

Board of Commissioners Agenda

October 25, 2022

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

Commissioners: Marie Dranttel- Board Chair; Jack Kolars- Vice Chair; John Luepke; Terry Morrow; David Haack

- 9:00 a.m. Call Board of Commissioners Meeting to Order: Chair Dranttel**
1. Pledge of Allegiance
 2. Silence Your Cell Phones
 3. Approval of Agenda
 4. Approval of Consent Agenda:
 - a. [October 11, 2022 Board Minutes](#)
 - b. [Juvenile Work Crew Contract with Blue Earth County](#)
 - c. [End of Probations](#)
 - d. Approval of Bills
 5. Public Appearances
- 9:05 a.m. 6. PPSD – Public Services**
- a. [AgBMP Low Interest Loan Project – Septic Lien](#)
- 9:10 a.m. 7. PPSD – Property Services**
- a. [October 17, 2022 Planning and Zoning Advisory Commission Meeting](#)
 1. [Approval of PLN22-12 – United Farmers Cooperative](#)
- 9:25 a.m. 8. Finance**
- a. [2022 Quarter Three Donations](#)
 - b. [Lighthouse on Marshall Establishment of Change Funds Resolution](#)
 - c. [Lighthouse on Marshall Establishment of Imprest Funds Resolution](#)
- 9:35 a.m. 9. County Attorney Update**
10. Chair's Report
 11. Commissioner Committee Reports
 12. Commissioner Meetings & Conferences
 13. Approve Per Diems and Expenses
 14. Adjourn Board of Commissioners Meeting

(continued...)

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.

Board of Commissioners Agenda

October 25, 2022

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

Commissioners: Marie Dranttel- Board Chair; Jack Kolars- Vice Chair; John Luepke; Terry Morrow; David Haack

- 9:40 a.m. Call Drainage Authority Meeting to Order: Chair Dranttel**
1. Approval of Agenda
 2. Approval of Consent Agenda:
 - a. [October 11, 2022 Drainage Authority Minutes](#)
 3. Public Appearances
- 9:45 a.m. 4. PPSD – Public Services**
- a. [Set the Date for a Public Hearing for DOT Minor Alterations to CD75, 62, and 27](#)
- 9:50 a.m. 5. 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.

October 2022

October 26 – AMC District 7 Meeting; 8-2 pm; Knights of Columbus Hall, Fairmont

November 2022

November 8 – Board of Commissioners Meeting, 9 a.m.; Nicollet County Board Room, St. Peter

November 8 – Drainage Authority Meeting, following the adjournment of the BOC Meeting; Nicollet County Board Room, St. Peter

November 8 – Personnel Committee Meeting; following the adjournment of the BOC Meeting; Nicollet County Board Room, St. Peter

November 14 – Union Negotiations - Closed Meeting, 10 a.m. and 1 p.m.; Nicollet County Board Room, St. Peter

November 15 – Individual Dept. Head Meeting – County Administrator, 8:15 a.m.; Nicollet County Board Room, St. Peter

November 15 – Board Workshop, 9:30 a.m.; Nicollet County Board Room, St. Peter

November 15 – Union Negotiations - Closed Meeting, 1 p.m.; Nicollet County Board Room, St. Peter

November 21 – Board of Adjustment and Appeals/Planning & Zoning Advisory Commission Meeting, 7 p.m.; Nicollet County Board Room, St. Peter

November 22 – Board of Commissioners Meeting, 9 a.m.; Nicollet County Board Room, St. Peter

November 22 – Drainage Authority Meeting, following the adjournment of the BOC Meeting; Nicollet County Board Room, St. Peter

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OCTOBER 11, 2022
OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS

The Nicollet County Board of Commissioners met in regular session on Tuesday, October 11, 2022, at 9:00 a.m. Commissioners Marie Dranttel, Jack Kolars, Terry Morrow, John Luepke and David Haack were present. Also present were County Administrator Mandy Landkamer, Assistant County Attorney Roxann Klein and Recording Secretary Sarah Frahm.

Approval of Agenda

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

Consent Agenda

Motion by Commissioner Kolars and seconded by Commissioner Haack to approve the consent agenda items as follows:

1. September 27, 2022 Board Meeting Minutes;
2. End of Probations for:
 - Mandy Landkamer, County Administrator, effective August 24, 2022;
 - Jason Dragvold, Systems Administrator, effective October 10, 2022;
 - Jessalyn Mercado, Administrative Support Specialist, effective October 24, 2022;
3. Medical Examiner Contract/Agreement Renewal
4. Acknowledgement of the Auditor's Warrants and approval of the Commissioner Warrants as presented for the following amounts:
 - a. General Revenue Fund - \$157,079.25;
 - b. Road & Bridge Fund - \$243,149.23;
 - c. Human Services Fund - \$152,982.92;

Motion carried with all voting in favor.

Public Appearances:

There were no public appearances.

Office of Technologies

Proclamation Recognizing October as Cybersecurity Awareness Month in Nicollet County

Interim Technologies Director Jason Dragvold presented the proclamation recognizing October as Cybersecurity Awareness Month in Nicollet County.

Motion by Commissioner Haack and seconded by Commissioner Luepke to approve the Cybersecurity Awareness Proclamation. Motion carried with all voting in favor.

Finance

Nicollet County Trails Association Agreement, State Contract, and Resolution

Finance Director Heather McCormick presented the Nicollet County Trails Association Agreement, State Contract, and Resolution.

Motion by Commissioner Luepke and seconded by Commissioner Morrow to approve the Nicollet County Trails Association Agreement and Resolution. Motion carried with all voting in favor on a roll call vote.

Motion by Commissioner Luepke and seconded by Commissioner Morrow to approve the Grant-In-Aid contract for trail maintenance and the attached Resolution. Motion carried with all voting in favor on a roll call vote.

Approval of Baker Tilly Engagement Agreement

Director McCormick presented an agreement between Baker Tilly and Nicollet County. The agreement is for the review of existing procurement procedures and policies and to provide recommendations as needed.

Motion by Commissioner Kolars and seconded by Commissioner Luepke to approve the Baker Tilly Engagement Agreement. Motion carried with all voting in favor.

Public Works

Consider Out of State Travel Request – American Concrete Pavement Association (APCA)

Public Works Director Greenwood came before the Board to request approval for selected Public Works staff to attend the Concrete Paving University (CPU) technical sessions and awards ceremony in Nashville, TN.

Motion by Commissioner Kolars and seconded by Commissioner Morrow to approve the Out of State Travel Request. Motion carried with all voting in favor on a roll call vote.

Chair's Report

- St. Peter Mental Health Walk

Commissioner Committee Reports

The Commissioners reported on various meetings and activities, including:

Commissioner David Haack

- NA

Commissioner John Luepke

- NA

Commissioner Terry Morrow

- The Big Four Meeting
- AMC County Health Virtual Meeting
- CD 86A Ditch Meeting

Commissioner Jack Kolars

- NA

Approve Per Diems and Expenses

Motion by Commissioner Luepke and seconded by Commissioner Kolars 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

Motion by Commissioner Luepke and seconded by Commissioner Haack to adjourn the meeting. Motion carried with all voting in favor. The meeting adjourned at 9:22 a.m.

MARIE DRANTTEL, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER, CLERK TO THE BOARD

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item:

Juvenile Work Crew Contract with Blue Earth County

Primary Originating Division/Dept.: Community Corrections

Meeting Date: 10/25/2022

Contact: Rich Molitor

Title: Director

Item Type: Consent Agenda
(Select One)

Amount of Time Requested: minutes

Presenter: Rich Molitor

Title: Director

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One)

Programs and Services - deliver value-added quality services

BACKGROUND/JUSTIFICATION:

Renewing juvenile work crew contract with Blue Earth County for a period of one year.

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No

If "yes", when? (provide year; mm/dd/yy if known) October 2021

Approved by County Attorney's Office: ☒ Yes ☐ No ☐ N/A

ACTION REQUESTED:

Signature of Contract

FISCAL IMPACT: Other
(Select One)

If "Other", specify:

FUNDING
County Dollars =

State
(Select One)

FTE IMPACT: No FTE change
(Select One)

Total:

If "Increase or "Decrease," specify:

Related Financial/FTE Comments:

NICOLLET COUNTY COMMUNITY CORRECTIONS AGREEMENT

This contract is between the County of Nicollet, on behalf of Nicollet County Community Corrections [hereafter "Nicollet County Community Corrections"], Nicollet County Government Center, 501 South Minnesota Avenue, St. Peter, MN 56082 and the County of Blue Earth on behalf of Blue Earth County Community Corrections [hereafter "Purchaser"], Blue Earth County Justice Center, 401 Carver Road, Mankato, MN 56001.

Recitals

1. The Nicollet County Community Corrections is empowered to enter into income contracts as part of their cooperation of services. The Purchaser has requested participation in a contract with Nicollet County Community Corrections.
2. The Purchaser is in need of a juvenile community work service program for offenders ordered to perform community work service.
3. The Nicollet County Community Corrections represents that it is duly qualified and agrees to provide the services described in this contract.

Contract

1 Term of Contract

- 1.1 **Effective date:** January 1, 2023, or the date Nicollet County Community Corrections obtains all required signatures, whichever is later.
- 1.2 **Expiration date:** December 31, 2023, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2 Nicollet County Community Corrections Duties

Nicollet County Community Corrections will:

- 2.1 Provide one crew leader who will supervise up to eight (8) offenders, a mixture of Nicollet County and Purchasers county offenders, each approximately 20 hours per week, including the hours the crew leader spends for daily preparation and communication.
- 2.2 Submit reports to Purchaser within 30 days of the end of each quarter, which shall include the following information:
 - a. Total number of offenders served in Purchasers and Nicollet County – calculated separately
 - b. Total number of offenders completing community work service obligation in Purchasers and Nicollet County – calculated separately
 - c. Number of offenders unsuccessfully discharged from Purchaser and Nicollet County – calculated separately
 - d. Total number of hours worked by offenders in Purchasers and Nicollet County – calculated separately
 - e. Description of work completed
- 2.3 Train each crew member in safety principles and techniques relevant to the work being done.

- 2.4 Screen projects to ensure that they meet community work service guidelines.
- 2.5 Nicollet County Community Corrections will provide the crew leader, van, and equipment needed to perform community service work hours.
- 2.6 Nicollet County Community Corrections will transport the offenders to community work service sites from pre-approved pickup and drop-off locations.
- 2.7 Community work service projects will be performed in Nicollet County, Blue Earth County, and other approved work sites.
- 2.8 Nicollet County's crew leader will communicate with the Nicollet County Community Corrections Director, Nicollet and Blue Earth Counties' referring agents as to the progress of the community work service offenders.
- 2.9 All Nicollet and Purchasers' participants will abide by the rules and regulations of the Nicollet County Community Work Service Program and all directives of the Nicollet County crew leader.
- 2.10 The offenders can be discharged from the Nicollet County Community Work Service Program in the sole discretion of the crew leader, Nicollet County Community Corrections Director, or Blue Earth County Community Corrections agents'.
- 2.11 It is the obligation of the participant to contact both the Nicollet County Community Work Service crew leader, as well as the Nicollet County or Blue Earth County agent, prior to any excused absence from a pre-arranged work date.

