

Public Notice

(First Date of Pub.: Wed., May 9, 2018)

(Dates of Pub.: Wed., May 9, 2018)

LYON COUNTY BOARD OF COMMISSIONERS
Tuesday, April 17, 2018

A Summary of the Proceedings of the Lyon County Board

9:00 a.m. pursuant to notice the Lyon County Commissioners met with the following members present: Commissioners Graupmann, Anderson, Sanow, Crowley and Ritter. Also present: Administrator Stomberg and Attorney Maes.

MSP to approve the agenda.

MSP to approve the consent agenda.

MSP to approve the 2017 Annual Feedlot Report and allow Board Chair to sign the document.

MSP to approve the Conditional Use Permit for Dale, Julia and Joshua Wieme for a new feedlot to be constructed in Shelburne Township with the conditions presented.

MSP to approve the Conditional Use Permit for Ben Ludeman for a feedlot expansion to be constructed in Monroe Township with the conditions presented. Motion passed with Commissioners Crowley, Graupmann, Ritter and Sanow voting in favor. Commissioner Anderson abstained from voting.

MSP to approve the Mid-State Computer Collaborative Joint Powers agreement as presented and allow Board Chair to sign the document.

MSP to approve the CPU contract and list of Lyon County options and allow Board Chair to sign contract.

MSP to approve the 2018 Engineering and Assessor Interns as presented. Motion passed with Commissioners Anderson, Crowley, Ritter and Sanow voting in favor. Commissioner Graupmann abstained from voting.

MSP to approve the hire of Max Roelfsema to return as summer help for 2018 at \$10 per hour.

MSP to approve the hire of Jordan Graupmann as HHW summer help at \$9.75 per hour. Motion passed with Commissioners Anderson, Crowley, Ritter and Sanow voting in favor. Commissioner Graupmann abstained from voting.

MSP to adjourn at 10:30 a.m.

A copy of these proceedings are available in the County Administrator Office of Lyon County and also available at www.lyonco.org.

(First Date of Pub.: Wed., May 16, 2018)

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ORDINANCE NO. 365 AN ORDINANCE REPEALING ORDINANCE NO. 364 AND ANNEXING PROPERTY TO THE CITY OF TRACY

WHEREAS, the Tracy Development Corporation, P.O. Box 1013, Tracy, Minnesota 56175 (hereinafter, "TDC") owns real property in Lyon County, Minnesota legally described as:

That part of the Southwest Quarter (SW¼) of Section Fourteen (14), Township One Hundred Nine (109), Range Forty (40), described as follows:

Commencing at southwest corner of said Southwest Quarter; thence easterly along the south line of said Southwest Quarter a distance of Seven Hundred Thirty-three Feet (733'); thence northerly, deflecting to the left Ninety Degrees (90°) a distance of Thirty-three feet (33') to the point of beginning of the land to be described, thence continuing northerly along last described course a distance of Three Hundred Sixty-seven and Eight-tenths Feet (367.80'); thence easterly, deflecting to the right Ninety Degrees (90°) a distance of One Hundred Thirty Feet (130'); thence southerly deflecting to the right Ninety Degrees (90°) a distance of Three Hundred Sixty-seven and Eight-tenths Feet (367.80'); thence westerly deflecting to the right Ninety Degrees (90°) a distance of One Hundred Thirty Feet (130') to the point of beginning. Subject to the right of way of T. H. No. 14.

Running thence Westerly and parallel with the South line of said Section Fourteen (14) a distance of Three Hundred Feet (300'); running thence southerly and at right angles a distance of One Hundred Fifty Feet (150'); running thence easterly and at right angles a distance of Three Hundred Feet (300'); running thence northerly and at right angles a distance of One Hundred Fifty Feet (150') to the point of beginning (hereinafter, "annexed property"),

WHEREAS, the City previously passed and approved Ordinance No. 364 on January 22, 2018, which was intended to annex the annexed property into the City's boundaries, however, Ordinance No. 364 contained the wrong legal description for the annexed property;

