

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
DECEMBER 20, 2011

The Faribault County Board of Commissioners met pursuant to the recess of December 13, 2011 at the Courthouse in the City of Blue Earth at 4:00 p.m. on December 20, 2011. 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 Warmka.

The pledge of allegiance was recited.

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Loveall/Young motion carried unanimously to approve the synopsis and official proceedings of the December 13, 2011 regular meeting.

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Loveall/Young motion carried unanimously to approve the agenda of December 20, 2011, as amended.

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The calendar was updated. No member of the public appeared to make comment. Committee reports were given.

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Soil and Water/Planning and Zoning Program Administrator Michele Stindtman and Paul Obermeyer met regarding a conditional use permit approved by the Planning and Zoning Board for Paul Obermeyer.

Groskreutz/Loveall motion carried unanimously to approve Resolution 11-PZ08-49 granting a conditional use permit to Paul Obermeyer for a feedlot in Foster Township. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

WHEREAS, According to the Faribault County Zoning Ordinance, the applicant is required to apply for a Conditional Use Permit (CUP) upon receiving an approved feedlot application from the MN Pollution Control Agency for a feedlot permit over

1,000 animal units or requiring a NPDES permit.. A completed application was received from the state on this approval was received on November 11, 2011.

The feedlot will be located in the A-2 General Agriculture District at the following described property.

The proposed feedlot expansion is located in the A-2 General Agriculture District located in the North Half (N ½) of the Southwest Quarter (SW ¼), Section Thirty-six (36), Township One Hundred Two (102) North, Range Twenty-four (24) West, Foster Township, Faribault County, Minnesota.

Please Refer to Exhibit A.

WHEREAS, The Planning Commission finds:

1. That the proposed use will not have an adverse impact on the health, safety, and general welfare of the occupants in the surrounding neighborhood.
2. That the proposed use will not have an adverse impact on traffic conditions including parking.
3. That there are adequate public utilities, public services, roads, and schools to support the proposed use of the property.
4. That the proposed use will not have an adverse effect on 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, and air quality.
7. That the proposed use will not have an adverse effect on existing natural, historic, or scenic views of features in the surrounding neighborhood.
8. That if storage or disposal of materials is required, that adequate measures are in place.

NOW THEREFORE BE IT RESOLVED, That the Faribault County Board of Commissioners approve the Conditional Use Permit for Paul Obermeyer for a

CAFO (Concentrated Animal Feeding Operation) feedlot permit with an NPDES permit in the A-2 General Agriculture District with the following conditions:

- 1. A Maintenance Fee of \$50.00 every two years shall be paid as long as the Conditional Use is in effect starting December 12, 2014.
- 2. It is the applicant’s responsibility to ensure that all MN Statutes, MN Rules, and any permits issued by state regulated agencies in regard to the management and operation of the permitted feedlot are in place and being adhered to.
- 3. Construction of the proposed facilities to be constructed within the time frame of the NRCS recommended guidelines.
- 4. This CUP only authorized the construction of the facilities which are specified in the submitted plans and application.

Discussion was held on updating the County’s zoning ordinance.

Loveall/Young motion carried unanimously to charge the zoning commission to make recommendations to the County Board for updating the zoning ordinance, adult use ordinance; zoning maps and other items the commission feels should be updated.

Commissioner Loveall updated the board on the status of the pipeline ordinance.

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Tax Clerk Lorrie Bosma met regarding SSTS business.

Loveall/Young motion carried unanimously to approve subordination of SSTS loan on Section 27, Township 102, Range 27, Parcel No. 02.024.0400 to AJ More to the Ag Star Bank.

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Faribault County Development Corporation Director Linsey Warmka met regarding office business.

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Young/Loveall motion carried unanimously to adopt Resolution 11-CB-50 setting the 2012 county commissioner salary at \$17,960.00, per diems at \$80 per day, and mileage reimbursement at the Internal Revenue Service reimbursement rate. Commissioners Roper, Young, Groskreutz, Loveall and Warmka voted yes.

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, 2012, 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 \$17,960.00 beginning January 1, 2012, 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 or Court.
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, 2012, and thereafter until changed in the manner provided by law.

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Public Works Director John McDonald met to discuss office business. A construction update was given.

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Loveall/Young motion carried unanimously to set 1:00 p.m., January 18, 2012 for hearing on tile abandonment for Judicial Ditch #7 M&F at Hamilton Hall in Blue Earth MN.

Roper/Loveall motion carried unanimously to set 1:15 p.m., January 18, 2012 for hearing on tile abandonment for County Ditch #8 at Hamilton Hall in Blue Earth MN.

Roper/Loveall motion carried unanimously to set 1:30 p.m. on January 18, 2012 for combined informational meeting to discuss the redetermination hearings for County Ditches 23, 24 and 52 in Hamilton Hall in Blue Earth, MN.

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Roper/Groskreutz motion carried unanimously to hire Bolton & Menk, Inc to draft legal descriptions for an easement on County Ditch #41 in Elmore Township.

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Loveall/Roper motion carried unanimously to approve tile relocation on County Ditch #68 to gain cover over tile.

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Loveall/Groskreutz motion carried unanimously to approve repair on County Ditch #3, Barber Township section 13 with an estimated cost of \$10,000.

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Loveall/Groskreutz motion carried unanimously to refer unauthorized work on a county system to county attorney.

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Loveall/Groskreutz motion carried unanimously to authorize the Auditor-Treasurer to write checks before December 31, 2011 of a regular nature and to provide a list of checks to the County Board on January 3, 2012.

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Loveall/Groskreutz motion to authorize the County Auditor-Treasurer to advance funds from the General Fund to Ditch Funds with significant deficit balances as of December 31, 2011.

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Loveall/Roper motion carried unanimously to transfer drainage inspection fees and records modernization fees to the general fund from the ditch funds in the amount of \$59,118.

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Solid Waste Officer Billee Rabbe met to discuss office business.

Groskreutz/Roper motion carried unanimously to approve recycling and waste haulers licenses as presented by the solid waste officer for 2012.

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David Hanson met to regarding veteran services business.

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A public hearing was held to discuss the County's 2012 Levy and Budget.

Auditor-Treasurer Thompson reviewed the 2012 Levy and Budget documents.

No member of the public spoke during public hearing.

Loveall/Roper motion carried unanimously to adopt Resolution 11-CB-51 setting the 2012 county budget. Commissioners Young, Groskreutz, Loveall, Roper, and Warmka 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 2012 will be set at \$19,001,022 in revenues and \$19,112,388 in expenditures and \$574,735 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.

Young/Groskreutz motion carried unanimously to adopt Resolution 11-CB-52 setting the 2012 county levy. Commissioners Young, Groskreutz, Loveall, Roper, and Warmka voted yes.

RESOLUTION

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

BE IT THEREFORE RESOLVED that the levy of Faribault County for 2012 will be set at \$9,349,794 before state aid reductions and \$8,886,896 after state aid reductions.

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

General Fund (including Library)	5,647,649
Public Works Fund	1,050,000
Humans Services Fund	1,881,240
Debt Service	770,905

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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Groskreutz/Loveall motion carried unanimously to pay bills totaling \$437,871.99 as follows:

COUNTY REVENUE FUND	\$ 231,328.80
PUBLIC WORKS FUND	28,688.60
COUNTY LIBRARY FUND	499.00
DITCH FUND	21,054.59
HUMAN SERVICES FUND	<u>156,301.00</u>
	\$ 437,871.99

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The meeting was adjourned Sine Die for 2011.

Tom Warmka, Chairman

John Thompson, Auditor/Treasurer/Coordinator