



MORRISON COUNTY BOARD OF COMMISSIONERS OFFICIAL MINUTES

MAY 7, 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, Jeff Jelinski, and Kevin Maurer.

Staff present: Deb Gruber, Brian Middendorf, Paula Anderson, Jerri Hoose, Paul Bukovich, Melanie Erickson, Karena Hovland, Lisa Nolan, Brad Vold, Krista Phillips, Juliet Kurtti, Bonnie Paulsen, Louise Welle, Michelle Tautges, Amy Kowalzek, Julie Shelstad, Russ Nygren, Steve Backowski, and Beth Hamlin

Others present: Mike Krejci, Jennie Zeitler, Marion Larson, Nancy Rinkel, Jerry Chandler, Lorelee Beto, and Carol Anderson.

APPROVAL OF COUNTY BOARD MINUTES

A motion was made by Commissioner Jelinski, seconded by Commissioner Meyer and carried unanimously to approve the Morrison County Board of Commissioner Minutes for April 23, 2013.

AGENDA CHANGES

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

PROCLAMATIONS

Marion Larson, Central Minnesota Emergency Medical Services Region, gave the Board an historic overview of the region and reported on the current programs and County specific use by EMS agencies. A motion was made by Commissioner Meyer, seconded by Commissioner Winscher, and carried unanimously to approve a Proclamation declaring May 19-25, 2013 as Emergency Medical Services Week in Morrison County.

Paul Bukovich and Melanie Erickson, Social Services Supervisors gave a report to the Board on Morrison County's Foster Care program. A motion was by Commissioner Winscher, seconded by Commissioner Maurer, and carried unanimously to approve a Proclamation declaring May 2013 as Foster Care Month.

HOUSING AND REDEVELOPMENT AUTHORITY

Lorelee Beto, Executive Director of the Housing and Redevelopment Authority reported to the board the various programs that the HRA provides and the current budget status. Lorelee also reported that their meetings are held the last Tuesday of every month and their annual meeting will be held next month.

PUBLIC HEALTH

Louise Welle, Associate Director of Nursing in Public Health reported to the Board on the Public Health Nurse Project, this project will help lead efforts to protect and promote the health of communities.

A motion was made by Commissioner Winscher, seconded by Commissioner Maurer, and carried unanimously to approve the 2013 Annual License for Additional License Services for Nouis Home at the Pine Edge and approved the 2013 Seasonal Establishment Renewal License for Lazy Pines Resort both located in Little Falls, MN.

PLANNING & ZONING REPORT

The County Board considered a Conditional Use Permit request from Richard and Marjorie Boser/Fellowship Church to establish a church in a commercial zoning district, located in part of the SE ¼ of NW ¼, Section 20 Township 040, Range 030, Pierz Township. Proposed Findings of Fact were presented to the Board. A motion



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was made by Commissioner Meyer, seconded by Commissioner Winscher, and carried unanimously to adopt the proposed Finding of Fact and to approve the Conditional Use Permit. A copy of the Findings of Fact and decision are attached to these minutes.

The County Board considered a Conditional Use Permit request from Carvin Buzzell to establish a Limited Rural Business including conditions; located in W 1/2 of NE 1/4, Section 13 Township 039, Range 028, Lakin Township. Proposed Findings of Fact were presented to the Board. A motion was made by Commissioner Meyer, seconded by Commissioner Maurer, and carried unanimously to adopt the proposed Findings of Fact and to approve the Conditional Use Permit. A copy of the Findings of Fact, conditions and decision are attached to these minutes.

The County Board considered a Conditional Use Permit request for Carvin Buzzell to establish an Outdoor Recreation including conditions; located in W 1/2 of NE 1/4, NE 1/4 of NW 1/4, SE 1/4 of NW 1/4, W 1/2 of NW 1/4, NW 1/4 of SE 1/4, SW 1/4 of SE 1/4 and part of the E 1/2 of NE 1/4, Section 13 Township 039, Range 028, Lakin Township. The proposed Findings of Fact were presented to the Board. A motion was made by Commissioner Meyer, seconded by Commissioner Winscher, and carried unanimously to adopt the proposed Findings of Fact and to approve the Conditional Use Permit. A copy of the Findings of fact, conditions and decision are attached to these minutes.

ASSESSOR'S REPORT

A motion was made by Commissioner Meyer, seconded by Commissioner Jelinski, and carried unanimously to approve the Abstract of Tax Abatements dated May 7, 2013. The Abstract of Tax Abatements is attached to these minutes.

COMMUNITY DEVELOPMENT REPORT

Carol Anderson, Community Development reported to the Board on various activities that Carol and her office are involved in and the progression of those projects.

AUDITOR'S REPORT

A motion as made by Commissioner Meyer, seconded by Commissioner Maurer, and carried unanimously to approve the Minnesota Trail Assistance Program Agreement for Eastern Morrison County 4-Wheeler Club, Soo Line South Recreational Trail Funding and to authorize the disbursements of funds as they are received. Motion carried on a roll call vote with all Commissioners voting "aye".