3 Payment

The Purchaser will pay the Nicollet County Community Corrections for all services performed by the Nicollet County Community Corrections under this contract as follows:

- 3.1 The total obligation of the Purchaser for all compensation and reimbursements to the Nicollet County Community Corrections under this contract is not to exceed \$2,500.00 per year as its share of the cost of providing a crew leader and placing the work crews into service on the Community Work Service Program during the term of this agreement.
- 3.2 Terms of payment: Payment shall be made by the Purchaser to the Nicollet County Community Corrections as follows:

Payment	Pay on or before...
\$625.00	March 1, 2023
\$625.00	June 1, 2023
\$625.00	September 1, 2023
\$625.00	December 1, 2023

Payment will be made no later than the 23rd day following the last day of the billing period.

The total obligation of the Purchaser for all compensation and reimbursements to the Nicollet County Community Corrections under this agreement is not to exceed \$2,500.00 per year, unless agreed upon by both Nicollet County Community Corrections

and Blue Earth County Community Corrections Director, and affirmed by the County Commissioners.

4 Authorized Representatives

Nicollet County's Authorized Representative is: Rich Molitor, Director Nicollet County Community Corrections Nicollet County Government Center 501 South Minnesota Ave. St. Peter, MN 56082 Rich.Molitor@co.nicollet.mn.us	The Purchaser's Authorized Representative is: John Marsolek, Director Blue Earth County Community Corrections PO Box 3543 Mankato, MN 56002 John.Marsolek@co.blue-earth.mn.us
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5 Amendments, Waiver, and Contract Complete

- 5.1 **Amendments:** Any amendment to this 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 agreement, or their successors in office.
- 5.2 **Waiver:** If Nicollet County Community Corrections fails to enforce any Provision of this agreement, that failure does not waive the provision or its right to enforce it.
- 5.3 **Contract Complete:** This contract contains all negotiations and agreements between Nicollet County, Nicollet County Community Corrections and the Purchaser, Blue Earth County Community Corrections. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.

6 Liability

Each party will be responsible for its own acts and behavior and the results thereof. Purchaser agrees that it shall indemnify and hold harmless Nicollet County Community Corrections from any claims arising under the execution, or implementation of this contract.

7 Government Data Practices

The Purchaser must comply with the Minnesota Government Data Practices Act, Minnesota Statute, Chapter 13, as it applies to all data provided by Nicollet County Community Corrections under this contract. The civil remedies of Minnesota Statute § 13.08 apply to the release of the data referred to in this clause by either the Purchaser or Nicollet County Community Corrections.

If the Purchaser receives a request to release the data referred to in this Clause, the Purchaser must immediately notify Nicollet County Community Corrections. The

Nicollet County Community Corrections will give the Purchaser instructions concerning the release of the data to the requesting party before the data is released.

8 Publicity

Any publicity regarding the subject matter of this contract must not be released without prior written approval from the Nicollet County Community Corrections' Authorized Representative.

9 Audit

Under Minnesota Statute § 16C.05, subd. 5, the Purchaser's books, records, documents, and accounting procedures and practices relevant to this contract are subject to examination by the Nicollet County Community Corrections and/or the State Auditor or Legislative Auditor, as appropriate, for a total of six years.

10 Governing Law, Jurisdiction, and Venue

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

11 Termination

Either party may terminate this agreement at any time, with or without cause, upon 30 days written notice to the other party. Should Purchaser terminate this contract, Nicollet County Community Corrections shall be entitled to payment for services provided to the date of termination, prorated.

Rich Molitor, Nicollet County
Community Corrections Director

Date

Nicollet County Chair

Date

Nicollet County Board Clerk

Date

John Marsolek, Blue Earth County
Community Corrections Director

Date

Blue Earth County Chair

Date

Blue Earth County Board Clerk

Date

Approved as to Form and Execution

Michelle Zehnder Fischer, Nicollet County
Attorney

Date

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item: End of Probations		
Primary Originating Division/Dept.: Human Resources		Meeting Date: 10/25/2022
Contact: Kristy Larson	Title: HR Director	Item Type: Consent Agenda (Select One)
Amount of Time Requested	minutes	
Presenter: Kristy Larson	Title: HR Director	Attachments: ☒ Yes ☐ No
County Strategy: Facilities and Space - preserve, maintain and build our assets (Select One)		
BACKGROUND/JUSTIFICATION: Brown Nicollet Environmental Health Environmental Health Director Jesse Harmon has requested the end of probation for Rebecca Thomes, Environmental Health Specialist, effective November 1, 2022, and Heather Coopman, Administrative Support Specialist, effective November 8, 2022. Technologies Office of Technologies Interim Director Jason Dragvold has requested the end of probation for Jason Bierma, Network Administrator, effective October 10, 2022.		
Supporting Documents: ☐ Attached ☒ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No		
If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Grant end of probationary status		
FISCAL IMPACT: Other (Select One) If "Other", specify		FUNDING County Dollars = Grant (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		Total

NICOLLET
COUNTY EST. 1853

Agenda Item: Ag BMP Low Interest Loan Project - Septic Lien		
Primary Originating Division/Dept.: Public Services		Meeting Date: 10/25/2022
Contact: Jaci Kopet	Title: PPSD Director	Item Type: (Select One) Regular Agenda
Amount of Time Requested: 5 minutes		
Presenter: Jaci Kopet		Title: PPSD Director
		Attachments: ☒ Yes ☐ No
County Strategy: (Select One) Programs and Services - deliver value-added quality services		
BACKGROUND/JUSTIFICATION: Consideration of the attached resolution that would attachment special assessments to multiple parcels for those utilizing the Ag BMP loan program for septic activities. The specific parcels and terms are listed on the resolution. These special assessments would begin in tax year 2023.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No		
If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approval of resolution		
FISCAL IMPACT: Other (Select One) If "Other", specify:		FUNDING County Dollars = State (Select One)
FTE IMPACT: No FTE change (Select One)		Total:
If "Increase or "Decrease," specify:		
Related Financial/FTE Comments:		



**RESOLUTION
OF THE NICOLLET COUNTY BOARD OF COMMISSIONERS
REGARDING AGBMP LOAN PROGRAM LIENS**

WHEREAS, Nicollet County has agreed to execute a program whereby the Minnesota Department of Agriculture AgBMP Loan Program funds are made available to residents of Nicollet County with the loan amount being repaid to the County through the attachment of a lien on the property benefiting, and;

WHEREAS, certain loans have been finalized and the liens have been processed to be assigned to the properties:

NOW, THEREFORE BE IT RESOLVED that the Nicollet County Board of Commissioners do hereby authorize the placement of liens on the properties listed below:

AgBMP LIEN ATTACHMENT #10

PARCEL #	ACTUAL COST	LIEN DATE	REPAYMENT TERM	INTEREST RATE
11.104.0100	\$13,484.00	3/28/2022	10 YEARS	3%
06.661.0040	\$19,768.00	5/04/2022	10 YEARS	3%
03.002.0605	\$16,300.00	6/29/2022	10 YEARS	3%
06.109.0500	\$19,200.00	7/18/2022	10 YEARS	3%
10.131.0400	\$12,700.00	9/12/2022	10 YEARS	3%
05.011.0300	\$18,500.00	9/20/2022	10 YEARS	3%
12.018.0300	\$21,518.00	9/20/2022	10 YEARS	3%

Dated this 25th day of October, 2022

Marie Dranttel, Board Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners Board Meeting Agenda Item


Agenda Item:

October 17, 2022 Planning and Zoning Advisory Commission Meeting

Primary Originating Division/Dept.: PPSD -Property Services

Meeting Date: 10/25/2022

Contact: Spencer Crawford

Title: Deputy Zoning Administrator

Item Type: Regular Agenda
(Select One)

Amount of Time Requested: 15 minutes

Presenter: Spencer Crawford

Title: Deputy Zoning Administrator

Attachments: ☒ Yes ☐ No

County Strategy:

(Select One)

Programs and Services - deliver value-added quality services

BACKGROUND/JUSTIFICATION:

Consideration of the attached conditional use permit request and finding of fact document for the following item:

PLN22-12 United Farmers Cooperative- conditional use approval for bulk storage to place a 30,000 gallon anhydrous ammonia storage tank at the Norseland Ag Service Center. The Planning and Zoning Advisory Commission had a split 2-2 vote on the motion recommending approval with the conditions recommended by staff plus the following condition recommended by Commissioner Dranttel:

The applicant maintains a safety plan, circulates the plan to neighbors, first responders, and Nicollet County Emergency Management, and conducts an annual safety meeting with local residents and first responders.

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No

If "yes", when? (provide year; mm/dd/yy if known)

Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A

ACTION REQUESTED:

Consideration of the attached conditional use permit request and findings of fact for approval or denial.

FISCAL IMPACT: No fiscal impact
(Select One)

If "Other", specify:

FUNDING
County Dollars =

State
(Select One)

FTE IMPACT: No FTE change
(Select One)

Total:

If "Increase or "Decrease," specify:

Related Financial/FTE Comments:



Planning & Zoning Advisory Commission

MINUTES

OCTOBER 17, 2022

7:52 PM

NICOLLET COUNTY
GOVERNMENT CENTER

BOARD MEMBERS	David Hermanson ☒ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☒ Commissioner
			Terry Morrow ☐ Commissioner, Alternate
ABSENT EXCUSED	Justin Laven ☒	Lloyd Hoffmann ☒	
	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner
ABSENT	Justin Laven ☐	Lloyd Hoffmann ☐	Terry Morrow ☐ Commissioner, Alternate
	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner
STAFF PRESENT	Justin Laven ☐	Lloyd Hoffmann ☐	Terry Morrow ☐ Commissioner, Alternate
	Property and Public Services Supervisor Loria Rebuffoni ☒		
	Deputy Zoning Administrator Spencer Crawford ☒		
	County Attorney (CA) Michelle Zehnder Fischer ☒ Assistant County Attorney (ACA) Roxann Klein ☒		
Recording Secretary Crystal Madden ☒			
REVIEW OF CANCELLATIONS & ADDITIONS		None.	
MOTION TO APPROVE MINUTES OF SEPTEMBER 19, 2022		APPROVE ☒	APPROVE WITH REVISIONS ☐
1ST	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner
	Justin Laven ☐	Lloyd Hoffmann ☐	Terry Morrow ☐ Commissioner, Alternate
2ND	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner
	Justin Laven ☐	Lloyd Hoffmann ☒	Terry Morrow ☐ Commissioner, Alternate
VOTE TO APPROVE MINUTES		PASS ☒	FAIL ☐ VOTE:5-0
PUBLIC APPEARANCES	None.		

PUBLIC HEARINGS:

Board member Hermanson recused himself from the hearing for PLN22-12.

