

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
JULY 7, 2015

The Faribault County Board of Commissioners met in regular session at the Courthouse in the City of Blue Earth at 9:00 a.m. on July 7, 2015. 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 Groskreutz. The pledge of allegiance was recited.

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Warmka/Young motion carried unanimously to approve the synopsis and official proceedings of the June 16, 2015 regular meeting.

\* \* \* \* \*

Young/Warmka motion carried unanimously to approve the agenda of July 7, 2015.

\* \* \* \* \*

The calendar was updated. No member of the public appeared to make comment.

\* \* \* \* \*

Committee reports were given. Loveall report on the county library, Roper reported on Workforce, and Warmka report on the Association of Minnesota Counties.

\* \* \* \* \*

Tax Clerk Lorrie Bosma met regarding SSTS business.

Loveall/Warmka motion carried unanimously to approve an SSTS loan to Mark and Janice Rauenhorst on Parcel No. 15.015.0600 in Prescott Township for \$9,518.59.

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Central Services Director Dawn Fellows met regarding office business.

\* \* \* \* \*

Loveall/Roper motion carried unanimously to approve Resolution 15-CB-22 for the purchase of a transit bus from North Central Bus Sales for \$64,893.00 through the State of Minnesota Cooperative Procurement Process. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

**WHEREAS,** Faribault County operates a transit system; and

**WHEREAS,** Faribault County desires to purchase, through the State of Minnesota Cooperative Procurement Process, a vehicle to be used in the transit system; and

**WHEREAS,** the vehicle cost is allocated 20% local share and 80% State/Federal share of the contract amount; and

**WHEREAS,** Faribault County staff has reviewed the vehicle options offered by approved multiple contracting vendors; and

**WHEREAS,** the staff recommends purchasing a vehicle from North Central Bus Sales for the reason of fleet consistency and past vendor performance; and

**NOW, THEREFORE, BE IT RESOLVED** that Faribault County Board of Commissioners hereby authorizes the purchase of a new transit bus from North Central Bus Sales in the approximate amount of \$64,893.00.

\* \* \* \* \*

Young/Warmka motion carried unanimously to approve the requests from G. Paschke for a 5-day Mn Assoc. of Assessing Officers (MAAO) Basic Income Approach in Plymouth and G. Paschke for a 5-day MAAO Income Approach to Value in Plymouth.

\* \* \* \* \*

Warmka/Roper motion carried unanimously to approve Resolution 15-CB-23 to appraise and classify forfeited tax parcels list 2015-B. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**R E S O L U T I O N**  
**To Appraise and Classify Forfeited**  
**Tax Parcels List 2015-B**

**WHEREAS,** the Faribault County Board of Commissioners desires to offer for sale certain parcels of land that have been 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 on 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 2015-B, 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 subd. 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 said list.

<b>LIST 2015-B</b>	
<b>Parcel #</b>	<b><u>Basic Sale Price</u></b>
22.200.0920	\$100
22.200.1440	\$100
25.032.0391	\$100
25.032.0760	\$100
25.033.0250	\$100
25.033.0990	\$100
25.200.0360	\$100
25.205.0010	\$100
25.205.0050	\$100
25.235.0230	\$100
25.275.1610	\$100
28.200.0260	\$100
29.221.0430	\$100
30.210.0830	\$100
31.102.0250	\$500
31.282.2101	\$10

\* \* \* \* \*

Young/Warmka motion carried unanimously to approve Resolution 15-CB-24 approving the public sale of forfeited tax parcels. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

**BE IT RESOLVED**, that all parcels of tax-forfeited land listed on the List of Tax-Forfeited Land 2015-A be classified as nonconservation land; that the basic sale price of each parcel on the List of Tax-Forfeited Land 2015-A, that is on file with the Faribault County Auditor be approved and authorization for a public sale of this land be granted, pursuant to Minn. Stat. 282.01; that the sale will be held at 9:00 a.m. on August 19, 2015, by the Faribault County Auditor at the Faribault County Courthouse Board Room, for not less that the

basic sale price; and that all sales shall be full payment as set forth on the terms on the List of Tax-Forfeited Land 2015-A.