COUNTY BOARD WARRANTS

A motion was made by Commissioner Jelinski and seconded by Commissioner Maurer 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 May 7, 2013 be approved for payment:

REVENUE	\$ 81,594.91
PUBLIC WORKS	\$ 165,387.31
SOCIAL SERVICE	\$ 102,726.83
SOLID WASTE	\$ 9,158.04
PARKS FUND	\$ 115.00
LOCAL COLLABORATIVE	\$ 2,267.20
TOTAL	\$ 361,249.29
Meals	\$ 147.34



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

PUBLIC WORKS REPORT

A motion was made by Commissioner Jelinski, seconded by Commissioner Winscher, and carried unanimously to adopt the Local Bridge Replacement Program (LBRP) grant agreement No. 02451 and Resolution #2013-026, For Agreement to State Transportation Fund (Bridge Bonds) Grant Terms and Conditions between Morrison County and the Commissioner of Transportation for grant funding in the amount of \$73,114.38 for the construction of Bridge No. 49J74.

A motion was made by Commissioner Meyer, seconded by Commissioner Maurer, and carried unanimously to approve Resolution #2013-027, to Award Contract 253 to Marvin Tretter, Inc. in the amount of \$516,660.00 for bridge replacement on 173rd Street, 242nd Avenue and 235th Ave all in Buh Township; and CSAH 47.

A motion was made by Commissioner Meyer, seconded by Commissioner Jelinski, and carried unanimously to approve Resolution #2013-028, to execute and enter into an agreement between the Commissioner of Transportation and Morrison County for federal participation in construction engineering for SP 049-591-003 and MP SRTS 4913 (230).

ADMINISTRATORS REPORT

A motion was made by Commissioner Meyer, seconded by Commissioner Winscher, and failed 3-2 (Commissioner Johnson, Commissioner Jelinski and Commissioner Maurer voting "nay") to approve a Resolution to participate in Region Five's LCCMR application on behalf of the Region to have the Region's aggregate resources mapped.

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.


A motion was made by Commissioner Jelinski, seconded by Commissioner Maurer, and carried unanimously to approve Resolution #2013-025, to have a Closed Executive Session Pending Litigation, Doucette vs. Morrison County.

The meeting was closed at 10:40 a.m. and reopened at 11:30 a.m.

ADJOURNMENT

A motion was made by Commissioner Meyer, seconded by Commissioner Jelinski and carried unanimously to adjourn the meeting at 11:31 a.m.


Duane Johnson, Chairman


Debra Gruber, Clerk to County Board

Emergency Medical Services Week

PROCLAMATION

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

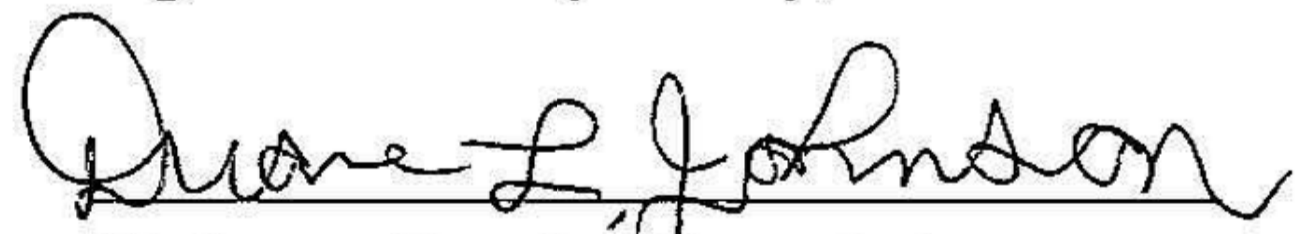
WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, in recognition of this even, we do hereby proclaim the week of May 19-25, 2013, as

EMERGENCY MEDICAL SERVICES WEEK

With the theme, EMS: One Mission One Team, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

Signed this 7th day of May, 2013


Chairman, Board of Commissioners



**FOSTER CARE MONTH
MAY 2013**

WHEREAS, the family, serving as the primary source of love, identity, self-esteem and support is the very foundation of our communities, our state and our Country; and

WHEREAS, in 2013 there were 16 children in Morrison County licensed foster homes. Foster care provides a safe, secure and stable home for children also providing compassion and nurturance of a family setting; and

WHEREAS, in 2013, Morrison County Social Services currently has 20 licensed foster families who have opened their homes and hearts to children whose families are in crisis, play a vital role helping children and families heal, reconnect and launch children into successful adulthood; and

WHEREAS, there are over 96 adults in licensed adult family foster homes; and

WHEREAS, there are 24 licensed adult family foster care providers who have opened their homes to provide a safe and caring environment to individuals with developmental disabilities, mental illness or who are elder; and

WHEREAS, there are numerous individuals, public and private organizations who work to increase public awareness of the needs of children and adults in foster care as well as the enduring and valuable contribution of foster care providers.

NOW, THEREFORE, we, the Morrison County Board of Commissioners, do hereby proclaim May as FOSTER CARE MONTH in Morrison County and urge all citizens to volunteer their talents and energies on behalf of children/adults in foster care, foster parents and the professional staff working with them during this month and throughout the year.

Adopted this 7th day of May, 2013.

