

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
JUNE 20, 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 June 20, 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, County Engineer Mark Daly, Deputy Tom Elmer, Acting Clerk to the Board Sarah Van Moer, and members of the public K. Mertens, M. Steele, D. Koziolk, and M. Hanson also attended. Participating virtually were Faribault County employees J. Blair, K. Anderson, K. Bendickson, B. Rauenhorst, G. Paschke, M. Lore, P. Krill, S. Robbins, L. Adams, and members of the public M. Eckhardt and K. Olagbegi.

The meeting was called to order by Chair Anderson.

The pledge of allegiance was recited.

\* \* \* \* \*

Young/Groskreutz motion carried unanimously to approve the synopsis and official proceedings of the June 6, 2023 regular and drainage authority meetings.

\* \* \* \* \*

Groskreutz/Roper motion carried unanimously to approve the agenda of June 20, 2023, with a correction to item #17.

\* \* \* \* \*

The calendar was updated.

No public comment was received.

\* \* \* \* \*

Committee reports were given. Groskreutz reported on the AMC Legislative Update, the AMC District VII meeting, Transit Exec, Planning & Zoning, and MVAC Exec. Roper reported on MVAC, DEED, AMC, Workforce, and Traverse des Sioux Library Board. Young reported on Planning & Zoning. Loveall reported on a Region Nine board of directors meeting, and a virtual meeting regarding JD10. Anderson reported on Planning & Zoning.

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Planning & Zoning Administrator Sara Hauskins met to discuss a Conditional Use Permit. Korede Olagbegi with Invenergy Solar joined the meeting virtually.

Young/Groskreutz motion carried unanimously to approve Resolution 23-PZ06- approving the Conditional Use Permit for John and Georgiann Pfaffinger and Invenergy Solar Development

LLC for a Solar Monitoring System (MET) tower. Commissioners Groskreutz, Roper, Young, and Anderson voted yes. Commissioner Loveall abstained from voting.

**R E S O L U T I O N**  
**CONDITIONAL USE PERMIT**

John & Georgiann Pfaffinger and Invenergy Solar Development LLC  
Verona Township, Section 25-103-28  
#04-23-85

**WHEREAS:** According to the Faribault County Zoning Ordinance, John & Georgiann Pfaffinger and Invenergy Solar Development LLC have requested a Conditional Use Permit to install a Solar Monitoring System

The proposed project is located in the A2 Agriculture District.

Real property situated in the County of Faribault, State of Minnesota, and described as follows:

An undivided one-sixth (1/6) interest in and to the West Half of the Southwest Quarter (W½ of SW¼) of Section Twenty-five (25), Township One Hundred Three (103) North, Range Twenty-eight (28) West of the Fifth Principal Meridian as per map or plat thereof on file and of record in the Office of the Register of Deeds in and for 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 John and Georgiann Pfaffinger and Invengery Solar LLC in the A-2 Agriculture District for a Solar Monitoring System 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 and setbacks, with special attention to Sections F-M of *Section 21 – Tower Ordinance* of Faribault County, which addresses General Standards, Routine Maintenance and Removal.
2. Review existing field approach by Highway Engineer prior to receiving a Tower Permit for construction.
3. E911 address permit must be obtained prior to receiving Tower Permit. The sign will be removed after MET tower is removed.
4. A review of the CUP will be completed by the Planning and Zoning Department every two years.

\* \* \* \* \*

Planning & Zoning Administrator Sara Hauskins and Alan Miller of Prairieview Swine LLC met to discuss a Conditional Use Permit.

Loveall/Young motion failed to approve the CUP with the same AU limit of 1200, changing the owner's name and removing the maintenance fee. Commissioners Groskreutz, Roper, Young, and Anderson voted no, Loveall voted yes.

