

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
AUGUST 19, 2014

The Faribault County Board of Commissioners met pursuant to the recess of August 5, 2014 at the Faribault County Courthouse in the City of Blue Earth at 9:00 a.m. on August 19, 2014. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, and Greg Young Commissioners. Commissioner Warmka was absent. 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/Young motion carried unanimously to approve the synopsis and official proceedings of the August 5, 2014 regular meeting.

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Roper/Young motion carried unanimously to approve the agenda of August 19, 2014.

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Calendar was updated. Faribault County Fair Board member Milt Steele appeared during public comment.

Groskreutz/Young motion carried unanimously to accept a donation of \$1,000 from the Faribault County Fair Board towards the purchase of a Veterans Services van.

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Committee reports were given. Groskreutz reported on canvass board.

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Groskreutz/Roper to adopt Resolution 14-CB-39 to offer for sale parcels of land on the Forfeited Tax Sale List 2014-A. Commissioners Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

WHEREAS, T\the Faribault County Board of Commissioners desires to offer for sale certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes, and

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and the County Board has considered the following;

1. The present use of all parcels of property adjacent to the parcels,
2. The potential productivity of the soil that is part of the tax-forfeited land,
3. The character of any forest or other vegetation growing the tax-forfeited land,
4. The existing and potential accessibility of the tax-forfeited land to established roads, schools and other public services,
5. The suitability or desirability of the tax-forfeited land for particular uses, and
6. The suitability of the land's forest resources for multiple uses and sustained yield management, and

NOW, THEREFORE, BE IT RESOLVED that the Faribault County Board of Commissioners classifies the following parcels as "Non-Conservation Land" pursuant to Minnesota Statutes 282.01, and

BE IT FURTHER RESOLVED that the Faribault County Board of Commissioners hereby certify that all parcels of land on the Forfeited Tax Sale List 2014 - A, a copy of which is on file in the office of the County Auditor, have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01 subv. 8, and 282.018, and other statutes that require the withholding of tax-forfeited lands from sale.

BE IT FURTHER RESOLVED that the Faribault County Board of Commissioners hereby determines that the list of parcels does not need approval from the Minnesota Department of Natural Resources to be offered for sale, and

BE IT FURTHER RESOLVED that the basic sale price be set as stated on the list.

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Young/Roper motion carried unanimously to approve requests from L. Krachmer and S. Robbins to attend a 4-day MAAO fall conference in Duluth.

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Discussion was held regarding recycling sites and solid waste sites.

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Soil and Water/Planning and Zoning Program Administrator Michele Stindtman met regarding office business. Bob Bell of Blue Earth and Greg Holland representing Hope Methodist Church of Blue Earth also attended.

Groskreutz/Roper motion carried unanimously to approve Resolution 14-PZ09-40 granting a conditional use permit amendment to conditional use permit #04-13-20 issued to Bob and Mary Bell for the sale of

new and used equipment and parts in Blue Earth Township. Commissioners Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

Bob and Mary Bell
Blue Earth Township, Section 15-102-27
#04-13-20A

WHEREAS, according to the Faribault County Zoning Ordinance, the applicant is requesting a conditional use permit amendment to conditional use permit #04-13-20 for the sale of new and used equipment and parts.

The proposed project is located in the A-2 General Agriculture District located on A tract of land in the Northwest Quarter of the Southeast Quarter of Section 15, Township 102 North, Range 27 West in Faribault County, Minnesota described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 15, Township 102 North, Range 27 West in Faribault County, Minnesota; thence South 90 degrees 00 minutes 00 seconds West (assumed bearing) along the North line of the Southeast Quarter a distance of 2071.64 feet; thence South 0 degrees 44 minutes 16 seconds West a distance of 1070.78 feet to an iron pipe survey marker and point of beginning; thence South 85 degrees 23 minutes 25 seconds East a distance of 126.33 feet to an iron pipe survey marker; thence continuing South 85 degrees 23 minutes 25 seconds East a distance of 52.66 feet; thence South 0 degrees 35 minutes 26 seconds West a distance of 94.72 feet to an iron pipe survey marker; thence continuing South 0 degrees 35 minutes 26 seconds West a distance of 225.15 feet to an iron pipe survey marker; thence North 87 degrees 35 minutes 57 seconds West a distance of 212.10 feet to an iron pipe survey marker; thence North 70 degrees 39 minutes 57 seconds West a distance of 150.35 feet to an iron pipe survey marker; thence South 89 degrees 20 minutes 14 seconds West a distance of 169.62 feet; thence North 0 degrees 51 minutes 27 seconds East a distance of 44.42 feet to an iron pipe survey marker; thence North 7 degrees 04 minutes 51 seconds West a distance of 142.43 feet to an iron pipe survey marker; thence North 1 degree 43 minutes 39 seconds West a distance of 110.35 feet to an iron pipe survey marker; thence North 89 degrees 20 minutes 46 seconds East a distance of 374.66 feet to the point of beginning.

