsey Stevensen clarified that Saturday business hours are sporadic and typically consist of prom and bridal parties with no more than 5 and 7 individuals, respectively. Nick Stevensen clarified there was room for multiple vehicles to park in the driveway.	
<b>PUBLIC TESTIMONY</b>	None.	
<b>COMMISSION DISCUSSION</b>	The Commissioners discussed business hours, parking in the driveway, and the Americans with Disabilities Act (ADA) compliance. Vice Chair Thorson made a motion to strike staff recommended condition 5, concerning ADA compliance, and condition 6, concerning the hours of operation. The motion was seconded by Laven; all were in favor 6-0.	
<b>COMMISSION ACTION - FINDINGS</b>	<b>MOTION</b>	<b>2<sup>ND</sup></b>
<input checked="" type="checkbox"/> ADOPT AS STATED <input type="checkbox"/> ADOPT WITH REVISIONS	<input type="checkbox"/> Dave Ubel, <i>Chair</i> <input checked="" type="checkbox"/> Jon Thoreson, <i>Vice Chair</i> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input type="checkbox"/> Randy Schwab	<input type="checkbox"/> Dave Ubel, <i>Chair</i> <input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input type="checkbox"/> Randy Schwab
<b>VOTE TO ADOPT FINDINGS OF FACT</b>	<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> DENIED	VOTE: 6 - 0
<b>COMMISSION ACTION - APPROVAL</b>	<b>MOTION</b>	<b>2<sup>ND</sup></b>
<input type="checkbox"/> RECOMMEND APPROVAL WITH CONDITIONS AS LISTED BY STAFF <input checked="" type="checkbox"/> RECOMMEND APPROVAL WITH REVISED CONDITIONS	<input type="checkbox"/> Dave Ubel, <i>Chair</i> <input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input type="checkbox"/> Randy Schwab	<input type="checkbox"/> Dave Ubel, <i>Chair</i> <input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i> <input type="checkbox"/> Marie Drantell, Commissioner <input checked="" type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input type="checkbox"/> Randy Schwab
<b>VOTE TO APPROVE PERMIT</b>	<input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	VOTE: 6 - 0

## ADDITIONAL ITEMS

<b>OLD BUSINESS</b>	None.	
<b>OTHER BUSINESS</b>	None.	
<b>COMMUNICATIONS</b>	None.	
<b>MOTION TO ADJOURN MEETING</b>	<b>MOTION</b>	<b>2<sup>ND</sup></b>
<b>07:40 PM</b>	<input type="checkbox"/> Dave Ubel, <i>Chair</i> <input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input type="checkbox"/> Randy Schwab	<input type="checkbox"/> Dave Ubel, <i>Chair</i> <input type="checkbox"/> Jon Thoreson, <i>Vice Chair</i> <input type="checkbox"/> Marie Drantell, Commissioner <input type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Justin Laven <input type="checkbox"/> Terry Morrow, Alt. Commissioner <input checked="" type="checkbox"/> Randy Schwab
<b>VOTE TO ADJOURN MEETING</b>	<input checked="" type="checkbox"/> PASS <input type="checkbox"/> FAIL	VOTE: 6 - 0

<b>DAVE UBEL, CHAIR</b>		<b>DATE</b>	<b>6/26/2023</b>
<b>SPENCER CRAWFORD, DEPUTY ZONING ADMINISTRATOR</b>		<b>DATE</b>	<b>6/26/2023</b>



## PLANNING & ZONING ADVISORY COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant Chelsey Stevensen

Hearing May 15, 2023

Property Owner Chelsey & Nicholas Stevensen

BOC Meeting May 23, 2023

File PLN23-06

Use Request Chelsey Stevensen is requesting Conditional Use approval to operate a business, Nu Roots Salon, as a level 2 home occupation at 45402 Jeremy Drive.

### FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

#### 1. Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal appears to meet all local and state standards.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

#### 2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal uses minimal utilities and is small in size and scope. The proposed business will not create excessive garbage or traffic in the area.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

#### 3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are structures similar in size in the nearby area and the structure will be screened on all sides by vegetation. No noise, vibration, odor, etcetera are anticipated.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project will be screened by trees and the existing home.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Meets all county ordinance and standards.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal meets all standards for a home occupation as intended in the Nicollet County Zoning Ordinance.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No adverse noise, odor, glare or general unsightliness is anticipated. The proposal will be screened on three sides by trees and on one side by the existing home.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

8. The requested use is reasonably related to the existing land use and environment.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The request is in compliance with the standards for a single family residential home having a small in-home business.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will meet all local and state standards. All waste will go into a holding tank.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

10. The requested use ☐ WILL ☒ WILL NOT have adverse effect upon public health, safety and welfare due to the following other factors:

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The requested use appears to comply with local and state standards. The business will be small in size and scale.
Jon Thoreson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marie Drantell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lloyd Hoffmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Justin Laven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Randy Schwab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

## THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION

☒ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Application                            | <input checked="" type="checkbox"/> Site visit   |
| <input checked="" type="checkbox"/> Information received at public hearing | <input checked="" type="checkbox"/> Staff Report |
| <input checked="" type="checkbox"/> Pictures                               |  |

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE PERMIT AND IN THE RECORD.

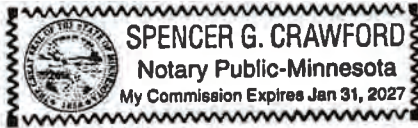
FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION.

Date: 5/15/23 Chair: Dave Ubel  
Dave Ubel, Chair

STATE OF MINNESOTA  
COUNTY OF NICOLLET

The foregoing instrument was acknowledged before me this 15 day of May 20 23,  
by Dave Abel

Notarial stamp or seal (or other title or rank)



[Signature]

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT



# **CONDITIONAL USE PERMIT**

## **LEVEL 2 HOME OCCUPATION SALON**

**CHELSEY STEVENSEN**

**PLN23-06**

**NICOLLET COUNTY  
PLANNING & ZONING ADVISORY COMMISSION**

<b>SUBJECT:</b>	Conditional Use Permit PLN23-06
<b>APPLICANT:</b>	Chelsey Stevensen
<b>LANDOWNER:</b>	Chelsey & Nicholas Stevensen
<b>LOCATION:</b>	Fleck's Subdivision Lot 4 Block 1, Section 35-110-030, in Courtland Township
<b>PARCEL NO:</b>	04.532.0040
<b>EXISTING ZONING:</b>	Conservancy, Urban/Rural Residential (R-1)
<b>HEARING DATE:</b>	05/15/2023
<b>COUNTY BOARD DATE:</b>	05/23/2023
<b>60 DAYS FROM REQUEST:</b>	05/27/2023

**PROJECT DESCRIPTION**

***Request:***

Chelsey Stevensen is requesting Conditional Use approval to operate a business, Nu Roots Salon, as a level 2 home occupation at 45402 Jeremy Drive. The salon would reside within a 420 square foot partition of a 30' x 50' proposed detached garage located in the rear yard of the home. The floor plan consists of a main room with a single chair and shampoo station, a bathroom, and a dispensary room containing a handwashing sink and inventory. Services offered include haircuts, hair coloring, waxing, and eyelash extensions.

