



MORRISON COUNTY BOARD OF COMMISSIONERS OFFICIAL MINUTES

OCTOBER 8, 2013
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The meeting was held in the County Board Room, Government Center, Little Falls, MN, and was called to order at 9:00 a.m. by Chairman Johnson.

Members present: Commissioners Randy Winscher, Duane Johnson, Don Meyer, Kevin Maurer and Jeff Jelinski.

Staff present: Deb Gruber, Brian Middendorf, Karen Szczodroski, Brad Vold, Cassie Helmin, Paula Anderson, Bonnie Paulsen, Amy Kowalzek, Glen Erickson, Russ Nygren, Brenda Vaverek, Steve Backowski, and Beth Hamlin

Others present: Mike Kreteji, Jenny Zeitler, Dave Steinmetz, Carol Anderson, Chuck Storkamp, Herb Brochowski

APPROVAL OF COUNTY BOARD MINUTES

A motion was made by Commissioner Winscher, seconded by Commissioner Meyer and carried unanimously to approve the Morrison County Board of Commissioner Minutes for September 24, 2013.

AGENDA CHANGES

A motion was made by Commissioner Jelinski, seconded by Commissioner Maurer and carried unanimously to adopt the agenda as presented.

PROCLAMATION: MANUFACTURERS WEEK

A motion was made by Commissioner Maurer, seconded by Commissioner Winscher and carried unanimously to proclaim October 20-26, 2013 as Minnesota Manufacturer's Week in Morrison County.

COMMUNITY DEVELOPMENT REPORT

Carol Anderson, Community Development Coordinator discussed several projects that are beginning to wrap up and have reported on a change in ownership for Goldsmith Jewelers and also the hardware store in Buckman's new location along with several other continuing projects.

RICH PRAIRIE SEWER & WATER DISTRICT

Chuck Storkamp and Herb Broschowski discussed the annual report with the County Board and reported on several projects that have been worked through the last year and also some upcoming projects. The budget is sitting in a good position at this time and are continuing to paying down some loans.

SOCIAL SERVICES REPORT

Brad Vold, Social Services Director and Karen Szczodroski, Supervisor reported on the Biennial Minnesota Family Investment Program (MFIP) Plan that will be submitted for approval to the Department of Human Resources. The plan is done every two years and public input is sought via the internet. The plan is due by October 16, 2013.

A motion was made by Commissioner Maurer, seconded by Commissioner Jelinski and carried unanimously to authorize the Resolution #2013-039 for Authorization for Signature to enter into a contract with Minnesota Insurance Marketplace (MNSure) that would reimburse Social Services when providing in-person assister services to clients coming into the office. There is no financial cost to the county for this contract.

PUBLIC HEALTH

Bonnie Paulsen, Public Health Director, introduced Cassie Helmin their newest Case Manager for Public Health.



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Bonnie Paulsen, Public Health Director and Paula Anderson, Public Health Nurse reported on the EMS Audit Report and provided a background and history of the audit and its success with the local Emergency Response Teams.

A motion was made by Commissioner Winscher, seconded by Commissioner Maurer and carried unanimously to authorize the Board Chair and the Clerk to sign the contract between the County of Stearns and the County of Morrison for providing interim, emergency Environmental Health services for the period of January 1, 2014 through December 31, 2017.

A motion was made by Commissioner Meyer, seconded by Commissioner Winscher to approve the 2013 Annual License for the following New Establishment Owners: The Rooster Restaurant, Swanville and Innsbrook Motel & RV Park, Randall.

PLANNING AND ZONING REPORT

The County Board considered a Rezone Request for Gerald and Dorothy Smude to rezone a 10 acre parcel from Commercial to Agriculture for the purpose of building a dwelling; located in part of E ½ of SE ¼, Section 09 Township 040, Range 032, Little Falls Township. A motion was made by Commissioner Meyer, seconded by Commissioner Maurer and carried unanimously to adopt the Resolution that was presented to the Board and attached to these minutes.

The County Board considered a Conditional Use Permit request for Morrison County Public Works to amend the existing Conditional Use Permit for Solid Waste Management Facility including attached conditions; located in NW ¼ of NE ¼, Section 26 Township 040, Range 032, Little Falls Township. Proposed Conditions, Findings of Fact and Decision were presented to the Board. A motion was made by Commissioner Winscher, seconded by Commissioner Meyer and carried unanimously to adopt the proposed Findings of Fact and Conditions attached to these minutes.