**BE IT FURTHER RESOLVED**, that the conditions and terms of the public sale shall be as described in the list contained here-in and approved by the Faribault County Commissioners.

**LIST OF TAX-FORFEITED LANDS 2015-A**

<b>Parcel#/Description</b>	<b>Basic Sale Price</b>	<b>Assessments Before Forfeiture</b>	<b>Restrictive Covenant Required (1)</b>
<b>NON RESIDENTIAL PROPERTIES</b>			
<b>City of Blue Earth</b>			
21.200.0380; Lots 8, 9, 10, Block 4, Original Plat Blue Earth	\$ 100.00	\$ -	No
21.200.2410; Lots 1, 2, 3, Block 25, Original Plat Blue Earth	\$ 100.00	\$ -	No
21.200.2510; Lots 3, 4, 5 ly S of Hwy r/w, Block 26, Original Plat Blue Earth	\$ 100.00	\$ -	No
Specials after forfeiture +	13,522.95		
Basic Sale Price	\$ 13,622.95		
21.200.7621; W90' of AL 7 (aka W90' of S45' of Lots 6&7), Block 75, Original Plat, City of Blue Earth	\$ 100.00	\$ -	No
21.200.8270; Lots 1 & 2 ex W5' of N50' of 2, Block 82, Original Plat, BE	\$ 500.00	\$ -	No
Specials after forfeiture +	5,684.25		
Basic Sale Price	\$ 6,184.25		
<b>City of Bricelyn</b>			
22.241.1040; Lot 4, Block 6, Cameron's Addition, Bricelyn City	\$ 100.00	\$ -	No
22.241.1060; Lots 6 & 7, Block 6, Cameron's Addition, Bricelyn City	\$ 100.00	\$ -	No
<b>City of Winnebago</b>			
31.200.4840; Lots 1, 2 & 3 ex W54' of 3 & N1/2 vac alley adj Lots 1 & 2 & E12' of Lot 3 on S, Block 38, Original Plat, Winnebago	\$ 100.00	\$ -	No

**RESIDENTIAL PROPERTIES  
RADON WARNING STATEMENT**

The Minnesota Department of Health strongly recommends that ALL homebuyers have an indoor radon test performed prior to purchase or taking occupancy and recommends having the radon levels mitigated

if elevated radon concentrations are found. Elevated radon concentrations can easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

Every Buyer of an interest in residential real property is notified that the property may present exposure to dangerous levels of indoor radon gas that may place the occupants at risk of developing radon-induced lung cancer. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second leading cause overall. The seller of any interest in residential real property is required to provide the buyer with any information on radon test results of the dwelling.

**Has radon testing occurred on the property listed below?** Faribault County is not aware of any radon testing conducted on this property.

**Are radon records available?** No.

**Radon concentration levels:** Unknown.

**Is a radon mitigation system in place on the property?** No.

<b>City of Bricelyn</b>			
22.010.0840; AL: Com 532'W of NW cor of Block 5, S140', W100', N140', E100' ex W50', Briceilyn City	\$ 100.00	\$ -	Yes
22.200.0690; Lot 9, Block 4, Original Plat, Briceilyn	\$ 100.00	\$ -	No
22.200.1430; Lot 3, Block 8, Original Plat, Briceilyn City	\$ 100.00	\$ -	No
<b>City of Elmore</b>			
25.032.0800; Auditor Lot 4 ex N75', Elmore City	\$ 100.00	\$ -	Yes
25.033.0840; Auditor Lot 48, Elmore City	\$ 100.00	\$ -	Yes
25.275.0890; Lots 9 & 10, Block 5, Dustin's Addition, Elmore City	\$ 100.00	\$ -	No
25.345.0020; Lot 2, Block 1, Henkel's Subdiv, Elmore 56027	\$ 100.00	\$ 2,501.49	No

## **TERMS FOR THE SALE OF TAX-FORFEITED LAND IN FARIBAULT COUNTY**

### **Public Sales: Basic Sale Price**

All parcels are offered at public auction and sold to the highest bidder. The minimum bid acceptable is the basic sale price that is shown on the list of tax-forfeited land. The basic sale price is equal to the appraised value or the appraised value plus any extra charges for special assessments levied after forfeiture and for hazardous waste control.