**UNITED FARMERS
COOPERATIVE (UFC)**

PLN22-12

**CONDITIONAL USE APPROVAL TO BULK STORE 30,000 GALLONS
OF ANHYDROUS AMMONIA**

APPLICANT COMMENT

Jim Carlson was present representing UFC. Carlson stated the volume of semi-truck traffic will remain the same with the new tank. After public testimony, Carlson stated the reason for moving the tank was due to the Gaylord location being underutilized; he anticipates both Norseland and Gaylord to maintain the same volume. Carlson also answered several questions from the board relating to the grandfathered status of the Gaylord tank, the use of urea vs ammonia, knowledge of leaks at the Norseland location (to which he was not aware of any), timelines for usage, safety plans, nurse tanks, and plans to buy the neighboring property.

PUBLIC TESTIMONY

Joel Anthony, 37561 State Highway 22, St. Peter, testified that he is 550 feet away from the proposed tank and has concerns about increased traffic, noise, odor, fencing, leaks, and safety.

Andrew Greve, 37577 State Highway 22, St. Peter, testified that his home is 400 feet from the tank, and he is concerned about the ability to use the remainder of his property within the 400 foot tank setback in the future. He also stated his concern with property value, odor, safety, and theft of ammonia to make meth.

Kevin Johnson 34908 425th Avenue, Le Sueur, stated that he did not see a good reason to move the proposed tank from Gaylord to Norseland.

COMMISSIONER DISCUSSION

Board Member Laven inquired about the nurse tanks on the site. DZA Crawford was unable to provide additional information as the nurse tanks were not part of the proposal.

Board Member Laven inquired about the weight limit of Highway 22.

Board Member Ubel inquired about building restrictions on the Greve property due to Mr. Greve's statement about the 400' setback. DZA Crawford stated it was possible but that he was unsure, as it is setback required by the Department of Agriculture and not Nicollet County.

The Board discussed the safety of anhydrous ammonia, security at the site, fire department response times, possible fencing & security camera requirements, and Department of Agriculture standards.

Commissioner Dranttel recommended adding a condition that the applicant maintain a safety plan, circulate the plan to neighbors, first responders, and emergency management, and conduct an annual safety meeting with local residents and first responders.

The Board discussed adding a fence as a condition, but ultimately did not.

A recess was called at 8:52 PM; the hearing resumed at 9:06 PM.

MOTION TO RECOMMEND APPROVAL

WITH CONDITIONS AS LISTED BY STAFF AND PREPOSED BY
COMMISSIONER DRANTTEL

1ST

David Hermanson ☐
Chair

Dave Ubel ☐
Vice Chair

Marie Dranttel ☐ **Commissioner**
Terry Morrow ☐ **Commissioner,**
Alternate

Justin Laven ☒

Lloyd Hoffmann ☐

2ND

David Hermanson ☐
Chair

Dave Ubel ☐
Vice Chair

Marie Dranttel ☐ **Commissioner**
Terry Morrow ☐ **Commissioner,**
Alternate

Justin Laven ☐

Lloyd Hoffmann ☒

VOTE TO RECOMMEND APPROVAL WITH CONDITIONS AS LISTED BY STAFF AND PREPOSED BY COMMISSIONER DRANTTEL

PASS ☐

FAIL ☒ (MAJORITY
NEEDED TO PASS)

VOTE:
2-2

MOTION TO ADOPT FINDINGS

1ST

David Hermanson ☐
Chair

Dave Ubel ☐
Vice Chair

Marie Dranttel ☐ **Commissioner**
Terry Morrow ☐ **Commissioner,**
Alternate

2 ND	Justin Laven ☐	Lloyd Hoffmann ☒	
	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
VOTE TO ADOPT FINDINGS		PASS ☒	FAIL ☐ VOTE: 3-0

OTHER:

OLD BUSINESS	None.		
OTHER BUSINESS	None.		
REVIEW OF PERMITS	The Commission reviewed the September zoning permits.		
COMMUNICATIONS	None.		
MOTION TO ADJOURN	9:09 PM		
1 ST	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☒	Lloyd Hoffmann ☐	
2 ND	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☒	
DAVID HERMANSON, CHAIR			DATE
SPENCER CRAWFORD, DEPUTY ZONING ADMINISTRATOR			DATE

PLANNING AND ZONING ADVISORY COMMISSION AGENDA

Date: October 17, 2022

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 Ave, St. Peter, MN

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.

1. Call to Order
2. Roll Call
3. Review of Cancellations and Additions
4. Approval of Minutes: *September 19, 2022*
5. Public Appearances
6. **PUBLIC HEARING: PLN 22-12**
 - Applicant: Jim Carlson, United Farmer's CO-OP
 - Landowner: Farmers CO-OP of Lafayette
 - Request: Conditional use approval to bulk store 30,000 gallons of anhydrous ammonia
 - Location: Northeast ¼ of the Northeast ¼, Section 19-111-27 in Lake Prairie Township
 - Parcel Number: 07.019.0900
7. Review Permits
8. Old Business
9. Other Business
10. Communications
11. Adjourn

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.



CONDITIONAL USE PERMIT

BULK STORAGE

United Farmers Cooperative

PLN22-12

**NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION**

SUBJECT:	Conditional Use Permit PLN22-12
APPLICANT:	United Farmers Cooperative
LANDOWNER:	Farmers CO-OP of Lafayette
LOCATION:	Northeast ¼ of the Northeast ¼, Section 19-111-27
PARCEL NO:	07.019.0900
EXISTING ZONING:	Highway Business, Conservancy, Shoreland
HEARING DATE:	10/17/2022; continuation of 09/19/2022 hearing
COUNTY BOARD DATE:	10/25/2022

REQUEST

United Farmers Cooperative is requesting conditional use approval to place a 30,000 gallon anhydrous ammonia tank at their Norseland Ag Service Center. Storing over 2,500 gallons of liquid fertilizer requires a Conditional Use Permit per Nicollet County Zoning Ordinance 708.

EXISTING LAND USE

The existing land use is commercial. Norseland Ag Service Center has a shop, repair center, and existing anhydrous ammonia storage on site.

SURROUNDING LAND USE

The service center is located on State Highway 22 within the unincorporated community of Norseland. It is surrounded by homes to the east, west, and southwest; there is a farm field to the north and east, with forest land to the northwest.

PROJECT DESCRIPTION

Norseland Ag Service Center currently has an 18,000 gallon anhydrous ammonia storage tank and wishes to increase their capacity to meet demand and reduce the number of semi-truck deliveries. The existing storage tank would be removed and replaced with a larger anhydrous ammonia tank

that is in use at their Gaylord location. The applicant intends to purchase the home directly to the southeast to meet Department of Agriculture residential setback requirements.

COUNTY STANDARDS

Safety

Zoning Ordinance Section 708 (3) requires assurance that fire, explosion, and water/soil contamination hazards are not present that would be detrimental to the public health, safety, and general welfare. The Minnesota Department of Agriculture has permitting authority over the tank and enforces safety regulations, such as setbacks. The proposed tank is currently permitted by the Department of Agriculture, and a new permit must be obtained before placing it at the Norseland location.

Zoning Ordinance Section 708 (4) requires compliance documentation from the Minnesota State Fire Marshall, Minnesota Department of Agriculture, Minnesota Pollution Control Agency, and United States Environmental Protection Agency. However, Nicollet County and the Minnesota Department of Agriculture are the only agencies with permitting authority for the tank, making their approval sufficient to meet the requirements of this ordinance.

Berming

Zoning Ordinance Section 708 (5) requires a berm capable of holding 115% of the tanks capacity. The applicant is requesting a variance to this provision; see PLN22-13. Concrete barriers will be installed around the tank to prevent it from being accidentally hit by a vehicle.

Screening & Landscaping

The applicant has submitted a landscaping plan that meets the requirements of Zoning Ordinance Section 708 (6). Bushes will be planted in the north and east, while existing trees will screen the tank from the road. The Applicant is also required to grass or surface the area around the tank; existing conditions meet this requirement.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

CONDITIONAL USE PERMIT CRITERIA

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

- The Norseland Ag Service Center is currently storing anhydrous ammonia.
 - The applicant is required to obtain a permit from the Minnesota Department of Agriculture.
 - The proposed location is within the unincorporated community of Norseland, with one home being within 100 feet of the tank. However, the Applicant intends to purchase this home and cease using it as a dwelling. The remaining homes within the community are at a distance of 400 to 1000 feet away.
2. **The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**
- The larger storage tank will reduce the number of refilling trips, thereby reducing the burden on existing roads.
 - No additional impact to utilities is expected.
3. **The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**
- The Norseland Ag Service Center is currently storing anhydrous ammonia.
 - The Applicant has submitted a landscaping plan that screens the proposed tank from surrounding uses.
 - The proposed location is within the unincorporated community of Norseland with several homes being within 1000 feet of the proposal.
4. **The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**
- The Norseland Ag Service Center is currently storing anhydrous ammonia.
 - The Applicant has submitted a landscaping plan that screens the proposed tank from surrounding uses.
 - The Applicant intends to purchase the home to the southeast and cease using it residentially.
5. **The requested use is consistent with the Nicollet County Land Use Ordinances.**
- The request seems to meet all zoning ordinance standards, with the exception of berming as required by Zoning Ordinance Section 708 (5).
 - The Applicant has requested a variance to Zoning Ordinance Section 708 (5).

6. **The requested use is not in conflict with the Nicollet County Comprehensive Plan.**
 - The Comprehensive Plan seeks to encourage sustainable agriculture practices to ensure the longevity of agriculture as a land use and viable economic activity in the County.
7. **The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**
 - The Applicant has submitted a landscaping plan that screens the proposed tank from surrounding uses, preventing general unsightliness.
 - The increased tank size will reduce the number of refilling trips, lessening noise from the delivery trucks.
 - The tank is painted, reducing glare.
 - No odor is expected from the operation.
8. **The requested use is reasonably related to the existing land use and environment.**
 - The Norseland Ag Service Center is currently storing anhydrous ammonia.
 - The request is located within the unincorporated community of Norseland, which contains several residential homes.
 - The Applicant intends to purchase the home to the southeast and cease its residential use.
9. **There are no apparent unreasonable health risks posed to neighbors or the public in general.**
 - The Applicant is required to obtain a permit from the Minnesota Department of Agriculture and follow all local, state, and federal regulations.
 - The proposed location is within the unincorporated community of Norseland, with one home being within 100 feet of the tank. However, the Applicant intends to purchase this home and cease using it as a dwelling. The remaining homes within the community are at a distance of 400 to 1000 feet away.
10. **The requested use will/will not have an adverse effect upon public health, safety and welfare due to the following other factors:**
 - The Applicant is required to obtain a permit from the Minnesota Department of Agriculture and follow all local, state, and federal regulations.
 - The request seems to meet the standards of the Zoning Ordinance with the exception of berming. The applicant has requested a variance to not install a berm.

RECOMMENDATIONS

1. The Applicant undertakes the project according to the plans and specifications submitted to the County with the application.
2. The Conditional Use Permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.
3. 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.
4. Landscaping and screening that meets the requirements of Zoning Ordinance Section 708 (6) is maintained for the lifespan of the tank and any replacement tank.
5. The applicant obtains all required permits, including from the Minnesota Department of Agriculture and any other applicable state agencies before placing the tank.
6. The applicant complies with all local, state, and federal laws during the operation and placement of the tank.
7. The Applicant purchases the neighboring property to the southeast, having an address of 37615 State Highway 22, before obtaining the zoning permit.

