Public Notices

STATE OF MINNESOTA
COUNTY OF STEARNS

IN DISTRICT COURT
7TH JUDICIAL DISTRICT
Case Type: Other Civil
(Quiet Title/Partition)
Court File No.:
73-CV-24-2233

SECOND AMENDED SUMMONS

Helen A. Pauly, as trustee of The Revocable Trust of Donald L. Pauly and Helen A. Pauly dated March 9, 2017,

Plaintiff,

vs.

Julie McNeil, Chuck Pauly, Kari Reynolds, Denise Schutz, Sheila Fuchs, Keith Fuchs, Rodney Fuchs, Mark Pauly, Belinda Van Beek, Timothy Pauly, Thomas Pauly, Randy Pauly, Scott Pauly, Daniel Bell, Amanda Dawn Leitzke, Jackie Bell, Mary Currin, Kenneth Pauly, Joshua Pauly, JoAnn Jones, Harold Pauly, Marlene Kalla, Lloyd Pauly, Cletus Pauly, Doris Brinkman, Ralph Pauly, Carol Hondl, Sandra Scholz, Mary VanRoy, and Joyce Rogers,

also any and all unknown heirs, successors and assigns of any of the above named Defendants, now deceased, together with all other persons and entities unknown claiming any right, title, estate, interest or lien in the real estate described in the Complaint herein,

Defendants.

THIS SUMMONS IS DIRECTED TO: EACH ABOVE-NAMED DEFENDANT.

1. YOU ARE BEING SUED. The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is on file in the office of the court administrator of the above-named court. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this Summons.

2. YOU MUST REPLY WITHIN 21 DAYS TO PROTECT YOUR RIGHTS. You must give or mail to the person who signed this Summons **a written response** called an Answer within 21 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at:

Kelly A. Springer (0387850)
WILLENBRING, DAHL, WOCKEN & ZIMMERMANN, PLLC
318 Main Street
PO Box 417
Cold Spring, MN 56320-0417

3. YOU MUST RESPOND TO EACH CLAIM. The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS. If you do not answer within 21 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the Complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

7. THIS LAWSUIT MAY AFFECT OR BRING INTO QUESTION TITLE TO REAL PROPERTY located in Stearns County, State of Minnesota, legally described as follows:

All that part of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section 24, Township 123 North, Range 30 West, which lies Southwesterly of the centerline of County Road No. 140 and which lies Easterly of the following described line: Commencing at the Southwest corner of said NW1/4NE1/4; thence South 89° 46' 22" East on an assumed bearing along the South line thereof for 869.88 feet to the point of beginning of the line to be described; thence North 00° 22' 35" East for 888.10 feet to the Southeasterly right of way line of Fawnview Lane; thence North 54° 47' 08" East along said right of way line for 159.70 feet to said centerline of County Road No. 140 and said described line there terminating. ALSO: All that part of the East Half of the Northeast Quarter (E1/2NE1/4) of said Section 24 which lies Southwesterly of said centerline of County Road No. 140.

LESS AND EXCEPT: that part of thereof described as follows: Commencing at the Northeast corner of said Section 24; thence South 00° 03' 51" West along the East line of said Section 24 for 1261.41 feet to the said centerline of County Road No. 140 for the point of beginning of the exception to be described; thence North 72° 21' West along said centerline for 119.82 feet; thence North 63° 19' West along said centerline for 160.70 feet; thence South 30° 28' 57" West for 216.20 feet; thence South 61° 25' 08" East for 219.67 feet; thence Easterly in a straight line for 172 feet, more or less to a point on said East line of Section 24 which is 185.00 feet South of said centerline; thence Northerly along said East line 185.00 feet to the point of beginning

8. NO MONEY JUDGMENT IS BEING SOUGHT FROM ANY OF THE NAMED DEFENDANTS HEREIN. The sole purpose of this action is to establish clear title in Plaintiff.

Dated this 3rd day of May, 2024.

Filed in District Court
State of Minnesota
Dated May 13, 2024

WILLENBRING, DAHL, WOCKEN & ZIMMERMANN, PLLC
/s/ Kelly A. Springer
Kelly A. Springer (0387850)
Attorneys for Plaintiff
318 Main Street -
PO Box 417
Cold Spring, MN 56320-0417
Telephone: (320) 685-3678

(Pub. May 21 - June 4, 2024)

STATE OF MINNESOTA
COUNTY OF BENTON

DISTRICT COURT
7TH JUDICIAL DISTRICT
Court File Number
05-FA-24-778

In the Matter of:

Ashley Ann Schuerman
Petitioner

vs.

