

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
APRIL 18, 2023

The Faribault County Board of Commissioners met in regular session at the Courthouse in the City of Blue Earth at 9:00 a.m. on April 18, 2023. The following members were present: Tom Loveall, Bruce Anderson, Bill Groskreutz, John Roper, and Greg Young Commissioners. Auditor/Treasurer/Coordinator Darren Esser, County Attorney Cameron Davis, Deputy Tom Elmer, Acting Clerk to the Board Sarah Van Moer, and members of the public K. Mertens, M. Steele, and B. Halverson also attended. Participating virtually were Faribault County employees J. Blair, L. Mehrhof, M. Lore, and P. Krill.

The meeting was called to order by Chair Anderson.

The pledge of allegiance was recited.

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Young/Groskreutz motion carried unanimously to approve the synopsis and official proceedings of the April 4, 2023 regular and drainage authority meetings.

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Roper/Groskreutz motion carried unanimously to approve the agenda of April 18, 2023.

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The calendar was updated.

B. Halverson appeared during public comment and spoke about the public works property in Frost.

\* \* \* \* \*

Committee reports were given. Groskreutz reported on Transit, a Toward Zero Deaths webinar, the planned Trinity Sober Home in Clark Township, an ambulance evaluation, and MVAC. Roper reported on Traverse des Sioux Library Board, and MVAC. Young reported on annual township meetings for Pilot Grove and Verona. Loveall reported on Region Nine. Anderson reported on Planning & Zoning, MnDOT updates, and Personnel Committee.

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Victim/Witness Coordinator Barb Ziegler and County Attorney Cameron Davis met regarding office business.

Young/Loveall motion carried unanimously to approve Resolution 23-CB-25 proclaiming April 23-29, 2023, Crime Victims' Rights Week. Commissioners Groskreutz, Roper, Young, Loveall, and Anderson voted yes.

**RESOLUTION**

*National Crime Victims' Rights Week, April 23-29, 2023*

**Survivor Voices: Elevate. Engage. Effect Change.**

- Whereas** the term “victim” is more than just a label and has legal standing and protections that go along with it;
- Whereas** crime victims’ rights acts passed here in Minnesota and at the federal level guarantee victims the right to meaningfully participate and use their voice in the criminal justice process;
- Whereas** victim service providers, advocates, law enforcement officers, attorneys, and other allied professionals can help survivors find their justice by enforcing these rights;
- Whereas** the right to provide an impact statement ensures that victims’ voices are considered in court during the sentencing and, when applicable, restitution processes;
- Whereas** including and elevating the voices of survivors makes certain they are heard and seen and creates a path to forging and sustaining community trust;
- Whereas** engaging survivors creates responses and services that are credible, meaningful, and centered on individual needs;
- Whereas** survivors’ lived experience can serve as a catalyst for implementing innovative programs, shifting existing programs in new directions, and changing policies or practices that prevent survivors from accessing services or pursuing justice;
- Whereas** National Crime Victims’ Rights Week provides an opportunity to recommit to listening to crime survivors in every space where decisions are made that could impact them; and
- Whereas** Faribault County Victim/Witness Program is hereby dedicated to amplifying the voices of survivors and creating an environment where survivors have the confidence that they will be heard, believed, and supported.
- Now, therefore,** we, the Faribault County Board of Commissioners, do hereby proclaim the week of April 23–29, 2023, as

**Crime Victims’ Rights Week**

reaffirming Faribault County’s commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims’ Rights Week and throughout the year; and expressing our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.

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Planning & Zoning Administrator Sara Hauskins and Luke Slaughter of Center Creek Gun Club met to discuss a Conditional Use Permit.

Loveall/Young motion carried unanimously to approve Resolution 23-PZ03-26 approving the Conditional Use Permit for Center Creek Gun Club, Inc. Commissioners Groskreutz, Roper, Young, Loveall, and Anderson voted yes.

**R E S O L U T I O N**

**CONDITIONAL USE PERMIT**

04-18-23

-80-

Center Creek Gun Club, Inc.  
Verona Township, Section 8 & 9-103-28  
#03-23-83

**WHEREAS:** According to the Faribault County Zoning Ordinance, Center Creek Gun Club, Inc. has requested a Conditional Use Permit for a Gun Club.