The County Board considered a Conditional Use Permit request for Michael Kennedy/Brian Sams to expand the existing resort by the addition of the newly acquired parcel as described in Attachment A; located in pt of Lots 16, 17 and 18 Lincoln Beach, Section 30 Township 132, Range 031, Scandia Valley Township. Proposed Findings of Fact and Decision were presented to the Board. A motion was made by Commissioner Winscher, seconded by Commissioner Maurer to approve the Findings of Fact and Decision attached to these minutes.

ASSESSORS REPORT

A motion was made by Commissioner Winscher, seconded by Commissioner Meyer to approve the replacement of an Appraiser within the Assessor's and carried 3-2 with Commissioners Jelinski and Maurer voting "nay".

AUDITOR/TREASURERS REPORT

Russ Nygren, Auditor/Treasurer introduced their new Account Specialist to the County Board.

COUNTY BOARD WARRANTS

A motion was made by Commissioner Maurer and seconded by Commissioner Jelinski to approve the following Resolution:

WHEREAS, the Morrison County Board of Commissioners have reviewed the list of County Board Warrants;

NOW THEREFORE, BE IT RESOLVED, that the list of County Board Warrants on file in the Auditor/Treasurer's Office for October 8, 2013 be approved for payment:

REVENUE

\$ 49,748.17



**MORRISON COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES**

OCTOBER 8, 2013
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PUBLIC WORKS	\$427,678.44
SOCIAL SERVICE	\$ 97,552.69
SOLID WASTE	\$ 16,478.30
PARKS FUND	\$ 3,666.57
LOCAL COLLABORATIVE	\$ 797.11
TOTAL	\$595,921.28
Meals	\$ 170.57

Motion carried on a roll call vote with all Commissioners voting "aye".

A motion was made by Commissioner Maurer and seconded by Commissioner Jelinski to approve the Commissioners Expense Reports as presented to the Board. Motion carried on a roll call vote with all Commissioners voting "aye".

PUBLIC WORKS REPORT

A motion was made by Commissioner Meyer, seconded by Commissioner Jelinski and carried unanimously to approve Resolution #2013-041 Belle Prairie County Park Grant Application for funding provided through the Fiscal Year 2013 Parks Legacy and Regional Park Grant Program.

ADMINISTRATORS REPORT

A motion was made Commissioner Meyer, seconded by Commissioner Maurer and carried unanimously to approve the Minnesota Rural Counties Caucus Resolution to support its efforts and become an active member within the caucus.

A motion was made by Commissioner Jelinski, seconded by Commissioner Meyer and carried unanimously to appoint Commissioner Maurer as the delegate and appoint Commissioner Winscher as the alternate to the Minnesota Rural Counties Caucus.


Deb Gruber, Administrator commented on the Federal Government shutdown and how it's affecting those within the community and how it may impact business dependent upon how long it remains shutdown.

COUNTY BOARD REPORTS AND SCHEDULE

Members of the County Board reported on various meetings they have attended and on their upcoming schedule of meetings with various organizations.

ADJOURNMENT

A motion was made by Commissioner Maurer, seconded by Commissioner Jelinski and carried unanimously to adjourn the meeting at 10:50 a.m.


Duane Johnson, Chairman


Deb Gruber, Clerk to the County Board



Proclamation

Whereas The manufacturing industry is a dynamic segment of Minnesota's economy, an important driver of quality of life, and an integral part of the state's economic development strategy; and

Whereas Manufacturing has the second largest total payroll among business sectors in Minnesota, providing \$17.3 billion in wages; and

Whereas Manufacturing contributes more than \$40 billion to Minnesota's economy each year, produces the largest share (13.7 percent) of the state's gross domestic product; and

Whereas Manufacturing exports brought more than \$18.6 billion into Minnesota's economy in 2012; and

Whereas Manufacturing provides skilled, high-paying jobs, which significantly contribute to Minnesota's high standard of living and economic vitality.

Now, therefore, be it resolved the Morrison County Board of Commissioners, do hereby proclaim that, the week of October 20 to October 26, 2013 shall be observed as:

MINNESOTA MANUFACTURERS WEEK

in Morrison County on this 8th day of October, Two Thousand and Thirteen.


County Board Chairman

**Morrison County Resolution
 Authorization for Signature
 Resolution # 2013 -039**

WHEREAS:

The State is in need of Consumer Assistance Partners to assist at the community level with the Minnesota Insurance Marketplace (MNSure);

WHEREAS:

Morrison County would like to enter into a contract with Minnesota Insurance Marketplace (MNSure) to be eligible as an In-Person Assister;

WHEREAS:

Morrison County Social Services will be the department entering into the contract with MNSure;

NOW THEN BE IT RESOLVED:

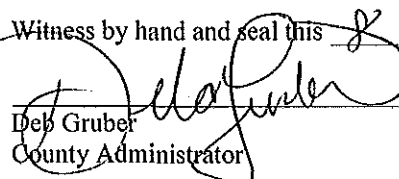
That Brad Vold as Social Services Director is authorized to sign the Professional and Technical Services Contract with MNSure on behalf of Morrison County Social Services.