Jeremy Joseph Schultz
Respondent

Notice of Issuance of Emergency (Ex Parte) Order for Protection by Publication (Minn. Stat. § 518B.01, subd. 8)

To Respondent:

YOU ARE NOTIFIED that an Ex Parte Order for Protection has been issued in this case. You may request a hearing if you contact the court administrator's office within 12 days of the date of publication of this notice. You may obtain a copy of the Ex Parte Order for Protection and the form to request a hearing from the court administrator's office at the following address:

Benton County District Court
615 Highway 23
PO Box 189
Foley, MN 56329

Failure to request a hearing or to obtain a copy of the Ex Parte Order will not be a defense to prosecution for violation of the Court's order.

Filed in District Court
State of Minnesota
May 17, 2024

Dated: May 17, 2024
Megan Bergman
Court Administrator/

(Publish May 28, 2024)

Advertisement for Sealed Bids
THE CITY OF COLD SPRING
CRACK SEAL PROJECT

The City of Cold Spring is looking to crack seal several roadways, at approximately 17,987 lbs. The City of Cold Spring is accepting sealed bids for the proposed crack seal project until 11:00 on Thursday, June 6, 2024 at the office of the City Administrator, at 27 Red River Avenue South, Cold Spring, MN 56320, at which time they will be publicly opened and read aloud, for the furnishing of all labor and material for the project. To obtain a bid form, please call (320) 685-3653 or visit www.coldspring.govoffice.com. For project information, or to arrange a viewing please call (320) 248-9471.

Bids will most likely be considered at a meeting of the City Council on Wednesday, June 12, 2024. Bids shall be on the forms provided for that purpose and according to the specifications in the bid documents. The City will not require Bid Security for this project.

The Owner reserves the right to reject any and all bids, to waive irregularities and informalities therein, and to award the contract in the best interests of the Owner.

Dennielle Hofmann, Administrative Assistant

(Pub. May 28 & June 4, 2024)

Advertisement for Sealed Bids
THE CITY OF COLD SPRING
SEAL COAT PROJECT

The City of Cold Spring is looking to seal coat and fog seal approximately 35,637 square yards of roadways. The City of Cold Spring is accepting sealed bids for this project until 11:00 a.m. on Thursday, June 6, 2024 at the Cold Spring City Hall, located at 27 Red River Avenue South, Cold Spring, MN 56320, at which time they will be publicly opened and read aloud, for the furnishing of all labor and material for the project. To obtain a bid form, please call (320) 685-3653 or visit www.coldspring.govoffice.com. For information, or to arrange a viewing please call (320) 248-9471.

Bids will most likely be considered at a meeting of the City Council on Wednesday, June 12, 2024. Bids shall be on the forms provided for that purpose and according to the specifications in the bid documents. Bid security in the amount of 5% of the bid must accompany each bid in accordance with the instructions to bidders. Bid security may be retained until the contract has been awarded.

Bids shall be securely sealed and endorsed upon the outside wrapper, "Seal Coat Project." The Owner reserves the right to reject any and all bids, to waive irregularities and informalities therein, and to award the contract in the best interests of the Owner.

Dennielle Hofmann, Administrative Assistant

(Pub. May 28 & June 4, 2024)

CITY OF COLD SPRING
ORDINANCE NO. 411

AN ORDINANCE AMENDING THE CITY CODE OF COLD SPRING BY ADJUSTING SEWER UTILITY RATES

THE CITY COUNCIL OF THE CITY OF COLD SPRING, STEARNS COUNTY, MINNESOTA HEREBY ORDAINS:

SUBDIVISION 1. Section 540 of City Code shall be amended as follows:

Significant Industrial User Rates. The following sewer charges shall be imposed for all Significant Industrial Users, for each "Active" utility account. The rates and charges and the methods for determining and collecting those charges may be further defined in agreements to govern the relationship between the City and the Significant Industrial User, provided that they are generally consistent with this Section 540.

A. BOD Charge. A "BOD Charge" shall be imposed for the pounds per day (PPD) of Bio-chemical Oxygen Demand (BOD) discharged to the wastewater treatment facility per month. A charge of $.45 per pound shall be charged for quantities meeting the Average Monthly Limitation as stated in the Effluent Limits and Monitoring Requirements of the SIU's Permit for Industrial Use Discharge to the Cold Spring, Minnesota Municipal Sanitary Sewer System (Permit).