Applicant: United Farmers Cooperative
Landowner: Farmers CO-OP of Lafayette

PLN22-12

ATTACHMENT A	Application
ATTACHMENT B	Location Map
ATTACHMENT C	Aerial Map
ATTACHMENT D	Documents Submitted by Applicant
ATTACHMENT E	Neighbor Notification List
ATTACHMENT F	Criteria for Conditional Use Permit



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

PLANNING & ZONING ADVISORY COMMISSION
APPLICATION

Total Fees: \$496.00

Map#: 0719226018
Parcel#: 070190900
Permit#: PLN22-12
Date: August 26, 2022

Applicant: Jim Carlson, United Farmers Cooperative, 37597 State Highway 22, Saint Peter MN 56082
Phone: 612-597-8482 612-597-8482
Owner: FARMERS CO-OP OF LAFAYETTE, PO BOX 461, WINTHROP MN 55396
Property Address: 37597 STATE HIGHWAY 22, ST PETER MN 56082
Abbreviated Legal Description: LOT 7 OF NE 1/4 OF NE 1/4 ACRES 1.74; & PT OF LOT A & PT OF LOT 6 ACRES 1.00 & BURKE LANDS ADJ TO LOT 7 & 8 (PT OF LOT A) ACRES 0.30 TOTAL ACRES 3.04
Township: Lake Prairie Township

Record Type: Conditional Use
Category: Bulk Storage of Liquid
Project Description: Conditional Use Permit Application for bulk storage of 30,000 gallons of ammonia.

Planning Commission Hearing Date: 09/19/2022
Board of Commissioners Date: 09/27/2022

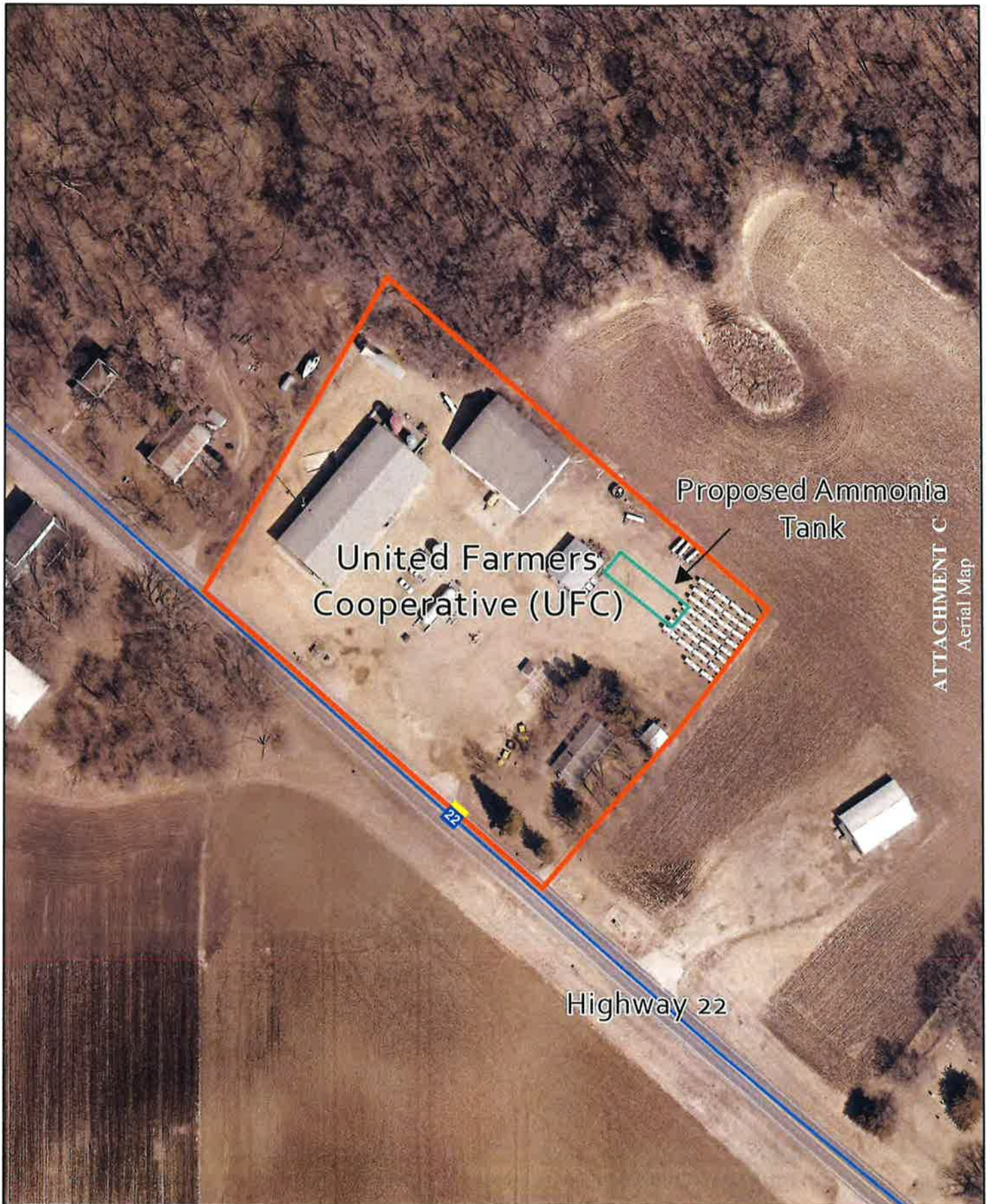
Jim Carlson
Digitally signed by Jim Carlson
Date: 2022.08.26 08:56:02
+05'00'

APPLICANT SIGNATURE

DATE

ATTACHMENT A
Application





ATTACHMENT C
Aerial Map

Name of Applicant: United Farmers Cooperative Date: 7/27/22
Request: Modify/add fertilizer storage to our Norseland site

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.
Storage of this product is all ready there. We are buying the residence adjacent to our site and adding additional storage.
Storage of this product is all ready there. We are buying the residence adjacent to our site and adding additional storage.

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.
It will not increase traffic or utilities usage. More storage give us the ability to manage in-season inventories better.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.
Following all state and county guidelines nearby properties should not be affected.

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.
Doing this project give us the ability to visually enhance the site.

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

ATTACHMENT D
Documents Submitted by Applicant

(Continued onto back)

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

Not that we are aware of.

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

No general changes other than visually enhancing the site

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

Already use this site for that use.

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

Following all state and county guidelines.

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

Following all state and county guidelines.

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



United Farmers Cooperative (UFC)
Noresland
37597 State Hwy 22
St. Peter, MN 56082

This is a brief description of the proposed site enhancement of the above property. Please let me know what questions you have.

- Purchase adjacent property with the hopes of rezoning so UFC can increase inventory storage capacity of NH₃ at this location. Purchasing the property is needed to meet required setback requirements.
- Current inventory capacity is 18,000 gal and we'd like to increase it by putting a 30,000 gal tank on site.
- Existing 18,000 tank will be de-commissioned once the 30,000 gal tank is operational.
- Existing tank at our Gaylord site will be moved to this site. This tank is being used for the same purpose as it will be in Norseland. Nameplate and existing site photo below. Concrete barriers will be installed for safety as shown at existing site.

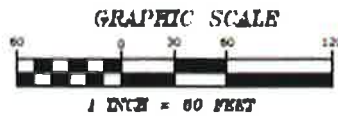


- Tank moving and installation will occur prior to October 2023 and not before January 1, 2023 if approved. We would like to be operational for fall 2023 season which starts in October.
- State permits will be applied for once stie plan and variance are approved. State has been contacted regarding intent with no obvious obstacles present to complete the project.

Managing inventory in season is a real challenge when you have small capacity tanks. Application of this product is so weather dependent...if the weather is good, it runs hard and turning semi loads fast enough is logistically difficult. More tank capacity creates more flexibility with a better chance of not running out of inventory when the farmer needs it.

SITE PLAN

for: United Farmers Cooperative (UFC)
Part of: Lots 6, 7 & A, PLAT
SHOWING BURKE LANDS in Sec. 19
& 20, T. 111N, R. 27W, Lake Prairie
Twp., Nicollet Co., MN



LEGEND
● DENOTES IRON MONUMENT FOUND
○ DENOTES IRON MONUMENT SET



NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 6/17/22.
- Bearings shown are based on the Nicollet County Coord. Sys. NAD83 (96 adj.).
- Parcel ID Number: 07.019.0900.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Aerial photo obtained from Microsoft Corp. is shown for graphical reference purposes only and the accuracies are unknown.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

By: *[Signature]*
Minnesota License No. 45156

Dated 24th day of June, 2022.

DATUM: Co. Coord.

JOB NO. 22.0693

REVISIONS

NO.	DATE	DESCRIPTION	BY
1			
2			
3			

SCALE: 1" = 60'

DATE: 6-24-22

DRAWN BY: KDN

CREW: JMM



E.G. RUD & SONS, INC.

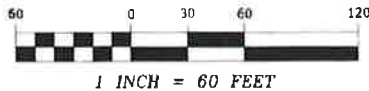
Professional Land Surveyors
990 5th Ave SE, Suite 2
Hutchinson, MN 55350
Tel. (228) 547-2028
www.egrud.com

L-8

SITE PLAN

~for~ United Farmers Cooperative (UFC)
 ~Part of~ Lots 6, 7 & A, PLAT
 SHOWING BURKE LANDS in Sec. 19
 & 20, T. 111N, R. 27W, Lake Prairie
 Twp., Nicollet Co., MN

