

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
DECEMBER 16, 2014

The Faribault County Board of Commissioners met pursuant to the recess of December 2, 2014 at the Faribault County Courthouse in the City of Blue Earth at 4:00 p.m. on December 16, 2014. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Greg Young, and Tom Warmka 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 December 2, 2014 regular meeting.

\* \* \* \* \*

Young/Warmka motion carried unanimously to approve the agenda of December 16, 2014.

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Calendar was updated. No member of the public appeared during public comment.

\* \* \* \* \*

Years of Service awards were presented as follows: 40 years: Mary Evans and Bonita Zimmer; 30 years: Ronald Gaines and Earl Iverson; 25 years: Dawn Leland, Donald Anderson, and Todd Hanevik; 20 years: Mark Adams, Mark Nelson, and Michael Gormley; 15 years: Erin Bromeland, John McDonald, Roger Perrizo, and Barry Meyers; and 10 years: William Groskreutz and Robert Roelofs.

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Committee reports were given. Groskreutz reported on MVAC executive committee, Association of Minnesota Counties (AMC) conference, and MVAC; Roper reported on AMC conference; Warmka reported on AMC conference, and Loveall reported on transit and AMC conference.

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Central Services Director Dawn Fellows met regarding office business.

Roper/Warmka motion carried unanimously to approve hiring Leah Hanson, Stephanie Wolff, and Brandon Schaeffer of Blue Earth as part-time dispatch/jailers in the Sheriff Department.

Groskreutz/Young motion carried unanimously to approve a 2.5% wage increase for non-union employees effective January 1, 2015 and to set insurance premiums at \$665 per month for employees (single or family) enrolled in the \$1,000 deductible plan and at \$543 per month for employees (single or family) enrolled in the

\$5,000 deductible plan. Faribault County will additionally contribute \$3,300 annually, \$275 per month for those enrolled in the HSA, or VEBA plans (\$5000 deductible plan eligible participants).

Young/Warmka motion carried unanimously to approve a joint powers agreement to establish Faribault/Martin County Transit Board, a public transit program for purposes of providing a coordinated service delivery and funding source for public transportation.

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Soil and Water Program Administrator Michele Stindtman met regarding office business. Douglas Meyer, Planning and Zoning Board Chair Morris Hanson Jr., and ITC representatives also attended.

Young/Roper motion carried to approve Resolution 14-PZ10-47 granting a conditional use permit to Douglas K. Meyer for a temporary staging area to be utilized by ITC Midwest in conjunction with two electric utility projects in the A-2 General Agriculture District. Commissioners Groskreutz, Roper, Warmka, and Young voted yes. Commissioner Loveall recused himself due to a potential conflict of interest.

**RESOLUTION**

**WHEREAS,** according to the Faribault County zoning ordinance, the applicant is requesting a conditional use permit for a temporary staging area to be utilized by ITC Midwest in conjunction with two electric utility projects.

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

“North Tract” described as follows:

The Northeast Quarter of the Northeast Fractional Quarter (NE ¼ of NE Fr. ¼), Section Two (2), Township One Hundred Three (103) North, Range Twenty-eight (28) West, Verona Township, Faribault County, Minnesota.

TOGETHER WITH: The Northwest Quarter of the Northeast Fractional Quarter (NW ¼ of NE Fr. ¼) of Section Two (2), Township One Hundred Three (103) North, Range Twenty-eight (28) West, Verona Township, Faribault County, Minnesota.

EXCEPTING THEREFROM: That part of the Northwest Quarter of the Northeast Quarter (NW ¼ of NE ¼) of Section Two (2), Township One Hundred Three (103) North, Range Twenty-eight (28) West of the Fifth Principal Meridian in the County of Faribault and State of Minnesota, described as follows: Commencing at an iron pipe monument designating the North Quarter corner of said Section Two (2); thence North 90 degrees 00 minutes 00 seconds East (assumed bearing), along the North line of the Northeast Quarter (NE ¼) of Section Two (2) a distance of 381.27 feet to the point of beginning; thence continuing North 90 degrees 00 minutes 00 seconds East, along said North line, 279.85 feet; thence South 00 degrees 55 minutes 13 seconds East, 538.45 feet; thence South 85 degrees 20 minutes 54 seconds West, 284.13 feet; thence North 00 degrees 32 minutes 30 seconds West, 561.45 feet to the point of beginning. Said parcel contains 3.56 acres, subject to an easement for County Highway No. 109 purposes over and across the Northerly boundary; ALSO subject to any other easements of record.

