

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
JULY 20, 2021

The Faribault County Board of Commissioners met pursuant to the recess of June 1, 2021 in regular session in the City of Blue Earth at 9:00 a.m. on July 20, 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 Attorney Cameron Davis, Milton Steele and Kevin Mertens were also present. Also participating in the call were Faribault County employees: S. Asmus and J. Blair.

The meeting was called to order by Chair Roper.

The pledge of allegiance was recited.

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Young/Anderson motion carried unanimously to approve the synopsis and official proceedings of the July 6, 2021 regular and drainage authority meetings.

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Groskreutz/Young motion carried unanimously to approve the agenda of July 20, 2021.

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The calendar was updated.

Committee reports were given. Anderson reported on AMC meeting; Young reported on Transit exec; Groskreutz reported on Transit exec and MVAC.

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Groskreutz/Anderson motion carried unanimously to approve mobile device stipend for Cameron Davis.

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Young/Anderson motion carried unanimously to approve Resolution 21-CB-62 granting an intoxicating off-sale liquor license to Steve Ricard of the Derby Inn for July 20, 2021 through March 31, 2022. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

R E S O L U T I O N

WHEREAS, Minnesota Counties have the authority to issue liquor licenses to establishments located in organized townships and;

WHEREAS, Steve Ricard of the Derby Inn located in Jo Daviess Township has applied for an off-sale intoxicating liquor license and;

WHEREAS, on July 13, 2020 the Jo Daviess Town Board approved issuance of said license and;

WHEREAS, on September 1, 2020 the Faribault County Board of Commissioners held a public hearing and where it considered testimony and exhibits presented by interested parties, the nature of the business to be conducted and its impact upon any municipality, the character and reputation of the applicant, and the propriety of the location.

NOW, THEREFORE, BE IT RESOLVED that an intoxicating off-sale liquor license be granted, pending commission approval, to Steve Ricard of the Derby Inn located in Jo Daviess Township for the period of July 20, 2021 through March 31, 2022.

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Deputy Briar Bonin was recognized for his successful lifesaving efforts on November 20, 2020 during an active shooter event. Also present were Sheriff Mike Gormley, Chief Deputy Scott Adams, Deputies Chris Albers, Barry Meyers, Mark Purvis, and Tom Elmer

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Sheriff Mike Gormley met regarding office business.

Young/Anderson motion carried unanimously to approve Faribault County/Blue Earth Area School District #2860 service agreement for School Resource Officer for July 1, 2020 through June 30, 2022.

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Loveall/Anderson motion carried unanimously to approve an SSTS grant to Tyler Black in the amount of \$3,000.00 and an SSTS loan for \$10,785.46 on Parcel No. 12.033.0900.

Groskreutz/Loveall motion carried unanimously to approve an SSTS grant to Joyce Schofield in the amount of \$3,000.00 and an SSTS loan for \$16,114.43 on Parcel No. 31.026.0020.

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Young/Loveall motion carried unanimously to approve an agreement with Elmore United Methodist Church to clean up property tax forfeited lands in the City of Elmore for the period ending December 31, 2021.

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Groskreutz/Loveall motion carried unanimously to approve agreements with Kraus-Anderson for construction management services and authorize Vice Chair to sign agreements.

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Loveall/Groskreutz motion carried unanimously to approve requests from J. Blair, B. Douglas, and M. Lore to attend a 3-day MACATFO drainage conference in St. Cloud; J. Schmidtke to attend a 4-day Mn Assoc of Veteran Services officers conference in Nisswa; and E. Skaden to attend a 3-day Admin Asst/Sec MDVA conference in Alexandria.

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Planning and Zoning Administrator Loria Rebuffoni met regarding office business. She updated the board on ordinance issues.

Groskreutz/Young motion carried to approve Resolution 21-PZ03-63 granting a conditional use permit to Betty Jean Collins and Terri Kidd in Minnesota Lake, Section 09-104-25 to add a second dwelling for primary residence. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION
CONDITIONAL USE PERMIT
Betty Jean Collins and Terri Kidd
Minnesota Lake, Section 09-104-25
#05-21-78

WHEREAS, according to the Faribault County Zoning Ordinance, Betty Jean Collins and Terri Kidd have requested a conditional use permit to add a second dwelling for primary residence to the property.

