

FARIBAULT COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
DECEMBER 15, 2015

The Faribault County Board of Commissioners met pursuant to the recess of December 1, 2015 at the Courthouse in the City of Blue Earth at 3:00 p.m. on December 15, 2015. The following members were present: Bill Groskreutz, Tom Loveall, John Roper, Tom Warmka, and Greg Young Commissioners. County 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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Young/Roper motion carried unanimously to approve the synopsis and official proceedings of the December 1, 2015 regular and October 6, November 3, and December 1, 2015 drainage authority meetings.

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Loveall/Young motion carried unanimously to approve the agenda of December 15, 2015.

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

\* \* \* \* \*

Committee reports were given. Loveall reported on planning and zoning and Region 9, Roper reported on EDA and AMC conference, and Groskreutz reported on AMC conference.

\* \* \* \* \*

Soil and Water Program Technician Shane Johnson met regarding the 2016-2017 Minnesota Pollution Control Agency (MPCA) County Feedlot Work Plan.

Loveall/Warmka motion carried unanimously to approve the 2016-2017 Minnesota Pollution Control Agency County Feedlot Work Plan.

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Central Services Director Dawn Fellows met regarding office business.

Loveall/Warmka motion carried unanimously to approve the County Auditor managing the assessor office for personnel matters and office operations until the appointment of a County Assessor.

Roper/Loveall motion carried unanimously to proceed with the second phase of construction to repair the roof on the former jail building.

Loveall/Warmka motion carried unanimously to hire Dennis Wick as Maintenance Man I in the Winnebago garage effective December 21, 2015.

The following Years of Service recognition were presented: Sue Cory for 40 years of service; Jim Franzen for 20 years of service; Mark Teems, Kent Boettcher, Dan Killion, and Tom Fletcher for 15 years of service; and Jim Ratelle and Kristi Lunz for 10 years of service.

Recognized the dedicated staff of the Faribault County Prairie Express: Drivers Jane Brooks-3 years, Ron Fox-3 years, TJ Johnson – 6.5 years, Karl Kampf – 8.5 years, Darrel Peterson – 7.5 years, Dean Vereide – 4.5 years, and Gene Zabel – 4.5 years; Transit Program Coordinator Bonita Zimmer 41 years with the county, 16 years in Transit. Retired drivers include Frankie Bly, Dick Holmseth, Burdette Tieglund, John Sapa, and Don Amundson.

Young/Roper motion carried unanimously to approve for non-union employees effective January 1, 2016 a 3.0% wage increase, health insurance premiums set at \$665 per month for employees (single or family) enrolled in the \$1,000 deductible plant and at \$549.50 per month for employees (single or family) enrolled in the \$5,000 deductible plant, and \$3,300 annually contribution to the HSA or VEBA plans.

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Loveall/Warmka motion carried unanimously to approve Resolution 15-CB-50 to commit fund balances to Human Services, Public Works, Ditch and Debt Service funds in compliance with GASB #54. Commissioners Groskretz, 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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Loveall/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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Warmka/Young motion carried unanimously to approve the requests from D. Killion to attend a 1-day AHA CPR Instructor recertification at Mankato, M. Stevermer to attend a 2-day winter conference in Mankato, M. Daly to attend a 1-day construction site management refresher training in Farmington and a 4-day Mn County Engineer's annual conference in Brainerd.

\* \* \* \* \*

Citizen committee appointments were considered.

Warmka/Loveall motion carried unanimously to appoint James Meyer of Kiester to the Board of Adjustments for a three-year term ending December 31, 2018.

Groskreutz/Roper motion carried unanimously to appoint John Herman of Wells to the Economic Development Authority for a five-year term ending December 31, 2020.

Roper/Warmka motion carried unanimously to appoint Ken Ripley of Blue Earth to the Extension Committee for a three-year term ending December 31, 2018.

Warmka/Loveall motion carried unanimously to appoint Craig Beyer of Bricelyn to the Extension Committee for a three-year term ending December 31, 2018.

Loveall/Roper motion carried unanimously to appoint James Berg of Winnebago to the Housing Redevelopment Authority for a five-year term ending December 31, 2020.

Young/Roper motion carried unanimously to appoint Andrew Moen of Blue Earth to the Library Board for a three-year term ending December 31, 2018.

Warmka/Loveall motion carried unanimously to appoint Susan Dundas of Wells to the Library Board for a three-year term ending December 31, 2018.

Warmka/Loveall motion carried unanimously to appoint James Meyer of Kiester to the Planning Commission for a three-year term ending December 31, 2018.

Young/Loveall motion carried unanimously to appoint Pete Hassing of Wells to the Planning Commission for a three-year term ending December 31, 2018.

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Public Works Director Mark Daly met regarding public works business. A construction and snow removal policy issue update was given.