STATE OF MINNESOTA }
 COUNTY OF MORRISON }

Commissioner	Yes	No	Abs	Mot	2nd
Jelinski					
Johnson					
Winscher					
Meyer					
Maurer					

I, Deb Gruber, County Administrator, Morrison County, Minnesota hereby certify that I have compared the foregoing copy of the resolution of the County Board of said County with the original record thereof on file in the Administration Office of Morrison County in Little Falls, Minnesota as stated in the minutes of the proceedings of said board at a meeting duly held on this 8 day of October, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness by hand and seal this 8 day of October, 2013


 Deb Gruber
 County Administrator

CONTRACT FOR PROVIDING INTERIM, EMERGENCY ENVIRONMENTAL HEALTH SERVICES

THIS CONTRACT is by and between the County of Stearns, a body politic and corporate, hereinafter referred to as Stearns County and the County of Morrison, a body politic and corporate, hereinafter referred to as the contracting county.

WHEREAS, the provision of interim, emergency environmental health service coverage between counties is consistent with Minnesota Statutes, Section 145A.07 allowing delegation agreements between the Minnesota Department of Health and counties; and

WHEREAS, it is worthwhile and necessary to maintain environmental health services in order to preserve and protect the public health, safety and welfare; and

WHEREAS, Morrison County Public Health, an official agency of the contracting county, has requested interim, emergency environmental health services from Stearns County; and

WHEREAS, the Stearns County Environmental Services Department is authorized by the Stearns County Board of Commissioners to provide interim, emergency environmental health service coverage to the contracting county in the event of staff absence, vacations, terminations or vacancies in the contracting county.

NOW THEREFORE, it is hereby agreed by and between the parties as follows:

- A. Stearns County Environmental Services Department staff shall provide consultation on inquiries related to food, beverage and lodging facilities, manufactured home parks, recreational camping areas, youth camps and public pools.
- B. Stearns County Environmental Services Department staff shall provide consultation concerning the results of water samples and information regarding water systems submitted through the contracting county's public health office.
- C. Stearns County Environmental Services Department staff shall provide interim, emergency environmental health services in and for the contracting county during contracting county staff absences as described above, including emergency response capability for the investigation of food or water borne illnesses, outbreaks or other serious events or complaints.
- D. Stearns County Environmental Services Department staff shall provide consultation on plan reviews for food, beverage and lodging facilities, manufactured home parks, recreational camping areas and youth camps.
- E. Stearns County Environmental Services Department staff shall provide pre-opening inspections of new or extensively remodeled food, beverage and lodging establishments, manufactured home parks, recreational camping areas, youth camps and public pools.
- F. The contracting county shall make all reasonable efforts to secure timely staff replacements in the event of staff vacancies in the program responsible for environmental health services.

- G. **PAYMENT:** Stearns County shall bill the contracting county for hours spent in providing environmental health services at the rate of \$50.00 per hour.

In the event that travel is required, the contracting county's fee for services shall be calculated from the time of staff departure from the Stearns County Environmental Services Department until the time of return to the Stearns County Environmental Services Department.

Mileage shall be reimbursed at the current rate established by the Stearns County Board of Commissioners, but this amount shall not exceed the maximum allowed by the IRS.

Meals shall be compensated at a rate not to exceed the per day maximum allowed by the IRS.

Fees for plan reviews shall be reimbursed at the current rate established by the Stearns County Board of Commissioners in the Stearns County Fee Schedule.

The contracting county shall reimburse the actual cost to Stearns County for any tests, supplies, materials or special services required to complete the contracted services.

- H. **CONTRACT TERM AND RENEWAL:** The term of this Contract shall be from January 1, 2014 and shall terminate on December 31, 2017. At the end of the contract term, the contracting county will be given the opportunity to renew this Contract under similar conditions agreeable to both parties. This Contract may be terminated according to the following:

1. In the event that the contracting county and Stearns County mutually agree in writing to terminate this Contract, such termination shall take effect immediately.
2. Either party may terminate this Contract without cause at any time following thirty (30) days written notice given the other party.
3. This Contract may be terminated by either party giving written notice no less than thirty (30) days prior to the beginning of each calendar year within the term of the Contract.
4. Termination of this Contract shall not discharge any liability, responsibility or right of any party which arises from the performance of or failure to adequately perform the terms of this contract prior to the effective date of termination, including the obligation of the contracting county to pay for services rendered prior to the date of termination.