B. TSS Charge. A "TSS Charge" shall be imposed for the pounds per day (PPD) of Total Suspended Solids (TSS) discharged to the wastewater treatment facility per month. A charge of $.90 per pound shall be charged for quantities meeting the Average Monthly Limitation as stated in the SIU's Permit.

C. Flow Charge. A "Flow Charge" shall be imposed for the number of million gallons per day (MGD) of wastewater discharged to the wastewater treatment facility during each month. A "Flow Charge" of $4.45 per 1,000 gallons shall be charged for quantities meeting the Average Monthly Limitation as stated in the SIU's Permit.

D. Phosphorus Charge. A "Phosphorus Charge" shall be imposed for the pounds per day (PPD) of Phosphorus discharged to the wastewater treatment facility per month. A charge of $3.61 per pound shall be charged for quantities meeting the Average Monthly Limitation as stated in the SIU's Permit.

E. Base Charge. A "Base Charge" of $10.00 per month shall be imposed for each month included in each billing period, regardless of the quantity of wastewater discharged.

Section 540, New Subd. 6 shall be added as follows:

Subd. 6. **Pretreatment Plant Industrial Influent Rates and Charges**. The following sewer charges shall be imposed for all Pretreatment Plant Industrial users for each "Active" utility account. The rates and charges and the methods for determining and collecting those charges may be further defined in agreements to govern the relationship between the City and the Pretreatment Plant Industrial User, provided that they are generally consistent with this Section 540.

A. BOD Charge. A "BOD Charge" shall be imposed for the pounds per day (PPD) of Bio-chemical Oxygen Demand (BOD) discharged to the wastewater pretreatment facility per month. A charge of $.09 per pound shall be charged for quantities meeting the Average Monthly Limitation as stated in the Effluent Limits and Monitoring Requirements of the SIU's Permit for Industrial Use Discharge to the Cold Spring, Minnesota Municipal Sanitary Sewer System (Permit).

B. TSS Charge. A "TSS Charge" shall be imposed for the pounds per day (PPD) of Total Suspended Solids (TSS) discharged to the wastewater pretreatment facility per month. A charge of $.22 per pound shall be charged for quantities meeting the Average Monthly Limitation as stated in the SIU's Permit.

C. Flow Charge. A "Flow Charge" shall be imposed for the number of million gallons per day (MGD) of wastewater discharged to the wastewater pretreatment facility during each month. A charge of $1.75 per 1,000 gallons shall be charged for quantities meeting the Average Monthly Limitation as stated in the SIU's Permit.

D. Phosphorus Charge. A "Phosphorus Charge" shall be imposed for the pounds per day (PPD) of Phosphorus discharged to the wastewater treatment facility per month. A charge of $3.95 per pound shall be charged for quantities meeting the Average Monthly Limitation as stated in the SIU's Permit.

If the Average Daily Limitation is exceeded the following charges apply:

(i.) CBOD Charge. A charge of $5,000 shall be charged for quantities exceeding the Average Daily Limitation as stated in this Permit. An additional charge of $5,000 shall be charged for every 5,000 pounds thereafter.

(ii.) TSS Charge. A charge of $5,000 shall be charged for exceeding the Average Daily Limitation as stated in this Permit.

(iii.) Flow Charge. A charge of $5,000 shall be charged for quantities exceeding the Average Daily Limitation as stated in this Permit. An additional $5,000 shall be charged for every 50,000 gallons thereafter.

Effective Date: This Ordinance shall become effective upon its passage and publication. Changes to any of the fees prescribed above shall be effective commencing February 1, 2024.

PASSED AND ADOPTED by the City Council of the City of Cold Spring, Minnesota, this 22nd day of May, 2024; published May 28, 2024.

SIGNED:
Dave Heinen,
Mayor

WITNESSED:
Kris Dockendorf,
City Administrator

(Publish May 28, 2024)

STATE OF MINNESOTA
COUNTY OF STEARNS

DISTRICT COURT
7th JUDICIAL DISTRICT
Court File No:
73-FA-23-10197
Case Type: Dissolution with Children

Summons
With Real Estate

In Re the Marriage of:

Hibo A. Mohamed
Petitioner

and

Mohamed Abdullah Hassan
Respondent

THE STATE OF MINNESOTA TO THE ABOVE-NAMED RESPONDENT:

WARNING: Your spouse has filed a lawsuit against you for dissolution of your marriage. A copy of the paperwork regarding the lawsuit is served on you with this summons. This summons is an official document from the court that affects your rights. Read this summons carefully. If you do not understand it, contact an attorney for legal advice.

