

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
OFFICIAL PROCEEDINGS
JULY 18, 2013

The Faribault County Board of Commissioners met in special session at the Courthouse in the City of Blue Earth at 8:00 p.m. on July 18, 2013. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. Auditor/Treasurer/Coordinator John Thompson, County Attorney Troy Timmerman and Soil and Water/Planning and Zoning Program Administrator Michele Stindtman were also present.

The meeting was called to order by Chair Young.

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Discussion was held regarding a conditional use permit for Ulland Brothers, Inc. and John Arends.

Loveall/Groskreutz motion carried unanimously to waive the reading of the resolution.

Discussion was held regarding the application, findings, and conditions approved by the planning commission and the resolution. Applicants agreed to work with the City of Blue Earth in raising the hydrant to an acceptable level at their expense. Issues with flagmen at the site were discussed.

Groskreutz/Loveall motion carried unanimously to add the condition that a flagman be present when trucks are hauling.

Roper/Loveall motion carried unanimously to approve Resolution 13-PZ08-21 granting a conditional use permit to John Arends / Ulland Brothers Inc. for the disposal of excess soils in Blue Earth City Township. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

John Arends / Ulland Brothers Inc.
Blue Earth City Township, Section 8
#07-13-24

WHEREAS, according to the Faribault County Zoning Ordinance, applicant is requesting a conditional use permit for the disposal of excess soils.

The proposed project will be located in the Northwest Quarter (NW ¼) of Section Eight (8), Township One Hundred Two (102) North, Range Twenty-seven (27) West, Blue Earth City Township, Faribault County, Minnesota.

See attached Exhibit A for legal description. Also included is a boundary survey completed on 7-17-2013.

WHEREAS, the Planning Commission finds:

1. That the proposed use will have an adverse impact on the health, safety, and general welfare or be injurious to the use and enjoyment of other properties for purposes already permitted in the surrounding neighborhood. Traffic concerns during the project will be mitigated with signs and flaggers. After the project there will be no adverse effects.
2. That the proposed use will have an adverse impact on traffic conditions including parking, traffic congestion or traffic hazard. Flaggers and signs will be utilized during the two weeks of heavy traffic and then when needed.
3. That there are adequate public utilities, public services, roads, drainage, off-street loading space and other necessary facilities to support the proposed use of the property. Access will be off a heavy road.
4. That the proposed use will not have an adverse effect or diminish property values or future development of land in the surrounding neighborhood. The area will remain like and similar to current condition. Potential of increased property values for future.
5. That the proposed use meets the standards of the zoning ordinance including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed. A-2, conditional uses #18 – uses determined by the Planning Commission to be of the same general character as the conditional uses and found not to be detrimental to the general health and welfare of the county.
6. That the proposed use will have an adverse effect on the environment including impacts on groundwater, surface water, soils and air quality. Topography will be altered but will not negatively impact if drainage patterns are considered.
7. That the proposed use will not have an adverse effect on normal and orderly development and improvement of surrounding properties in the surrounding neighborhood. Will remain ag.
8. That adequate measures are in place to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance. Dust control measures will be in place.

NOW THEREFORE BE IT RESOLVED: That the Faribault County Board of Commissioners approve the conditional use permit for John Arends/Ulland

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Brothers for the disposal of excess soils in the A-2 agriculture district with the following conditions:

1. This conditional use permit only authorizes the use as specifically described in the submitted application dated July 2, 2013.
2. Boundary survey will be required to be submitted to the Planning and Zoning Department that will identify the fill area prior to any activities.
3. It is the responsibility of the applicant to obtain and implement all required federal, state, and local permits. Including, but not limited to, the Wetland Conservation Act and USDA Wetland programs.
4. The applicant will work with the District 7 Department of Transportation to mitigate any drainage or grading issues. Copy of any agreements will be submitted to the Planning and Zoning Department and will be kept on file.
5. There will be an opportunity for an inspection of the condition of existing private drain tile prior to and at the conclusion of the project. Cost of the inspection will not be the responsibility of the county or applicant.
6. The 33' right of way must not be impacted without approval from the County Engineer.
7. The hydrant located approximately 200' east of MNDOT's property line shall not be disturbed. Fire hydrant must be protected.
8. It is the responsibility of the applicant to implement proper signage while trucks are hauling. If necessary, flaggers must be present.
9. Applicant must comply with county road authorities in regard to road use requirements.
10. Applicant will be responsible for providing adequate erosion control to prevent the transport of sediment or other pollutants into surface waters.
11. Applicant is responsible for ensuring that proper security measures are in place.
12. Applicant shall make active efforts to control dust.
13. Applicant will submit a copy of the Disposal Site Record required by the Department of Transportation to the Planning and Zoning Department and will be kept on file.

This conditional use permit will be limited in time and will expire on January 1, 2015.

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Loveall/Warmka motion carried unanimously to adjourn the special meeting.

Greg Young, Chair

John Thompson, Auditor/Treasurer/Coordinator

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