BY: 
Chairperson
Morrison County Board of Commissioners



**In the Matter of an Application
By Richard and Marjorie Boser for a Conditional Use Permit**

The above application came on for consideration before the Morrison County Board of Commissioners on May 7, 2013. Based upon the application, information received at the public hearing on April 22, 2013, the recommendations of staff and all files and records relating to the application, the Board makes the following:

FINDINGS OF FACT

1. Richard and Marjorie Boser is the owner of the property in question which is legally described as the PT OF SW1/4 OF NW1/4 DESC AS: BEG AT SW COR, N 660 FT, E 330 FT, S 660 FT, W 330 FT TO BEG, LESS N 180 FT, SUBJ TO ADVERTISING EASEMENT, also identified as parcel #21.0179.001
2. The applicant owns a 3.64 acre parcel within the Commercial zoning district. The Double Deuce Bar previously operated within the existing building. The applicant is proposing to convert the use of the building to a church.
3. A large parking lot exists on the property and will provide adequate off-road parking.
4. There is a current Certificate of Compliance on file for the septic system, and it is adequately sized to serve a church.
5. Church kitchens are exempt from Public Health licensing.
6. The Pierz Township Board recommends approval of this application.
7. Commissioner Don Meyer spoke at the hearing and said establishing a church is a good decision and it is good for the community.
8. There were five County Commissioners at the public hearing on April 22, 2013.

THE PLANNING COMMISSION FOUND THAT:

- a) The requested use will not create an excessive burden on the existing roads or other utilities.
- b) The requested use is compatible with the surrounding area and will not significantly depreciate near-by properties.
- c) The structure and the use shall have an appearance that will not have an unreasonably adverse effect on near-by properties.
- d) The requested use, in the opinion of the Planning Commission, is reasonably related to the existing land use and environment.
- e) The requested use is consistent with the Morrison County Land Use Control Ordinance and the purposes of the zoning district.
- f) The requested use is not in conflict with the Morrison County Comprehensive Plan.

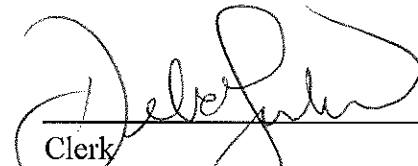
g) The requested use will not create an unreasonably adverse affect because of noise, odor, glare or general unsightliness for near-by property owners.

12. Motion was made by Darvin Keehr, and seconded by Randy Winscher 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 Richard and Marjorie Boser to establish a church in the commercial zoning district on property described as:, PT OF SW1/4 OF NW1/4 DESC AS: BEG AT SW COR, N 660 FT, E 330 FT, S 660 FT, W 330 FT TO BEG, LESS N 180 FT, SUBJ TO ADVERTISING EASEMENT, and hereby moves to grant the Conditional Use Permit for a Church.


Chairman
Morrison County Board


Clerk
Morrison County Board

**In the Matter of an Application
By Carvin Buzzell Jr. for an After-the-Fact Conditional Use Permit**

The above application came on for consideration before the Morrison County Board of Commissioners on May 7, 2013. Based upon the application, information received at the public hearing on April 22, 2013, the recommendations of staff and all files and records relating to the application, the Board makes the following:

FINDINGS OF FACT

1. Carvin Buzzell Jr. is the owner of the properties in question which are legally described as:
 - 1) W1/2 OF NW1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0148.000
 - 2) NE1/4 OF NW1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0142.000
 - 3) SE1/4 OF NW1/4, SUBJ TO TWP RD EASEMENT Section 13, Township 39 Range 28 , also identified as parcel #14.0146.000
 - 4) W1/2 OF NE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0145.000
 - 5) E1/2 OF NE1/4 LESS N 591 FT OF E 738 FT & LESS S 607 FT OF W 718 FT Section 13, Township 39 Range 28 , also identified as parcel #14.0147.002
 - 6) NW1/4 OF SE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0141.000
 - 7) SW1/4 OF SE1/4 SUBJ TO CO HWY EASEMENT Section 13, Township 39 Range 28 , also identified as parcel #14.0144.000
 - 8) N 591 FT OF E 738 FT OF E1/2 OF NE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0147.001
2. The applicant owns a total of 390 acres. The applicant is proposing a master plan approach to the development of his property as a Limited Rural Business. There is a companion application for the establishment of an Outdoor Recreation Area.
3. There are several business divisions identified within the master plan, each responsible for a portion of the services and amenities available to customers that rent the property for various activities and/or events. The Limited Rural Business is comprised of the Sun Valley Trading Post and Rum River Barn and Vineyards.
4. In 2005 the applicant was granted a Conditional Use Permit for Outdoor Recreation on one parcel (14.0145.000) to consist of boarding horses and rv camping with the following conditions:
 1. There is to be a limit of four (4) rvs
 2. Provide sanitary service (satellites) with no water and sewer hook-ups
 3. Provide 2,000 square feet for each rv
 4. Disposal of solid waste to be handled by a licensed hauler
 5. There are to be no off-road vehicles
5. The applicant has a licensed farm winery on the premises.