Together with a 40 foot wide driveway tract of land in the Northwest Quarter of the Southeast Quarter of Section 15, Township 102 North, Range 27 West in Faribault County, Minnesota lying 20.00 feet (measured at right angles) on both sides of the following described Line A. The driveway tract shall be bounded on the North by the North line of the Southeast Quarter and on the South by the north line of the previously described Main Tract.

Line A: Commencing at the Northeast corner of the Southeast Quarter of Section 15, Township 102 North, Range 27 West in Faribault County, Minnesota; thence South 90 degrees 00 minutes 00 seconds West (assumed bearing) along the North line of the

Southeast Quarter a distance of 2071.64 feet to the point of beginning; thence South 0 degrees 44 minutes 16 seconds West a distance of 1070.78 feet to an iron pipe survey marker and there terminating at the north line of the previously described Main Tract. Subject to an easement for highway right-of-way along the North line of the Southeast Quarter of Section 15.

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.
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.
4. That the proposed use will not have an adverse effect or diminish property values or future development of land in the surrounding neighborhood.
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
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. Residential use.
9. That the result of this request will allow for the storage of materials and that adequate disposal measures are in place.

NOW THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners approve the conditional use permit amendment to conditional use permit #04-13-20 for Bob and Mary Bell for the sale of new and used equipment and parts in the A-2 General Agriculture District with the following conditions:

1. This conditional use permit amendment only authorizes the use as specifically described in the submitted Application and allow the addition of an Ag. Related business which will sell new and used equipment and parts.

2. 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 state highway requirements.
3. SSTS compliance and maintenance be performed in accordance with Section 23 of the Faribault County Zoning Ordinance.
4. No more than 5 unlicensed and/or inoperable vehicles can be stored on site.
5. New and used equipment for sale will not be allowed to be displayed within the right-of-way of County Road 16.
6. All federal, state, and local permits need to be obtained and implemented.
7. Copy of recent MN State Dealership license shall be submitted and on file at the Planning and Zoning Department.
8. Any proposed changes, additions, or modifications to the site, or to the services proposed, shall be submitted to the Zoning Administrator, and brought back before the Planning Commission and County Board for review.
9. A review of the conditional use permit amendment will be completed by the Planning and Zoning Department in conjunction with conditional use permit #04-13-20.

Groskreutz/Young motion carried to approve Resolution 14-PZ10-41 granting a conditional use permit to Hope Methodist Church for an animated sign in Section 5 of Blue Earth Township. Commissioners Groskreutz, Loveall, and Young voted yes. Commissioner Roper abstained, as he is chair of the Hope Methodist Church Board.

RESOLUTION

WHEREAS, according to the Faribault County Zoning Ordinance, the applicant is requesting a conditional use permit to install an animated sign.

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

An undivided 60 percent interest in and to:

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 5, Township 102 North, Range 27 West, Blue Earth Township, Faribault County, Minnesota described as follows:

Commencing at the Southwest corner of said Section 5; thence North 01 degrees 58 minutes 34 seconds East, (assumed bearing) along the west line of the Southwest Quarter of said Section 5, a distance of 439.79 feet to the north right-of-way line of Interstate 90 according to State Highway Right-of-Way Plat No. 22-4 on file and of record in the office of the County Recorder; thence North 89 degrees 09 minutes 24 seconds East, along said north highway right-of-way line, a distance of 398.74 feet to the centerline of County State Aid Highway No. 6 (formerly Minnesota Trunk Highway No.169); thence continuing North 89 degrees 09 minutes 24 seconds East, along the north highway right-of-way line of said Interstate 90, a distance of 489.00 feet; thence North 00 degrees 56 minutes 30 seconds West, a distance of 364.04 feet; to the point of beginning; thence continuing North 00 degrees 56 minutes West, a distance of 293.93 feet; thence South 89

degrees 03 minutes 30 seconds West, a distance of 786.02 feet to the centerline of said County State Aid Highway No. 6 and a circular curve concave northeasterly, having a radius of 1909.86 feet and a center of radius which bears North 75 degrees 36 minutes 06 seconds East; thence Southeasterly, along said centerline through a central angle of 09 degrees 14 minutes 55 seconds and an arc length of 308.29 feet to a point on a line which bears South 89 degrees 09 minutes 24 seconds West from the point of beginning; thence North 89 degrees 09 minutes 24 seconds East, along said line, a distance of 690.44 feet to the point of beginning.

Said tract contains 5.00 acres of land.