***Access & Parking:***

Access to the salon consists of a dedicated driveway to the Township Road abutting the western property line, which has been approved by Courtland Township. The parking area is directly in front of the garage at the end of the driveway and includes one handicap stall.

***Hours of operation:***

The hours of operation would be from Monday-Friday 9 am to 5 pm, with occasional hours on Saturday from 8 am to 12 pm.

***Anticipated Number of Trips Per Day:***

The Applicant is expecting approximately 5 trips per day.



***Septic:***

The septic proposal consists of a 1,500 gallon holding tank, with an anticipated 6 gallons of wastewater per day. The tank would be pumped as needed. This meets the standards of Minnesota Administrative Rule 7081.0130 and the Zoning Ordinance.

***Signage:***

The Applicant is proposing an 18" x 24" ground mounted sign located outside of the right-of-way along Shady Lane.

***Appearance:***

The Applicant states they have not decided if the shed would have metal or vinyl siding. The metal siding would have a darker color whereas the vinyl siding would match the color of the home.

***Landscaping:***

The proposal is partially screened from neighbors and the road by dense evergreen trees in the north and south, scattered hardwood and evergreen trees to the west, and the home to the east. Some of the trees along the western property line will be removed for the driveway.

**COUNTY STANDARDS**

Nicollet County has standards for salons, home occupations, and accessory structures in the Urban/Rural Residential Zoning District:

***706 Beauty Salons:*****706.2 General Standards:**

1. The owner/operator shall comply with all local, state, and federal regulations in regard to beauty salons.
2. The owner/operator shall install a separate holding tank to collect hazardous waste produced from chemicals typically used in a salon.
3. An approved holding tank design and an onsite septic system design shall be on file in the Property Services Department.
4. The establishment shall have all the appropriate licenses needed in order to run a beauty salon.
5. Services shall only include: Permanents, tinting, coloring, cutting, shampooing, styling, and manicure/pedicure services.

The proposal appears to meet the standards as listed for beauty salons.

### ***718 Home Occupations:***

#### **718.5 Level 1 Home Occupations in the R-1 and R-2 Residential Districts:**

1. No more than one (1) person other than the permanent occupants of the dwelling shall be employed in conjunction with the home occupation.
2. The home occupation shall be incidental and subordinate to the use of the premises for residential purposes.
3. No more than twenty-five (25) percent of the gross floor area of the dwelling unit shall be used for the conduct of the home occupation.
4. There shall be no change in the outside appearance of the dwelling unit or the premises, or other visible evidence of the conduct of such home occupation, except as allowed in Section 735.7(2).
5. No noise, vibration, glare, fume, odor, or electrical interference detectable beyond the limits of the dwelling/house associated with that allowed uses in the district.
6. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street in other than the front yard.
7. No home occupation shall cause an increase in the use of any one (1) or more utilities (water, sewer, electricity, garbage) so that the combined total use for the dwelling and home occupation purposes exceeds the average for the residences in the neighborhood.

#### **718.6 Level 2 Home occupations in the R-1 and R-2 Residential Districts:**

1. The conduct of a home occupation may be carried on in an accessory building, with all the standards of a Level 1 Home Occupation in the R-1 and R-2 Districts in effect.

The proposal appears to meet the standards as listed for a home occupation. Staff recognizes the subjectivity of number 6 and 7, as the standard is based on what is typical for the neighborhood.

### ***718 Accessory Uses:***

#### **703.1 Residential Districts:**

1. No accessory building shall be located nearer the front lot line than the principal building on the lot.
2. No accessory building shall exceed the height of the principal building.

3. No accessory buildings shall exceed in total combined size the ground floor square footage of the principal building.

The proposed structure appears to meet all standards as listed.

### **SURROUNDING LAND USE**

The surrounding land use is predominantly residential due to the lot being located in Flecks subdivision and the close proximity of Shady Brooke Acres. Beyond the subdivision, New Ulm Quartzite Quarries is located to the south along with farmland and bluff in all other directions.

### **NEIGHBOR NOTIFICATION**

Property owners were notified of the proposal per the standards of Minnesota State Statute 394.26. Courtland Township was also notified.

### **CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT**

- 1. Given the nature of the land, the requested use is compatible with the public health, safety, and general welfare.**
  - The proposal appears to comply with all local and state standards.
  - No noise, vibration, glare, fume, odor, or electrical interference is anticipated.
  - The structure is partially screened from the street and neighboring properties.
  - The requested use will cause a small increase in neighborhood traffic.
- 2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**
  - The business is expected to generate one bin of garbage per week and will use and estimated 6 gallons of water per day.
  - Electricity usage is not expected to be unreasonable.
  - The applicant is anticipating 5 business related trips to the property per day.
- 3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**
  - The proposal is partially screened on all sides by the existing home and trees.

- The accessory structure containing the salon will predominantly appear as a large shed.
  - No noise, vibration, glare, fume, odor, or electrical interference is anticipated.
- 4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**
- The proposal is screened on three sides by the existing home and trees.
  - The accessory structure containing the salon will predominantly appear as a large shed.
  - The size of the proposed signage along Shady Lane is 18” x 24”.
- 5. The requested use is consistent with the Nicollet County Land Use Ordinances.**
- The request appears to meet Nicollet County Zoning Ordinance Standards.
- 6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.**
- The purpose of the Urban/Rural Residential District is to provide areas within the county where urban development can take place and where urban services can be readily extended and provided.
  - The Comprehensive plan states “a single-family residential home that also has a small in-home occupation (i.e., a business run from a home) would be classified as a residential land use, as the primary use is residential”.
- 7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**
- No noise, vibration, glare, fume, odor, or general unsightliness is anticipated.
- 8. The requested use is reasonably related to the existing land use and environment.**
- The home occupation itself is not related to the surrounding land use. However, the business is subordinate and related to the residence, which defines the land use and is compatible with the surrounding environment. The home occupation is therefore related to the existing land use and environment provided it remains subordinate to the residence.
- 9. There are no apparent unreasonable health risks posed to neighbors or the public in general.**
- The proposal appears to comply with all local and state standards.
  - All waste from the salon will go into a holding tank.

- No noise, vibration, glare, fume, odor, or electrical interference is anticipated.

**10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors:**

- The proposal appears to comply with all local and state standards.
- All waste from the salon will go into a holding tank.
- No noise, vibration, glare, fume, odor, or electrical interference is anticipated.
- The applicant is anticipating 5 business related trips to the property per day.

**STAFF RECOMMENDATIONS**

1. The Applicant undertakes the project according to the plans and specifications submitted to the County with the application.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. The Applicant must obtain the appropriate zoning permits prior to construction.
4. The home occupation business must comply with all Minnesota Board of Cosmetology and Nicollet County Zoning regulations.
5. The home occupation must comply with the Americans with Disabilities Act (ADA).
6. The hours of operation shall be Monday through Friday, 9 am to 5 pm.