TOGETHER WITH: A tract commencing at a point 50 rods South of the Northeast corner of the Northwest Quarter (NW ¼) of Section Two (2) in Township One Hundred Three (103) North, Range Twenty-eight (28) West of the Fifth Principal Meridian in the County of Faribault and State of Minnesota and running thence South 110 rods to the Southeast corner of said quarter section, thence West along the South line of said quarter section to the Southwest corner of the Southeast Quarter of the Northwest Quarter (SE ¼ of NW ¼) of said Section Two (2), thence North 110 rods, and thence East to the point of beginning, EXCEPTING THEREFROM the Southeast Quarter of the Northwest Fractional Quarter (SE ¼ of NW Fr. ¼) thereof.

**WHEREAS,** The Planning Commission finds:

1. That the proposed use will not have an adverse impact on:
  - a. Health
  - b. Safety. ITC will obey and follow DOT signage and road use regulations.
  - c. Or, general welfare. Proposal is temporary.
2. That the proposed use of the property will not be injurious to the use and enjoyment of other properties for purposes already permitted in the surrounding neighborhood.  
Proposal is temporary.
3. That the proposed use of the property will not have an adverse impact on:
  - a. Traffic conditions.
  - b. Off-street parking.
  - c. Traffic congestion.
  - d. Traffic hazard.

Applicant will have adequate parking within the 20 acre site. Site is adjacent to a business that had trucks hauling and increased traffic.
4. That for the proposed use of the property, there are adequate measures in place in regard to:
  - a. necessary public utilities including water, electricity, and sewer. Applicant will be responsible for portable restrooms. Applicant will be working with coop to bring electricity to the site.
  - b. public services.
  - c. Access roads. Will utilize existing driveway off township road.
  - d. Site drainage. State permits have been obtained
  - e. Off street parking. None is required, lot is sufficient.
  - f. Loading space. Lot is sufficient.
  - g. Other necessary facilities. N/A
5. That the proposed project will not have an adverse effect on land in the surrounding neighborhood. Traffic and large trucks are already utilizing the area to the north of lot.
6. That the proposed project will not diminish the property values or diminish the opportunity for future development. Permit is temporary.
7. That the proposed project meets the standards of the Faribault County Zoning Ordinance and is allowed with a conditional use permit in the general agriculture district as outlined in Section 7.13. Essential public utilities or services and service buildings, including storage areas.
8. That the proposed project will not have an adverse effect on:
  - a. The environment.

- b. Groundwater. NPDES/SDS General Stormwater Permit received.
  - c. Surfacewater. NPDES/SDS General Stormwater Permit received.
  - d. Soils.
  - e. Air quality. N/A
9. That the proposed use will not have an adverse effect in the surrounding neighborhood in regard to:
- a. Normal and orderly development.
  - b. Improvement of surroundings.
10. That the proposed use will have adequate measures in place to prevent or control the following items so that none of these will constitute a nuisance:
- a. Offensive odors.
  - b. Fumes.
  - c. Dust. Site has fabric and one foot of rock/gravel.
  - d. Noise. Use is in the rural setting and hours of operation are established.
  - e. Vibration.
11. That the proposed use will have adequate measures in place for any materials being stored, and that adequate disposal measures are in place. Dumpsters will be used and only state certified fuel containment will be used.