The proposed project is located in the A-1 Ag District located in:

That part of the Southeast Quarter of the Southeast Quarter of Section 8 and the Southwest Quarter of the Southwest Quarter of Section 9, Township 103 North, Range 28 West, Faribault County, Minnesota, described as follows: Beginning at the Southwest corner of said Section 9; thence on an assumed bearing of North 0 degrees 24 minutes 34 seconds West, along the west line of said section a distance of 151.00 feet; thence North 11 degrees 29 minutes West a distance of 77.00 feet; thence North 28 degrees 05 minutes West a distance of 87.00 feet; thence North 47 degrees 55 minutes West a distance of 147.50 feet; thence North 34 degrees 50 minutes East a distance of 101.00 feet; thence North 23 degrees 11 minutes East a distance of 97.26 feet to a survey monument; thence North 85 degrees 00 minutes East a distance of 376.99 feet to an iron monument; thence North 57 degrees 00 minutes East a distance of 80.00 feet to an iron monument; thence North 39 degrees 00 minutes East a distance of 348.00 feet to an iron monument; thence North 73 degrees 00 minutes East a distance of 275.00 feet to an iron monument; thence North 82 degrees 00 minutes East a distance of 468.28 feet, more or less to the east line of the Southwest Quarter of the Southwest Quarter of said Section 9; thence southerly, along said east line, a distance of 110 feet, more or less, to the centerline of Center Creek; thence westerly and southwesterly, along said centerline a distance of 1650 feet, more or less, to the south line of said section; thence westerly, along said south line, a distance of 252 feet, more or less, to the point of beginning, containing 10 acres, more or less, subject to easements now of record in said county and state.

**WHEREAS:** According to the Faribault County Zoning Ordinance, Section 16 – Subdivisions (4–6), the Planning Commission has made its recommendation based on findings with respect thereto and all facts in connection therewith and has designated conditions deemed necessary for the protection of public interest.

**WHEREAS:** The Planning Commission finds that:

1. The proposed use of the property will not have an adverse impact on health, safety and the general welfare or be injurious to the use and enjoyment of other properties and residents for purposes already permitted in the surrounding neighborhood.
2. The proposed use meets the standards of the Faribault County Zoning Ordinance including that the use is allowed with a Conditional Use Permit in the designated zoning district in which it is proposed.
3. The proposed use will not have an adverse impact on traffic conditions, or that additional measures are being proposed in regard to access roads, traffic conditions, traffic congestion, and traffic hazard.

4. There are adequate public or private facilities and services in place or are being proposed to support the proposed use in regard to water supply, electricity, sewer services, lighting, public services, site drainage and off-street parking.
5. If the proposed use requires storage of materials, that adequate disposal measures are in place.
6. The proposed use will not have an adverse effect on the environment including impacts on the groundwater, surface water, soils, and air quality.
7. The proposed use will not substantially diminish and impair property values within the immediate vicinity and is compatible with the existing neighborhood.
8. The proposed use will not hinder the normal and orderly development and improvement of surrounding properties in the surrounding neighborhood for the uses predominate to the area.
9. The proposed use will have adequate measures in place to prevent or control offensive odors and/or fumes, dust, noise, and vibration, so that none of these will be a disturbance to neighboring properties.
10. If the proposed use requires any additional necessary facilities that they are identified in the permit.

**NOW THEREFORE BE IT RESOLVED,** that the Faribault County Board of Commissioners approve a Conditional Use Permit to Center Creek Gun Club, Inc. in the A-1 Ag District for a gun club with the following conditions:

1. All County, State, Federal laws, regulations, and ordinances shall be complied with, and site must be in compliance with all necessary permits.
2. No new structures shall be placed in designated floodplain areas as stipulated by the DNR.
3. Activities, safety, sound, rules, and hours of operation shall be in harmony with Minn. State Statute 87 A and the National Rifle Association (NRA) unless the Department of Natural Resources (DNR) adopts Shooting Range Performance Standards according to Statute.
4. Appropriate insurance shall be in place.
5. Parking shall comply with the Faribault County Zoning Ordinance, *Section 15 – General Regulations; A;* and shall have a minimum of ten (10) parking spaces. If there is a large event, the computation of parking shall be one (1) space for every (4) people. There will be no parking on the County Highway.
6. Range rules shall be kept current with NRA and DNR standards and clearly posted throughout the range.
7. Future SSTS installation, accordance with Section 23 of the Faribault County Zoning Ordinance and MN Statutes 7080.

8. A review of the CUP will be completed by the Planning and Zoning Department every two years.

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Central Services Pam Krill met regarding office business.

Young/Roper motion carried unanimously to set a work session to discuss personnel compensation for 8:00am on April 21, 2023, in the courthouse boardroom.

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Tom Hennis met to present the Sentencing to Service (STS) quarterly report. Sarah Eischens joined the meeting virtually.

Groskreutz/Loveall motion carried unanimously to approve the contract renewal for Sentencing to Service (STS) programs in Faribault County for the period of 7/1/2023 through 6/30/2025.

Young/Loveall motion carried unanimously to authorize Darren Esser to sign the contract electronically.

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John Oswald met regarding Public Works business.

Young/Roper motion carried unanimously to accept the low bid of \$471,701.00 from Midwest Contracting for bridge replacement project 022-598-011 contingent on certification by the Office of Civil Rights.