1. The Petitioner (your spouse) has filed a lawsuit against you asking for a dissolution of your marriage (divorce). A copy of the *Petition for Dissolution of Marriage* is attached to this *Summons*. There should also be a copy of Petitioner's *Financial Affidavit* attached.

2. You must serve upon Petitioner and file with the Court a written *Answer* to the *Petition for Dissolution of Marriage* and your *Financial Affidavit*. You must pay the required filing fee. *Answer* forms and the *Financial Affidavit* form are available from the Court Administrator's office. You must serve your *Answer* and *Financial Affidavit* upon Petitioner **within thirty (30) days** of the date you were served with this *Summons*, not counting the day of service. If you do not serve and file your *Answer* and *Financial Affidavit*, the Court may give your spouse everything he or she is asking for in the *Petition for Dissolution of Marriage*.

3. This proceeding involves, affects, or brings into question the real property located at the following address: 310 Sunwood Park Drive, Waite Park, MN 56387 in Stearns County.

NOTICE OF TEMPORARY RESTRAINING PROVISIONS

Under Minnesota law, service of this summons makes the following requirements apply to both parties to the action, unless they are modified by the court or the proceeding is dismissed:

(1) Neither party may dispose of any assets except (a) for the necessities of life or for the necessary generation of income or preservation of assets, (b) by an agreement of the parties in writing, or (c) for retaining counsel to carry on or to contest this proceeding.

(2) Neither party may harass the other party.

(3) All currently available insurance coverage must be maintained and continued without change in coverage or beneficiary designation.

(4) Parties to a marriage dissolution proceeding are encouraged to attempt alternative dispute resolution pursuant to Minnesota law. Alternative dispute resolution includes mediation, arbitration and other processes as set forth in the district court rules. You may contact the court administrator about resources in your area. If you cannot pay for mediation or alternative dispute resolution, in some counties, assistance may be available to you through a nonprofit provider or a court program. If you are a victim of domestic abuse or threats as defined in Minnesota Statutes, Chapter 518B, you are not required to try mediation and you will not be penalized by the court in later proceedings.

IF YOU VIOLATE ANY OF THESE PROVISIONS, YOU WILL BE SUBJECT TO SANCTIONS BY THE COURT

NOTICE OF PARENT EDUCATION PROGRAM REQUIREMENTS

Under Minnesota Statutes, Section 518.157, in a contested proceeding involving custody or

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FEATURED PROPERTY
627 5th St. NW • Richmond

Welcome Home! Conveniently located on the edge of Richmond, this 4 Bed, 3 Bath Rambler is sure to please. Close to Richmond shops, restaurants, the public boat access for the Horseshoe Chain of Lakes, and Rich River Nature Park where you can launch your canoe/kayaks for an afternoon spent on the water. You're welcomed into the home with beautiful vaulted ceilings, open concept feel to the updated kitchen and back deck. Two bedrooms, a tastefully updated full bath with tile and in-floor heat, laundry and half bath, complete the main floor. The lower level hosts two additional bedrooms, family room, full bath, office area and unfinished utility room with ample storage. You'll love the 1200 sq. ft. of attached insulated and heated garage (40 ft. deep) plus a BONUS detached 20x25 insulated garage.

The Green Team Edina Realty
Rhonda Green, Lakeshore Specialist
Realtor, GRI, E-PRO, RRS, CRS, CPS, CPRES
Cell 320-250-4648
rhondagreen@edinarealty.com
www.TheGreenTeamRealtyMN.com
Follow us on @TheGreenTeamRealtyMN.com
Kayla Deters - Realtor/Transaction Coordinator • Jamie Juelfs - Realtor/Marketing Coordinator
Kenna Tveit - Realtor • Marta Rubin - Realtor • Susie Schultz - Realtor
Jan Dingmann - Realtor • Danna Ehresmann - Realtor • Carol Dietman - Referral Agent

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parenting time of a minor child, the parties must begin participation in a parent education program that meets minimum standards promulgated by the Minnesota Supreme Court within 30 days after the first filing with the court. In some Districts, parenting education may be required in all custody or parenting proceedings. You may contact the District Court Administrator for additional information regarding this requirement and the availability of parent education programs.