6. The Planning & Zoning Office was made aware that events such as weddings were being held at the property. In conjunction with the events, camping was made available to attendees.
7. A Cease and Desist Order was issued to the applicant, as he did not have a CUP for a Limited Rural Business for the operation of an event venue and the CUP issued in 2005 was null and void because the applicant had not taken up the use of horse boarding and the associated rv camping within the time frame outlined within the Land Use Control Ordinance. The applicant is appealing the Cease and Desist order, but has chosen to move forward with the corrective actions the Planning & Zoning Office required of him within his violation letter.
8. The applicant is proposing to establish a Limited Rural Business, specifically for the operation of Rum River Barns and Vineyards as an event venue and Sun Valley Trading Post.
9. The types of events hosted on the parcels are weddings, family gatherings and birthday parties. The Sun Valley Trading Post offers amenities for these events such as the rental of chairs, decorations, tables, tents and other items that are commonly needed for social events.
10. There has been live music in the past, and it is expected that there will be that type of entertainment from time to time in the future, depending on what the client desires and arranges.
11. Events are held within the barn and other buildings on the property. Outdoor settings are also offered.
12. At present, food and beverage service is provided by outside caterers. The master plan indicates that an on-sale liquor license will be pursued so the alcoholic and non-alcoholic beverage service can be offered through the farm winery, Crystal Creek Farms. The applicant is eligible to apply for the license in an agricultural area under the State farm winery permissions and locally once a conditional use permit has been granted allowing a use where the serving of alcohol is expected. The license is limited to a compact and contiguous area on the property that will be identified within the on-sale liquor license application, along with a detailed site plan. The applicant is aware that Public Health licensing is required in conjunction with an on-sale liquor license.
13. The Sun Valley Recreational Area, including overnight camping, may be utilized by event goers, if that is arranged.
14. The applicant has identified two open-air showers that are made available to campers. The drains for the showers are not connected to a septic system.

15. In 2008, the applicant received a permit for the installation of a mound septic system to service the barn where events take place. Just the tank was installed, so the system is operating as a holding tank as the rest of the system was never installed.
16. Expanded camping and a more formal campground is outlined within the master plan. The applicant has been informed of the requirements of a Campground CUP and Public Health licensing when he implements this part of his plan.
17. The applicant has indicated that he intends to establish a Bed and Breakfast on the premises in the future. The applicant has been informed of the requirements of a Bed and Breakfast CUP and Public Health licensing when he implements this part of his plan.
18. There was discussion regarding page 2 of 6 of the Sun Valley Recreational Area Updated Master Plan. There was concern about the scope of the permit request and the need for the permit to apply to eight parcels of land.
19. The applicant struck the fourth paragraph on page 2 of 6 of the Sun Valley Recreational Area Updated Master plan and the portion of his application requesting for the permit to apply to all eight parcels and asked that the permit be considered for parcel number 14.0145.000 only.
20. Planning and Zoning Staff Recommended Conditions:
 1. Must abide by all federal, state and county laws
 2. Limited Rural Business activities shall be confined to the Agriculture zoned areas of the parcels
 3. Alcohol served as part of any on-sale license shall be restricted to those areas delineated by the license
 4. Connect the outdoor shower area drains to one of the onsite septic systems existing on the property by June 30, 2013
 5. Finish the installation of the septic system serving the barn including the installation of a pump tank and mound system as outlined within the design on file with the Planning & Zoning Department by November 30, 2013.
 6. Provide a statement from a licensed septic system maintenance provider indicating he/she has been hired to perform tank pumping and maintenance for the holding tank serving the barn, along with the schedule of tank pumping for the time period of May 1, 2013 through November 30, 2013.
 7. Solid waste shall be removed by a licensed solid waste hauler.
 8. Parking shall not occur within the road right of way.
21. An email comment was received from Jeremy Cook with concerns regarding the wear and tear on the roads due to increased traffic.
22. A phone call comment was received from Alfred Lawrence with concerns of hearing music past 10:30 pm when he goes to bed.

23. There were five County Commissioners at the public hearing on April 22, 2013.

THE PLANNING COMMISSION FOUND THAT:

- a) The requested use will not create an excessive burden on the existing roads or other utilities.
- b) The requested use is compatible with the surrounding area and will not significantly depreciate near-by properties.
- c) The structure and the use shall have an appearance that will not have an unreasonably adverse effect on near-by properties.
- d) The requested use, in the opinion of the Planning Commission, is reasonably related to the existing land use and environment.
- e) The requested use is consistent with the Morrison County Land Use Control Ordinance and the purposes of the zoning district.
- f) The requested use is not in conflict with the Morrison County Comprehensive Plan.
- g) The requested use will not create an unreasonably adverse affect because of noise, odor, glare or general unsightliness for near-by property owners.