**Applicant: Chelsey Stevensen**  
**Landowner: Chelsey & Nicholas Stevensen**

**PLN23-06**

<b>ATTACHMENT A</b>	<b>Application</b>
<b>ATTACHMENT B</b>	<b>Documents Submitted by Applicant</b>
<b>ATTACHMENT C</b>	<b>Aerial Map</b>
<b>ATTACHMENT D</b>	<b>Location Map</b>
<b>ATTACHMENT E</b>	<b>Site Photographs</b>
<b>ATTACHMENT F</b>	<b>Neighbor Notification List</b>
<b>ATTACHMENT G</b>	<b>Criteria for Conditional Use Permit</b>



PROPERTY SERVICES DIVISION  
501 SOUTH MINNESOTA AVENUE, SAINT PETER MN 56082  
507-934-7070

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PLANNING & ZONING ADVISORY COMMISSION  
APPLICATION

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Total Fees: \$496.00

Map#: 1035400031  
Parcel#: 04.532.0040  
Permit#: [PLN23-06](#)  
Date: March 27, 2023

Applicant: Chelsey Bode, Nu Roots, 45402 JEREMY DR, 45402 JEREMY DR MN 56073  
Phone: 507 276 5106  
Owner: Chelsey & Nicholas Stevensen, 45402 JEREMY DR, New Ulm MN 56073  
Property Address: 45402 JEREMY, New Ulm MN 56073  
Abbreviated Legal Description:  
Township: Courtland


Record Type: Conditional Use

Category: Other

Project Description: Conditional Use Permit request for a home occupation salon in the R-1 Zoning District.

Planning Commission Hearing Date: 05/15/2023

Board of Commissioners Date: 05/24/2023

  
[Chelsey Bode Stevensen \(Mar 28, 2023 15:53 CDT\)](#)

APPLICANT SIGNATURE

Mar 28, 2023

DATE

ATTACHMENT A  
Application

## Nu Roots Business Plan 2023

General information about the business- Nu roots is currently a 2 person salon located in New Ulm. I am hoping with the new build to be a single owner operator salon. I offer services ranging from hair coloring and cuts to waxing and even eye lash extensions. I have been a business owner since 2019, but operating behind the chair since 2011.

Hours of operation- Hours will be from M-F 9 am to 5 Occasionally Saturday 8 am to 12 pm. Closed Sundays.

Number of employees- There will be one stylist which is myself.

Number of trips generated a day for business purposes- Approximately 5.

Expected business utility usage, I have a 5 gallon water heater and plan to use that if not less daily, so nothing extreme, I will most likely be 1 garbage bin a week , and my space is small so minimal electric. Heating and cooling will be controlled by a mini split unit.

Septic- The minimum holding tank size for a one chair salon is 1500 gallons or smaller actually however the company we are going with will be doing a 2000 gallon. On a typical day I will go through roughly 6 gallons or less of water.

There is no anticipated noise that will disrupt my neighborhood. As far as odor, I do not do any services that will have heavy odors filling my salon let alone affecting my neighbors. Electrical interferences will not be an issue, we currently have multiple neighbors with the same building style we are wishing to build and there are no issues. The building will also not create any dramatic glare, I have 1 large window in the front the rest of the smaller windows are on the back side facing our home.

Our blue print does not show our handicap accessible access but our contractors are very educated and aware of the 2010 ADA standards for accessibility, which you can see in the attached letter.





Name of Applicant: Chelsey Bode Stevenson Date: 1/10/23  
Request: In home salon.

In granting a conditional use permit, the County Board shall consider the advice and recommendation of the Planning Commission and the effect of the proposed use upon the health, safety, morals, and general welfare of the community. Among other things, the County Board shall make the following findings where applicable.

**Why do you feel the request meets the following criteria?**

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.

yes, it is compatible

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

Correct, my business will use only one road in and out. There will also be no large vehicles or utility vehicles.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

Correct, we have surrounding neighbors with same size shops/garages.

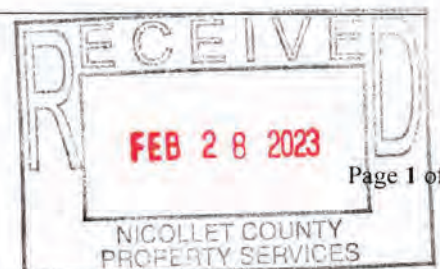
4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

Correct, our building will be matching aesthetically to our current home.

5. The requested use is consistent with the County Zoning Ordinance.

yes.

*(Continued onto back)*



6. The requested use is not in conflict with the County Comprehensive Plan.

correct, it is not.

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

Correct, it will not.

8. The requested use is reasonably related to the existing land use and environment.

yes, it is an in home business with minimal traffic.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

Correct, there are no risks to my neighbours

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors.

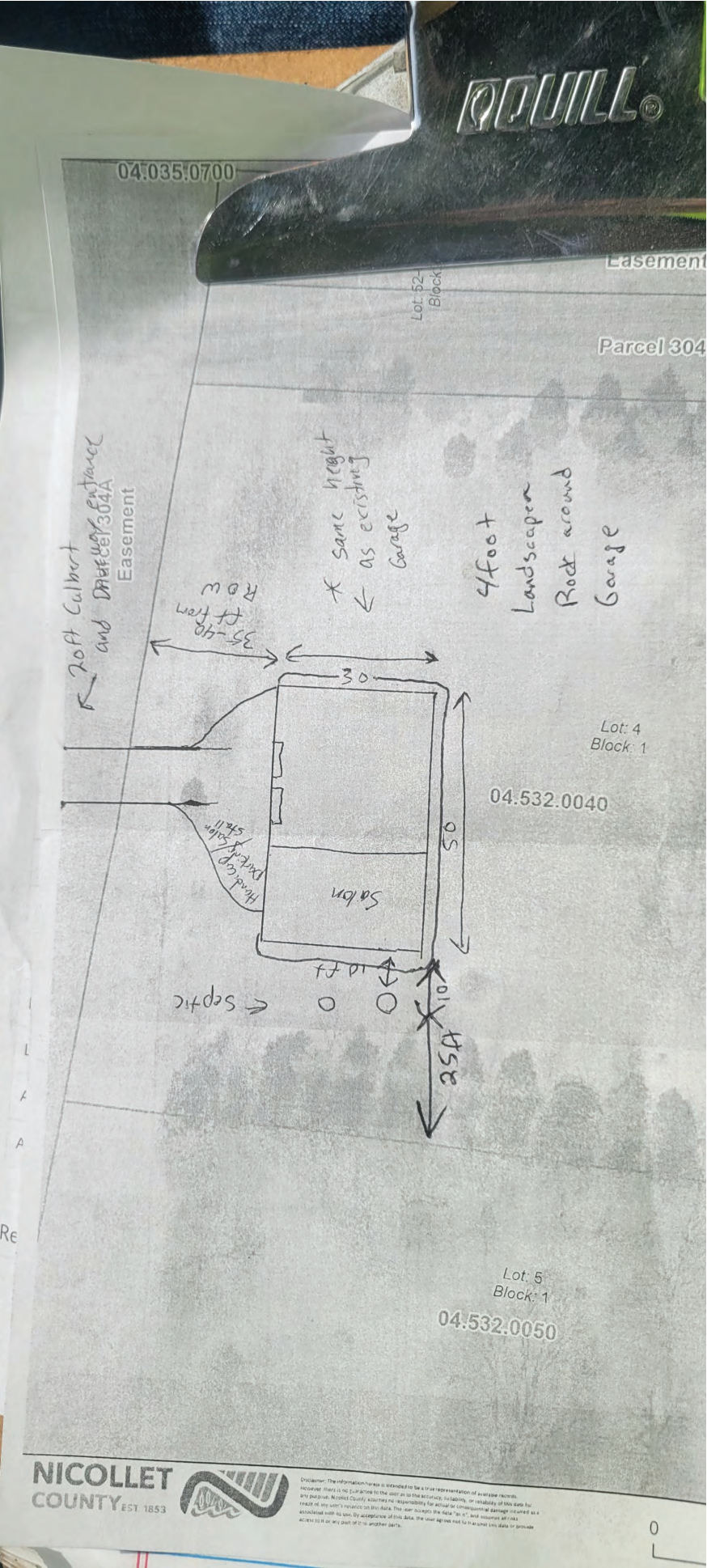
No, it will not.