Loveall/Roper motion carried unanimously to approve Resolution 23-RB03-27 for 2022 overlays completion. Commissioners Groskreutz, Roper, Young, Loveall, and Anderson voted yes.

## **RESOLUTION**

**WHEREAS**, SAP 022-621-028, etal 2022 Overlays Project has in all things been completed; and

**WHEREAS**, the final contract amount is \$7,318,160.18 which is \$579,287.78 (7.0%) less than the original contract bid of \$7,897,447.96; and

**WHEREAS**, to date \$7,301,588.78 has been paid to the contractor leaving the balance of \$16,571.40; and

**WHEREAS**, the work has been performed satisfactorily and all necessary forms have been completed and received by the Highway Department;

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners in and for the County of Faribault, Minnesota, that we do hereby accept said completed project and authorize final payment to Ulland Brothers, Inc.

Loveall/Groskreutz motion carried unanimously to approve the engineer to begin advertising for the remaining 2023 projects.

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Buildings & Grounds Director Saxon Warmka met regarding office business. Corey Survis also attended.

Roper/Young motion carried unanimously to update the courthouse annex HVAC control system using Paape Companies, Inc at a cost of \$18,930.00.

Young/Roper motion carried unanimously to approve installing a drinking fountain with a bottle filler in the annex building to be purchased from Ferguson Plumbing Supply at a cost of \$1,578.75; and to authorize the Buildings & Grounds Director to use his discretion as to the current nonfunctional RO system.

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Young/Groskreutz motion carried unanimously to approve approving courthouse HVAC abatement pay application #2 of \$44,026.08 to Sterling Systems, Inc.

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Groskreutz/Roper motion carried unanimously approving pay application #8 in the amount of \$71,588.01 to Kraus-Anderson Construction Company.

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Young/Groskreutz motion carried unanimously to approve courthouse HVAC pay application #7 in the amount of \$28,782.15 to Ramsey Excavating Company, pay application #8 in the amount of \$53,888.75 to Century Construction, pay application #6 in the amount of \$3,201.98 to Custom Drywall, pay application #4 in the amount of \$12,027.95 to Sonus Interiors, pay application #6 in the amount of \$6,436.25 to Steinbrecher Painting Company, and pay application #10 in the amount of \$117,895 to Associated Mechanical Contractors, Inc.

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Young/Loveall motion carried unanimously to approve obligating \$507,118.88 in ARPA funds to the courthouse HVAC project retroactively to March 9, 2023.

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Discussion was held regarding per diems. No action was taken.

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Groskreutz/Roper motion carried to approve the training request from P. Krill to attend an MCIT Public Sector HR training in St. Cloud.

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Loveall/Young motion carried unanimously to amend a line item for Prairieland from \$498,391.25 to \$417,021.25 correcting an error.

Groskreutz/Young motion carried unanimously to pay the following bills as amended:

Auditor warrants for March 1 to March 31, 2023 totaling \$991,672.44 as follows:

Auditor Warrant Approval List for March 1 to March 31, 2023		
Date	Amount	Description
03/02/23 Total	32,950.44	Auditor Warrants
03/09/23 Total	488,122.64	Auditor Warrants
03/10/23 Total	200.00	Auditor Warrants
03/16/23 Total	48,708.90	Auditor Warrants
03/23/23 Total	414,342.22	Auditor Warrants
03/30/23 Total	7,348.24	Auditor Warrants
Grand Total	991,672.44	Total Auditor Warrants

ACH-EFT warrants for March 1 to March 31, 2023 totaling \$526,862.65 as follows:

ACH/EFT Approval List for March 1 to March 31, 2023			
Date	Warrant	Amount	Description
03/02/23 Total		13,128.82	Auditor Warrants
03/07/23 Total		361,171.69	Commissioner Warrants
03/09/23 Total		15,386.81	Auditor Warrants
03/16/23 Total		2,477.32	Auditor Warrants
03/21/23 Total		127,727.20	Commissioner Warrants
03/23/23 Total		3,216.85	Auditor Warrants
03/30/23 Total		3,753.96	Auditor Warrants
Grand Total		526,862.65	Total ACH/EFT Warrants

Audit list and auxiliary totaling \$ 700,263.92 as follows:

GENERAL REVENUE FUND	\$ 542,552.93
PUBLIC WORKS FUND	72,368.09
COUNTY LIBRARY FUND	48,467.76
DITCH FUND	32,947.93
SETTLEMENT AGENCY FUND - REC	3,686.00
NON REV/DISB A	241.21
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	\$ 700,263.92

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Groskreutz/Loveall motion carried unanimously to adjourn.

The meeting was adjourned for April 2023.

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Bruce Anderson, Chair

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Sarah Van Moer, Acting Clerk to the Board