Motion was made by Darvin Keehr, and seconded by Robert Lorenz to recommend approval of the application with the following ten (10) conditions. The vote was "5" in favor, "0" opposed

1. Must abide by all federal, state and county laws
2. Limited Rural Business activity shall be confined to the Agriculture zoned areas of the parcel
3. Alcohol served as part of any on-sale license shall be restricted to those areas delineated by the license
4. Connect the outdoor shower area drains to one of the onsite septic systems existing on the property by June 30, 2013
5. Finish the installation of the septic system serving the barn including the installation of a pump tank and mound system as outlined within the design on file with the Planning & Zoning Department by November 30, 2013.
6. Provide a statement from a licensed septic system maintenance provider indicating he/she has been hired to perform tank pumping and maintenance for the holding tank serving the barn, along with the schedule of tank pumping for the time period of May 1, 2013 through November 30, 2013.
7. Solid waste shall be removed by a licensed solid waste hauler.
8. Parking shall not occur within the road rights- of- ways.
9. Any commercial food preparation for guests shall be done in a licensed facility or by a licensed caterer.
10. Outdoor DJ or live music must end by 12:30 am.

DECISION

WHEREFORE, the Morrison County Board of Commissioners hereby approves these findings of fact for an After-the-Fact Conditional Use Permit to Carvin Buzzell Jr. to establish a Limited Rural Business for the purposes of operating an event venue known as Rum River Barns and Vineyards and the associated Sun Valley Trading Post on property described as: W1/2 OF NE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0145.000, and hereby moves to grant the After-the-Fact Conditional Use Permit for a Limited Rural Business with ten (10) conditions as recommended by the Planning Commission.


Chairman
Morrison County Board


Clerk
Morrison County Board

Limited Rural Business

1. Must abide by all federal, state and county laws
2. Limited Rural Business activity shall be confined to the Agriculture zoned areas of the parcel
3. Alcohol served as part of any on-sale license shall be restricted to those areas delineated by the license
4. Connect the outdoor shower area drains to one of the onsite septic systems existing on the property by June 30, 2013
5. Finish the installation of the septic system serving the barn including the installation of a pump tank and mound system as outlined within the design on file with the Planning & Zoning Department by November 30, 2013.
6. Provide a statement from a licensed septic system maintenance provider indicating he/she has been hired to perform tank pumping and maintenance for the holding tank serving the barn, along with the schedule of tank pumping for the time period of May 1, 2013 through November 30, 2013.
7. Solid waste shall be removed by a licensed solid waste hauler.
8. Parking shall not occur within the road rights-of-ways.
9. Any commercial food preparation for guests shall be done in a licensed facility or by a licensed caterer.
10. Outdoor DJ or live music must end by 12:30 am.

**In the Matter of an Application
By Carvin Buzzell Jr. for an After-the-Fact Conditional Use Permit**

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FINDINGS OF FACT

1. Carvin Buzzell Jr. is the owner of the properties in question which are legally described as:
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 - 3) SE1/4 OF NW1/4, SUBJ TO TWP RD EASEMENT Section 13, Township 39 Range 28 , also identified as parcel #14.0146.000
 - 4) W1/2 OF NE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0145.000
 - 5) E1/2 OF NE1/4 LESS N 591 FT OF E 738 FT & LESS S 607 FT OF W 718 FT Section 13, Township 39 Range 28 , also identified as parcel #14.0147.002
 - 6) NW1/4 OF SE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0141.000
 - 7) SW1/4 OF SE1/4 SUBJ TO CO HWY EASEMENT Section 13, Township 39 Range 28 , also identified as parcel #14.0144.000
 - 8) N 591 FT OF E 738 FT OF E1/2 OF NE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0147.001
2. The applicant owns a total of 390 acres. The applicant is proposing a master plan approach to the development of his property as an outdoor recreation area. There is a companion application for the establishment of a Limited Rural Business.
3. There are several business divisions identified within the master plan, each responsible for a portion of the services and amenities available to customers that rent the property for various activities and/or events. The Outdoor Recreation is under the umbrella of the Sun Valley Recreation Area. The divisions within Sun Valley Recreation Area include Sun Valley Trails, Sun Valley Campgrounds, Sun Valley Frisbee Golf.
4. In 2005 the applicant was granted a Conditional Use Permit for Outdoor Recreation on one parcel (14.0145.000) to consist of boarding horses and rv camping with the following conditions:
 1. There is to be a limit of four (4) rvs
 2. Provide sanitary service (satellites) with no water and sewer hook-ups
 3. Provide 2,000 square feet for each rv
 4. Disposal of solid waste to be handled by a licensed hauler
 5. There are to be no off-road vehicles
5. The applicant has a licensed farm winery on the premises.