***A MAJORITY OF THE CUP CRITERIA MUST BE MET  
IN ORDER FOR THE REQUEST TO BE APPROVED.***



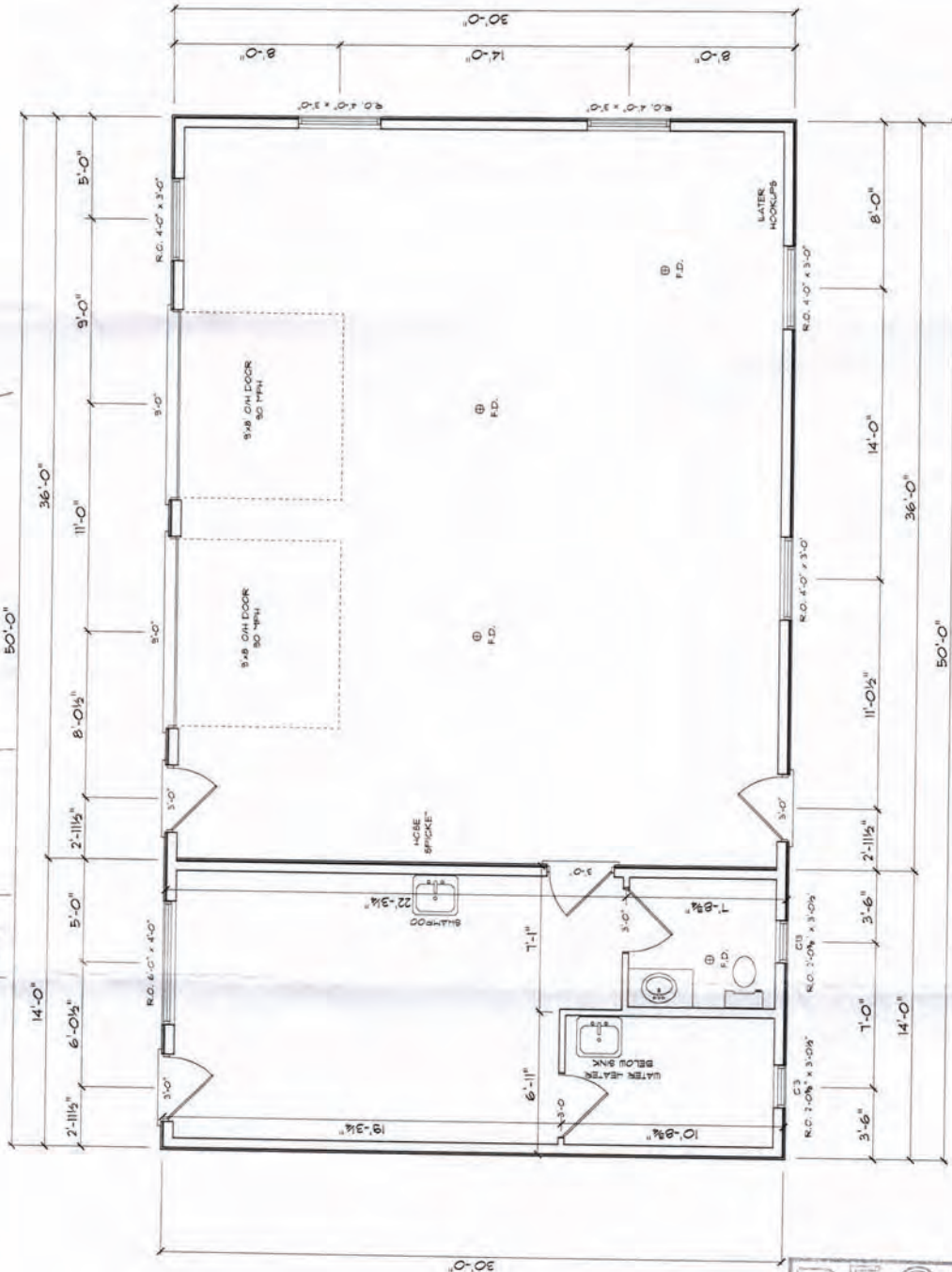


Submitted Site Plan



DRAWING

Sign



CONSTRUCTION WARRANTY

SIDELINE  
DESIGNS  
TANYA HOFFMAN

Project: 2021-001-001  
Email: tanyahoffman@sideline.com

PROJECT: 2021-001-001	PROJECT: 2021-001-001
PROJECT: 2021-001-001	PROJECT: 2021-001-001
PROJECT: 2021-001-001	PROJECT: 2021-001-001
PROJECT: 2021-001-001	PROJECT: 2021-001-001
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PROJECT: 2021-001-001	PROJECT: 2021-001-001
PROJECT: 2021-001-001	PROJECT: 2021-001-001
PROJECT: 2021-001-001	PROJECT: 2021-001-001

PLANS FOR: STEVENSON SALON/SHOP  
MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"



**Courtland Township**  
**Application for Access Driveway Permit**

Name of Applicant: Chelsey Stevenson  
Address: 45402 Jeremy Dr  
Phone: 507 274 5106  
Name of Property Owner: Nick & Chelsey Stenson  
Address: 45402 Jeremy Dr  
Phone: 507 274 5106  
Road Number: 15462 Township: Courtland  
Section: \_\_\_\_\_ Range: \_\_\_\_\_  
Location/description of proposed driveway: Backyard off new entrance  
Number of present driveways to property: 1  
Date proposed driveway will be needed: June 2023

I, the undersigned, shall indemnify & save harmless the Township of Courtland, its officers & employees from all suits, actions & claims of any character brought because of injuries or damages received or sustained by any person, persons or property on account of the operations of said driveway construction; or on account of or in consequence of any the neglect in safeguarding the work; the work operations or activities being inclusive of, but not limited to the construction of this driveway culvert & the construction of the driveway.

I, the undersigned, herewith make application for permission to construct the above access driveway in conformance with the below requirements of Courtland Township, as well as, any special provisions included in the permit. It is agreed that no work will be started until the permit is issued & that all work will be done to the satisfaction of a Courtland Township Supervisor.