The proposed project is located in the A-2 General Agriculture District located in:

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

A tract commencing at the Northwest corner of the West Half of the Southwest Quarter (W ½ of SW ¼) of Section Nine (9), Township One Hundred Four (104), Range Twenty-five (25), Faribault County, MN thence South 550', West 600', South 267', West 467', North 267', West 18' more or less, North 550', East 1, 085' to the point of beginning.

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.

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 Betty Jean Collins and Terri Kidd in the A-2 General Agriculture District to add a second dwelling for a primary residence to the property, with the following conditions:

1. This conditional use permit only authorizes the addition of a second dwelling on the site as described in the submitted application dated May 21, 2021.
2. Applicants must apply for and receive an OSOW permit from the Faribault County Public Works Department prior to receiving a building/zoning permit and transporting any structure.
3. A septic plan for the new dwelling must be approved by the Soil and Water Conservation District Water Technician prior to applicant receiving a building/zoning permit.

Anderson/Loveall motion carried to approve Resolution 21-PZ04-64 granting a conditional use permit to Garry Sunken, Jeramy and Renee Nagel in Blue Earth City Township, Section 28-102-27 to add a second dwelling for primary residence. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

R E S O L U T I O N
CONDITIONAL USE PERMIT
Garry Sunken, Jeramy and Renee Nagel
Blue Earth City Township, Section 28-102-27
#06-21-79

07-20-21

WHEREAS, according to the Faribault County Zoning Ordinance, Garry Sunken, Jeramy and Renee Nagel have requested a conditional use permit to add a second dwelling for primary residence to the property.

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

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

Commencing at the Northwest corner of the South Half of the Southeast Quarter (S ½ of SE ¼) of Section 28, Township 102 North, Range 27 West, thence South along the West line of said Southwest Quarter 500 feet, thence East 500 feet parallel with the North line of said South Half of the Southeast Quarter; thence North 500 feet parallel with the West line of said Southeast Quarter to a point on the North line of the South Half of said Southeast Quarter and thence West along said North line of the South Half of the Southeast Quarter 500 feet to the point of beginning.

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.

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 Garry Sunken, Jeramy and Renee Nagel in the A-1 Shoreland Agricultural District to add a second dwelling for a primary residence to the property, with the following conditions:

1. This conditional use permit only authorizes the addition of a second dwelling on the site as described in the submitted application dated May 21st, 2021.
2. Applicants must adhere to MN Department of Health regulations as part of the demolition of the existing structure which will be replaced through this conditional use permit.
3. A septic plan for the new dwelling must be approved by the Soil and Water Conservation District Water Technician prior to applicant receiving a Building/Zoning permit.

Young/Anderson motion carried to approve Resolution 21-PZ05-65 granting a conditional use permit to Mitchell Wilson in Verona Township, Section 13-103-28 to operate a small welding shop and repair business. Commissioners Anderson, Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION
CONDITIONAL USE PERMIT
Mitchell Wilson
Verona Township, Section 13-103-28
#06-21-80

WHEREAS, according to the Faribault County Zoning Ordinance, Mitchell Wilson have requested a conditional use permit to operate a small welding shop & repair business.

The proposed project is located in the A-2 General Agricultural District located in:

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

An Undivided ½ Interest in:

To a Tract of land in the East Half (E ½) of the Southwest Quarter (SW ¼) and the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section Thirteen (13), Township One-Hundred and Three (103) North, Range Twenty-eight (28) West of the Fifth (5th) Principal Meridian in Faribault County, State of Minnesota bounded as follows:

On the east by the existing centerline of Minnesota Trunk Highway No. 169;

On the west by the West line of the East Half (E ½) of the Southwest Quarter (SW ¼) of Section 13;

On the north by the following described Line A:

Line A: Commencing at the Southeast (SE) corner of Section 13, Township 103 North, Range 28 West; thence North 0 degrees 28 minutes 57 seconds West a distance of 2643.36 feet to an iron pipe survey marker; thence South 89 degrees 57 minutes 04 seconds West a distance of 3596.39 feet to the existing centerline of Minnesota Trunk Highway 169; thence South 32 degrees 45 minutes 35 seconds East along said centerline a distance of 1451.22 feet to the point of beginning of Line A; thence South 75 degrees 49 minutes 21 seconds West a distance of 592.55 feet to an iron pipe survey marker; thence North 53 degrees 03 minutes 16 seconds West a distance of 670.15 feet more or less to the West line of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 13 and there terminating. (For purposes of this description, a line joining the Northeast and Southeast corners of Section 13 is assumed to bear North 0 degrees 28 minutes 26 seconds West.)