6. The Planning & Zoning Office was made aware that events such as weddings were being held at the property. In conjunction with the events, camping was made available to attendees.
7. A Cease and Desist Order was issued to the applicant, as he did not have a CUP for a Limited Rural Business for the operation of an event venue and the CUP issued in 2005 was null and void because the applicant had not taken up the use of horse boarding and the associated rv camping within the time frame outlined within the Land Use Control Ordinance. The applicant is appealing the Cease and Desist order, but has chosen to move forward with the corrective actions the Planning & Zoning Office required of him within his violation letter.
8. The applicant is proposing to establish the Sun Valley Outdoor Recreational Area on his eight parcels of land. This is a phased development, and the applicant desires flexibility to establish the various activities over time. The activities associated with outdoor recreation and outlined in the master plan include: Frisbee golf, fly fishing, horse shoes, volleyball, play areas, picnic areas, soccer, hockey, primitive rv and tent camping, horse riding, hiking and biking.
9. The applicant anticipates events such as Frisbee golf tournaments will be held at the property, as well as rental of the property to private groups for their use.
10. Primitive camping, offering no sewer, electric or water hook-up, is proposed on each of the eight parcels. Public Health licensing is not required for this activity as long as each parcel does not contain more than four sites. A site consists of one camping unit, which is one tent or one rv or one truck camper, etc. Public Health licensing is required if the number of sites on any of the parcels exceeds four. The applicant wishes to move these sites around each parcel to avoid the trampling of vegetation.
11. The applicant has identified two open-air showers that are made available to campers. The drains for the showers are not connected to a septic system.
12. The applicant received a permit for the installation of a mound septic system to service the barn where events take place. Just the tank was installed, so the system is operating as a holding tank as the rest of the system was never installed.
13. Expanded camping and a more formal campground is outlined within the master plan. The applicant has been informed of the requirements of a Campground CUP and Public Health licensing when he implements this part of his plan.
14. The applicant has indicated that he intends to establish a Bed and Breakfast on the premises in the future. The applicant has been informed of the requirements of a Bed and Breakfast CUP and Public Health licensing when he implements this part of his plan.

15. The applicant intends to pursue an onsite liquor license to provide alcoholic beverages for special events and non-alcoholic beverages to users of the recreational area. He is eligible to apply for the license in an agricultural area under the State farm winery permissions and locally once a conditional use permit has been granted allowing a use where the serving of alcohol is expected. The license is limited to a compact and contiguous area on the property that will be identified within the on-sale liquor license application, along with a detailed site plan. Public Health licensing will also be required.

16. Planning & Zoning Staff Recommended Conditions:
 1. Must abide by all federal, state and county laws
 2. Alcohol served as part of any on-sale license shall be restricted to those areas delineated by the license
 3. Limit of four camping units per parcel. One camping unit is equal to one tent or one rv or one truck camper, etc.
 4. No water, electric or sewer connections shall be made available to rvs
 5. A source of water must be made available within 400 feet of each campsite.
 6. Satellite toilets must be available to all camp sites and recreational areas
 7. Connect the outdoor shower area drains to one of the onsite septic systems existing on the property by June 30, 2013
 8. Finish the installation of the septic system serving the barn including the installation of a pump tank and mound system as outlined within the design on file with the Planning & Zoning Department by November 30, 2013.
 9. Provide a statement from a licensed septic system maintenance provider indicating he/she has been hired to perform tank pumping and maintenance for the holding tank serving the barn, along with the schedule of tank pumping for the time period of May 1, 2013 through November 30, 2013.
 10. Install septic dump station for rvs.
 11. No motorized sports shall occur on the property.
 12. No shooting sports shall occur on the property.
 13. Burning of solid waste within fire rings shall be prohibited
 14. Solid waste receptacles shall be made available within 400 feet of each camp site.
 15. Solid waste shall be removed by a licensed solid waste hauler.
 16. Parking shall not occur upon road rights-of-ways

17. An email comment was received from Jeremy Cook with concerns regarding the wear and tear on the roads due to increased traffic.

18. A phone call comment was received from Alfred Lawrence with concerns over sounds of firearm shooting in the past.

19. Andrew Wright was present at the hearing and presented a petition titled, "Petition to keep our Hillman/Lakin Twp area peaceful and quiet". The petition was in opposition to the request, and was signed by 11 people. The document was marked as Exhibit One. Mr. Wright also submitted an aerial photograph denoting the locations of area neighbors. The document was marked as Exhibit Five.

20. Mr. Buzzell presented three petitions expressing support of his request. The documents were marked as Exhibits Two, Three and Four.

21. There were five County Commissioners at the public hearing on April 22, 2013.

THE PLANNING COMMISSION FOUND THAT:

- a) The requested use will not create an excessive burden on the existing roads or other utilities.
- b) The requested use is compatible with the surrounding area and will not significantly depreciate near-by properties.
- c) The structure and the use shall have an appearance that will not have an unreasonably adverse effect on near-by properties.
- d) The requested use, in the opinion of the Planning Commission, is reasonably related to the existing land use and environment.
- e) The requested use is consistent with the Morrison County Land Use Control Ordinance and the purposes of the zoning district.
- f) The requested use is not in conflict with the Morrison County Comprehensive Plan.
- g) The requested use will not create an unreasonably adverse affect because of noise, odor, glare or general unsightliness for near-by property owners.

Motion was made by Robert Lorenz, and seconded by Tom Crawford to recommend approval of the application with the following sixteen (16) conditions. The vote was "5" in favor, "0" opposed

1. Must abide by all federal, state and county laws
2. Alcohol served as part of any on-sale license shall be restricted to those areas delineated by the license
3. Limit of four camping units per parcel. One camping unit is equal to one tent or one rv or one truck camper, etc.
4. No water, electric or sewer connections shall be made available to rvs
5. A source of water must be made available within 400 feet of each campsite.
6. Satellite toilets must be available to all camp sites and recreational areas
7. Connect the outdoor shower area drains to one of the onsite septic systems existing on the property by June 30, 2013
8. Finish the installation of the septic system serving the barn including the installation of a pump tank and mound system as outlined within the design on file with the Planning & Zoning Department by November 30, 2013.
9. Provide a statement from a licensed septic system maintenance provider indicating he/she has been hired to perform tank pumping and maintenance for the holding tank serving the barn, along with the schedule of tank pumping for the time period of May 1, 2013 through November 30, 2013.
10. Install septic dump station for rvs by November 30, 2013.
11. No motorized sports shall occur on the property.
12. No commercial shooting sports shall occur on the property.