Chelsey Stevenson  
Signature

2-18-23  
Date

**AUTHORIZATION NOT COMPLETE UNTIL SIGNED BY TOWNSHIP SUPERVISOR.**

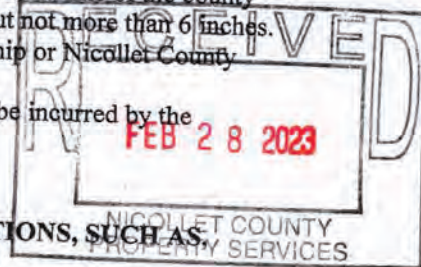
- 1) No work under this application is to be started until application is approved the permit issued.
- 2) Where work on traveled roadway is necessary, traffic must be protected: flags, flares & proper barricades must be placed in accordance with the standards of the MN Dept of Transportation.
- 3) No foreign material such as dirt, gravel or bituminous material shall be left or deposited on the road during the construction of driveway or installation of drainage facilities.
- 4) Roadside must be cleaned up after work is completed.
- 5) After driveway construction is completed, the permit holder shall notify a Courtland Township Supervisor that the work has been completed & is ready for final inspection & approval by Courtland Township.
- 6) No changes or alterations in entrances may be made at any time without written permission from the township.
- 7) Driveway fill slopes shall be construction 4:1 (4' horizontal to 1' vertical) where existing roadside slopes are 4:1 or better & shall be hand finished & seeded
- 8) Driveways shall be so constructed as to slope down & away from the shoulder line of the county highway for a distance of at least 15 feet with a fall of at least 3 inches but not more than 6 inches.
- 9) Culverts must be of steel construction and purchased through the Township or Nicollet County Public Works.
- 10) All expenses related to the culvert and construction of the driveway will be incurred by the applicant.
- 11) All work must be done pursuant to Minn. Stat. 160.18.

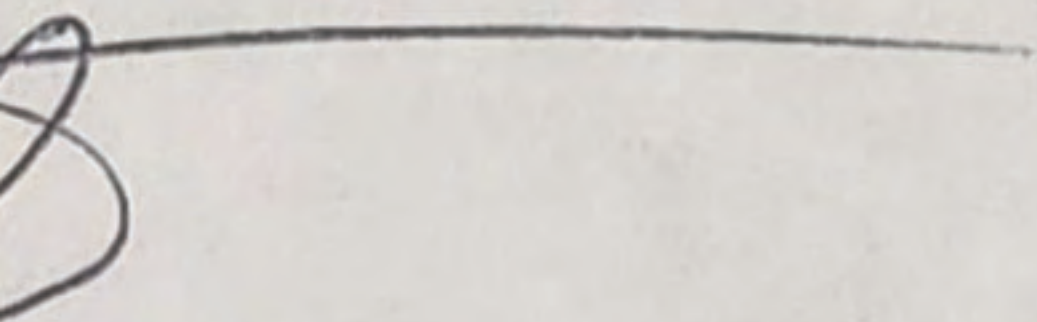
**THIS APPLICATION MAY BE DENIED DUE TO SAFETY CONSIDERATIONS, SUCH AS POOR SIGHT DISTANCE OR POOR SLOPE TO THE SHOULDER LINE.**

All work to be completed by \_\_\_\_\_ Applicant to purchase \_\_\_\_\_ x  
culvert \_\_\_\_\_ aprons & \_\_\_\_\_ bands. \$ \_\_\_\_\_