Dated: December 28, 2023
Name: Hibo Mohamed
Address: 310 Sunwood Park Drive
City/State/Zip:
Waite Park, MN 56387

(Pub. May 28 - June 11, 2024)

Notice of Public Hearing
Stearns County,
Board of Adjustment

Notice is hereby given that the Stearns County Board of Adjustment, in and for the County of Stearns, will conduct the following public hearings to consider variance applications:

1. A request from **Richard & Linda Munsinger, Cold Spring, MN – Trustees of the Munsinger Family Rev Trust** from Section 9.9.9A.(2) of Stearns County Land Use and Zoning Ordinance #439, to construct a 10 x 12 (120 Sqft) deck less than 30 feet to a rear property line. Said ordinance requires a 30 foot setback to a rear property line. Affected Property: Lot 1 Block 3 Clem's Subdivision, Section 20, Township 123, Range 30, Wakefield Township. **Property address: 17513 County Road 83, MN.**

2. An **after-the-fact** request from **Mark & Lisa Ostendorf, Eden Prairie, MN** from Sections 6.2.1 G. & 9.9.11 of Stearns County Land Use and Zoning Ordinance #439, to leave as constructed a principal residential dwelling less than 10 feet to a residential accessory building and a maximum lot coverage of greater than 25%. Said ordinance requires a principal residential dwelling to be located a minimum of 10 feet to a residential accessory building and a maximum lot coverage of 25%. Affected property: South 75 feet of the North 200 feet of Block B in Doc's Beach, Section 32, T127N, R32W, Millwood Township. **Property address: 44851 Birch Park Court, Grey Eagle, MN.**

3. A request from **Randall & Heather Einarson, Richmond, MN** from Sections 6.2.1A., 9.9.9A.(3) & 10.2.11A.(1)(a) of Stearns County Land Use and Zoning Ordinance #439, to construct a 28 x 36 (1,008 Sqft) residential accessory structure that is greater than 20 feet in building height, less than 50 feet to the Right-of-Way of County Road 71 classified as a Minor Collector and less than 100 feet to the Ordinary High Water Level of Zumwalde Lake classified Recreational Development. Said ordinance allows a maximum accessory building height of 20 feet on a lot between 1 - 1.99 acres, a structure setback of 50 feet to the Right-of-Way of a road classified as a Minor Collector and 100 feet to the Ordinary High Water Level of a lake classified Recreational Development. Affected property: Lot 18 Block 1 Riverside Terrace, Section 30, T123N, R30W, Wakefield Township. **Property address: 21478 County Road 71, Richmond, MN.**

4. An **after-the-fact** request from **Jason Smith, Sauk Rapids, MN on behalf of 5716 Walleye Rd LLC** from Sections 9.9.9A.(1) & 10.2.11 A. of Stearns County Land Use and Zoning Ordinance #439, to leave as constructed a 12 foot by 22 foot (264 Sqft) shed less than 10 feet to a property line and less than 200 feet and within the Shore Impact Zone of Smart's Creek classified as a Trout Stream. Also, to construct a 2,691 Sqft residential dwelling and relocate an existing 30 x 40 (1,200 Sqft) accessory structure less than 200 feet and within the Shore Impact Zone of Smart's Creek classified as a Trout Stream. Said ordinance requires structure setbacks of 10 feet to a property line and 200 feet from a river or creek classified as a Trout Stream. Affected property: 2.72 A. P/O Govt Lot 1 Com at a Pt 33' E and 33' S of int CL CSAH 1 and Walleye Road, Section 20, T126N, R28W, Brockway Township. **Property address: 5716 Walleye Road, Rice, MN.**

5. An **after-the-fact** request from **John & Heather Hoffman, Sauk Centre, MN** from Section 10.2.11A.(1)(a) of Stearns County Land Use and Zoning Ordinance #439, to leave as constructed an 8 x 12 (96 Sqft) deck less than 100 feet from the Ordinary High Water Level of Sauk Lake classified Recreational Development. Said ordinance requires a structure setback of 100 feet from the Ordinary High Water Level of a lake classified Recreational Development. Affected property: Lots 58 & 59 Vogel's Shady Point, Section 4, T126N, R34W, Sauk Centre Township. **Property address: 41071 Sauk Lake Road, Sauk Centre, MN.**

When and where is the meeting?

