

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
JUNE 15, 2021

The Faribault County Board of Commissioners met pursuant to the recess of June 1, 2021 in regular session via teleconference in the City of Blue Earth at 4:00 p.m. on June 15, 2021. The following members were present: Bruce Anderson, Bill Groskreutz, Tom Loveall, John Roper, and Greg Young Commissioners. County Auditor/Treasurer/Coordinator Darren Esser, Acting Clerk to the Board Clara Vereide, County Attorneys Kathryn Karjala and Cameron Davis, Planning and Zoning Administrator Loria Rebuffoni, Milton Steele and Kevin Mertens were also present. Also participating in the call were Faribault County employees: K. Anderson, S. Asmus, J. Blair, S. Hauskins.

The meeting was called to order by Chair Roper.

The pledge of allegiance was recited.

* * * * *

Young/Anderson motion carried unanimously to approve the synopsis and official proceedings of the June 1, 2021 regular and drainage authority meetings.

* * * * *

Loveall/Groskreutz motion carried unanimously to approve the agenda of June 15, 2021.

* * * * *

The calendar was updated.

Brent Wheathorn appeared during public comment to introduce himself as the news director of KBEW.

Committee reports were given. Groskreutz reported on Human Services Exec, MNDOT engineer plans for Hwy 22, TZD, District VII, and CEDA annual meeting; Young reported on planning and zoning, employee appreciation date; Karjala TZD, Cameron sworn in (date and time); Anderson reported on Foster Township meeting, MRCI, District VII; Loveall reported on JD9, Region 9 exec, and Veteran Services van for Boys State.

* * * * *

Sentence to Serve Crew Leader Tom Hennis met regarding STS contract. Probation Officer Al Hanson also attended.

Groskreutz/Loveall motion carried unanimously to bring tabled item back on the floor.

Groskreutz/Anderson motion carried unanimously to approve the 2-year Sentence to Serve contract with the State of Minnesota beginning July 1, 2021.

* * * * *

Public Works Director Mark Daly met regarding office business. A construction update was given.

* * * * *

Chief Deputy Scott Adams met regarding office business.

Loveall/Anderson motion carried unanimously to approve Resolution 21-CB-47 for the annual Boat and Water Safety Agreement with the Department of Natural Resources for a grant of \$2,189.00. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

WHEREAS, that the annual county Boat and Water Safety Agreement for the County of Faribault for payment by the State of Minnesota in the amount of \$ 2,189.00 for the period from January 1, 2021 through June 30, 2022, is hereby approved and that Faribault County Sheriff Mike Gormley, Chair of the Faribault County Board of Commissioners John Roper, and Faribault County Auditor/Treasurer/Coordinator Darren Esser, are hereby authorized to sign said agreement between the State of Minnesota, acting by and through the Commissioner of the Department of Natural Resources and the County of Faribault.

* * * * *

Planning and Zoning Administrator Loria Rebuffoni met regarding office business. Jon Erickson of Ulland Brothers representing Rmgarry Properties LLC appeared via Zoom.

Young/Loveall motion carried unanimously to approve Resolution 21-PZ01-48 for a conditional use permit to RMGarry LLC for material storage and processing of asphalt and concrete. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

Conditional Use Permit
RMGarry Properties LLC
Jo Daviess Township, Section 08-102-28
#05-21-77

WHEREAS, according to the Faribault County Zoning Ordinance, RMGarry Properties LLC have requested a conditional use permit for material storage and processing of asphalt and concrete

The proposed project is located in the I-1Light Industry District located in:

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

Tract A, Registered Land Survey No.1, Faribault County, Minnesota. Registered Property, Certificate of Title No. 28.

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 RMGarry Properties LLC in the I -1 light industry district for material storage and processing of asphalt and concrete with the following conditions:

1. A County approved Storm Water Prevention Plan must be submitted to Planning and Zoning prior to operation.

2. Septage and any waste shall be handled in accordance with applicable Statutes and Ordinances.
3. Nighttime noise and lighting shall not constitute an annoyance to neighboring properties. Daytime noise and dust must adhere to OSHA standards.
4. If damaged, repair or replacement of the tile that runs through the NW corner of the property shall be paid for by the landowner.
5. Any signage for the business shall be in compliance with Section 15, B – Sign Regulations of the Faribault County Zoning Ordinance and any county road restrictions.
6. Landowner must inform Faribault County Planning & Zoning anytime a different company or entity utilizes the property; the use must remain the same as well as adhere to the listed conditions and purpose of this CUP. Projects may require approval and additional requirements from the Highway Engineer.
7. Driveway must meet the requirements for a Stabilized Construction Exit, MnDOT 2753.
8. No parking or loading space shall be located within ten (10) feet of any property line that abuts a highway right of way line, or any residence district.
9. All County, State, and Federal laws, regulations, and ordinances shall be complied with, and site must be in compliance with all necessary permits, including all performance standards of Section 15 of the Faribault County Ordinance.