- I. **RECORDS, DISCLOSURE/AUDIT/RETENTION:** The contracting county's books, records, documents, papers, accounting procedures and practices and other evidences relevant to this contract are subject to the examination, duplication, transcription and audit by Stearns County and either the Legislative or State Auditor, for a minimal of six (6) years pursuant to Minnesota Statute 16C.05, subd. 5. Such evidence is also subject to review by the Comptroller General of the United States, or a duly authorized representative, if federal funds are used for any work under this contract. The contracting county agrees to maintain such evidences for a period of five (5) years from the date of the services or payment were last provided or made or longer if any audit in

progress requires a longer retention period.

- J. **MUTUAL INDEMNIFICATION:** Each party shall be liable for its own acts to the extent provided by law and hereby agrees to indemnify, hold harmless and defend the other, its officers and employees against any and all liability, loss, costs, damages, expenses claims or actions, including attorney's fees which the other, its officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of the party, its agents, servants or employees, in execution, performance, or failure to adequately perform its obligations pursuant to this contract. Stearns County's liability shall be limited by the provisions of Minnesota Statute, Chapter 466 (Tort Liability, Political Subdivisions) or other applicable law.
- K. **DATA PRIVACY:** For the purpose of this contract all data collected, created, received, maintained or disseminated shall be governed by the Minnesota Government Data Practices Act, Minnesota Statute Chapter 13, or amendments thereto, and the Minnesota Rules implementing the act now in force or hereafter adopted or amended, as well as federal laws on data privacy. The contracting county shall strictly comply with all statutes and rules. All subcontracts shall contain the same data practices compliance requirements. The person employed by the contracting county to assure compliance with the Minnesota Government Data Practices Act, or amendments thereto, shall be the contracting county's authorized representative, unless the contracting county's responsible authority is specified in this Contract. The remedies available in Minnesota Statutes, section 13.08, or amendments thereto, apply to the contracting county.
- L. **AMENDMENTS and MODIFICATIONS:** Any alterations, amendments, deletions or waivers of the provisions of this Contract shall be valid only when reduced to writing and duly signed by the parties.
- M. **ENTIRE AGREEMENT:** It is understood and agreed that the entire agreement of the parties is contained herein, and that this Contract supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof, as well as any previous contracts presently in effect between the parties.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed this 8 day of October, 2013.

COUNTY OF STEARNS

BY: _____
Jeffery H. Mergen


Chair
Stearns County
Board of Commissioners
Date: _____

COUNTY OF MORRISON

BY: Duane L. Johnson
Duane Johnson

Chair
Morrison County
Board of Commissioners
Date: 10-8-13

Randy R. Schreifels
Stearns County Auditor/Treasurer
Clerk
Stearns County Board of Commissioners
Date: _____



Deb Gruber
Clerk
Morrison County
Board of Commissioners
Date: 10-8-13

RESOLUTION

WHEREAS, the Morrison County Planning Commission and the Morrison County Board of Commissioners held a public hearing on September 23, 2013 to consider rezoning a parcel of land from Commercial to Agriculture, located in Section 09, Township 040, Range 032, Little Falls Township, also known as parcel number 16.0129.000.

WHEREAS, the applicant purchased this 10-acre parcel of land with the intention of building a home. It was discovered the parcel is zoned Commercial, and

WHEREAS, dwellings are not a permitted use within the Commercial zoning district, and

WHEREAS, years ago, the parcel was home to an insurance agency, and

WHEREAS, the parcel currently is planted to crops, and

WHEREAS, the applicant is proposing to rezone the parcel to Agriculture, as the Agriculture zoning district does permit dwellings, and

WHEREAS, the parcel dimensions exceed the minimum acreage and lot width for the Agriculture zoning district, and

WHEREAS, the surrounding parcels are zoned Agriculture, Residential and Commercial. The parcel lies within the Urban Fringe district, and

WHEREAS, the parcel is situated along State Highway 27, and

WHEREAS, the purpose of the Agriculture Zoning District is: *to promote and protect areas which have high quality agricultural lands and are essentially rural in nature. Within the district agricultural activities shall be given precedence over other land uses,* and

WHEREAS, the purpose of the Commercial Zoning District is: *to promote and protect areas which currently are active commercial areas or meet the comprehensive plan guidelines for future or desired commercial development*

WHEREAS, applicable Comprehensive Plan Goals and Objectives are:

Goal A1: To focus on long-term preservation and promotion of existing agricultural use of land including, but not limited to crop production, animal husbandry, dairy production, pasturelands and similar uses..

