

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
MAY 20, 2014

The Faribault County Board of Commissioners met pursuant to the recess of May 6, 2014 at the Courthouse in the City of Blue Earth at 9:00 a.m. on May 20, 2014. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. Auditor-Treasurer-Coordinator John Thompson and County Attorney Troy Timmerman were also present.

The meeting was called to order by Chair Loveall.

The pledge of allegiance was recited.

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Groskreutz/Warmka motion carried unanimously to approve the synopsis and official proceedings of the May 6, 2014 regular meeting.

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Young/Warmka motion carried unanimously to approve the agenda of May 20, 2014.

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No member of the public appeared during public comment.

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Calendar was updated.

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Soil and Water/Planning and Zoning Drainage Inspector Merissa Lore met regarding a repair issue on CD25A.

Roper/Young motion carried unanimously to accept the quote from G & S Drainage of \$13,000 for 500 feet of repair on County Ditch 25BrA.

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Soil and Water/Planning and Zoning Program Administrator Michele Stindtman met regarding office business. Charles More of More's Ag Center also met regarding a conditional use permit for a liquid propane storage tank in Section 15 of Emerald Township.

Warmka/Roper motion carried unanimously to approve Resolution 14-PZ07-22 granting a conditional use permit to More's Ag Center, Inc. for up to three (3) 30,000 gallon LP gas storage tanks in the A-2 General Agriculture District. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

WHEREAS, according to the Faribault County Zoning Ordinance, the applicant is requesting a conditional use permit for up to three (3) 30,000 gallon LP gas storage tanks.

The proposed project is located in the A-2 General Agriculture District located on a tract commencing at the point of intersection of the West line of the Northeast Quarter (NE ¼) of Section fifteen (15), Township One Hundred Two (102) North, Range Twenty-six (26) West of the Fifth Principal Meridian, Faribault County, Minnesota and the centerline of County State Aid Highway No. 16; thence East 8.5 chains (561 feet) along said C.S.A.H. No. 16 Centerline; thence South 388.24 feet parallel with the West line of the Northeast Quarter (NE ¼) of Section Fifteen (15), thence West 561 feet parallel with the C.S.A.H. No. 16 Centerline to the West line of said Northeast Quarter (NE ¼) and thence North 388.24 feet along the West line of said Northeast Quarter (NE ¼) to the point of beginning.

Grantors reserve an assignable easement over the East 33 feet of the property described above for ingress and egress purposes for the sole use and benefit of the property owned by Grantors lying South of the property described above and located in the West Half of the West Half (W ½ W ½) of the Northeast Quarter (NE ¼) in Section Fifteen (15), Township One Hundred Two (102) North, Range Twenty-six (26).

WHEREAS, The Planning Commission finds:

1. That the proposed use will not 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. Applicant has safety plan in place and insurance company's requirements will be met.
2. That the proposed use will not have an adverse impact on traffic conditions including parking, traffic congestion, or traffic hazard.
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. Highway 16 would be access 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. Ag land and ag use area.

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. Section 7 of the Zoning Ordinance.
6. That the proposed use will not have an adverse effect on the environment including impacts on groundwater, surface water, soils and air quality.
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.
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. Risk management plan is in place.
9. That the result of this request will not allow for the storage of materials and that adequate disposal measures are in place. No waste products will be generated.

NOW THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners approve the conditional use permit for More's Ag. Center, Inc. for up to three (3) 30,000 gallon LP gas storage tanks in the A-2 General Agriculture District with the following conditions:

1. Tanks will be installed and maintained according to (NFPA) National Fire Protection Association pamphlet 58 (LP-Gas Code Handbook) and the safety protocol plan in place by the applicant.
2. This conditional use permit only authorizes the use as specifically described in the submitted plan and application dated April 21, 2014 for up to (3) 30,000 gallon LP tanks.
3. Any proposed changes, additions, or modifications to the site, or to the services proposed, shall be brought back before the Planning Commission and County Board for review.
4. A review of the conditional use permit will be completed by the Planning and Zoning Department every two years and a maintenance fee of \$50.00 shall be paid every two years as long as the conditional use is in effect starting May 20, 2016.
5. Installation of tank 2 and 3 must occur prior to June 1, 2019.

Program Technician Shane Johnson met regarding a public hearing for a feedlot application from Dean Schimek in Section 2 of Barber Township. Johnson showed proof of advertising for the hearing. No member of the public appeared to make comment. No action was required for the hearing.

Discussion was held regarding an amendment to the Subsurface Sewage Treatment System Ordinance.

Groskreutz/Warmka motion carried unanimously to set 4:00 p.m. on June 17, 2014 for a public hearing on the Subsurface Sewage Treatment System Ordinance amendments.

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University of Minnesota Extension Regional Director LuAnn Hiniker and Extension Committee Chair Kerry Doyle met regarding extension business. Discussion was held regarding the vacant 4-H educator position. Hiniker's recommendation is to hire a full-time coordinator through the University of Minnesota.

Warmka/Young motion carried to approve advertising for a full-time 4-H Coordinator position. Commissioners Groskreutz and Roper voted no.

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3rd and 4th grade students from St. Casimir's School in Wells attended the meeting.

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Public Works Director John McDonald met regarding office business. A construction update was provided.

Discussion was held regarding the Blue Earth Main Street road project. Michele Hard of Blue Earth attended representing downtown businesses and presented a petition requesting angle parking on this project.