Groskreutz/Roper motion carried to approve Resolution 23-PZ07-53 approving the Conditional Use Permit for Alan Miller - Prairieview Swine LLC, amending Condition #2 to 1380 AU, updating the owner's name and removing the maintenance fee. Commissioners Groskreutz, Roper and Anderson voted yes, Young and Loveall voted no.

**R E S O L U T I O N**  
**CONDITIONAL USE PERMIT**  
Alan Miller / Prairieview Swine LLC  
Township, Section 04-103-31  
#04-23-86

**WHEREAS:** According to the Faribault County Zoning Ordinance, Alan Miller / Prairieview Swine LLC have requested to amend Conditional Use Permit for Animal Unit Expansion.

The proposed project is located in the A2 Agricultural District located in:

All that part of the Southwest Quarter (SW 1/4) of Section Thirty-one (31 ), Township One Hundred Three (103) North of Range Twenty-four (24) West of the Fifth Principal Meridian described as follows:

Commencing at the northwest corner of the SW 1/4 of said Section 31; thence South a distance of 2029.00, feet, on the west line of said SW 1/4, to the point of beginning; thence South a distance of 240.00 feet, on the west line of said SW 1/4; thence East a distance of 1090 feet, at a right angle; thence North a distance of 240 feet, at a right angle; thence West a distance of 1090 feet, at a right angle, to the point of beginning; subject to a highway easement on the west side thereof ..

**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 Alan Miller / Prairieview Swine LLC in the A2 Agricultural District for Animal Unit Expansion with the following conditions:

1. This CUP allows for the operation of a feedlot with more than 1,000 Animal Units (AU).
2. This CUP only authorizes a total of ~~1,200~~ 1,380 animal units.
3. Any additional modifications, or expansions to the existing site must be submitted to the Zoning Administrator and may require amendments to this Conditional Use Permit.
4. All County, State, and Federal laws, regulations, and ordinances shall be complied with, and the site must be in compliance with all necessary permits.
5. Any modifications to the existing bathroom, shower, or laundry facilities, or any addition of a bathroom, shower, or laundry facilities will trigger a new septic system to be installed.
6. ~~A Maintenance Fee of \$50.00 every two years shall be paid as long as the Conditional Use is in effect starting August 18, 2017.~~

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

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Groskreutz/Roper motion carried unanimously to approve an SSTS grant in the amount of \$3,000 and loan in the amount of \$15,550.90 to Melisse Storvick for parcel #17.007.0502 located in Seely Township.

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Mark Daly met regarding Public Works business. Construction updates were given.

Young/Groskreutz motion carried unanimously to accept the low bid of \$396,313 from Subsurface for 2023 Culvert Lining Projects SAP 022-613-029 and SAP 022-621-030. One other bid was received from SJ Louis Trenchless in the amount of \$644,982.

Young/Roper motion carried unanimously to approve the engineer to advertise for annual fuel bids.

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Central Services Director Pam Krill met regarding office business.

Groskreutz/Loveall motion carried unanimously to temporarily assign the duties of County Coordinator to Mark Daly as of June 24, 2023.

Groskreutz/Young motion carried unanimously to approve setting a work session for Tuesday, July 25, 2023, at 1:00pm in the boardroom to discuss separation of the coordinator role.

Groskreutz/Young motion carried unanimously to take no further action on converting the office of the County Auditor/Treasurer to appointed at this time.

Young/Groskreutz motion carried unanimously to approve a leave of absence for Jessica Blair as Chief Deputy Auditor.

Groskreutz/Loveall motion carried unanimously to approve the hire of Jessica Blair as County Auditor/Treasurer effective June 24, 2023.

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Groskreutz/Loveall motion carried unanimously to approve Resolution 23-CB-54 appointing Jessica Blair as deputy registrar of motor vehicles in Faribault County. Commissioners Groskreutz, Roper, Young, Loveall, and Anderson voted yes.