Loveall/Young motion carried unanimously to adopt Resolution 15-RB22-51 requesting an advance from the County State Aid Construction Fund in 2016. 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 2016 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

**WHEREAS,** said County is prepared to proceed with the construction of said projects 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 12-13-15 is Regular of \$(641,850.20) and Municipal of \$276,084.65. Less estimated disbursements for Project #22-606-017 of \$1,100,000, Project #22-606-020 of \$906,000, Project #22-618-005 of \$720,000, Project #22-604-014 of \$200,000, Project #022-599-009 of \$200,000 and Project Finals of \$186,000 for a total estimated disbursement of \$3,312,000 with an advance amount of \$531,766 Regular and \$389,000 Municipal.

**WHEREAS,** repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statue 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 \$2,000,000 in accordance with Minnesota Statutes 8820.1500, subp.9. and authorizes repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year's allocations until fully repaid.

\* \* \* \* \*

Soil and Water Program Administrator Michele Stindtman and Kenneth Schroeder met regarding a conditional use permit in Section 28 of Clark Township.

Loveall/Roper motion carried unanimously to adopt Resolution 15-PZ08-52 an amended conditional use permit for Kenneth Schroeder in Section 28-103-24 of Clark Township for a used vehicle dealership. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

Kenneth Schroeder  
Clark Township, Section 28-103-24  
#03-14-30A

**WHEREAS,** according to the Faribault County Zoning Ordinance, applicant is requesting an amendment to his conditional use permit to operate a used vehicle dealership.

The proposed project is located in the A-2 General Agriculture District in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Twenty-eight (28) Township One Hundred Three (103) North, Range Twenty-four (24) West, Clark Township, Faribault County, Minnesota.

Legal Description:

Commencing at the southwest corner of the NW ¼ Section 28-T103N-R24W of the 5<sup>th</sup> P.M.: thence North 00 degrees 05' 36" East a distance of 255.48 feet, on an assumed bearing on the west line of the NW ¼ of said Section 28, to the point of beginning:

Thence North 00 degrees 5' 36" East a distance of 33.00 feet, on the west line of said NW ¼:

thence South 89 degrees 23' 35" East a distance of 718.94 feet;

thence North 86 degrees 44' 33" East a distance of 155.59 feet;

thence North 02 degrees 26' 22" East a distance of 400.21 feet;

thence South 89 degrees 21' 14" East a distance of 363.00 feet;

thence South 02 degrees 26' 22" West a distance of 443.72 feet;

thence North 89 degrees 21' 14" West a distance of 363.00 feet;

thence North 89 degrees 23' 35" West a distance of 872.48 feet, to the point of beginning:

subject to highway easement on the westerly-most side thereof.

**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. Use is allowed in the A-2 General Ag District with a conditional use permit.
6. That the proposed use will not have an adverse effect on the environment including impacts on groundwater, surface water, soils and air quality. Listed conditions address any potential for adverse effects.

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.
9. That the result of this request will not 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 of Kenneth Schroeder to operate a used vehicle dealership 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 a used vehicle dealership and related activities submitted to the Zoning Department on November 3, 2015.
2. All other federal, state, and local applicable laws, ordinances, licenses, and permits shall be obtained and complied with from the appropriate agency and maintained in association with the used vehicle dealership.
3. No more than twenty (20) vehicles shall be allowed to be displayed for sale at any given time.
4. Any additional modifications to the existing 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 April 15, 2016.
6. A copy of the current Minnesota Vehicle Dealer License must be on file with the department.
7. By January 15, 2016, applicant must secure a lease agreement with current landowners (Todd Niebuhr and Sharon Parriott). Lease agreement must identify the car lot display area (100'x100'), and must include the lease agreement time frame (5 yrs) in order to receive an amended conditional use permit.
8. If at any time the lease agreement is void, or if the applicant no longer resides at this address, the conditional use permit shall be rescinded.
9. The septic system must remain in compliance with the Faribault County Septic Ordinance.

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Chief Deputy Scott Adams met regarding office business.

Young/Loveall motion carried unanimously to approve the replacement of a wrecked squad car with a 2016 Ford Explorer Police Interceptor from Fairmont Ford for \$27,476.74. One other bid received was the state bid from Nelson Auto of Fergus Falls.

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Prairie Lakes Transit Director Jeremy Monahan and Central Services Director Dawn Fellows met regarding office business.

Young/Loveall motion carried unanimously to adopt Resolution 15-CB-48 transferring assets and buses into the Joint Powers Board of Public Transit Services. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

**WHEREAS,** County Commissioners from Faribault County and Martin County participated in the creation and development of a Joint Powers Board for a merger of Public Transit Services, and;

**WHEREAS,** to ensure the new entity has the ability to carry out said public transit services beginning in calendar year 2016, it is necessary that the items described below be transferred into the newly created entity in accordance with the Joint Powers Agreement and by-laws of the Joint Powers Board:

Vehicle Inventory:

Local Unit #	VIN #(last 7)	Model Year	Model	Mileage 11/2015
361	HA66095	2005	Ford Goshen Coach	307,450
372	DA52812	2009	Ford Goshen Coach	286,870
374	DB05335	2011	Ford Goshen Coach	168,900
NEW		2016	Ford Goshen Coach	N/A

Equipment:

All mobile radios, tablets, fare boxes, cameras, and other equipment currently installed or capable of being installed in the vehicles necessary for transit operations. All existing maintenance agreements still in effect with any applicable vendors for the vehicles or any other equipment purchased by Faribault County with Transit Funds.