Anderson/Loveall motion carried unanimously to approve Resolution 21-PZ02-49 allowing a conditional use permit to allow for a feedlot with more than 1,000 animal units to Micah Twedt in Rome Township. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

Micah Twedt, Barbara Twedt, and Emily Wagner also attended.

R E S O L U T I O N

Conditional Use Permit
Micah Twedt
Rome Township, Section 33-101N-26W
#05-21-76

WHEREAS, according to the Faribault County Zoning Ordinance, Micah Twedt has requested a conditional use permit to allow for a feedlot with more than 1,000 Animal Units (AU).

The proposed project is in the A-2 General Agriculture District located at:
Section 33, Twp – 101N, Range – 26W NW 1/4 of Faribault County, Minnesota

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 Micah Twedt, in the A-2 General Agriculture District to allow for a feedlot with more than 1,000 Animal Units (AU) with the following conditions:

1. This conditional use permit allows for the construction and operation of a feedlot with more than 1,000 Animal Units (AU) as required by the Faribault County Zoning ordinance and outlined in the application and permit.
2. SSTS installation, compliance and maintenance must be performed in accordance with Section 23 of the Faribault County Zoning Ordinance and MN Statutes 7080. Completed and approved septic application must be submitted at the time of need as determined by the applicant and/or County.

3. Applicant must apply for a Water Appropriation Permit with the MN DNR.
4. Applicant shall not violate any state, federal, or local statute, rules, ordinances, or regulations enforced or imposed by any entity.
5. Any manure generated at this site is required to follow all Manure Application Setbacks that are listed in D. Section Four – General Guidelines of the Feedlot Ordinance.
6. Applicant must work with the Faribault County Highway Engineer to receive appropriate permits and approval for any driveway(s).
7. In order to mitigate potential noise and air quality issues, applicant is required to install a windbreak, with established trees within 1 year of building construction. Trees must be planted in accordance to the recommendation of the Faribault County Soil and Water Conservation District (SWCD).

* * * * *

Anderson/Groskreutz motion carried unanimously to recess to Drainage Authority at 5:30 p.m.

* * * * *

Anderson/Young motion carried unanimously to resume the regular meeting at 5:57 p.m.

* * * * *

Young/Groskreutz motion carried unanimously to approve requests from B. Douglas to attend a 4-day Esri virtual user conference and L. Frommie to attend a 4-day AMEM 2021 conference in Breezy Point.

* * * * *

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

Auditor warrants for May 1 to May 31, 2021 totaling \$ 2,950,845.68 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
05/06/2021	436,531.15	Auditor warrants
05/13/2021	106,982.16	Auditor warrants
05/20/2021	189,781.94	Auditor warrants
05/21/2021	45.00	Auditor warrants
05/24/2021	2,213,263.59	Auditor warrants
05/27/2021	4,241.84	Auditor warrants

ACH-EFT warrants for May 1 to May 31, 2021 totaling \$ 2,382,739.97 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
05/04/2021	287,781.11	Commissioner warrants
05/06/2021	232,932.00	Auditor warrants
05/13/2021	7,527.04	Auditor warrants
05/18/2021	136,729.43	Commissioner warrants
05/20/2021	79,419.38	Auditor warrants
05/24/2021	1,636,151.21	Auditor warrants
05/27/2021	2,199.80	Auditor warrants

Audit list and auxiliary totaling \$ 212,692.44 as follows:

GENERAL REVENUE FUND	\$ 151,204.17
PUBLIC WORKS FUND	38,232.89
DEBT SERVICE FUND	13,500.00
DITCH FUND	4,134.92
NON REV/DISB A	<u>5,620.46</u>
	\$ 212,692.44

* * * * *

Groskreutz/Loveall motion carried unanimously to authorize the County Coordinator to cast a unanimous vote for Mary Jo McGuire as second vice president of NACO.

* * * * *

The meeting was adjourned for June 2021.

John Roper, Chair

Clara Vereide, Acting Clerk to the Board