**NOW THEREFORE BE IT RESOLVED**, that the Faribault County Board of Commissioners approve the conditional use permit for Douglas K. Meyer for a temporary staging area to be utilized by ITC Midwest in conjunction with two electric utility projects in the A-2 General Agriculture District with the following conditions:

- 1. Site shall be kept in a neat and orderly manner at all times.
- 2. Septage and any waste shall be handled in accordance with applicable statutes and ordinances.
- 3. Site runoff conditions shall be controlled with applicable MPCA Best Management Practices.
- 4. Required state permits shall be applied for and received. (ex. MPCA Phase II Stormwater Permit)
- 5. Traffic access and controls shall be acceptable to the affected road authority.
- 6. Nighttime noise and lighting shall not constitute an annoyance to neighboring properties.
- 7. No structures may be placed over, or within 75 feet of either side of the JD 17F tile line, and must meet county structure setbacks.
- 8. If damage occurs from use of vehicles at the site and adjoining roadway then restoration will take place according to Verona Township. (MN DOT Recommendation)
- 9. Conditional use permit will terminate upon:
  - a. ITC Midwest filing with the County an affidavit stating that the Freeborn to Winnebago 161 kV rebuild project and the MN – Iowa 345 kV Transmission Project have been completed, by
  - b. ITC Midwest filing with the County an affidavit stating that ITC Midwest LLC has determined that the storage yard is no longer necessary for its construction activities or by
  - c. December 31, 2018, including total site restoration.

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Public Works Director John McDonald met regarding office business.

Roper/Young motion carried unanimously to approve Resolution 14-RB11-48 for Local Road Improvement Program funding for the reconstruction of CSAH 103. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

- WHEREAS,** the existing Faribault County CSAH 103 extends from CSAH 6 to TH 169; a distance of approximately 2000', and
- WHEREAS,** the City of Blue Earth was able to secure funding for a North Industrial Park, and
- WHEREAS,** as part of their grant the City of Blue Earth was able to improve CSAH 103 from US 169 to a point 700 feet west in 2014 to an all season 10 ton per axle roadway, and
- WHEREAS,** there still remains a section of CSAH 103 approximately 1,300 feet long that has an aggregate surface and is restricted to 5 tons per axle during Spring Load Restrictions, and
- WHEREAS,** the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$750,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, and address transportation deficiencies, and
- WHEREAS,** the proposed year for said project construction is 2016.

**NOW, THEREFORE BE IT RESOLVED** by the Faribault County Board of Commissioners as follows:

That the County supports the application for the Local Road Improvement Program (LRIP) funds for the reconstruction of CSAH 103 from CSAH 6 to a point 1,300' east.

Roper/Warmka motion carried unanimously to approve Resolution 14-RB12-49 requesting an advance for financing approved County State Aid Highway projects from the Commissioner of Transportation in an amount up to \$1,300,000. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

- WHEREAS,** the County of Faribault is planning to implement County State Aid Street Projects in 2015 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account, and
- WHEREAS,** said County is prepared to proceed with the construction of said project through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular Construction Account, and
- WHEREAS,** the advance is based on the following determination of estimated expenditures:

Estimated Account Balance as of 1-1-15 of \$1,763,100. Less estimated disbursements for Project #22-635-006 of \$244,625, Project #22-619-019 of \$331,721, Project #22-606-019 of \$2,450,000,

and Project Finals of \$36,754 for a total disbursement of \$3,063,100 with an advance amount of \$1,300,000.

**WHEREAS,** repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statute 162.08, Subd. 5&7 and Minnesota Rules, Chapter 8820, and

**WHEREAS,** the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

**NOW, THEREFORE, BE IT RESOLVED,** that the Commissioner of Transportation is hereby requested to approve this advance for financing approved County State Aid Highway Projects of the County of Faribault in an amount up to \$1,300,000 in accordance with Minnesota Statutes 8820.1500, subp.9. and authorizes repayments from subsequent accruals to the Municipal Construction Account of said County from future year's allocations until fully repaid.

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Young/Warmka motion carried unanimously to approve a change order to the contract with Holtmeier Inc. on CD 24 repair project.

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Young/Roper motion carried to approve Resolution 14-CB-50 setting board salaries, per diem expenses, and mileage rates for 2015. Commissioners Groskreutz, Loveall, Roper, and Young voted yes. Commissioner Warmka voted no.