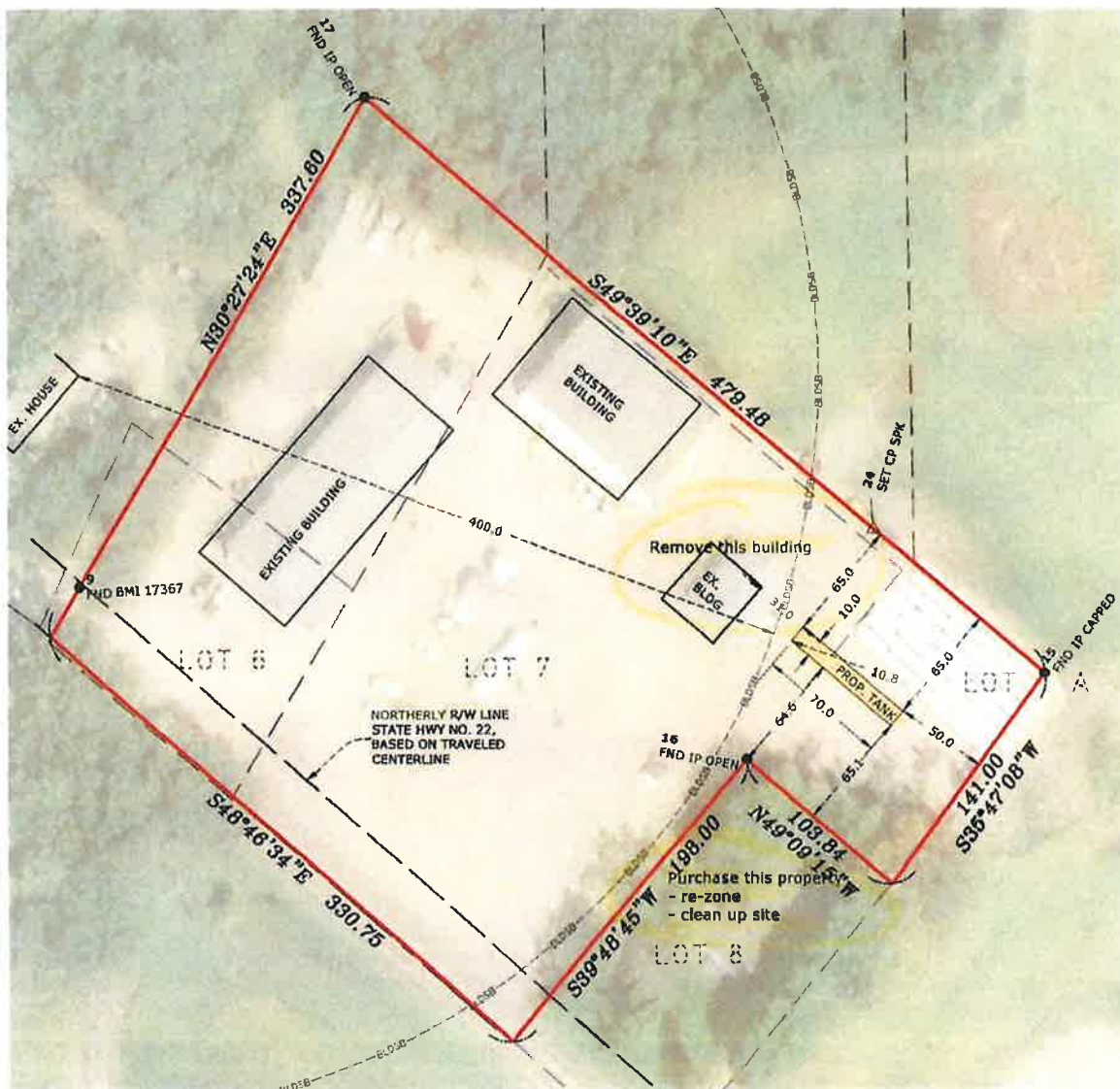
GRAPHIC SCALE



NORTH

LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET



NOTES

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- Aerial photo obtained from Microsoft Corp. is shown for graphical reference purposes only and the accuracies are unknown.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

By: *[Signature]*
 Minnesota License No. 45356

Dated 24th day of June, 2022.

DATUM: Co. Coord.

JOB NO. 22.0693

REVISIONS

NO	DATE	DESCRIPTION	BY
1			
2			
3			

SCALE: 1" = 60'

DATE: 6-24-22

DRAWN BY: KDN

CREW: JWM



E.G. RUD & SONS, INC.
 Professional Land Surveyors
 990 5th Ave SE, Suite 2
 Hutchinson, MN 55350
 Tel. (320) 587-2028
 www.egrud.com

L-8

Landscaping Plane

1. Bushes on the NE Corner similar to this



Once we clean up the house site, we will use what we can of existing trees and tie into them.

3. New tanks site will include required barriers using more astatically pleasing materials. Current is concrete blocks.



4. This building will be demoed or sold and moved.

5. Refer to next page for survey and placement of tank.



Norwegian Methodist Church	123 Unknown	Unknown Mn 00000
Robert & Donna Widdifield	37615 State Highway 22	Saint Peter Mn 56082
Randy & Jeffrey Swenson	37580 State Highway 22	Saint Peter Mn 56082
Michael Pugh	37566 State Highway 22	Saint Peter Mn 56082
Farmers Co-Op Of Lafayette	Po Box 461	Winthrop Mn 55396
Andrew Greve & John Anderson	37577 State Hwy 22	Saint Peter Mn 56082
Joel Anthony & Wanda Anthony	37561 State Highway 22	Saint Peter Mn 56082
Michael Anthony	42628 County Road 52	Saint Peter Mn 56082
Dorothy Anthony	37553 State Hwy 22	Saint Peter Mn 56082
Collin Johnson	42586 County Road 52	Saint Peter Mn 56082
Michael & Heather Anthony	42628 County Road 52	Saint Peter Mn 56082
Roger Swenson Family Farm Llc	3032 12Th Ave	Fort Dodge Ia 50501
Swedish Lutheran Church Scandian Grove	42869 County Road 52	Saint Peter Mn 56082
Boy Scouts Of America & Twin Valley Council	810 Madison Ave	Mankato Mn 56001
Darwin Gunderson	37730 State Highway 22	Saint Peter Mn 56082
Willis Anthony	42505 County Road 15	Saint Peter Mn 56082
Lois Annexstad	38005 403Rd Ave	Saint Peter Mn 56082
Ron Regenscheid- Lake Prairie Township	35724 375th Ave	Saint Peter Mn 56082

ATTACHMENT E
Neighbor Notification List



**NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION
CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT**

Name of Applicant: United Farmers Cooperative
Property Owner: Farmers CO-OP of Lafayette

Date: September 19, 2022

File #: PLN22-12

PC Name: _____

Use Requested: United Farmers Cooperative is requesting conditional use approval to place a 30,000 gallon anhydrous ammonia tank at their Norseland Ag Service Center.

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 **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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 **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

☐ YES ☐ NO **WHY:** _____

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

THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION:

(☐ APPROVES) (☐ DENIES)

THE REQUESTED CONDITIONAL USE PERMIT

This decision is based on:

- ☐ Application
- ☐ Staff Report
- ☐ Pictures
- ☐ Information received at public hearing

Viewed by Members of Board:

- ☐ Hermanson
- ☐ Ubel
- ☐ Laven
- ☐ Hoffmann
- ☐ Dranttel
- ☐

Facts supporting the answer to each question above are hereby certified as the Findings of the Nicollet County Planning and Zoning Advisory Commission.

Date: _____ Chair: _____



9/01/2022 - 9/31/2022 Permit Report

RECORD ID	RECORD TYPE	DESCRIPTION	ADDRESS	OWNER NAME
BLD22-00197	Structure Permit	New 20' x 40' attached garage.	38616 STATE HIGHWAY 111 NICOLLET, MN 56074	HOLTEN BEN H & JEANNE L HOLTEN
BLD22-00198	SSTS Compliance Inspection	1000 septic, 500 pump tank to mound. Tank(s) is non-compliant	37103 STATE HIGHWAY 99 ST PETER, MN 56082	LYNN WAYNE P & BARBARA A LYNN
BLD22-00199	SSTS Permit	new split to construct new manufactured home and septic ***change owner and address after split***	41168 COUNTY ROAD 15 ST PETER, MN 56082	Sally Pelant
BLD22-00200	Renewable Energy Permit	small solar rooftop energy system	45610 JUDSON BOTTOM RD N MANKATO, MN 56003	NELSON NOAH A
BLD22-00201	SSTS Permit	Tank replacement only- mound is compliant	38299 466TH LN ST PETER, MN 56082	KMETT MICHAEL A & JODI E KMETT
BLD22-00202	SSTS Permit		53416 ROCKFORD RD N MANKATO, MN 56003	Brian and Christine Bode
BLD22-00203	SSTS Permit		67794 FORT RD FAIRFAX, MN 55332	GROSAM CHARLES JR
BLD22-00204	SSTS Permit	New system for shower house	72404 COUNTY ROAD 30 FAIRFAX, MN 55332	MN (STATE OF)
BLD22-00205	Renewable Energy Permit	New 1000kW-ac (1 MW) large solar energy system, 2,700 panels. Retention pond and fence included. Approved via CUP PLN19-17.	51297 CO RD 21 COURTLAND, MN 56021	RENGSTORF UNTERNEHMEN LLC
BLD22-00206	SSTS Permit	Privy for dayuse area	72404 COUNTY ROAD 30 FAIRFAX, MN 55332	MN (STATE OF)
BLD22-00207	SSTS Permit	mound repair- tanks being reused	50018 COUNTY ROAD 13 N MANKATO, MN 56003	GRIFFITH MEGAN P & TYLER J GRIFFITH
BLD22-00208	SSTS Permit		37650 361ST AVE ST PETER, MN 56082	JASTER HELMUT
BLD22-00209	SSTS Compliance Inspection		45645 COUNTY ROAD 13 ST PETER, MN 56082	WAHL MELVIN J
BLD22-00210	Structure Permit	adding office to the barn	49661 350TH ST LAFAYETTE, MN 56054	LEGARE MARK & PATRICIA LEGARE
BLD22-00211	SSTS Permit		47440 COUNTY ROAD 13 ST PETER, MN 56082	MICHELS DANA M & JENNIFER A MICHELS
BLD22-00212	Structure Permit	24' 2" x 23' 6" home addition.	39757 391ST AVE ST PETER, MN 56082	BIEDERMAN PAUL L & KATHERINE E BIEDERMAN
BLD22-00213	Structure Permit	New 48' x 27' 6" dwelling. Three bedrooms, two baths, 1320 square feet total.	MN	Lynda Nygard
BLD22-00214	SSTS Compliance Inspection		40200 577TH LN NEW ULM, MN 56073	HARDER TROY M
BLD22-00215	SSTS Compliance Inspection		40392 STATE HIGHWAY 22 ST PETER, MN 56082	TIMMERMAN WALTER J & CONNIE J TIMMERMAN
BLD22-00216	Structure Permit	New 15' x 20' greenhouse.	47052 435TH AVE NICOLLET, MN 56074	THOMPSON STEPHANIE & TYLER THOMPSON
BLD22-00217	Structure Permit	16' x 40' shed addition. Bluff variance granted via PLN22-14.	71082 COUNTY ROAD 21 FAIRFAX, MN 55332	DOMER GERALD L & JESSICA A DOMER



NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant/ United Farmers Cooperative
Property Owner: Farmers CO-OP of Lafayette

Date: October 17, 2022

File #: PLN22-12

Use Requested: Bulk Storage

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	ABSTAINED	ABSENT	<u>WHY:</u>
David Hermanson	☐	☐	☒	☐	The Norseland Service Center currently stores anhydrous ammonia.
Dave Ubel	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	The property is in an agricultural area and there is an existing tank on the property.
Lloyd Hoffmann	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	The required setbacks will be met.

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

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
David Hermanson	☐	☐	☒	☐	No impact to utilities.
Dave Ubel	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	There is an existing tank and the road is considered a 7 ton road.
Lloyd Hoffmann	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	The larger storage tank will reduce the number of refill trips.
					The larger tank will not require any additional trips or loads than the current tank requires. Loads servicing this facility are currently rated 7 ton in the spring.