**NOW THEREFORE,** be it first resolved that Faribault County hereby authorizes the Faribault – Martin County Transit Director to complete the necessary steps regarding the title transfer of vehicles and equipment, and any other assets.

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Roper/Young motion carried to adopt Resolution 15-CB-53 setting the 2016 county commissioner salary, per diem, and expenses. Commissioners Groskreutz, Loveall, Roper, and Young voted yes. Commissioner Warmka voted no.

**RESOLUTION**

**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, 2016, 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 \$19,343 beginning January 1, 2016, 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.  
Drug Courts  
Other committees as established by the County Board  
Drainage Authority Meetings

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, 2016, and thereafter until changed in the manner provided by law.

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Discussion was held regarding the bill on the demolition of Frank Brothers Elevator in Wells.

Roper/Loveall motion carried to reimburse the City of Wells \$18,750 for the demolition of the former Frank Brothers Elevator. Commissioners Groskreutz, Loveall, and Roper voted yes. Commissioners Young and Warmka voted no.

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Roper/Loveall motion carried unanimously to authorize the Auditor to pay bills on December 28, 2015.

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Property Tax Hearing was convened. Accountant Darren Esser reviewed the budget and levy. No one appeared to make public comment.

Warmka/Loveall motion carried unanimously to approve Resolution 15-CB-54 setting the 2016 budget at \$24,302,295 in revenues, \$25,785,681 in expenditures, \$310,935 in transfers, and \$2,000,000 in bond proceeds and the 2016 levy at \$10,478,714. 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 2016 will be set at \$24,302,295 in revenues, \$25,785,681 in expenditures, \$310,935 in transfers, and \$2,000,000 in bond proceeds.

**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 2016 will be set at \$10,478,714 before state aid reductions.

**BE IT FURTHER RESOLVED** that the levy after reduction of program aid of \$292,733 be appropriated to the proper funds as follows:

General Fund (including Library)	5,965,182
Public Works Fund	1,295,645
Humans Services Fund	2,043,643
Debt Service	705,303

**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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Loveall/Young motion carried unanimously to adopt Resolution 15-CB-55 amending the 2015 general fund budget. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

**RESOLUTION**

**WHEREAS**, the Faribault County Board has considered significant changes in the 2015 Faribault County Budget,

**BE IT RESOLVED**, that the 2015 operating budget be amended as follows;

<u>Account #</u>	<u>Amount</u>	<u>Reason</u>
01-011-6265	25,000.00	Increase in usage \$119,300 old jail remodeling & \$195,800 Ag Center
01-113-6622	315,100.00	remodeling

12-15-15

184-

01-201-6103	(11,300.00)	Portion of Sheriff salaries moved to EMS needed for EMS grant purposes
01-281-6103	11,300.00	Portion of Sheriff salaries moved to EMS needed for EMS grant purposes
01-201-5557	(64,836.00)	Reimbursement from School District was not budgeted, will show actual revenue.
01-201-6103	37,021.00	Only 1/4 expenditure was budgeted, will show actual expenditure
01-201-6153	8,219.00	Only 1/4 expenditure was budgeted, will show actual expenditure
01-201-6163	5,665.00	Only 1/4 expenditure was budgeted, will show actual expenditure
01-201-6176	537.00	Only 1/4 expenditure was budgeted, will show actual expenditure
01-608-5534	119,730	Fees charged to ditch fund to cover Drainage fees to S&W moved to 01-609-5534 and increased by \$30,270
01-609-5534	(150,000.00)	Fees charged to ditch fund to cover Drainage fees to S&W and to cover new Drainage Department moved from 01-608-5534 and increased \$31,843
01-609-6103	32,000.00	Drainage Department expenditures not previously budgeted
01-609-6153	2,500.00	Drainage Department expenditures not previously budgeted
01-609-6163	2,400.00	Drainage Department expenditures not previously budgeted
01-609-6175	1,700.00	Drainage Department expenditures not previously budgeted
01-609-6176	450.00	Drainage Department expenditures not previously budgeted
01-609-6203	350.00	Drainage Department expenditures not previously budgeted
01-609-6245	1,550.00	Drainage Department expenditures not previously budgeted
01-609-6567	250.00	Drainage Department expenditures not previously budgeted
01-609-6622	2,500.00	Drainage Department expenditures not previously budgeted

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Roper/Young motion carried unanimously to pay bills totaling \$520,299.92 as follows:

COUNTY REVENUE FUND	\$ 242,957.14
PUBLIC WORKS FUND	60,149.13
HUMAN SERVICES FUND	168,801.00
COUNTY LIBRARY FUND	42,777.75
FORFEITED TAX SALE FUND	598.00
NON REV/DISB A	3,830.05
DITCH FUND	<u>1,186.85</u>
	\$ 520,299.92

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The meeting was adjourned Sine Die for 2015.

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William Groskreutz Jr., Chair

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John Thompson, Auditor/Treasurer/Coordinator