Roper/Groskreutz motion carried unanimously to approve Resolution 14-RB07-23 requesting a variance from the standard for State Aid Operation for Project No. S.A.P. 022-606-020, Main Street in Blue Earth. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

WHEREAS, Faribault County is preparing plans for the reconstruction of CSAH 6 from 5th Street to 7th Street in Blue Earth; and

WHEREAS, the 2011 Traffic Count was 3600; and

WHEREAS, for ADT values greater than 3000 Minnesota Rules for State Aid Operation 8820.9961 with a 45 degree parking angle requires 14 feet between the traffic lane and parking stall and a parking stall depth of 20 feet; and

WHEREAS, the existing building locations do not allow for a reasonable street configuration under the greater than 3000 ADT standard.

NOW, THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners do hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9961 (Minimum Design Standards for 45 degree and 60 degree Pull-in Diagonal Parking) to allow two feet between the traffic lane and parking

stall (the less than 3000 ADT standard) and a parking stall depth of 18 feet in lieu of 14 feet between the traffic lane and parking stall (the greater than 3000 ADT standard) and a parking stall depth of 20 feet;

BE IT FURTHER RESOLVED, that the Faribault County Board of Commissioners hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the reconstruction of CSAH 6 between 5th Street and 7th Street in accordance with Minnesota Rules 8820.9961 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting of this variance.

Roper/Groskreutz motion carried unanimously to enter into a contract with Static Consulting to provide engineering design services for the replacement of old bridge 4453 at an estimated fee of \$59,310.

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Julie Jorgensen of Fairmont Youth Hockey Association met regarding a gambling permit for Riverside Town & Country Club.

Groskreutz/Warmka motion carried unanimously to adopt Resolution 14-CB-24 approving the application for a charitable gambling permit for the Fairmont Youth Hockey Association at Riverside Town & County Club. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

WHEREAS, the Fairmont Youth Hockey Association has presented the county with a Premises Application for a charitable gambling permit at Riverside Town & Country Club in the County of Faribault, Minnesota, and;

WHEREAS, the Premises Permit Application appears to be acceptable in all respects.

NOW THEREFORE, BE IT RESOLVED, that Faribault County approves the Premises Permit Application for a charitable gambling permit for the Fairmont Youth Hockey Association to conduct lawful gambling at Riverside Town & Country Club in the County of Faribault, Minnesota.

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Prairieland Solid Waste Coordinator Billeye Rabbe met regarding office business.

Warmka/Roper motion carried unanimously to approve Resolution 14-CB-25 adopting the Joint Faribault-Martin County Solid Waste Management Plan and supporting documentation, dated May 20, 2014. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

WHEREAS, the legislature of the State of Minnesota requires that Minnesota's counties develop a Solid Waste Management Plan in accordance with Minn. Stat. §§ 115A.46; 115A.471; 115A.551, subs. 6-7; 115A.552; 115A.557, subd. 2-3; 115A.63; 115A.84; 115A.914; 115.96, Subd.6-7; 115A.917; 115A.97; Minn. Rules 9215 and all other applicable statutes and rules; and

WHEREAS, Minnesota counties recognize the need to plan for and practice environmentally sound methods of managing their solid waste stream;

WHEREAS, in 1989, the legislature of the State of Minnesota enacted legislation to require that Solid Waste Management Plan's be amended to include the requirements in Minn. Stat. §§ 115A.551, 115A.914 and 115A.96, Sub. 6 (1991); and

WHEREAS, Faribault County recognizes the need to plan for and implement waste reduction, recycling, education, yard waste, source separated organic materials composting, special and problem material waste management strategies, and processing of MSW;

NOW, THEREFORE, BE IT RESOLVED, that the Faribault County Board of Commissioners hereby approves and adopts the Joint Faribault-Martin County Solid Waste Management Plan and supporting documentation, dated May 20, 2014.

BE IT THEREFORE FURTHER RESOLVED, that Faribault County agrees to maintain and implement the Plan as required by Minn. Rules pt. 9215.0530, sub. 1 and 2.

BE IT THEREFORE FURTHER RESOLVED, that the Faribault County Board of Commissioners submits this document to the Commissioner of the Minnesota Pollution Control Agency pursuant to applicable Minnesota laws and rules.

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Central Services Director Dawn Fellows met regarding office business.

Groskreutz/Young motion carried unanimously to approve the hiring of Brittney Gehrking of Winnebago as part-time sheriff deputy effective May 25, 2014.

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Young/Groskreutz motion carried unanimously to approve the transfer of \$10,902 from the General Fund to the County Library Fund to satisfy the requirement of minimum level of support required by the Minnesota Department of Education for library systems.

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Groskreutz/Roper motion carried unanimously to approve requests from J. McDonald to attend a 2-day MCEA summer conference in Alexandria and C. Anderson and E. Bromeland to attend a 1-day Public Safety Best Practices forum in Minneapolis.

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Young/Groskreutz motion carried unanimously to approve the payment of \$3,000 to Retired Senior Volunteer Program (RSVP) for 2013 and 2014 allocations.

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Discussion was held regarding the ITC power line project.

Young/Warmka motion carried to send a letter to the Commissioner of Commerce on behalf of the Board of Commissioners in support of the ITC power line project and to support the Modified Route A plan. Commissioner Loveall abstained from vote and discussion based on a potential conflict of interest.

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Warmka/Young motion carried unanimously to pay bills totaling \$ 190,493.83 as follows:

COUNTY REVENUE FUND	\$ 69,168.05
PUBLIC WORKS FUND	90,609.21
ISTS LOAN FUND	6,688.85
DEBT SERVICE FUND	13,900.00
DITCH FUNDS	<u>10,127.72</u>
	\$ 190,493.83

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The meeting was adjourned for May 2014.

Tom Loveall, Chairman

John Thompson, Auditor/Treasurer/Coordinator