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

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
David Hermanson	☐	☐	☒	☐	Although the Department of Ag setback is 400 feet, that is not enough.
Dave Ubel	☒	☐	☐	☐	The Department of Ag setback is 400 feet; that is not far enough for a residence.
Justin Laven	☐	☒	☐	☐	The business model for the facility will not change from what it has been for many years.
Lloyd Hoffmann	☒	☐	☐	☐	
Marie Dranttel	☐	☒	☐	☐	The area currently has an 18,000 gallon storage tank, and will be landscaped to screen the tank from surrounding properties.

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

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
David Hermanson	☐	☐	☒	☐	
Dave Ubel	☒	☐	☐	☐	There is a landscaping plan.
Justin Laven	☒	☐	☐	☐	The applicant intends to purchase the home that is closest to the facility.
Lloyd Hoffmann	☒	☐	☐	☐	The landscaping plan is in place and there is also an existing tank.
Marie Dranttel	☒	☐	☐	☐	The new tank and removal of the building will improve the appearance of the site.

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

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
David Hermanson	☐	☐	☒	☐	
Dave Ubel	☒	☐	☐	☐	The request meets all zoning ordinances, except the need to place a berm which is not needed due to the nature of the liquid.
Justin Laven	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	The request meets all county standards.
Marie Dranttel	☒	☐	☐	☐	

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

	YES	NO	ABSTAINED	ABSENT	<u>WHY:</u>
David Hermanson	☐	☐	☒	☐	
Dave Ubel	☒	☐	☐	☐	The Comprehensive Plan seeks to encourage sustainable agriculture practices.
Justin Laven	☒	☐	☐	☐	There is need for the Ag industry.
Lloyd Hoffmann	☒	☐	☐	☐	The request enhances the longevity of agriculture in the area.
Marie Dranttel	☒	☐	☐	☐	The Comprehensive Plan encourages agriculture in Nicollet County, and will provide jobs and economic advancement for the area.

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	ABSTAINED	ABSENT	<u>WHY:</u>
David Hermanson	☐	☐	☒	☐	
Dave Ubel	☐	☒	☐	☐	Although no odor is expected, it is possible and traffic trips may increase over periods of time, not decrease.
Justin Laven	☒	☐	☐	☐	There is already an existing fill station on site.
Lloyd Hoffmann	☒	☐	☐	☐	
Marie Dranttel	☐	☒	☐	☐	The noise and activity will be consistent with what it has been.
					There is potential for more tanks due the closing of the Gaylord tank and there is potential for inhalation hazards to nearby residences.

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

	YES	NO	ABSTAINED	ABSENT
David Hermanson	☐	☐	☒	☐
Dave Ubel	☒	☐	☐	☐
Justin Laven	☒	☐	☐	☐
Lloyd Hoffmann	☒	☐	☐	☐
Marie Dranttel	☐	☒	☐	☐

WHY:

The request is located too close to the unincorporated community of Norseland.

There is an existing tank on site and they are only adding extra storage.

The land use on the site and in the area will not change.

The area surrounding the facility is primarily agricultural and coincides with the Nicollet County Comprehensive Plan.

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

	YES	NO	ABSTAINED	ABSENT
David Hermanson	☐	☐	☒	☐
Dave Ubel	☐	☒	☐	☐
Justin Laven	☒	☐	☐	☐
Lloyd Hoffmann	☒	☐	☐	☐
Marie Dranttel	☐	☒	☐	☐

WHY:

The proposed location is too close, even though it meets the Department of Ag standards.

There is already an existing tank on site.

There will not be changes in health risks with the larger tank.

There could be an inhalation hazard for nearby residences in the event of a leak or spill.

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

	YES	NO	ABSTAINED	ABSENT
David Hermanson	☐	☐	☒	☐
Dave Ubel	☒	☐	☐	☐
Justin Laven	☒	☐	☐	☐
Lloyd Hoffmann	☒	☐	☐	☐
Marie Dranttel	☒	☐	☐	☐

WHY:

Will not, as the applicant is required to obtain a license from the Minnesota Department of Ag and meet the conditions as proposed.

Will not, applicant must meet conditions and obtain a permit from the Department of Agriculture.

Will not, the applicant is required to follow local, state, and federal regulations.

Will, the applicant intends and is required to follow regulations and safety precautions set forth by the department of Ag and all local, state and federal regulations including the State Fire Marshal. However, there is an inhalation hazard from the gas as the product vaporizes in the event of a spill or leak.

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

**THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION'S
RECOMMENDATION TO APPROVE, FAILS DUE TO A SPLIT VOTE**

**(☐ APPROVAL) (☐ DENIAL), 2-2 SPLIT VOTE
OF THE REQUESTED CONDITIONAL USE PERMIT**

This decision is based on:

- ☒ Application
- ☒ Staff Report
- ☒ Pictures
- ☒ Information received at public hearing

Viewed by Members of Board:

- ☐ Hermanson
- ☐ Ubel
- ☐ Laven
- ☐ Hoffmann
- ☐ Dranttel
- ☐

Facts supporting the answer to each question above are hereby certified as the Findings of the Nicollet County Planning and Zoning Advisory Commission.

Date: _____ Vice Chair: _____

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item: Qtr 3 2022 Donations		
Primary Originating Division/Dept.: Finance Contact: Heather McCormick Title: Finance Director Amount of Time Requested: 5 minutes Presenter: Heather McCormick Title: Finance Director	Meeting Date: 10/25/2022 Item Type: Regular Agenda (Select One)	
Attachments: ☒ Yes ☐ No		
County Strategy: (Select One) Programs and Services - deliver value-added quality services		
BACKGROUND/JUSTIFICATION: This is to present the Quarter 3 2022 Donations received for approval by resolution.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approval of Donations		
FISCAL IMPACT: Other (Select One) If "Other", specify: Donations	FUNDING County Dollars = (1,965.00) Other (Select One)	
FTE IMPACT: No FTE change (Select One)	Total: (1,965.00)	
If "Increase or "Decrease," specify: Related Financial/FTE Comments:		



RESOLUTION APPROVING THE ACCEPTANCE OF DONATIONS



WHEREAS, MN Statute 465.03 states any city, county, school district or town may accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor. Nothing herein shall authorize such acceptance or use for religious or sectarian purposes. Every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing such terms in full.

WHEREAS, the Nicollet County Finance Office has compiled a list of donations made to the County from July 1 through September 30, 2022.

THEREFORE, BE IT RESOLVED that the Nicollet County Board of Commissioners approve the following donations made to the County from July 1 through September 30, 2022:

Donations received by Nicollet County July 1 through September 30, 2022

<u>FROM WHOM</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
Various Donations	\$ 595.00	Van Services
Auto Restorers Club Inc.	\$ 200.00	Sheriff Posse
	\$ 800.00	Sheriff K9
Various Donations	\$ <u>370.00</u>	Loan Closet
Total	\$ 1,965.00	

Dated this 25th day of October, 2022.

Marie Dranttel, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator and Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Lighthouse on Marshall Establishment of Change Funds Resolution		
Primary Originating Division/Dept.: Contact: Heather McCormick Title: Finance Director Amount of Time Requested: 5 minutes Presenter: Heather McCormick Title: Finance Director		Meeting Date: 10/25/2022 Item Type: Regular Agenda (Select One)
		Attachments: ☒ Yes ☐ No
County Strategy: (Select One) Programs and Services - deliver value-added quality services		
BACKGROUND/JUSTIFICATION: The Nicollet County Lighthouse on Marshall has a need for Change Funds. Following MN Statute 375.45, the county board shall establish funds in the county offices and departments as it deems necessary for the purpose of making change only. The change funds shall be established by making an appropriation for them from the proper fund in whatever amounts the county board shall determine. The officer receiving a change fund shall be its custodian and responsible for its safekeeping and use. The change fund shall not be used to make payments of expenses provided for in section 375.16. Resolution provided for approval of \$50 Change Funds, appropriated from the General Fund.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approve the attached Resolution		
FISCAL IMPACT: Other (Select One) If "Other", specify: Petty Cash		FUNDING County Dollars = \$50.00 Other (Select One)
FTE IMPACT: No FTE change (Select One)		Total: \$50.00
If "Increase or "Decrease," specify: Related Financial/FTE Comments:		



RESOLUTION TO ESTABLISH CHANGE FUNDS FOR LIGHTHOUSE ON MARSHALL

WHEREAS, the Lighthouse on Marshall has a need for establishment of change funds for Lighthouse operations; and

WHEREAS, responsibilities transitioned from the non-profit entity to County management on July 1, 2022, and

WHEREAS, Minn. Stat. §375.45 allows county boards to establish funds in county offices and departments as deemed necessary for the purpose of making change only.

THEREFORE, BE IT RESOLVED that the Nicollet County Board of Commissioners approve the establishment of change funds of \$50, in accordance with Minn. Stat. §375.45, appropriated from the General Fund.

Dated this 25th day of October, 2022.

Marie Dranttel, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator and Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item:

Lighthouse on Marshall Establishment of Imprest Funds Resolution

Primary Originating Division/Dept.:

Contact: Heather McCormick

Title: Finance Director

Amount of Time Requested: 0 minutes

Presenter: Heather McCormick

Title: Finance Director

Meeting Date: 10/25/2022

Item Type: Regular Agenda
(Select One)

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One)

Programs and Services - deliver value-added quality services

BACKGROUND/JUSTIFICATION:

The Nicollet County Lighthouse on Marshall has a need for Imprest Cash Funds.

Following MN Statute 375.162, the county board may establish one or more imprest funds for the payment in cash of any proper claim against the county which it is impractical to pay in any other manner.

Resolution provided for approval of \$100 Imprest Funds, appropriated from the General Fund.

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No

If "yes", when? (provide year; mm/dd/yy if known)

Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A

ACTION REQUESTED:

Approve the attached Resolution

FISCAL IMPACT: Other
(Select One)

If "Other", specify: Petty Cash

FUNDING
County Dollars = \$100.00

Other
(Select One)

FTE IMPACT: No FTE change
(Select One)

Total: \$100.00

If "Increase or "Decrease," specify:

Related Financial/FTE Comments:



**RESOLUTION TO ESTABLISH IMPREST FUNDS
FOR LIGHTHOUSE ON MARSHALL**



WHEREAS, the Lighthouse on Marshall has a need for establishment of imprest petty cash funds for Lighthouse activities, and

WHEREAS, responsibilities transitioned from the non-profit entity to County management on July 1, 2022, and

WHEREAS, Minn. Stat. §375.162 states the county board may establish one or more imprest funds for the payment in cash of any proper claim against the county which it is impractical to pay in any other manner.

THEREFORE, BE IT RESOLVED that the Nicollet County Board of Commissioners approve the establishment of imprest petty cash funds of \$100, in accordance to Minn. Stat. §375.162, appropriated from the General Fund.

Dated this 25th day of October, 2022.

Marie Dranttel, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator and Clerk to the Board



OCTOBER 11, 2022
OFFICIAL PROCEEDINGS OF THE
NICOLLET COUNTY DRAINAGE AUTHORITY

The Nicollet County Drainage Authority met in regular session on Tuesday, October 11, 2022 after the adjournment of the regular Board of Commissioners meeting. Commissioners Marie Dranttel, Jack Kolars, Terry Morrow, John Luepke and David Haack were present. Also present were County Administrator Mandy Landkamer, County Attorney Michelle Zehnder Fischer and Recording Secretary Sarah Frahm.