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

**WHEREAS,** pursuant to Chapter 7406.0350 Subp. 7-A, the Commissioner of Public Safety shall transfer a deputy registrar appointment of a county official if the county board verifies to the commissioner that the proposed successor deputy registrar meets the qualifications for a deputy registrar as specified in Chapter 7406 of the Minnesota Administrative Rules and Minnesota Statutes, section 168.33, and

**WHEREAS,** a successor deputy registrar must not be appointed without certification of the appointment by the commissioner of public safety, and

**WHEREAS,** current deputy registrar, Darren Esser will resign as of June 23, 2023, and

**WHEREAS,** the Faribault County Board of Commissioners has considered the qualifications of Jessica Blair as deputy registrar,

**BE IT RESOLVED** that Jessica Blair meets the qualifications for a deputy registrar as specified in Chapter 7406 of the Minnesota Administrative Rules and Minnesota Statutes, section 168.33;

**BE IT FURTHER RESOLVED** that Jessica Blair be appointed deputy registrar upon certification by the commissioner of public safety beginning June 24, 2023.

**BE IT FINALLY RESOLVED** that Amy Wachlin shall continue as Faribault County License Bureau Office Supervisor.

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Roper/Groskreutz motion carried to approve the training requests from B. Ziegler to attend an Intimate Partner Violence Training in St. Cloud; L. Frommie to attend an Association of MN Emergency Managers Conference in Breezy Point; V. Do to attend an online Body Worn Cameras – Legal Issues class; and L. Mehrhof to attend a 2023 MN Association of Assessment Personnel Workshop in Duluth.

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

Auditor warrants for May 1 to May 31, 2023 totaling \$2,854,122.15 as follows:

<b>Auditor Warrant Approval List for May 1 to May 31, 2023</b>		
<b>Date</b>	<b>Amount</b>	<b>Description</b>
05/04/23 Total	208,774.60	Auditor Warrants
05/11/23 Total	97,004.51	Auditor Warrants
05/12/23 Total	30,908.00	Auditor Warrants
05/18/23 Total	209,988.29	Auditor Warrants
05/22/23 Total	257.00	Auditor Warrants
05/24/23 Total	2,304,623.64	Auditor Warrants
05/25/23 Total	2,566.11	Auditor Warrants
<b>Grand Total</b>	<b>\$ 2,854,122.15</b>	<b>Total Auditor Warrants</b>

ACH-EFT warrants for May 1 to May 31, 2023 totaling \$2,662,078.85 as follows:

<b>ACH/EFT Approval List for May 1 to May 31, 2023</b>		
<b>Date</b>	<b>Amount</b>	<b>Description</b>
05/02/23 Total	541,580.68	Commissioner Warrants
05/04/23 Total	68,723.98	Auditor Warrants
05/11/23 Total	4,198.18	Auditor Warrants
05/16/23 Total	245,009.91	Commissioner Warrants
05/18/23 Total	84,138.03	Auditor Warrants
05/24/23 Total	1,718,258.28	Auditor Warrants
05/25/23 Total	169.79	Auditor Warrants
<b>Grand Total</b>	<b>\$ 2,662,078.85</b>	<b>Total ACH-EFT Warrants</b>

Audit list and auxiliary totaling \$ 235,978.08 as follows:

GENERAL REVENUE FUND	\$ 120,822.08
PUBLIC WORKS FUND	68,786.19
DEBT SERVICE FUND	500.00
DITCH FUND	5,051.51
HUNTLEY SEWER DIST	22,948.10
RIVERSIDE HEIGHTS SERVICE DIST	12,872.00
SETTLEMENT AGENCY FUND	4,325.00
SETTLEMENT AGENCY FUND - REC	673.20
	<hr/>
	\$ 235,978.08

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Groskreutz/Loveall motion carried unanimously to appoint Commissioner Young temporarily to the Personnel Committee through July 9, 2023.

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Loveall/Young motion carried unanimously to adjourn.  
The meeting was adjourned for June 2023.

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Bruce Anderson, Chair

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Sarah Van Moer, Acting Clerk to the Board