13. Burning of solid waste within fire rings shall be prohibited
14. Solid waste receptacles shall be made available within 400 feet of each camp site.
15. Solid waste shall be removed by a licensed solid waste hauler.
16. Parking shall not occur upon road rights-of-ways

DECISION

WHEREFORE, the Morrison County Board of Commissioners hereby approves these findings of fact for an After-the-Fact Conditional Use Permit to Carvin Buzzell Jr. to establish an outdoor recreation area consisting of a Frisbee golf course, primitive rv and tent camping, fly fishing, horse shoes, volleyball, play areas, picnic areas, soccer, hockey, horse riding, hiking and biking on property described as:

- 1) W1/2 OF NW1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0148.000
- 2) NE1/4 OF NW1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0142.000
- 3) SE1/4 OF NW1/4, SUBJ TO TWP RD EASEMENT Section 13, Township 39 Range 28 , also identified as parcel #14.0146.000
- 4) W1/2 OF NE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0145.000
- 5) E1/2 OF NE1/4 LESS N 591 FT OF E 738 FT & LESS S 607 FT OF W 718 FT Section 13, Township 39 Range 28 , also identified as parcel #14.0147.002
- 6) NW1/4 OF SE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0141.000
- 7) SW1/4 OF SE1/4 SUBJ TO CO HWY EASEMENT Section 13, Township 39 Range 28 , also identified as parcel #14.0144.000
- 8) N 591 FT OF E 738 FT OF E1/2 OF NE1/4 Section 13, Township 39 Range 28 , also identified as parcel #14.0147.001

and hereby moves to grant the After-the-Fact Conditional Use Permit for an Outdoor Recreation Area with sixteen (16) conditions as recommended by the Planning Commission.


Chairman
Morrison County Board


Clerk
Morrison County Board

Outdoor Recreation

1. Must abide by all federal, state and county laws
2. Alcohol served as part of any on-sale license shall be restricted to those areas delineated by the license
3. Limit of four camping units per parcel. One camping unit is equal to one tent or one rv or one truck camper, etc.
4. No water, electric or sewer connections shall be made available to rvs
5. A source of water must be made available within 400 feet of each campsite.
6. Satellite toilets must be available to all camp sites and recreational areas
7. Connect the outdoor shower area drains to one of the onsite septic systems existing on the property by June 30, 2013
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ABSTRACT OF TAX ABATEMENTS

May 7, 2013

1. MARY LOU KASELLA REVOC TRUST & BENEDICT KASELLA JR REV TRUST, Parcel Number 17.0088.000, Morrill Township

This parcel should have been classified as Residential Relative Mid-Year Homestead for taxes payable in 2013. Correcting the taxes payable in 2013, would decrease the taxes from \$2,068.00 to approximately \$1,848.00, a decrease of \$220.00. This will be corrected for the 2013 assessment, taxes payable 2014. **Amount of Credit: \$220.00. Recommend Approval.**

2. ELIZABETH C WHEELER, Parcel Numbers 43.0296.000, 43.0295.000 & 43.0297.000, Randall City

These parcels should have been classified as Residential Mid-Year Homestead for taxes payable in 2013. Correcting the taxes payable in 2013 on Parcel No. **43.0296.000**, would decrease the taxes from \$1,326.00 to approximately \$866.00, a decrease of \$460.00. Correcting the taxes payable in 2013 on Parcel No. **43.0295.000**, would decrease the taxes from \$20.00 to approximately \$19.00, a decrease of \$1.00. Correcting the taxes payable in 2013 on Parcel No. **43.0297.000**, would decrease the taxes from \$20.00 to approximately \$19.00, a decrease of \$1.00. This will be corrected for the 2013 assessment, taxes payable 2014. **Total Amount of Credit: \$462.00. Recommend Approval.**

Abstract of Tax Abatements (Continued)

Page 2

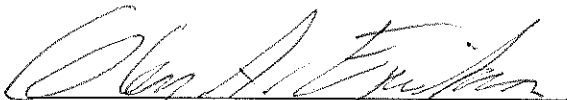
May 7, 2013

NOTE: Minnesota Statutes 1988, Section 609.41, "Whoever, in making any statement, oral or written, which is required or authorized by law to be made as a basis of imposing, reducing, or abating any tax or assessment, intentionally makes any statement as to any material matter which the maker of the statement knows is false may be sentenced, unless otherwise provided by law, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both"

Tax is Paid
 Tax is Not Paid

REPORT OF INVESTIGATION

After examining the applicants' claims, I have carefully investigated these applications and find the facts as stated above.