Approval of Agenda

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

Consent Agenda

Motion by Commissioner Morrow and seconded by Commissioner Luepke to approve the consent agenda items as follows:

1. September 27, 2022 Drainage Authority Minutes

Motion carried with all voting in favor.

Public Appearances

There were no public appearances related to the regular Drainage Authority meeting.

Public Works

Consider Low Quote for CD 48A Repair

County Ditch Inspector Nathan Henry presented the low bid of \$45,000 for phase one of the CD 48A repair project. The first phase of the project is a routine ditch cleaning before the culvert repair work begins.

Motion by Commissioner Morrow and seconded by Commissioner Luepke to award the low bid to Wuetherich Drainage. Motion carried with all voting in favor.

Consider Ditch Repair Report 22-011 through 22-013

County Ditch Inspector Nathan Henry presented the ditch repair reports for CD 40A, CD 30A, and CD 85. These repairs will replace older metal pipes with concrete pipes.

Motion by Commissioner Luepke and seconded by Commissioner Morrow to approve the attached repair reports. Motion carried with all voting in favor.

Adjourn

Motion by Commissioner Morrow and seconded by Commissioner Kolars to adjourn the Drainage Authority Meeting. Motion carried with all voting in favor.

Commissioner Dranttel adjourned the meeting at 9:33 a.m.

MARIE DRANTTEL, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

DRAFT

NICOLLET
COUNTY EST. 1853

NICOLLET
COUNTY EST. 1853



Ms. Jaci Kopet
Public Services Manager
Nicollet County
501 S. Minnesota Avenue
Saint Peter, MN 56082

Re: Petition of State of Minnesota, by Nancy Daubenberger, its Commissioner of Transportation, for the Right to Make Minor Alterations or Changes in County Ditches 75, 62, and 27:

Enclosed is the petition of the Commissioner of Transportation for the right to make minor alterations or changes in County Ditches No's. 75, 62, and 27 in Nicollet County. This petition is brought in accordance with Minn. Stat. § 161.28. Attached to the petition are plan sheets, showing in detail the alterations or changes petitioned for.

Please file the petition and plan sheets, and thereafter fix a time and place for a hearing before the county ditch authority. We request that the hearing be set for the earliest possible date. Please provide me with the hearing date via email below, when set, and give notice of said hearing by publication as required by Minn. Stat. §§ 161.28. A suggested form of notice is enclosed for your convenience. Also enclosed is a suggested form of Order for use by the ditch authority if they so choose.

Please note, the Commissioner is responsible for filing fees and publication fees in relation to the hearing. The Commissioner is not obligated to pay cost incurred by the county with regard to the review of the petition.

If you have any questions or concerns, please do not hesitate to contact me. Thank you in advance for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. O'Brien'.

Kerry O'Brien
Attorney, Office of Land Management
Minnesota Department of Transportation
(651) 366-3441
Kerry.obrien@state.mn.us

Enclosures: Petition
Notice of Hearing
Proposed Order

**PETITION OF THE STATE OF MINNESOTA, BY NANCY DAUBENBERGER, ITS
COMMISSIONER OF TRANSPORTATION,
FOR THE RIGHT TO MAKE MINOR ALTERATIONS OR CHANGES
IN COUNTY DITCHES NO's. 4 AND 13**

For her Petition Nancy Daubenberger, Commissioner of Transportation, alleges
as follows:

1. That this Petition is brought in accordance with Section 161.28, Minnesota Statutes.
2. That County Ditches No's. 75, 62, and 27 are duly established county ditches in Nicollet County.
3. That Trunk Highway No. 22 is directly affected by County Ditches No's. 75, 62, and 27.
4. That it is advantageous and desirable in the construction and maintenance of Trunk Highway No. 22 that minor alterations or changes be made in that portion of County Ditches No's. No's. 75, 62, and 27 described as follows:

See Exhibit "B" attached hereto.
5. That attached hereto, showing the minor alterations or changes in County Ditches No's. No's. 75, 62, and 27, petitioned for herein, are plan sheets marked Exhibit "A", said exhibit made a part hereof by reference.
6. That said minor alterations or changes will not affect the functioning nor impair the efficiency of said County Ditches No's. No's. 75, 62, and 27, or any of their branches, or laterals, if any.

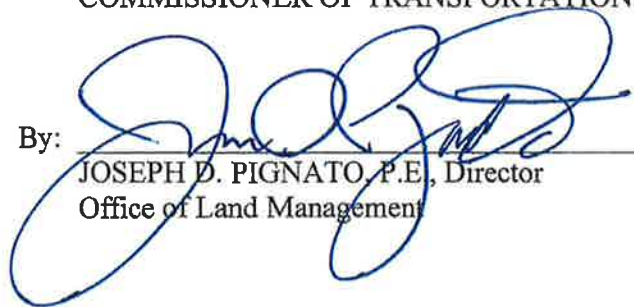
WHEREFORE, your petitioner prays that the County Board of Nicollet County make its order allowing Nancy Daubenberger, Commissioner of Transportation and petitioner herein, to make said minor alterations or changes as set out herein, and in accordance with plan sheets marked Exhibit A, attached hereto and made a part hereof by reference.

Dated: _____, 2022.

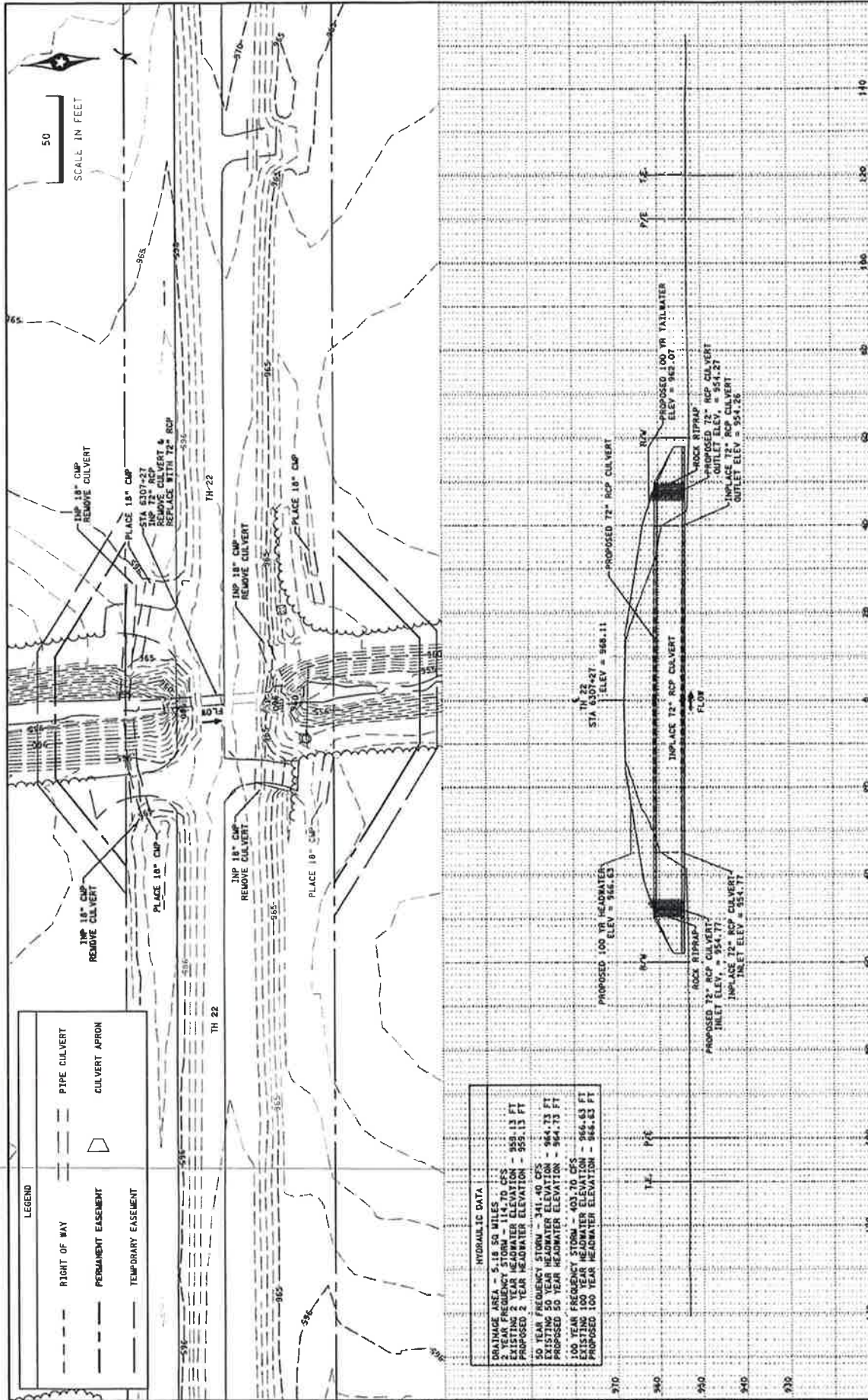
STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

NANCY DAUBENBERGER
COMMISSIONER OF TRANSPORTATION

By:



JOSEPH D. PIGNATO, P.E., Director
Office of Land Management



COUNTY DITCH 75 PLAN & PROFILE
STATE PROJ. NO. 5205-113 (TH 22) SHEET NO. 2 OF 4 SHEETS

IDENTIFIED BY W. H. D. V. V. V. 40939 26 SEP-2022
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THE

EXHIBIT "A"