Date and Time: Thursday, June 13, 2024 - 6:00 p.m.

Location: Stearns County Service Center, Room 1104

3301 County Road 138, Waite Park, MN 56387

How do I participate?

Public Testimony: If you would like to provide public testimony, you may do so by appearing at the above hearing, you are invited to do so by attending said hearing in person or by joining virtually. To participate virtually, please contact Jamie Lucas at Jamie.Lucas@stearnscountymn.gov or call 320-656-3613 by Noon on the Wednesday preceding the meeting date.

Written Testimony: You may submit written testimony by emailing Jamie.Lucas@stearnscountymn.gov by 3pm on the hearing date. Written testimony may also be mailed to the Stearns County Environmental Services Department, Service Center, 3301 County Road 138, Waite Park, MN 56387

Comments on this public hearing are not limited to those persons receiving copies of this notice. If you know of any interested person, who for any reason has not received a copy of this notice, it would be appreciated if you would inform them of this public hearing.

Where can I view the application?

Copies of the applications can be viewed approximately one week prior to the meeting at https://stearnscounty.civicweb.net/portal/ Action taken on this request will be available shortly after the meeting at the same website location.

What if the meeting changes?

This meeting is subject to change. Please sign up for automatic updates for this meeting at https://stearnscounty.civicweb.net/portal/ Call the Department for assistance.

Stearns County Board of Adjustment

Barrier Free Status: This meeting will be accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please call (320) 656-3613 early so arrangements can be made.

(Publish May 28, 2024)

Stearns County
Board of Commissioners
Meeting Minutes
Tuesday, April 30, 2024

Call to Order

9:00 AM Meeting called to order by Tarryl Clark, Chair, on April 30, 2024 in the Board Room of the Stearns County Administration Center, 705 Courthouse Square, St. Cloud, MN.

Roll Call

Present: District 1 Tarryl Clark, District 2 Joe Perske, District 3 Jeff Bertram, and District 5 Steve Notch

Absent: District 4 Leigh Lenzmeier

Approve Agenda

Motion was made to approve the agenda

RESULT: APPROVED [UNANIMOUS]

MOVER: District 5 Steve Notch

SECONDER: District 2 Joe Perske

Consent Agenda

E.1. Approve Minutes of April 16, 2024 County Board Meeting.

E.2. For Informational Purposes Only, Claims Paid for April 6th, 2024, through April 19th, 2024, amounted to $6,530,132.31, Excluding Investment Purchases.

E.3. Approve the 2024 Annual County Boat and Water Safety Grant Contract Agreement

E.4. Approve the 2024 Federal Boating Safety Supplemental Patrol Grant Contract Agreement

E.5. **Approve** as recommended by the Stearns County Planning Commission **a plat entitled "Funk Estates,"** consisting of three (3) lots, **submitted by Francis and Elaine Funk, Sauk Centre MN** according to Stearns County Subdivision Ordinance #230 and Land Use and Zoning Ordinance #439. The property is in part of the NW1/4 of the SE1/4, lying north of 442nd Street and east of 410th Ave, in Section 33, Sauk Centre Township (127/34). The property address is 40786 442nd St, Sauk Centre MN. Property is subject to 5 conditions and 5 Findings-of-Fact were adopted.

E.6. Authorize the Stearns County Auditor-Treasurer to sign the State of Minnesota Grant Contract Agreement (GMRPTC25-09) for the acquisition of 19.06 acres of land adjacent to Rockville County Park and authorize county staff to offer to pay the 2024 property tax.

E.7. Approve Resolution 24-24 approving Stearns County's sponsorship of the Stearns County Snowmobile Association GIA trails and Kraemer Lake - Wildwood Ski Touring GIA trails.

E.8. Approve Resolution 24-25 re-entering into an agreement with the Minnesota Department of Natural Resources to install a new fishing pier at Warner Lake County Park.

E.9. Approve the Advertisement for Tax Notices Printing and Distribution Services Request for Proposals (RFP)

E.10. Authorize Advertising for Bids for CP 073-145-024; County Road 145 Resurfacing and Right Turn Lanes From CSAH 44 to the Wright County Line with a bid opening date of May 30, 2024.