Signature of Investigator

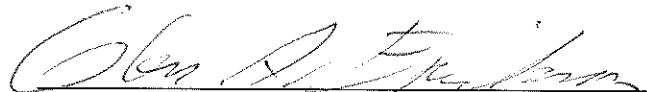
May 7, 2013
Date

CERTIFICATIONS OF APPROVAL

NOTE: For these abatements to be approved, the assessor, county auditor and the county board of commissioners must all favorably recommend their adoption.

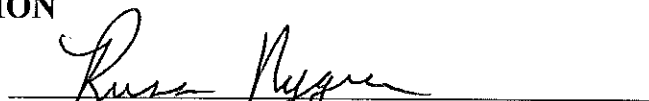
ASSESSOR'S RECOMMENDATION (County Assessor or City Assessor in certain cities)

Approved Denied


Assessor's Signature

COUNTY AUDITOR'S RECOMMENDATION

Approved Denied


Auditor's Signature

Abstract of Tax Abatements (Continued)

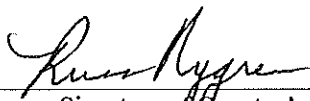
Page 3

May 7, 2013

COUNTY BOARD OF COMMISSIONER'S ACTION (To be completed by county auditor)

XX Approved _____ Denied

I certify that at a meeting held May 7, 2013 the County Board, took the above official action on these abatements. This action was duly adopted and entered upon the minutes of its proceedings as a public record, showing the names of taxpayers, other concerned persons and the amounts involved.

 5/7/13
Signature of County Auditor Date

RESOLUTION# 2013-026
For Agreement to State Transportation Fund (Bridge Bonds)
Grant Terms and Conditions
 May 7, 2013

WHEREAS, Morrison County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 49J74; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

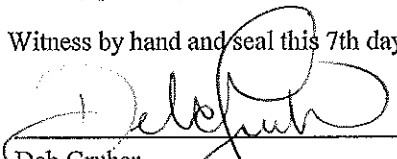
WHEREAS, the amount of the grant has been determined to be \$73,114.38 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Morrison County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required.

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 7th day of May, 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 7th day of May, 2013.



 Deb Gruber
 County Administrator

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

MORRISON COUNTY
RESOLUTION # 2013-027
AWARD OF CONTRACT

WHEREAS: On Thursday, May 2, 2013, at 10:00 A.M., the following contractors:

Gladen Construction, Inc., LaPorte, MN ; and
Landwehr Construction, St. Cloud, MN.; and
Marvin Tretter, Inc, Pierz, MN, Inc.; and
Midwest Contracting, Marshall, MN

Submitted sealed bids for the furnishing of all labor, tools, materials and equipment necessary for the construction of the work provided for under plans and specifications for that improvement on the following projects:

Bridge Replacement on 173rd St, 242nd Ave, and 235th Ave all in Buh Township; and CSAH 47
Contract No. 253

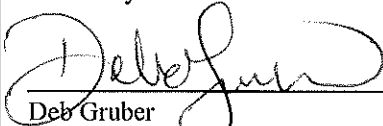
WHEREAS: The bid of Marvin Tretter, Inc. in the amount of \$516,660.00 appeared to be the lowest responsible bid received.

NOW THEN BE IT RESOLVED: That we, the Board of Commissioners of Morrison County have reviewed said bids and hereby award the contract work to the lowest responsible bidder Marvin Tretter, Inc.

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 7th day of May, 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 7th day of May, 2013.



Deb Gruber
County Administrator

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

Resolution #2013- 028

RESOLUTION FOR AGENCY AGREEMENT

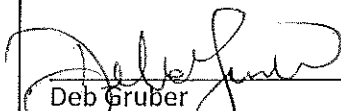
BE IT RESOLVED, that pursuant to the Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Morrison County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Chairman of the Morrison County Board of Commissioners and the County Administrator are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No.03672", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

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 7th day of May, 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 7th day of May, 2013.



Deb Gruber
County Administrator

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

RESOLUTION 2013- 025

CLOSED EXECUTIVE SESSION
PENDING LITIGATION

WHEREAS, Morrison County is currently involved in litigation, Doucette vs. Morrison County; and

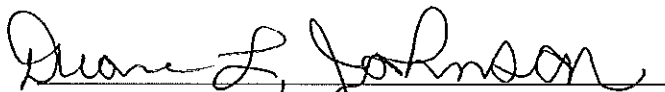
WHEREAS, outside Counsel is representing Morrison County in the litigation matter;

WHEREAS, pursuant to Minnesota Statute Chapter 13D.05, the County Board by resolution may close a meeting to discuss pending litigation strategies;

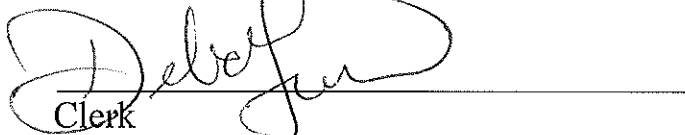
NOW THEREFORE, be it resolved:

The Morrison County Board of Commissioners hereby closes the County Board meeting on May 7, 2013 in order to discuss the status of pending litigation and receive a report on the status.

Date: May 7, 2013



Chair, Morrison County
Board of Commissioners


Clerk