Goal C1: Promote a thriving county-wide community by promoting economic and business diversity.

Goal Objective 5 – Increase the use of buffering or similar practices to minimize the impacts of residential development on commercial and industrial use, and commercial and industrial use on residential development.

Goal C2: Minimize the impacts of business development on other land use within Morrison County.

Goal Objective 1- Limit commercial and industrial development only in areas capable of handling such development with adequate infrastructure and services.

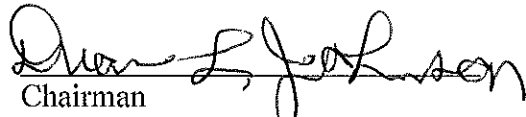
Goal Objective 5 – Reduce the impacts of spot zoning by carefully considering the adverse secondary impacts of the potential business and its future use, and


WHEREAS, the applicant appeared before the Little Falls Township Board on August 5, 2013. The Little Falls Township Board offered a recommendation for approval of this request, and

WHEREAS, based upon the information and exhibits received at the public hearing on September 23, 2013 and the information provided by staff for the rezone request, a motion was made by Darvin Keehr and seconded by Randy Winscher, that the Planning Commission recommends approval of this rezone request. The vote was 5 yes, 0 no, and

NOW THEREFORE, based on the information, exhibits and testimony reviewed at the public hearing as well as information provided by staff, be it hereby resolved that the parcel described in Attachment A be granted the zoning of Agriculture.

The above resolution was duly adopted by the Morrison County Board of Commissioners at its regular meeting on October 8, 2013.


Chairman
Morrison County Board of Commissioners


Clerk
Morrison County Board of Commissioners

**In the Matter of an Application
By Morrison County Public Works for an Amended Conditional Use Permit**

The above application came on for consideration before the Morrison County Board of Commissioners on October 8, 2013. Based upon the application, information received at the public hearing on September 23, 2013, the recommendations of staff and all files and records relating to the application, the Board makes the following:

FINDINGS OF FACT

1. Morrison County is the owner of the property in question which is comprised of several parcels located in Sections 23, 25 and 26 in Township 040, Range 032 West and legally described within Attachment A, also identified as parcels 16.0350.000, 16.0351.000, 16.0352.000, 16.0353.000, 16.0376.000, 16.0376.001, 16.0380.000, 16.0384.000, 16.0384.001, 16.0385.001 and 16.0385.002.
2. The Morrison County Solid Waste Management Facility (Facility) and gravel pit is operating under a Conditional Use Permit (CUP) granted by Little Falls Township. That CUP was granted on February 6, 1995.
3. The existing CUP contains six conditions:
 1. Provide proof of ownership and record in the Recorder's Office, Gov. Center.
 2. Maintain a 300 foot existing tree buffer for gravel mining on the North and West property line of the SW Quarter of Sect. 23, TWP 40, R 32 W.
 3. Application approved by MPCA for leachate pond and land application; said applications need not be made simultaneously.
 4. Operate under MPCA and EPA guidelines and regulations on 480 acres.
 5. The permit will run until cell four is filled or for 25 years, whichever comes first, with a report to the TWP board and citizens to update as an informational meeting every five years or sooner to coincide with the MPCA review.
 6. Establish North and West property line using county forces with mutual agreement of property owners within two years.
4. Under the Morrison County Land Use Control Ordinance, gravel pits are not permitted through a Conditional Use Permit. A Land Use permit is required, and the Public Works Department has a permit for the gravel operation located on the site. Therefore, the gravel pit operations cannot be addressed and/or considered within this CUP amendment.
5. The Facility is currently operating under a recently renewed 10-year permit from the Minnesota Pollution Control Agency (Agency).
6. The Facility has a 20-year solid waste disposal capacity. The Facility accepts approximately 28,000 ton of solid waste and 10,000 cubic yards of demolition debris each year. The Facility also accepts approximately 750 tons of residentially generated recycling every year. A household hazardous waste collection facility also is located at the site. The household hazardous waste is prepared for shipment and is sent with a transporter for disposal off-site.
7. The Facility accepts loads from self-hauling individuals and licensed solid waste haulers. It is open Monday through Saturday each week.