And on the south by the following described Line B:

Line B: Commencing at the Southeast (SE) corner of Section 13, Township 103 North, Range 28 West; thence North 0 degrees 28 minutes 57 seconds West a distance of 2643.36 feet to an iron pipe survey marker; thence South 89 degrees 57 minutes 04 seconds West a distance of 3596.39 feet to the existing centerline of Minnesota Trunk Highway No. 169; thence South 32 degrees 45 minutes 35 seconds East along said centerline a distance of 2337.94 feet to the point of beginning of Line B; thence South 89 degrees 57 minutes 04 seconds West a distance of 1573.82 feet more or less to the West line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 13, and there terminating. (For purposes of this description, a line joining the Northeast (NE) and Southeast (SE) corners of Sections 13 is assumed to bear North 0 degrees 28 minutes 26 seconds West.)

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.

The Planning Commission finds that:

11. 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.
12. 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.
13. 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.

14. 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.
15. If the proposed use requires storage of materials, that adequate disposal measures are in place.
16. The proposed use will not have an adverse effect on the environment including impacts on the groundwater, surface water, soils, and air quality.
17. The proposed use will not substantially diminish and impair property values within the immediate vicinity and is compatible with the existing neighborhood.
18. 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.
19. 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.
20. 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 Mitchell Wilson in the A-2 General Agricultural District for a welding shop & repair business with the following conditions:

1. This conditional use permit only authorizes the use as specifically described in the submitted application.
2. All scrap and by-product should be recycled, must not accumulate on the property, and must stay out of the floodplain.
3. All hazardous materials must be handled in accordance with State regulation.
4. Any signage for the business to be erected shall be in compliance with Section 15, B – Sign Regulations of the Faribault County Zoning Ordinance and any MnDOT road restrictions.
5. SSTS installation, compliance and maintenance must be performed in accordance with Section 23 of the Faribault County Zoning Ordinance and MN Statutes 7080.
6. All County, State, and Federal laws, regulations, and ordinances shall be complied with, and site must be in compliance with all necessary permits.

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

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

Auditor warrants for June 1 to June 30, 2021 totaling \$ 7,795,863.28 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
06/02/2021	4,292.56	Auditor warrants
06/03/2021	2,507,702.88	Auditor warrants
06/10/2021	84,909.67	Auditor warrants
06/17/2021	175,782.03	Auditor warrants
06/21/2021	4,946.882.72	Auditor warrants
06/24/2021	76,293.42	Auditor warrants

ACH-EFT warrants for June 1 to June 30, 2021 totaling \$ 5,469,796.72 as follows:

<u>Date</u>	<u>Amount</u>	<u>Description</u>
06/01/2021	299,962.66	Commissioner warrants
06/03/2021	1,801,575.14	Auditor warrants
06/10/2021	2,371.54	Auditor warrants
06/15/2021	97,772.82	Commissioner warrants
06/17/2021	225.00	Auditor warrants
06/21/2021	3,253,144.00	Auditor warrants
06/24/2021	14,745.56	Auditor warrants

Audit list and auxiliary totaling \$ 350,778.77 as follows:

GENERAL REVENUE FUND	\$ 257,717.47
PUBLIC WORKS FUND	32,694.16
COUNTY LIBRARY FUND	1,200.00
DITCH FUND	52,803.19
FORFEITED TAX SALE FUND	782.00
NON REV/DISB A	<u>5,581.95</u>
	\$ 350,778.77

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The meeting was adjourned for July 2021.

John Roper, Chair

Clara Vereide, Acting Clerk to the Board

07-20-21