E.11. Authorize Advertising for Bids for the 2024 Culvert Replacement Contract with a bid opening date of May 30, 2024.

E.12. Authorize Advertising for Bids for the Waite Park Shop Back Lot Resurfacing with a bid opening date of May 23, 2024.

E.13. Approve Resolution 24-26 supporting application for Carbon Reduction Program (CRP) funding for SP 073-070-028; Roundabout Construction at CSAH 2 and Minnesota Street in St. Joseph

E.14. Approve Resolution 24-27 requesting speed study along CSAH 12 between 330th Street and CSAH 30.

E.16. **Approve** as recommended by the Stearns County Planning Commission **a request for a Conditional Use Permit submitted by Albany Sportsmen's Club, Albany MN** according to Sections 4.8, 6.30 and 9.3.5 of Stearns County Land Use and Zoning Ordinance #439. The request is **to construct an extension to the existing skeet field house at number 6 skeet field and install concrete walkway between shooting stations.** The property is located in part of the SW1/4 SW1/4 in Section 33, lying north of State Hwy 238 Krain Township (126/31). The property address is 38052 State Hwy 238, Albany MN. Property is subject to one condition and 5 Findings-of-Fact were adopted.

E.17. Approve the following Applications and Permits for a One Day Temporary On-Sale Liquor License:

1. The Church of the Holy Cross of Pearl Lake for their July 13, 2024 event to be held on their school grounds located in Maine Prairie Township

2. Guardians of Conservation for their September 28, 2024 event to be held at Hemker Park and Zoo located in Oak Township

E.18. Approve Proclamation of Public Service Recognition Week and authorize Park Pass for County Employees.

E.19. **Approve** as recommended by the Stearns County Planning Commission **a rezoning request submitted by Ferche Family Ltd Partnership, St. Stephen MN** according to Section 4.10 of Stearns County Land Use and Zoning Ordinance #439 **to rezone approximately 86.2 acres from the Agricultural 40 (A-40) zoning district to the Residential 10 (R-10) zoning district and enact Ordinance #671.** The property is part of the W1/2 SE1/4 and part of the NW1/4 SW1/4 lying southwest of the County Road 2/County Road 4 intersection in Section 23 of St. Wendel Township (125/29). No conditions apply and 5 Findings-of-Fact were adopted.

ORDINANCE NUMBER 671
AN ORDINANCE
AMENDING
STEARNS COUNTY
ORDINANCE NUMBER 439

WHEREAS, the Planning Commission of Stearns County, after a public hearing duly called and held, as required by law, and after due investigation and consideration, has recommended in writing, to the Stearns County Board of Commissioners, that certain boundary changes may be made on the Official Zoning Map; and

WHEREAS, the Stearns County Board of Commissioners, after due consideration, find that approving said boundary changes will be consistent with the Stearns County Comprehensive Plan.

THE COUNTY BOARD OF STEARNS COUNTY ORDAINS:

Section 1.0 That the following described property in St. Wendel Township is hereby rezoned from the Agricultural 40 (A-40) zoning district to the Residential 10 (R-10) zoning district: See Exhibit A

Section 2.0 The Official Zoning Map, on file in the Stearns County Environmental Services Office, Stearns County Service Center, Waite Park, Minnesota is hereby amended to change the district boundaries as shown in Exhibit B which is hereby incorporated by reference as though a part of this Ordinance.

Section 3.0 This Ordinance shall be in full force and effect after its passage and publication as provided by law.

E.20. Appoint Commissioner Perske to represent Stearns County on the Career Center Board on a temporary basis in the absence of Commissioner Lenzmeier.

Consent Agenda Vote:

After pulling E.15. for discussion, motion was made to approve the Consent Agenda.

RESULT: APPROVED [UNANIMOUS]

MOVER: District 3 Jeff Bertram

SECONDER: District 4 Steve Notch

Item Pulled for Discussion

E.15. *Consider revoking Conditional Use Permits2007-36,2007-53 and P-001090 for property owned by Mark Engler, Paynesville MN due to permit violations of a recycling center for electronics and metals in a Commercial District located in Spring Hill Township.*

After some discussion, motion was made to approve as recommended by the Stearns County Planning Commission the decision to allow Mark Engler additional time to come into compliance with permit violations at his recycling center due to progress that has been made.