8. Pursuant to the Morrison County Solid Waste Ordinance, all solid waste generated within Morrison County is delivered to the Facility.
9. The Facility has a MPCA approved Industrial Solid Waste Management Plan, which allows the Facility to handle the industrial waste disposal needs within the County.
10. The applicant also carries out the ground water contamination remediation activities associated with the old closed landfill including monitoring wells and land application of ground water.
11. The Facility fronts County State Aid Highway 35.
12. The surrounding parcels are agricultural and residential in nature.
13. Since the CUP was granted, the Public Works Department has acquired an additional 280 acres. These acres were purchased to further remediation activities, installation of monitoring wells and for possible future treated landfill leachate application area.
14. The applicant wishes to amend the existing Conditional Use Permit to include the additional acreage in the CUP and address antiquated conditions.
15. Morrison County Public Works has an approved Solid Waste Management Plan that addresses in detail the solid waste disposal needs of the community and the goals associated with solid waste management.
16. The Applicable Comprehensive Land Use Plan Goals and Statements:

Goal C1: Promote a thriving county-wide community by promoting economic and business diversity.

Section 6.0 of the Comprehensive Land Use Plan – Local Economic Development Plan:
Item 9 – The County should consider the impact on the economic structure of the county in land use decisions that will lead to an efficiently serviceable development pattern.

Section 6.0, Item 12 – Commercial establishments will be expected to maintain a high standard of maintenance and repairs. The storage of trash, parking of junk cars, burning, yard maintenance, noise and light generation any many other factors should be controlled in accordance with recognized standards and procedures.
17. The Little Falls Township Board offered a recommendation for approval of this request and three members of the township board spoke in favor of the request at the hearing.

18. The Planning & Zoning Staff recommended the following in regards to the conditions on the existing Conditional Use Permit:

1. Provide proof of ownership and record in the Recorder's Office, Gov. Center.
Remove this condition, as it has been satisfied.

2. Maintain a 300 foot existing tree buffer for gravel mining on the North and West property line of the SW Quarter of Sect. 23, TWP 40, R 32 W.
Revise to say, "Maintain existing 300 foot tree buffer on the North and West property line of the SW Quarter of Section 23, Township 40, Range 32 W."

3. Application approved by MPCA for leachate pond and land application; said applications need not be made simultaneously.
Remove this condition, as it has been satisfied.

4. Operate under MPCA and EPA guidelines and regulations on 480 acres.
Revise to say, "Solid Waste Management Facility shall operate under an approved MPCA solid waste permit."

5. The permit will run until cell four is filled or for 25 years, whichever comes first, with a report to the TWP board and citizens to update as an informational meeting every five years or sooner to coincide with the MPCA review.
Pursuant to Minnesota Statute 394.301, "*a conditional use permit shall remain in effect for so long as the conditions agreed upon are observed, provided that nothing in this section shall prevent the board from enacting or amending official controls to change the status of conditional uses*". In light of this, the time limit within condition five must be removed.

Revise to say, "Report to Little Falls Township Board when a landfill permit application is made or modified."

6. Establish North and West property line using county forces with mutual agreement of property owners within two years.
Remove this condition, as it has been satisfied.

19. There were four County Commissioners at the public hearing on September 23, 2013.

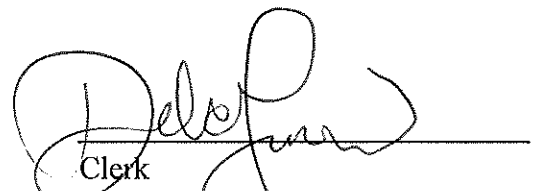
THE PLANNING COMMISSION FOUND THAT:

1. The requested use will not create an excessive burden on the existing roads or other utilities as nothing is changing from the current use.
 2. The requested use is compatible with the surrounding area and will not significantly depreciate near-by properties.
 3. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on near-by properties because nothing is changing, this was a review/amendment of the current conditional use permit.
 4. The requested use, in the opinion of the Planning Commission, is reasonably related to the existing land use and environment because the buffers will remain intact and nothing is changing from the current landfill operations.
 5. The requested use is consistent with the Morrison County Land Use Control Ordinance and the purposes of the zoning district because the use is allowed as a condition use within the Agriculture and Manufacturing/Industry zoning districts.
 6. The requested use is not in conflict with the Morrison County Comprehensive Plan. The Comprehensive Plan requires disposal of waste and to adhere to environmental standards.
 7. The requested use will not create an unreasonably adverse affect because of noise, odor, glare or general unsightliness for near-by property owners. No comment from neighbors was received, and past operation has not caused issues.
12. Motion was made by Robert Lorenz, and seconded by Darvin Keehr to recommend approval of the application the recommended revised conditions. The vote was "5" in favor, "0" opposed

DECISION

WHEREFORE, the Morrison County Board of Commissioners hereby approves these findings of fact for an Amended Conditional Use Permit to Morrison County for a Solid Waste Management Facility on property described in Attachment A, and hereby moves to grant the Amended Conditional Use Permit for a Solid Waste Management Facility with the attached three (3) conditions.