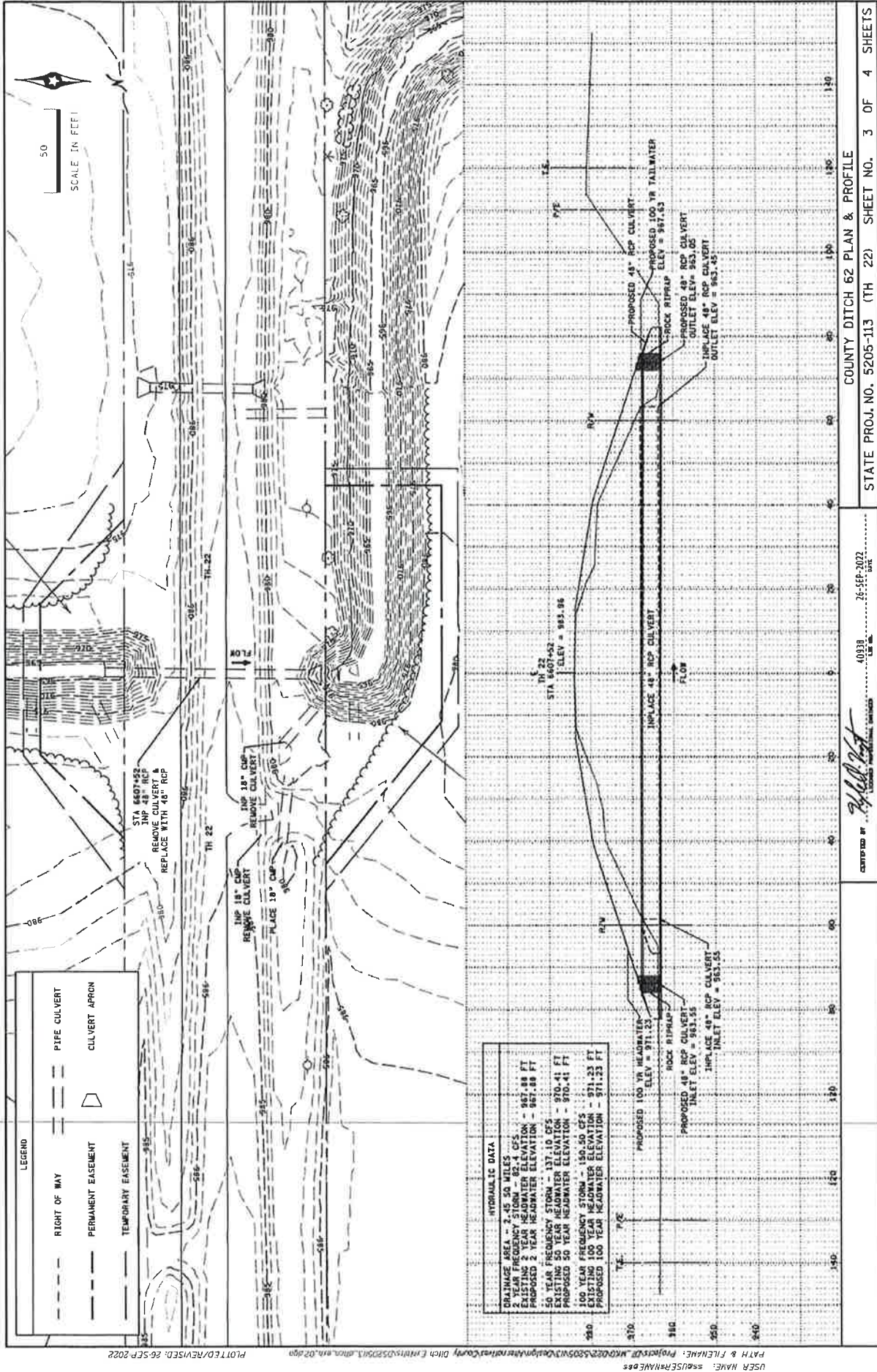


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EXHIBIT "A"

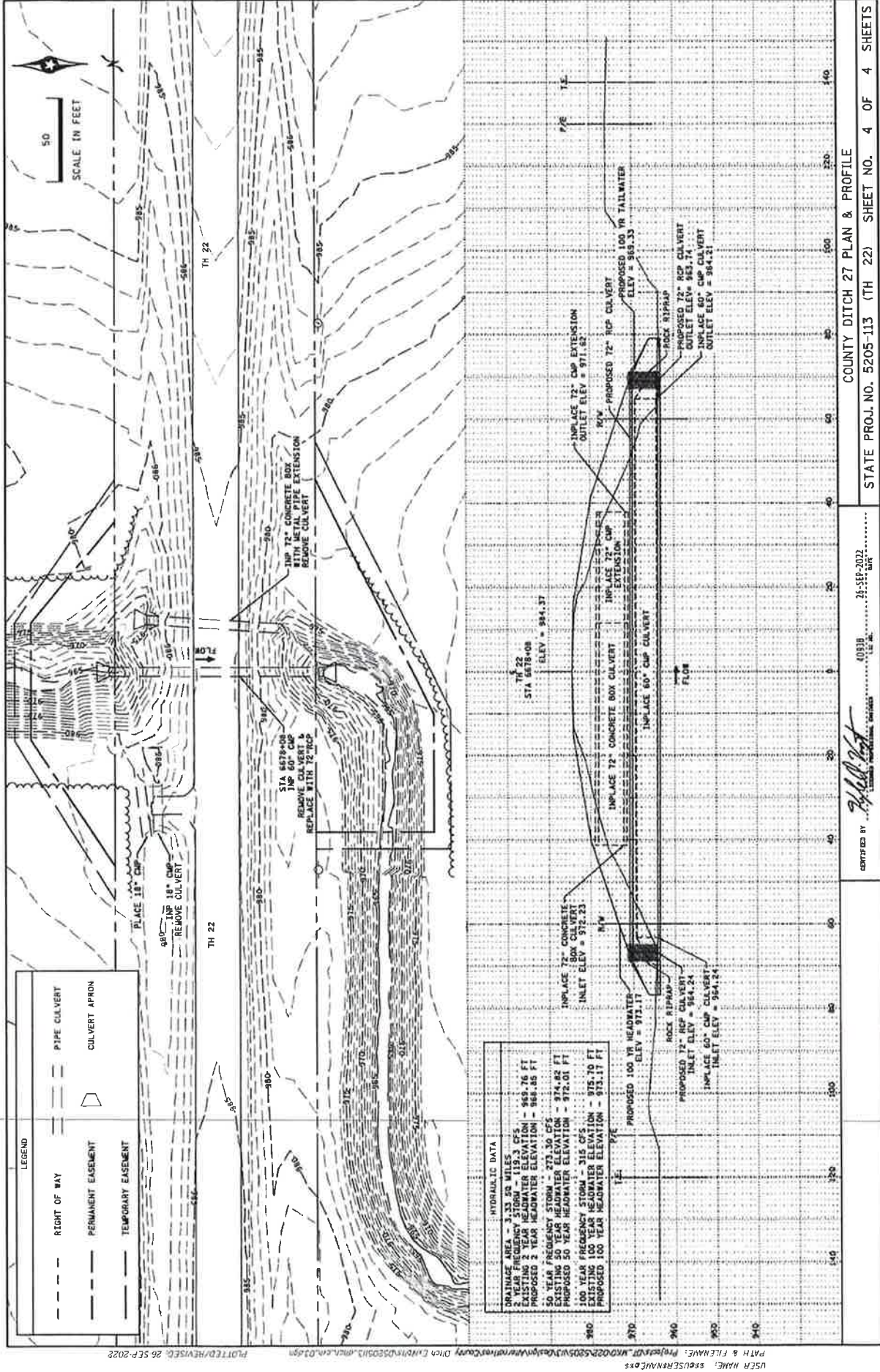


Exhibit B

Date: 9/26/2022

To: Kerry O'Brien

From: Kyle Vogt

RE: SP 5205-113 TH 22 (County Ditch 75, 62 & 27 Exhibits – Nicollet County)

The future construction project of Trunk Highway 22 State Project 5205-113 (from St. Peter going north to the intersection of Trunk Highway 111) is a thin mill and bituminous overlay that will include replacing culverts on three county ditches, (County Ditch 75, 62, and 27). The proposed pavement rehabilitation project is approximately 12.8 miles long, and other hydraulic construction activities include replacing and lining other roadway crossing culverts, and installing more rock revetment at the outlet of Bridge 4014.

Culvert Replacement at County Ditch 75 (Lake Prairie Township, SW1/4 of Section 26, T 111 N, R 27 W)

Currently in place under TH 22 on County Ditch 75 is a 72" reinforced concrete pipe with separated and misaligned joints, and the road earth material is moving in through these joints causing voids under the road and inslope. The proposed fix is to remove the existing culvert and replace with a new 72" reinforced concrete pipe. The new culvert will be longer to meet road inslope requirements and be placed at the existing culvert's inlet flowline elevation. The 50-year and the 100-year storm flood depth calculations at the inlet of the new culvert shows the storm depths to be at the same elevations as the old culvert's storm flood depths (no change in hydraulic conditions). Rock riprap will be placed around the aprons for protection. See the hydraulic summary table below and the ditch hearing exhibit drawings for more details.

Summary Table	Existing Culvert on CD 75	Proposed Culvert on CD 75
Size	72" Dia. Reinforced Conc. Pipe	72" Dia. Reinf. Conc. Pipe
Inlet/Outlet Invert Elev.	954.77/954.26 –	954.77/954.27
Culvert Grade	0.006 Ft./Ft.	0.005 Ft./Ft.
50 Year Headwater	964.73	964.73
100 Year Headwater	966.63	966.63

EXHIBIT "B"

Culvert Replacement at County Ditch 62 (New Sweden Township, SW ¼ of Section 13, T 111 N, R 28 W)

Currently inplace under TH 22 on County Ditch 62 is a 48" reinforced concrete pipe with separated and misaligned joints, and the road earth material is moving in through these joints causing voids under the road and inslope. The proposed fix is to remove the existing culvert and replace with a new 48" reinforced concrete pipe. The new culvert will be longer to meet inslope requirements and be placed at the existing culvert's inlet flowline elevation. The 50-year and the 100-year storm flood depth calculations at the inlet of the new culvert shows the storm depths to be at the same elevations as the old culvert's storm flood depths (no change in hydraulic conditions). Rock riprap will be placed around the aprons for protection. See the hydraulic summary table below and the ditch hearing exhibit drawings for more details.

Summary Table	Existing Culvert on CD 62	Proposed Culvert on CD 62
Size	48" Dia. Reinf. Concrete Pipe	48" Dia. Reinf. Concrete Pipe
Inlet/Outlet Invert Elev.	963.55/963.45	963.55/963.05
Culvert Grade	0.0008 Ft./Ft.	0.0033 Ft./Ft.
50 Year Headwater	970.41	970.41
100 Year Headwater	971.23	971.23

Culvert Replacements at County Ditch 27 (New Sweden Township, SE ¼ of Section 15, T 111 N, R 28 W)

Currently inplace under TH 22 on County Ditch 27 there are two inplace culverts spaced at different locations and elevations. The lower culvert is in the county ditch channel bottom and is a 60" corrugated metal pipe. The upper culvert is a 6' x 6' box culvert with a 72" corrugated metal pipe extension. The lower 60" culvert is severely corroded, and the upper 6' X 6' box culvert with a metal pipe extension does not meet current MnDOT structural standards. The proposed fix is to remove both culverts and replace with a new 72" reinforced concrete pipe. The new 72" culvert will be longer to meet inslope road requirements and be placed at the existing lower culvert flowline elevations. The flood depth calculations at the inlet of the new culvert shows the 50-year storm depth to be 2.81 feet lower than the inplace culvert's calculated flood depth, and the 100-year storm depth to be 2.53 feet lower than the inplace culvert's calculated flood depth. Rock riprap will be placed around the aprons. See the hydraulic summary table below and the ditch hearing exhibit drawings for more details.

EXHIBIT "B"

Summary Table	Existing Culverts on CD 27	Proposed Culverts on CD 27
Size	60" Dia. Corr. Metal Pipe and 72" Conc. Box w/ 72" Corr. Metal Pipe extensions.	72" Dia. Reinf. Concrete Pipe
Inlet/Outlet Invert Elev.	964.24/964.21 - 0.00023 Ft./Ft.	964.24/963.74 - 0.0037 Ft./Ft.
Culvert Grade	972.23/971.62 - 0.0076 Ft./Ft.	
50 Year Headwater	974.82	972.01
100 Year Headwater	975.70	973.17