RESULT: APPROVED [UNANIMOUS]

MOVER: District 2 Joe Perske

SECONDER: District 1 Jeff Bertram

Environmental Services

F.1. *Conduct Public Hearing on Ordinance #670, amending Land Use and Zoning Ordinance #439.*

A public hearing was held for consideration of enacting Ordinance #670, amending Land Use and Zoning Ordinance #439. Chelle Benson, Environmental Services Director, provided a brief overview and stated most of the changes are in regards to definitions and slight modifications to existing requirements but mostly addresses changes related to Recreational Camping Areas and adding a new category titled "Recreational Camping Area, Limited". This category allows for no more than 4 RV's on a minimum of 10 acres in various zoning districts. Ms. Benson also stated no correspondences were received. Chair Clark opened the public hearing for public comment. Peter Wilson, Sartell MN, stated he didn't feel more control is needed and just because it is not being done, doesn't mean it needs to be done. After hearing no further public comment, Chair Clark closed the public hearing. Ms. Benson stated the intent of this ordinance revision is to allow for Recreational Camping Area, Limited Use because if it is not specifically listed as an allowable use within the ordinance, then the activity is prohibited. After some discussion, **motion was made to enact Ordinance #670.**

RESULT: APPROVED [UNANIMOUS]

MOVER: District 5 Steve Notch

SECONDER: District 1 Tarryl Clark

ORDINANCE NUMBER 670

Ordinance amending Stearns County Land Use and Zoning Ordinance #439.

Ordinance Number 439 and Ordinance Number 670 are adopted pursuant to Minnesota Statutes, chapter 394.

The scope of Ordinance Number 670 is as follows.

Stearns County Ordinance Number 670 amends Stearns County Land Use and Zoning Ordinance #439 related to:

Accessory Building Area. Define how structure size is calculated. Correct error for accessory building calculation.

Accessory Structure. Clarify that accessory structures are not used for human habitation.

Recreational Vehicle replaced with Recreational Camping Vehicle.

Recreation Use Area. Eliminate definition. No reference to term in ordinance.

Require agricultural accessory buildings to be a minimum of 10 feet from a home.

Expand on reference that Accessory Dwelling Units in shoreland must meet Guest Cottage requirements.

Enact same standard allowed for Home Extended Business and Home Occupations requiring persons engaged in the business be residents of the property.

Update references to Recreational Camping Area.

Create new use: Recreational Camping Area, Limited. Allows no more than 4 RVs on a minimum of 10 acres in certain zoning districts.

Create new use: Recreational Camping Area, Temporary. Allows temporary camping for construction projects on a minimum of 10 acres in certain zoning districts.

Update standard consistent with solid waste disposal and transfer stations.

Enact same standard for Conservation Design Overlay, Natural Resources related to permanent protection of open space.

Eliminates CUP requirement for parcels with only one residential building entitlement in the Conservation Design Overlay, Natural Resources District.

Update reference to new publication required for erosion control plans

Eliminate the requirement that only one principle structure is allowed on a parcel. The latter portion of this Section moved to 7.23.2

Relocated from 7.21

Clarifies that a construction site permit is not required for swimming pools and that shoreland alteration permit may be required.

Correct error and list Island Preservation (9.16)

Add wetland setback to (Commercial, Industrial, E/E, Scenic River, Residential Manufactured Homes, Island Preservation) districts.

Add 25% lot coverage standard.

Changes common ownership provision consistent with state deed tax amount.

10.2.8 Reword title.

Update reference to FEMA floodproofing guidelines

Allows wet floodproofing for structures up to 576ft2 instead of 500ft2.

Lessens standards for floodproofing residential accessory structures.

The above summary of Ordinance Number 670 is only a summary publication. The full text of Ordinance Number 670 is available for public inspection by any person during regular office hours at the office of the Stearns County Auditor-Treasurer, Room 128, Stearns County Administration Center, 705 Courthouse Square, St. Cloud, Minnesota.

Public Works

G.1. Authorize submitting Application to enroll in Monarch Candidate Conservation Agreement with Assurances (CCAA) due to declining population.

RESULT: APPROVED [UNANIMOUS]

MOVER: District 2 Joe Perske

SECONDER: District 3 Jeff Bertram

Administration

I.1. Jail/Justice Center Work Session in Room 499 Immediately After Adjournment.

RESULT: INFORMATIONAL – NO VOTE

Adjournment

Chair Clark adjourned the County Board Meeting at 9:44 a.m.

(Publish May 28, 2024)

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