Chairman
Morrison County Board


Clerk
Morrison County Board

Conditions

1. Maintain existing 300 foot tree buffer on the North and West property line of the SW Quarter of Section 23, Township 40, Range 32 W.
2. Solid Waste Management Facility shall operate under an approved MPCA solid waste permit.
3. Report to Little Falls Township Board when a landfill permit application is made or modified.

ATTACHMENT A

The South Half (S 1/2) of Section 23, Township 40, Range 32.

The Northwest Quarter (NW 1/4) of Section 25, Township 40, Range 32.

The North Half (N 1/2) of Section 26, Township 40, Range 32, LESS the Southwest Quarter of the Northwest Quarter (SW 1/4, NW 1/4) of Section 26, Township 40, Range 32.

**In the Matter of an Application
By Brian Sams for a Conditional Use Permit**

The above application came on for consideration before the Morrison County Board of Commissioners on October 8, 2013. Based upon the application, information received at the public hearing on August 23, 2013, the recommendations of staff and all files and records relating to the application, the Board makes the following:

FINDINGS OF FACT

1. Brian Sams is the owner of the property in question which is legally described in Attachment A, also identified as parcel #29.0888.000.
2. The parcel and resort is located Fish Trap Lake - a General Development Lake.
3. A rezone request for the parcel to go from Shoreland Residential to Shoreland Commercial was heard by the Planning Commission on August 28, 2013 and was approved by the Board of Commissioners on September 10, 2013.
4. Mr. Sams is requesting a Conditional Use Permit to expand his existing resort to include the parcel. The parcel has a cabin and approximately 47 feet of shoreline.
5. Azure Road, a county road, provides public access to the resort. 315th Street, a private road, provides access to the parcel under consideration.
6. The current resort occupies areas within Tier 1 and 2; Tier 1 is the first 200 feet from the lake, Tier 2 is the next 267 feet from the lake behind Tier 1. The cabin on the additional parcel is located within Tier 1.
7. Taking into account the additional area of the new parcel, the expanded resort would remain compliant with density and impervious surface allowed within the first tier.
8. Applicable Comprehensive Plan Goals and Objectives:
 - Goal C1 – Promote a thriving county-wide community by promoting economic and business diversity
 - Objective 3 – Promote tourism as an important industry within Morrison County, both current and prospective, and preserve tourism-related natural resources from future development to maintain their value and integrity
 - Goal C2 – Minimize the impacts of business development on other land use within Morrison County.
 - Objective 1 – Limit commercial and industrial development only in areas capable of handling such development with adequate infrastructure and services
 - Objective 2 – Mitigate impacts of new commercial and industrial development on existing adjacent land use and the impacts of existing adjacent land on new commercial and industrial development.
9. The Scandia Valley Township Board recommends approval of this application.

10. The neighbor to the west spoke at the hearing. He expressed concern about the close proximity of the cabin to his property line and with the proposed mound septic system and how that would influence water drainage.
11. There were four County Commissioners at the public hearing on September 23, 2013.

THE PLANNING COMMISSION FOUND THAT:

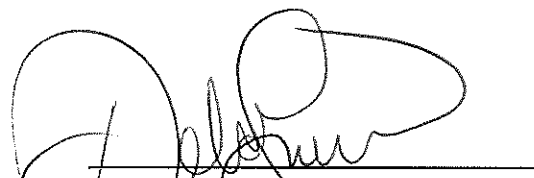
1. The requested use will not create an excessive burden on the existing roads or other utilities because the addition of the parcel to the resort would have little to no effect.
2. The requested use is compatible with the surrounding area and will not significantly depreciate near-by properties because the plan is to replace the cabin, and it will be located farther from the neighboring property line than it is now.
3. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on near-by properties because the new cabin's appearance will be similar to the existing resort cabins.
4. The requested use, in the opinion of the Planning Commission, is reasonably related to the existing land use and environment as it is located next to an existing resort.
5. The requested use is consistent with the Morrison County Land Use Control Ordinance and the purposes of the zoning district .
6. The requested use is not in conflict with the Morrison County Comprehensive Plan, as one goal of the Comprehensive Plan is to promote tourism.
7. The requested use will not create an unreasonably adverse affect because of noise, odor, glare or general unsightliness for near-by property owners as a new cabin is proposed which is an improvement over the older cabin. In addition, the septic system will be updated.