### **Extra Fees and Costs in Addition to the Basic Sale Price**

The following extra fees will be collected when the basic sale price is paid in full. A 3% surcharge for the state assurance account, a state deed fee of \$25.00, a recording fee of \$46.00, and a state deed tax equal to the greater of \$1.65 or 0.33% of the basic sale price.

### **Payment Terms:**

Cash, good check, or money order are accepted. Application for state deed will not be processed until check has cleared. Full payment is due the day of the sale.

### **Special Assessments: Levied Before and After Forfeiture**

The balances of any special assessments that were levied before forfeiture and canceled at forfeiture are not included in the basic sale price and may be reassessed by the municipality. These special assessments are shown on the list of tax-forfeited land under the column entitled "assessments Before Forfeiture". Assessments levied after forfeiture are added to the value as determined by the County Board to arrive at the basic sale prices as shown on the list of tax-forfeited land.

**Restrictive Covenant**

Parcels with a "yes" in the "Restrictive Covenant Required" require a statement that "The deed for this parcel will contain a restrictive covenant which will prohibit enrollment of the land in a state funded program providing compensation for conservation of marginal land or wetlands.

**Conditions: Restrictions on the Use of Properties**

Sales are subject to the following restriction on the use of the property:

1. Existing leases
2. Easements obtained by a governmental subdivision or state agency for a public sale.
3. All mineral and mineral rights are reserved in the same of the State of Minnesota.
4. Building codes and zoning laws.
5. All sales are final with no refunds or exchanges allowed.
6. Surveys of parcels are the responsibility of the buyer.
7. The appraised value does not represent a basis for future taxes.
8. Statements made on the day of the sale may apply.

**Private Sales: Parcels not sold at Public Auction**

Any parcel not sold at a public sale may be purchased after the public sale by paying the basic sale price. The basic sale price cannot be changed until the parcel is reappraised, republished, and again offered at a later public sale.

**Title: Proof of Ownership**

The buyer will receive a receipt at the time of the sale. The Department of Revenue will issue a state quitclaim deed after full payment is made. A state deed has the characteristics of a patent from the State of Minnesota. Buyers are urged to contact their legal counsel with questions on purchasing forfeited property. Unless noted there are no abstracts for parcels available. Surveys and abstracts are the responsibility of the purchaser.

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Minnesota Counties Intergovernmental Trust Risk Management Consultant Joel Swanson met regarding their annual report.

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

Roper/Young motion carried unanimously to approve the bid for SAP 022-606-019 from Southern MN Construction Co., Inc. of \$1,828,039.05. One other bid was received from Ulland Brothers Inc. for \$1,890,672.58.

Loveall/Warmka motion carried unanimously to approve the quote for striping pavement from AAA Striping Service Co. of St. Michael for \$74,215.75. One other quote was received from Traffic Marking Service, Inc. of Maple Lake for \$80,351.75.

Young/Loveall motion carried unanimously to approve the quote for deicing salt from Cargill, Inc. at \$82.87 per ton for a total of \$33,148.00. Other quotes received were \$85.92 per ton from Compass Minerals America, Inc., \$89.10 per ton from Morton International, Inc., \$92.30 per ton from Independent Salt Company, and \$96.43 per ton from Central Salt, LLC.

Roper/Young motion carried unanimously to approve an agreement with Stonebrooke Engineering, Inc. for engineering services for replacement of Bridge No. 3130 estimated at \$39,980.00.

Loveall/Warmka motion carried unanimously to repair the roof at the Wells garage and the shed at Pihl's Park that sustained wind damage.