WHEREAS, the purpose of this ordinance is to repeal Ordinance No. 364 and to correct the legal description of the annexed property and to annex the annexed property into the City's boundaries;

WHEREAS, the annexed property is not within the City's boundaries, but adjoins or abuts the City's boundaries;

WHEREAS, the annexed property is not presently served by public wastewater facilities or public wastewater facilities are not

otherwise available;

WHEREAS, the annexed property is 1.03 acres;

WHEREAS, the annexed property is unincorporated;

WHEREAS, the annexed property is not located within a flood plain or shoreland area;

WHEREAS, annexation is required to provide city utilities to the annexed property;

WHEREAS, the City received a petition for annexation from all the property owners of the annexed property;

WHEREAS, pursuant to Minn. Stat. 414.033, subd. 2(3), the City is authorized to annex the annexed property by ordinance;

WHEREAS, pursuant to Minn. Stat. 414.033, subd. 2b, the City held a public hearing on the proposed ordinance on May 14, 2018 at 6:45 p.m. after giving thirty (30) days written notice by certified mail to the town or towns affected by the proposed ordinance and to all landowners within and contiguous to the area to be annexed;

WHEREAS, no objections were raised by the town or towns affected by the proposed ordinance;

WHEREAS, reimbursement of the property taxes to the Township shall be based on the property taxes collected by the Township in the last year it collected taxes on the annexed property, in a total amount equivalent to that payable under Minn. Stat. 414.033, subd.12 and Minn. Stat. 414.036.

WHEREAS, pursuant to Minn. Stat. 414.036, there are no outstanding special assessments or debts incurred for special assessments attributable to or assigned by the Township to the annexed property;

WHEREAS, provisions of Minn. Stat. 414.033, subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality;

WHEREAS, after considering all factors surrounding the proposed ordinance, the City finds that the proposed ordinance and annexation is in the City's best interests;

NOW THEREFORE, the City of Tracy does ordain:

1. Ordinance No. 364 is hereby repealed.

2. The City Council hereby determines that the real property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that its use is being proposed for construction which requires or will need city services, including public sewer facilities.

3. None of the real property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minn. Stat. 414.0325.

4. Reimbursement of the property taxes to the Township shall be based on the property taxes collected by the Township in the last year it collected taxes on the above-referenced real property, in a total amount equivalent to that payable under Minn. Stat. 414.033, subd.12 and Minn. Stat. 414.036.

5. The corporate limits of the City of Tracy, Minnesota, are hereby extended to include the following described real property, said real property abutting the City of Tracy and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, to wit:

That part of the Southwest Quarter (SW¼) of Section Fourteen (14), Township One Hundred Nine (109), Range Forty (40), described as follows:

Commencing at southwest corner of said Southwest Quarter; thence easterly along the south line of said Southwest Quarter a distance of Seven Hundred Thirty-three Feet (733'); thence northerly, deflecting to the left Ninety Degrees (90°) a distance of Thirty-three feet (33') to the point of beginning of the land to be described, thence continuing northerly along last described course a distance of Three Hundred Sixty-seven and Eight-tenths Feet (367.80'); thence easterly, deflecting to the right Ninety Degrees (90°) a distance of One Hundred Thirty Feet (130'); thence southerly deflecting to the right Ninety Degrees (90°) a distance of Three Hundred Sixty-seven and Eight-tenths Feet (367.80'); thence westerly deflecting to the right Ninety Degrees (90°) a distance of One Hundred Thirty Feet (130') to the point of beginning. Subject to the right of way of T. H. No. 14.

Running thence Westerly and parallel with the South line of said Section Fourteen (14) a distance of Three Hundred Feet (300'); running thence southerly and at right angles a distance of One Hundred Fifty Feet (150'); running thence easterly and at right angles a distance of Three Hundred Feet (300'); running thence northerly and at right angles a distance of One Hundred Fifty Feet (150') to the point of beginning.

6. That the City Clerk of the City of Tracy is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Lyon County Auditor, and the Monroe Township Clerk.

7. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 14th DAY OF May, 2018.

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or email tpoffice@headlightherald.com with a description and the week it ran.

TRACY
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