### **R E S O L U T I O N**

**WHEREAS,** Chapter 301 of Session Laws 1975 provides for a method of determining county commissioner's compensation, per diem and expense allowance; and,

**WHEREAS,** the resolution establishing the salary, schedule of per diem payments and expense allowances must be adopted by the County Board of Commissioners prior to January 1 of each year to become effective on January 1 of the next following year; and,

**WHEREAS,** the County Board of Commissioners of Faribault County, after due deliberation and consideration, has determined the annual salary, schedule of per diem payments and expense allowance that will be effective January 1, 2015, and thereafter until changed by resolution of the said Board in a manner as provided by law.

**NOW, THEREFORE, BE IT RESOLVED,** By the County Board of Commissioners of Faribault County as follows:

1. That the annual salary of each County Commissioner of Faribault County shall be the sum of \$18,780.00 beginning January 1, 2015, payable in not less than bi-weekly increments, less deductions as authorized or required by law, and shall be paid to such Commissioner during the interval as he or she is qualified to hold office.
2. That each individual County Commissioner shall be paid a per diem of \$80 per day, after making application therefore, who, by proper designation for authorization has served on any board, committee or commission of county government, including committees of the Board, or

for the performance of services when required by law for any of the following work, service or activity:

Human Services Board and/or Committee  
Representative on the Council on Aging  
County Extension Committee  
South Central Private Industry Council (PIC) Joint Powers Board  
County Fair Board  
County Weed-Crop Inspection  
County Commissioner's Highway Committee  
County Representative MnDOT Advisory Committee  
County Representative Minnesota Transportation Alliance  
County Commissioners as Road, Drainage Inspectors, or Fence Viewers  
County Land Classification and Appraisal Committee  
Forfeited Tax Sale Proceedings, including Appraisals  
Planning and Zoning Commission  
County Building, Building Maintenance, and Equipment Committee  
Crime Commission  
Intergovernmental Relations Committee  
Regional Development Commissioner, Board, or Committee  
Economic Development and/or Star County Committee  
County Library Board and/or Committee  
County Law Library Board  
Labor Relations, Negotiations, Personnel, and Bargaining Committee  
County Insurance Advisory Committee  
County Investment Advisory Committee  
County Radio Communications System Committee  
911 Emergency Telephone Communications Board or Committee  
State and/or County Building Code Board or Committee  
Airports Zoning Committee  
County Parks Board or Committee  
Blue Earth River Basin Committee  
Comprehensive Water Planning Board or Committee  
Interstate Highway 90 Corporation and/or Trunk Highway 169  
Commission, Board or Committee  
County Deferred Compensation Plan Committee  
Solid Waste Management or Disposal Board or Committee  
Water Quality Management Board  
Wetland Bank Committee  
Budget Committee  
Resource Conservation and Development Council  
Association of Minnesota Counties and/or State Welfare, Social  
Services/Human Services Board of Committee  
Manure Management Task Force  
Juvenile Detention Committee  
Environmental Committee  
Huntley Sewer Service District  
Activities relating to public drainage systems under the  
Jurisdiction of the County.  
Other committees as established by the County Board  
Drug Courts

For such committee, board or commission work which may be required by law, or which is authorized by the County Board of Commissioners, providing, that such work, service, or activity is authorized by Board action to the performance of such work, service, or activity.

That in addition to the salary and per diems set forth herein, each individual County Commissioner may be paid his or her actual and necessary expenses with mileage set at the Internal Revenue Service rate for necessary travel on official business of the county by private conveyance.

The effective date of this resolution shall be January 1, 2015, and thereafter until changed in the manner provided by law.

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Groskreutz/Young motion carried unanimously to approve Resolution 14-CB-51 to commit fund balances to Human Services, Public Works, Ditch and Debt Service funds in compliance with GASB #54. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

### RESOLUTION

**WHEREAS,** the Faribault County Board of Commissioners has adopted a policy in accordance with Governmental Accounting Standards Board (GASB) #54, *Fund Balance Reporting and Governmental Fund Definitions* and,

**WHEREAS,** the policy states that committed fund balance classifications include the portion of the fund balance that reflects constraints that the County has imposed upon itself by a formal action of the Board of Commissioners and that this constraint must be imposed prior to year end but the amount can be determined at a later date,

**THEREFORE, BE IT RESOLVED,** that the Faribault County Board of Commissioners hereby declares that the following funds be designated as “Committed” as of the end of 2015;

- Any unassigned and available funds in the Human Services Fund, Public Works Fund, Ditch Fund, and Debt Service Fund that are not Non-spendable or restricted according to GASB 54.