Cory Hulbe  
Courtland Township Supervisor

2-18-23  
Date







Nail Root  
Scissors

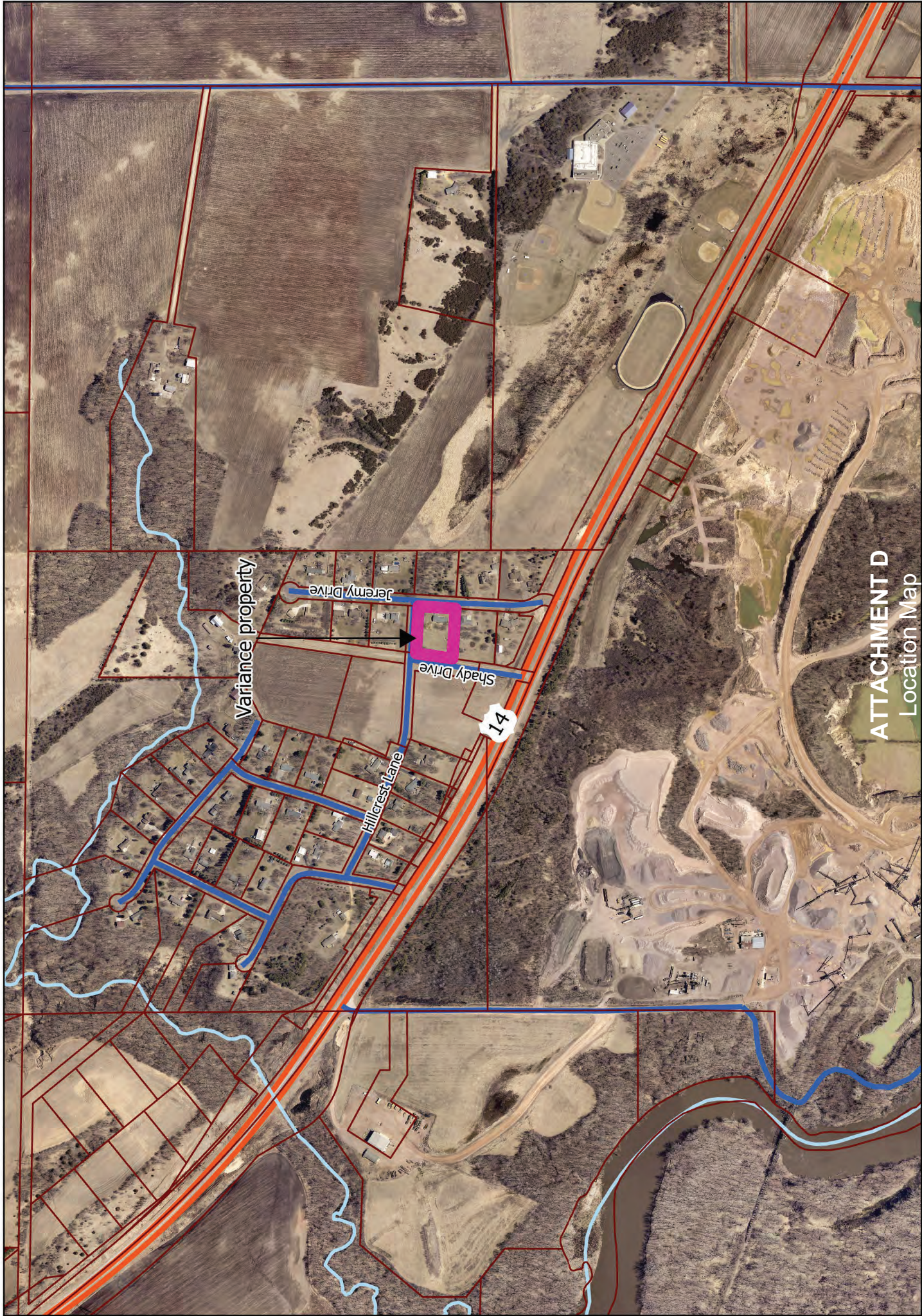
Colors, cuts, waxing and











## ATTACHMENT D Location Map





**ATTACHMENT E**  
Site Photographs

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
Randy & Kristine Waibel	45176 561St Ave	New Ulm, MN 56073
Shane & Keri Bradley	45233 Sunrise Dr	New Ulm, MN 56073
Mary Lade	56933 Brookview Ln	New Ulm, MN 56073
Daniel & Sheila Esser	56932 Hillcrest Ln	New Ulm, MN 56073
Wade & Velda Cordes	56936 Brookview Ln	New Ulm, MN 56073
Ricky & Susan Beise	56772 Us Highway 14	New Ulm, MN 56073
Scott & Kathy Hulke	45274 Sunrise Dr	New Ulm, MN 56073
Jeffrey & Wendy Bertrang	45493 Jeremy Dr	New Ulm, MN 56073
Alan & Susan Lamm	45200 Jeremy Dr	New Ulm, MN 56073
Curtis & Kristin Forbrook	45261 Jeremy Dr	New Ulm, MN 56073
Joshua Kalk	45205 Jeremy Dr	New Ulm, MN 56073
Leon & Mary Ludewig	45196 Sunrise Dr	New Ulm, MN 56073
Norman & Lisa Grathwohl	56998 Hillcrest Ln	New Ulm, MN 56073
David & Patrice Dittich	45508 Jeremy Dr	New Ulm, MN 56073
Glen & Lauren Albrecht	56929 Hillcrest Ln	New Ulm, MN 56073
Juan & San Juana Arevalo	56963 Hillcrest Ln	New Ulm, MN 56073
Ronald & Carlotta Ohm	56947 Hillcrest Ln	New Ulm, MN 56073
Mary Waibel	45438 541St St	Courtland, MN 56021
Bryce & Taylor Kloeckl	45318 Jeremy Dr	New Ulm, MN 56073
Jose Arevalo	45323 Kohn Dr	New Ulm, MN 56073
Nicholas & Chelsey Stevensen	45402 Jeremy Dr	New Ulm, MN 56073
Patrick Mehlhop	45272 Jeremy Dr	New Ulm, MN 56073
Steven & Beth Nelson	45210 Jeremy Dr	New Ulm, MN 56073
Michelle & Marcel Hofmann	45228 Sunrise Dr	New Ulm, MN 56073
Dwight & Gretchen Shavlik	56977 Brookview Ln	New Ulm, MN 56073
Gary & Linda Watson	56944 Hillcrest Ln	New Ulm, MN 56073
Dennis & Sharon Nordby	45201 Sunrise Dr	New Ulm, MN 56073
Trevor Hillesheim	56956 Brookview Ln	New Ulm, MN 56073
Aaron & Leah Widmark	45309 Jeremy Dr	New Ulm, MN 56073
Daniel & Sheila Esser	56932 Hillcrest Ln	New Ulm, MN 56073
Douglas & Kathleen Lund	45541 Jeremy Dr	New Ulm, MN 56073
Minnesota Valley Lutheran High School	45638 561St Ave	New Ulm, MN 56073
David & Christene Rolloff	45452 Jeremy Dr	New Ulm, MN 56073
John & Diane Grejtak	56923 Hillcrest Ln	New Ulm, MN 56073
Tim Harmening, Courtland Township	43370 541st Ave	Courtland, MN 56021





# PLANNING & ZONING ADVISORY COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant	Chelsey Stevensen	Hearing	May 15, 2023
Property Owner	Chelsey & Nicholas Stevensen	Continuation	N/A
File	PLN23-06	Commission Member	
Use Request	Conditional Use Permit request for a Level 2 Home Occupation salon in the Urban Rural/Residential & Conservancy Zoning Districts		

## FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.

YES ☐ NO ☐ REASON: \_\_\_\_\_

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

YES ☐ NO ☐ REASON: \_\_\_\_\_

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

YES ☐ NO ☐ REASON: \_\_\_\_\_

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

YES ☐ NO ☐ REASON: \_\_\_\_\_

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5. The requested use is consistent with the Nicollet County Land Use Ordinances.

YES ☐ NO ☐ REASON: \_\_\_\_\_

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6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

YES ☐ NO ☐ REASON: \_\_\_\_\_

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7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

YES ☐ NO ☐ REASON: \_\_\_\_\_

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8. The requested use is reasonably related to the existing land use and environment.

YES ☐ NO ☐ REASON: \_\_\_\_\_

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9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

YES ☐ NO ☐ REASON: \_\_\_\_\_

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10. The requested use \_\_\_\_ have an adverse effect upon public health, safety and welfare due to the following other factors:

WILL ☐ WILL NOT ☐ REASON: \_\_\_\_\_

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## THE NICOLLET COUNTY PLANNING & ZONING ADVISORY COMMISSION

☐ RECOMMENDS APPROVAL OF THE REQUESTED USE

☐ RECOMMENDS DENIAL OF THE REQUESTED USE

### THIS DECISION WAS BASED UPON

☐ Application

☐ Site visit

☐ Information received at public hearing

☐ Staff Report

☐ Pictures

Date: \_\_\_\_\_ Commission Member: \_\_\_\_\_

DRAFT



### 02/01/2023 - 04/30/2023 Permit Form

RECORD ID	RECORD TYPE	DESCRIPTION	ADDRESS	OWNER NAME
<a href="#">BLD23-00008</a>	Structure Permit		46924 360TH ST GAYLORD, MN 55334	ECKBERG PAUL J & CONNIE J ECKBERG
<a href="#">BLD23-00010</a>	Structure Permit	New 34' x 30' dwelling. Home is being moved in from another site.	0	JACQUET JEAN-HENRI PIERRE LOUIS
<a href="#">BLD23-00011</a>	Structure Permit	Zoning Permit for two new structures (additions to the existing building), stormwater retention pond, overflow parking lot, and grading. The larger southwest addition is 33,194 square feet and includes a gym, commons area, and concessions. The smaller northern addition is 4,788 square feet and includes classrooms, a fitness space, restrooms, and showers. Bluff setback variance approved via PLN23-01.	45638 561ST AVE NEW ULM, MN 56073	MN VALLEY LUTH HIGH SCHOOL & ASSN
<a href="#">BLD23-00012</a>	SSTS Compliance Inspection		39349 506TH ST NORTH MANKATO, MN 56003	CASTEEL ERIC J & ANGELA R CASTEEL
<a href="#">BLD23-00013</a>	SSTS Compliance Inspection		49161 OLD RIVER BLUFF RD ST PETER, MN 56082	HIGH DONALD W
<a href="#">BLD23-00014</a>	Structure Permit	New 66' x 88' x 18 machine storage shed.	37650 361ST AVE ST PETER, MN 56082	JASTER HELMUT
<a href="#">BLD23-00015</a>	Renewable Energy Permit	New 60kW DC/ 38.5Kw AC small solar energy system. 2x30 500W Solar Modules. Fixed ground mount.	40231 455TH AVE NICOLLET, MN 56074	COMPART DUSTIN R & NATALIE C COMPART
<a href="#">BLD23-00016</a>	Structure Permit	New 60' x 100' machine shed.	65550 366TH ST GIBBON, MN 55335	SCHWAB WILLIAM T LIVING TRUST
<a href="#">BLD23-00017</a>	Structure Permit	New 16' x 16' porch & 20' x 30' garage addition.	39349 506th St North Mankato, MN 56003	Eric & Angela Casteel
<a href="#">BLD23-00019</a>	Structure Permit	New 48' grain bin.	49287 475TH AVE NICOLLET, MN 56074	BRUNS STUART F & LUCY M BRUNS
<a href="#">BLD23-00020</a>	Land Alteration Permit	Placing 92 cubic yards of gravel for the creation of a storage area. The gravel area is associated with CUP PLN20-11. No fill in floodplain or slopes greater than 12%.	47028 547TH LN COURTLAND, MN 56021	MICHALETZ PROPERTIES LLC
<a href="#">BLD23-00021</a>	Structure Permit	Replacement 36' x 45' garage. Side/ front yard setback approved via PLN23-02.	51850 COUNTY ROAD 21 COURTLAND, MN 56021	BODE GREGG & LOIS BODE
<a href="#">BLD23-00022</a>	Structure Permit	Replacement 30,000 gallon anhydrous ammonia storage tank. Approved via PLN22-12 & PLN22-13. Applicant must follow all CUP requirements.	37597 STATE HIGHWAY 22 ST PETER, MN 56082	FARMERS CO-OP OF LAFAYETTE
<a href="#">BLD23-00023</a>	Structure Permit	63,205 Bushel replacement grain bin, two grain legs, and a grain receiving pit.	51174 376TH ST NEW ULM, MN 56073	PETERSON BRADLEY K & CATHY A PETERSON
<a href="#">BLD23-00024</a>	SSTS Compliance Inspection		48804 506TH ST COURTLAND, MN 56021	SONNEK WILLIAM
<a href="#">BLD23-00025</a>	Structure Permit	New 36' x 64' detached garage.	38311 TIMBER TRL ST PETER, MN 56082	LANGWORTHY PAUL A & DIANA M LANGWORTHY
<a href="#">BLD23-00026</a>	SSTS Permit		36572 358TH ST ST PETER, MN 56082	JAEGER SCOTT & AMANDA JAEGER
<a href="#">BLD23-00028</a>	Structure Permit	New 2,309 square foot dwelling.	0	SCHINDLE MATTHEW J & HEIDI K BALOUN
<a href="#">BLD23-00029</a>	SSTS Permit	Replacement septic system for the main house	44562 COUNTY ROAD 15 NICOLLET, MN 56074	RODNING HAROLD & LOUISE RODNING TRUST
<a href="#">BLD23-00030</a>	SSTS Permit	07.131.0805 and 07.131.0605- new house construction	State Highway 22 St. Peter, MN	Gary Miller
<a href="#">BLD23-00031</a>	SSTS Permit		405th Ave North Mankato, MN 56002	Dalton & Kinzie Matthies
<a href="#">BLD23-00033</a>	Structure Permit	New 40x 60 shed.	37173 615TH AVE NEW ULM, MN 56073	BAUER DANIEL H & MARY JO BAUER
<a href="#">BLD23-00035</a>	SSTS Permit	replacement septic for a 3 bedroom house	38600 498TH ST N MANKATO, MN 56003	LOUCKS RICHARD D
<a href="#">BLD23-00036</a>	SSTS Permit		35917 SCANDIA WOODS DR ST PETER, MN 56082	RUNDLE SARA & BRENT RUNDLE
<a href="#">BLD23-00037</a>	SSTS Permit	Moving in a 3 bedroom house- needs new system	348th St Le Sueur, MN 56057	Pierre Louis Jacquet Jean-Henri
<a href="#">BLD23-00038</a>	Structure Permit	24' x 80' grain receiving pit cover	0	GIESEKE ROBBY B
<a href="#">BLD23-00039</a>	SSTS Permit	New system for new 6 bedroom house	Birch Bluff Dr North Mankato, MN 56003	Andrew & Sarah Herr
<a href="#">BLD23-00040</a>	Sign Permit	New 911 Sign & Post for recently split hog barns.	MN	Kyle Compart
<a href="#">BLD23-00041</a>	SSTS Permit	New 6 bedroom house septic system	400 Ln New Ulm, MN 56073	Paula Kral
<a href="#">BLD23-00042</a>	SSTS Permit	Building new 4 bedroom house and septic system then tearing down old house	46924 360TH ST GAYLORD, MN 55334	ECKBERG PAUL J & CONNIE J ECKBERG
<a href="#">BLD23-00043</a>	SSTS Compliance Inspection		39673 COUNTY ROAD 15 ST PETER, MN 56082	OLSEN DALE D
<a href="#">BLD23-00046</a>	Fence Permit	New fence and hedges. See site plan for detail. The "finished side" of the fence shall face neighboring properties or the road.	42101 KERNS DR N MANKATO, MN 56003	HORN WENDELL & SHERI HORN
<a href="#">BLD23-00047</a>	Renewable Energy Permit	New 12.8 kW ground mounted small solar energy system.	49619 443RD AVE N MANKATO, MN 56003	COX ADAM LEO
<a href="#">BLD23-00048</a>	Structure Permit	New 33' x 56' accessory frame building.	39750 PLEASANT VIEW DR NORTH MANKATO, MN 56003	BURNETT BRUCE & JUDITH BURNETT
<a href="#">BLD23-00049</a>	Structure Permit	New 35' x 45' detached garage. Setbacks verified via site visit. Parcel is now maxed on accessory square footage.	35571 398th Ln Saint Peter, MN 56082	Dale Chabot
<a href="#">BLD23-00050</a>	Structure Permit	New 56' 44' detached garage.	MN	RJB Holdings
<a href="#">BLD23-00051</a>	Structure Permit	New 29' x 34' home addition & 30' x 41' 8" garage/ office.	36572 358TH ST ST PETER, MN 56082	JAEGER SCOTT & AMANDA JAEGER
<a href="#">BLD23-00053</a>	Structure Permit	New 60' x 104' x 18' machine shed.	0	BASTIAN STEVEN

# Nicollet County Board of Commissioners

## Board Meeting Agenda Item



<b>Agenda Item:</b> 2023 Local Water Management Plan Extension Request and Resolution		
Primary Originating Division/Dept.: Property Services		Meeting Date: 05/23/2023
Contact: Jaci Kopet	Title: PPSD Director	Item Type: Regular Agenda (Select One)
Amount of Time Requested: 5 minutes		
Presenter: Jaci Kopet	Title: PPSD Director	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
<b>BACKGROUND/JUSTIFICATION:</b> <p>Nicollet County's Local Water Management Plan is set to expire on August 31, 2023. In order to allow additional time to work with area partners to transition the lower portion of the County in the Middle MN watershed to a One Watershed, One Plan (1W1P) partnership, our local water plan must be extended.</p> <p>The Board of Soil and Water Resources (BWSR) requires a signed resolution in order to grant extensions. Following the signing of a Resolution by the Nicollet County Board, County Staff will collaborate with the Soil And Water Conservation District (SWCD), area partners, and BWSR to transition into 1W1P.</p> <p>A partnership meeting is scheduled for Wednesday, May 24th in Nicollet County.</p>		
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A		
<b>ACTION REQUESTED:</b> Approval of the resolution to extend the water plan.		
<b>FISCAL IMPACT:</b> Other (Select One) If "Other", specify:		<b>FUNDING</b> County Dollars = State (Select One)
<b>FTE IMPACT:</b> No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:		<b>Total:</b>