Motion was made by David Stish, and seconded by Darvin Keehr to recommend approval of the application. The vote was "5" in favor, "0" opposed

DECISION

WHEREFORE, the Morrison County Board of Commissioners hereby approves these findings of fact for a Conditional Use Permit to Brian Sams to expand the existing resort on property described within Attachment A, and hereby moves to grant the Conditional Use Permit to expand the existing resort by the addition of the newly acquired parcel as described in Attachment A.


Chairman
Morrison County Board


Clerk
Morrison County Board

RESOLUTION #2013-041
BELL PRAIRIE COUNTY PARK GRANT APPLICATION

WHEREAS, Morrison County Department of Public Works intends to submit a grant application for funding provided through the FY 2013 Parks Legacy and Regional Park Grant Program; and,

WHEREAS, as part of the grant application process, an applicant's resolution is required to detail the applicant, legal sponsor, authorized official and legal authority to apply for financial assistance and financial capability for the proposed project; and,

WHEREAS, the Public Works Director has supervisory responsibility over the proposed project,

NOW THEREFORE, BE IT RESOLVED that Morrison County act as legal sponsor for the project contained in the Park Legacy application to be submitted on 25 October 2013, and that the Morrison County Public Works Director, is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of Morrison County.

BE IT FURTHER RESOLVED that Morrison County has the legal authority to apply for financial assistance, and financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that Morrison County has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

BE IT FURTHER RESOLVED that Morrison County has or will acquire fee title or permanent easement over the land described in the site plan included in the application.


BE IT FURTHER RESOLVED that upon approval of its application by the state, Morrison County may enter into an agreement with the State of Minnesota for the above-referenced project, and that Morrison County certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

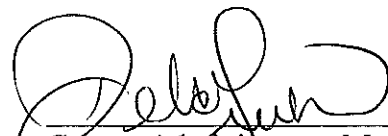
FINALLY, BE IT RESOLVED that the PUBLIC WORKS DIRECTOR is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the County Board of Morrison County on 8 October 2013.

SIGNED:

WITNESSED:


Chairman, MC Board of Commissioners
October 8, 2013

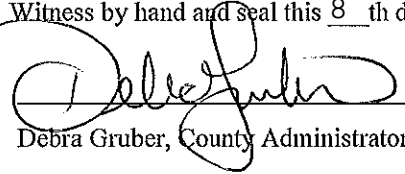

County Administrator, Morrison County
October 8, 2013

Adopted this 8th day of October, 2013.

STATE OF MINNESOTA }
COUNTY OF MORRISON }

I, Deb Gruber, County Administrator, Morrison County, Minnesota hereby certify that I have compared the foregoing copy of the resolution of the County Board of said County with the original record thereof on file in the Administration Office of Morrison County in Little Falls, Minnesota as stated in the minutes of the proceedings of said board at a meeting duly held on this 8th day of October, 2013, and that the same is a true and correct copy of said original record and of the whole thereof. and that said resolution was duly passed by said board at said meeting.

Witness by hand and seal this 8 th day of October, 2013



Debra Gruber, County Administrator

Commissioner	Yes	No	Abs	Mot	2nd
Jelinski	X				X
Johnson	X				
Winscher	X				
Meyer	X			X	
Maurer	X				

MINNESOTA RURAL COUNTIES CAUCUS
RESOLUTION # 2013- 040

WHEREAS, the Minnesota Rural Counties Caucus (MRCC) is an organization dedicated to the enhancement and unification of rural counties; and

WHEREAS, the MRCC will work within the caucus system established under Association of Minnesota County (AMC) caucus guidelines; and

WHEREAS, it is good for Minnesota rural counties to have a forum within the AMC caucus system to discuss issues important to rural counties; and

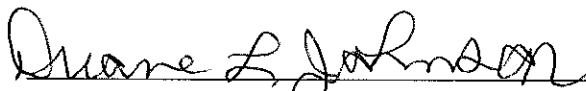
WHEREAS, rural Minnesota counties need to form a strong and cohesive network of communication singularly devoted to the issues important to rural counties; and

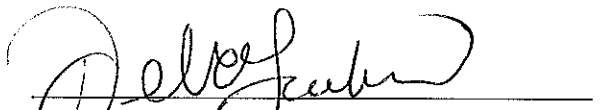
WHEREAS, Minnesota rural counties are having issues of increasing complexity; and

WHEREAS, Minnesota rural counties need a strong and distinctive presence wherever policies affecting rural counties are being discussed;

NOW THEREFORE, BE IT RESOLVED, that the Morrison County Board of Commissioners, by means of this resolution, hereby supports the efforts of the MRCC and joins its ranks as a member in good standing.

Adopted this 8th day of October, 2013.


Duane Johnson, Chairman


Deb Gruber, Clerk to the County Board