**BE IT FURTHER RESOLVED,** that the Faribault County Auditor-Treasurer shall determine the dollar amount of said committed funds and include these amounts in the financial statements of Faribault County.

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Groskreutz/Warmka motion carried unanimously to approve the Auditor to pay expenditures on December 30, 2014 and provide a list at the January 6, 2015 meeting.

\* \* \* \* \*

Warmka/Roper motion carried unanimously to approve the Auditor to advance funds from the General Fund into ditch funds with negative balances as deemed appropriate.

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Groskreutz/Young motion carried unanimously to adopt Resolution 14-CB-52 amending the 2014 General Fund budget. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

**WHEREAS,** the Faribault County Board has considered significant changes in the 2014 Faribault County budget,

**BE IT RESOLVED,** that the 2014 operating budget is amended as follows:

Account#	Amount	Reason
01-041-5570	\$ 20,000	Account for SSTS Loan interest being paid back to General Fund
01-121-6622	2,500	Veteran Service bus purchase postponed tentatively to 2018
01-201-6103	(17,300)	Portion of Sheriff Department salaries moved to EMS account
01-281-6103	17,300	Account for salaries of time spent on Emergency Services
01-281-6245	600	Account for Emergency Service expenditures, dues
01-281-6366	500	Account for Emergency Service expenditures, travel expense
01-281-6399	200	Account for Emergency Service expenditures, miscellaneous

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Young/Roper motion carried unanimously to pay bills totaling \$ 268,980.88 as follows:

COUNTY REVENUE FUND	\$ 146,813.32
PUBLIC WORKS FUND	53,694.84
COUNTY LIBRARY FUND	43,235.91
NON REVENUE DISB. A	185.00
DITCH FUNDS	<u>25,051.81</u>
	\$ 268,980.88

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Warmka/Roper motion carried unanimously to approve a partial payment of \$28,400 to Skluzacek Tree Mover's LLC for tree removal on CD25 and JCD514.

\* \* \* \* \*

A public hearing was held regarding the 2015 proposed levy and budget. Faribault County Accountant Darren Esser provided information on the proposed levy and budget.

The hearing was opened for public comment. Lawrence Everett had a question on farm taxes with the City of Winnebago. Brian Klingbeil questioned the valuation on a small parcel in Brush Creek Township. Public comment was closed.

Warmka/Groskreutz motion carried unanimously to adopt Resolution 14-CB-53 setting the 2015 levy and budget. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

**WHEREAS**, the Faribault County Board of Commissioners has considered the financial needs of Faribault County,

**BE IT THEREFORE RESOLVED** that the budget of Faribault County for 2015 will be set at \$20,101,840 in revenues and \$19,450,178 in expenditures and \$312,378 in transfers.

**BE IT FURTHER RESOLVED** that a copy of said budget be kept on file in the Office of the County Auditor-Treasurer for public inspection.

**BE IT THEREFORE RESOLVED** that the levy of Faribault County for 2015 will be set at \$10,137,641 before state aid reductions.

**BE IT FURTHER RESOLVED** that the levy be appropriated to the proper funds as follows:

General Fund (including Library)	6,072,499
Public Works Fund	1,272,050
Humans Services Fund	2,025,607
Debt Service	767,485

**BE IT FURTHER RESOLVED** that state aids be apportioned in proportion to the gross levies of each fund with the exception of the Debt Service fund which shall be all tax revenues.

**BE IT FURTHER RESOLVED** that a certified copy of said levy will be on file with the County Auditor/Treasurer of Faribault County.

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The meeting was adjourned Sine Die for 2014.

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Tom Loveall, Chairman

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John Thompson, Auditor/Treasurer/Coordinator