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Soil and Water Program Administrator Michele Stindtman met regarding office business. Planning and Zoning Committee Chair J.R. Hanson and Paul Obermeyer met regarding a conditional use permit.

Warmka/Loveall motion carried unanimously to approve Resolution 15-PZ04-25 granting a conditional use permit to Paul Obermeyer in Foster Township for a feedlot with more than 1,000 animal units. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

## RESOLUTION

Paul Obermeyer  
Foster Township, Section 36-102-24  
#10-11-09A

**WHEREAS,** According to the Faribault County Zoning Ordinance, the applicant is requesting an amendment to the existing conditional use permit, #10-11-09A, to allow for a feedlot with more than 1,000 Animal Units (AU).

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

The N ½ of the SW ¼ of Section 36, Township 102 North of Range 24 West of the Fifth Principal Meridian, Foster Township, County of Faribault and State of Minnesota.

**WHEREAS,** The Planning Commission finds:

1. That the proposed use will not have an adverse impact on:
  - a. health
  - b. safety
  - c. or, general welfare
2. That the proposed use of the property will be injurious to the use and enjoyment of other properties for purposes already permitted in the surrounding neighborhood.
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

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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
  - b. public services
  - c. access road
  - d. site drainage
  - e. off street parking
  - f. loading space
  - g. other necessary facilities
5. That the proposed project will not have an adverse effect on land in the surrounding neighborhood.
6. That the proposed project could possibly diminish the property values for future development.
7. That the proposed project meets the standards of the Faribault County Zoning Ordinance including that the use is allowed with a conditional use permit in the A-2 General Agriculture District as outlined in Section 7.
8. That the proposed project will not have an adverse effect on:
  - a. the environment
  - b. groundwater
  - c. surface water
  - d. soils
  - e. air quality
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 in regard to nuisance issues:
  - a. offensive odors
  - b. fumes
  - c. dust
  - d. noise
  - e. vibration
11. That the proposed use will have adequate measures in place for the storage of materials, and have adequate disposal measures in place.

**NOW THEREFORE BE IT RESOLVED**, that the Faribault County Board of Commissioners approve an amendment to the existing conditional use permit for Paul Obermeyer, #10-11-09A, to allow for a feedlot with more than 1,000 Animal Units (AU) in the A-2 General Agriculture District with the following conditions:

1. This conditional use permit only authorizes the use specifically described in the submitted plan and application for the addition of the following:
  - a. An increase to the existing Animal Units (AU) to over 1,000,

- b. The addition of (1) 70' by 202' deep pit cattle confinement barn,
  - c. A compost facility,
  - d. Feed storage pad with infiltration basin for runoff controls.
2. All county, state, and federal laws, regulations, and ordinances shall be complied with, all necessary permits obtained, and plans submitted prior to receiving a building permit.
  3. Construction must be substantially completed by December 1, 2017.
  4. Any additional modifications to the approved plan must be submitted to the Zoning Administrator and may require a conditional use permit.
  5. A maintenance fee of \$50.00 every two years shall be paid as long as the conditional use is in effect starting March 18, 2016.
  6. Issuance of this conditional use permit is contingent on the granting of Variance #05-15-31V which was approved on June 23, 2015.

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Young/Loveall motion carried unanimously to withhold payment to the City of Wells for the demolition of a forfeited property with a request for more information.

Young/Warmka motion carried unanimously to pay bills totaling \$808,981.24 as follows:

COUNTY REVENUE FUND	\$ 326,289.46
PUBLIC WORKS FUND	306,336.56
HUMAN SERVICES FUND	168,801.00
COUNTY LIBRARY FUND	816.39
DITCH FUND	1,199.68
FORFEITED TAX SALE FUND	138.00
NON REVENUE/DISB	<u>5,400.15</u>
	\$ 808,981.24

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The meeting was recessed to Drainage Authority meeting.

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William Groskreutz Jr., Chair

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John Thompson, Auditor/Treasurer/Coordinator