AND

All of the following described tract:

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 5, Township 102 North, Range 27 West, Blue Earth Township, Faribault County, Minnesota described as follows:

Commencing at the southwest corner of said Section 5; thence North 01 degrees 58 minutes 34 seconds East along the west line of the Southwest Quarter of said Section 5, a distance of 439.79 feet to the north right-of-way line of Interstate 90 according to State Highway Right-of-Way Plat No. 22-4 on file and of record in the office of the County Recorder; thence North 89 degrees 09 minutes 24 seconds East, along said north highway right-of-way line, a distance of 398.74 feet to the centerline of County Sate Aid Highway No. 6 (formerly Minnesota Trunk Highway No. 169) and the point of beginning; thence continuing North 89 degrees 09 minutes 24 seconds East, along the north highway right-of-way line of said Interstate 90, a distance of 489.00 feet; thence North 00 degrees 56 minutes 30 seconds West, a distance of 364.04 feet; thence South 89 degrees 09 minutes 24 seconds West, a distance of 690.44 feet to the centerline of said County State Aid Highway No. 6 and a circular curve concave northeasterly, having a radius of 1909.86 feet and a center of radius which bears North 66 degrees 21 minutes 11 seconds East; thence Southeasterly, along said centerline through a central angle of 11 degrees 41 minutes 11 seconds and an arc length of 389.54 feet; thence South 35 degrees 20 minutes 00 seconds East, along said centerline and tangent to said curve, a distance of 27.62 feet to the point of beginning.

Said tract contains 5.00 acres of land.

WHEREAS, the Planning Commission finds:

10. 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.
11. That the proposed use will not have an adverse impact on traffic conditions including parking, traffic congestion or traffic hazard.

12. 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.
13. That the proposed use will not have an adverse effect or diminish property values or future development of land in the surrounding neighborhood.
14. 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.
15. That the proposed use will not have an adverse effect on the environment including impacts on groundwater, surface water, soils and air quality.
16. That the proposed use will not have an adverse effect on normal and orderly development and improvement of surrounding properties in the surrounding neighborhood.
17. 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.
18. That the result of this request will allow for the storage of materials and that adequate disposal measures are in place.

NOW THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners approve the conditional use permit for Hope United Methodist Church for an animated sign in the A-2 General Agriculture District with the following conditions:

1. This conditional use permit only authorizes the use as specifically described in the submitted plan and application dated July 17, 2014 for an animated sign.
2. Sign has to meet the 100' from centerline of county road setback requirement.
3. Sign must follow the General Sign Provisions as outlined in the Zoning Ordinance

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Central Services Director Dawn Fellows met regarding office business.

Young/Roper motion carried unanimously to approve posting the position of tax/accounting clerk in the Auditor/Treasurer office.

Groskreutz/Roper motion carried unanimously to recommend the majority plan for a PERA vote on the corrections plan.

Young/Groskreutz motion carried unanimously to direct the County Attorney to review the Minnesota Counties Computer Cooperative joint powers agreement.

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

Groskreutz/Roper motion carried unanimously to approve the final payment of \$10,060.84 to the City of Wells for the reconstruction of CSAH 62 in Wells.

Roper/Young motion carried unanimously to approve the final payment of \$44,761.90 to Brunz Construction for SAP 022-613-021 on CSAH 13 from CSAH 16 to CSAH 4.

Discussion was held regarding the ITC development agreement. Loveall abstained due to prior business agreements. Staff recommended action be delayed until the next meeting.

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Members of the Faribault County Historical Society met with the board regarding funding.

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Groskreutz/Young motion carried unanimously to approve Resolution 14-CB-42 an agreement with the State of Minnesota to provide public transportation service in Faribault County. Commissioners Groskreutz, Loveall, Roper, and Young voted yes.

RESOLUTION

BE IT RESOLVED that Faribault County enter into an agreement with the State of Minnesota, to provide public transportation service in Faribault County.

BE IT FURTHER RESOLVED that Faribault County agrees to provide a local share of 15 percent of the total operating cost and 20 percent of the total capital costs.

BE IT FURTHER RESOLVED that Faribault County authorizes the County Board Chairman and the Central Services Director to execute the aforementioned Agreement and any amendments thereto.

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Young/Groskreutz motion carried unanimously to pay bills totaling \$ 288,530.29 as follows:

COUNTY REVENUE FUND	\$ 77,880.05
PUBLIC WORKS FUND	24,796.17
HUMAN SERVICES FUND	167,846.00

COUNTY LIBRARY FUND 21.70

DITCH FUNDS 17,986.37

\$ 288,530.29

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The meeting was adjourned for August.

Tom Loveall, Chairman

John Thompson, Auditor/Treasurer/Coordinator