## **Resolution to Extend the Nicollet County Comprehensive Local Water Management Plan**

**WHEREAS**, Minnesota Statutes §103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a Comprehensive Local Water Management Plan; and

**WHEREAS**, the State's Findings of Fact, Conclusion, and Order approving the Nicollet County's Comprehensive Local Water Management Plan Amendment required the Plan be updated prior to August 28, 2018; and

**WHEREAS**, Nicollet County currently has a state approved extension of the Comprehensive Local Water Management Plan that covers the County through August 31, 2023; and

**WHEREAS**, Nicollet County has initiated informal discussions with potential participants and the Board of Water and Soil Resources, to explore the planning process for developing a Comprehensive Watershed Management Plan through the One Watershed, One Plan Program; and

**WHEREAS**, the Minnesota Board of Water and Soil Resources has authorization to grant extensions pursuant to Minnesota Statutes §103B.3367;

**WHEREAS**, an initial stakeholder meeting with planning area partners is scheduled for May 24, 2023; and

**WHEREAS**, Nicollet County has determined that the amended Comprehensive Local Water Management Plan and its continued implementation will help promote the health and welfare of the citizens of Nicollet County; and

**BE IT RESOLVED**, that the Nicollet County Board of Commissioners tasks the Water Plan Task Force with the responsibility of revising the Executive Summary and the Implementation to Address Priority Concerns through amendments to the Comprehensive Local Water Management Plan pursuant to Minnesota Statutes §103B.301 and shall report to the County Board on a periodic basis; and

**BE IT FURTHER RESOLVED** that Nicollet County will coordinate its planning efforts with all local units of government within the county, and the state review agencies; and

**NOW, THEREFORE, BE IT RESOLVED**, the Nicollet County Board of Commissioners requests from the Minnesota Board of Water and Soil Resources an extension of the expiration date of the current County Comprehensive Local Water Management Plan until August 31, 2028, in

order to transition to Comprehensive Watershed Management Planning in accordance with Minnesota Statutes §103B.801.

Date: May 23, 2023

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Jack Kolars,  
Nicollet County Board of Commissioners

ATTEST:

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Mandy Landkamer,  
County Administrator/Clerk to the Board



**MAY 9, 2023**

**OFFICIAL PROCEEDINGS OF THE  
NICOLLET COUNTY DRAINAGE AUTHORITY**

The Nicollet County Drainage Authority met in regular session on Tuesday, May 9, 2023 after the adjournment of the regular Board of Commissioners meeting. Present at the meeting were Commissioners Jack Kolars, Marie Dranttel, Mark Dehen, and Kurt Zins. Commissioner Terry Morrow was absent. Also present were County Administrator Mandy Landkamer, County Attorney Michelle Zehnder Fischer and Recording Secretary Sarah Frahm.

**Approval of Agenda**

Motion by Commissioner Dranttel and seconded by Commissioner Dehen to approve the agenda. Motion carried with all voting in favor.

**Consent Agenda**

Motion by Commissioner Zins and seconded by Commissioner Dranttel to approve the consent agenda items as follows:

1. April 25, 2023 Regular Drainage Minutes

Motion carried with all voting in favor.

**Public Appearances**

There were no public appearances.

**Public Services**

***Public Hearing for the CD86A Selly Excavating Contract Acceptance***

At the public hearing on April 25, 2023, the Board approved the Final Acceptance Report of the Selly Excavating, Inc. contract pertaining to the CD86A improvement project. Director Kopet is now requesting final acceptance of the Findings and Order related to the Selly Excavating, Inc. contract.

Motion by Commissioner Zins and seconded by Commissioner Dehen to accept the findings and order for the Selly Excavating, Inc. contract. The motion was approved with all voting in favor on a roll call vote.

**Adjourn**

Chair Kolars adjourned the meeting at 10:08 a.m.

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JACK KOLARS, CHAIR  
BOARD OF COMMISSIONERS

ATTEST:

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MANDY LANDKAMER, CLERK TO THE BOARD

# Nicollet County Drainage Authority Meeting Agenda Item



<b>Agenda Item:</b> County Ditch 62A Improvement Project	
Primary Originating Division/Dept.: Public Works  Contact: Michelle Zehnder Fischer      Title: County Attorney  Amount of Time Requested: 15 minutes  Presenter: Roger Justin      Title: Attorney	Meeting Date: 05/23/2023  Item Type: Regular Agenda <small>(Select One)</small>  Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
County Strategy: Facilities and Space - preserve, maintain and build our assets <small>(Select One)</small>	
<b>BACKGROUND/JUSTIFICATION:</b> Pursuant to Minn. Stat. § 13D.05, subd. 3(b), a closed meeting of the Nicollet County Drainage Authority is needed to discuss litigation regarding the improvement project on Nicollet County Ditch 62A.	
Supporting Documents: <input type="radio"/> Attached <input type="radio"/> In Signature Folder <input checked="" type="radio"/> None	
Prior Drainage Authority Action Taken on this Agenda Item: <input checked="" type="radio"/> Yes <input type="radio"/> No  If "yes", when? (provide year; mm/dd/yy if known):	
Approved by County Attorney's Office: <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A	
<b>ACTION REQUESTED:</b> Teh Drainage Authority engage in a closed session to discuss litigation strategy involving the improvement project on CD 62A	
<b>FISCAL IMPACT:</b> Other <small>(Select One)</small>  If "Other", specify:   <b>FTE IMPACT:</b> No FTE change <small>(Select One)</small>  If "Increase or "Decrease," specify:  Related Financial/FTE Comments:	<b>FUNDING</b> County Dollars =  State <small>(Select One)</small>  <b>Total:</b>

# Nicollet County Drainage Authority

## Meeting Agenda Item



<b>Agenda Item:</b> County Ditch 86A Improvement Project		
Primary Originating Division/Dept.: Public Works  Contact: Michelle Zehnder Fischer      Title: County Attorney  Amount of Time Requested: 45 minutes  Presenter: Roger Justin      Title: Attorney	Meeting Date: 05/23/2023  Item Type: Regular Agenda <small>(Select One)</small>  Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No	
County Strategy: Facilities and Space - preserve, maintain and build our assets <small>(Select One)</small>		
<b>BACKGROUND/JUSTIFICATION:</b> Pursuant to Minn. Stat. § 13D.05, subd. 3(b), a closed meeting of the Nicollet County Drainage Authority is needed to discuss potential litigation and legal strategy involving Nicollet County Ditch 86A. Following the closed session, action may be taken based upon the information provided during the closed session.		
Supporting Documents: <input type="radio"/> Attached <input checked="" type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Drainage Authority Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No  If "yes", when? (provide year; mm/dd/yy if known):		
Approved by County Attorney's Office: <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A		
<b>ACTION REQUESTED:</b> The Drainage Authority participate in a closed session to discuss potential litigation and legal strategy and take action in open session as may be warranted.		
<b>FISCAL IMPACT:</b> Other <small>(Select One)</small>  If "Other", specify:   <b>FTE IMPACT:</b> No FTE change <small>(Select One)</small>  If "Increase or "Decrease," specify:  Related Financial/FTE Comments:	<b>FUNDING</b> County Dollars =  State <small>(Select One)</small>  <b>Total:</b>	