

FARIBAULT COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
AUGUST 1, 2017

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 August 1, 2017. 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 Roper. The pledge of allegiance was recited.

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Warmka/Young motion carried unanimously to approve the synopsis and official proceedings of the July 18, 2017 regular meeting.

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Groskreutz/Warmka motion carried unanimously to approve the amended agenda of August 1, 2017.

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The calendar was updated. Kip Hermann of Delavan Township appeared during public comment regarding issues on CSAH 18.

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Blue Earth Chamber Director Cindy Lyon met regarding Southern Minnesota Tourism Association.

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Committee reports were given. Warmka reported on draft fertilizer rules and Emergency Radio meeting; Young reported on Rural Energy Board tour.

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Planning and Zoning Administrator Loria Rebuffoni met regarding office business.

Discussion was held regarding a conditional use permit for Michele and Troy Stindtman in Blue Earth Township.

Young/Loveall motion carried unanimously to include a ten-day notification procedure to neighbors and public safety agencies to the conditional use permit.

Warmka/Loveall motion carried unanimously to approve Resolution 17-PZ04-20 granting a conditional use permit to Michele and Troy Stindtman for an event venue in Blue Earth Township with the inclusion of a ten-day notification procedure to neighbors and public safety agencies. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

Michele and Troy Stindtman
Blue Earth City Township, Section 20-102-27
#06-17-49

WHEREAS, according to the Faribault County Zoning Ordinance, Michele and Troy Stindtman have requested a conditional use permit to allow for an event venue.

The proposed project is located in the A-2 General Agriculture District located at: That Part of the North Half of the Southeast Quarter of Section Twenty (20), Township One Hundred Two (102) North, Range Twenty-seven (27) West, Blue Earth City Township, Faribault County, Minnesota, described as follows: Commencing at the East Quarter corner of said Section Twenty (20); thence on an assumed bearing of South 90 degrees 00 minutes West, along the North line of the Southeast Quarter of said Section, a distance of 908.00 feet to an iron monument, said iron monument being the point of beginning of the tract to be described; thence South 2 degrees 13 minutes East a distance of 886.00 feet to an iron monument; thence North 90 degrees 00 minutes East a distance of 230.00 feet to an iron monument; thence South 1 degree 08 minutes East a distance of 439.39 feet to an iron monument located on the South line of the North Half of the Southeast Quarter of said Section; thence North 89 degrees 51 minutes 16 seconds West, along said South line, a distance of 649.28 feet to an iron monument; thence North 0 degrees 00 minutes East a distance of 478.63 feet to an iron monument; thence North 90 degrees 00 minutes East a distance of 374.00 feet to an iron monument; thence North 2 degrees 13 minutes West a distance of 845.00 feet to an iron monument located on the North line of the Southeast Quarter of said Section; thence North 90 degrees 00 minutes East, along said North line, a distance of 35.00 feet to the point of beginning, containing 7.56 acres, subject to easements now of record in said County and State.

WHEREAS, according to the Faribault County Zoning Ordinance, Section 16 – Subdivisions (4–6), the Planning Commission has made its recommendation based on findings with respect thereto and all facts in connection therewith, and has designated conditions deemed necessary for the protection of public interest.

WHEREAS, The Planning Commission finds that:

1. The proposed use of the property will not have an adverse impact on health, safety and the general welfare or be injurious to the use and enjoyment of other properties and residents for purposes already permitted in the surrounding neighborhood.
2. The proposed use meets the standards of the Faribault County Zoning Ordinance including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed.
3. The proposed use will not have an adverse impact on traffic conditions, or that additional measures are being proposed in regard to access roads, traffic conditions, traffic congestion, and traffic hazard.
4. There are adequate public or private facilities and services in place or are being proposed to support the proposed use in regard to water supply, electricity, sewer services, lighting, public services, site drainage and off-street parking.

5. If the proposed use requires storage of materials, that adequate disposal measures are in place.
6. The proposed use will not have an adverse effect on the environment including impacts on the groundwater, surface water, soils, and air quality.
7. The proposed use will not substantially diminish and impair property values within the immediate vicinity, and is compatible with the existing neighborhood.
8. The proposed use will not hinder the normal and orderly development and improvement of surrounding properties in the surrounding neighborhood for the uses predominate to the area.
9. The proposed use will have adequate measures in place to prevent or control offensive odors and/or fumes, dust, noise, and vibration, so that none of these will be a disturbance to neighboring properties.
10. If the proposed use requires any additional necessary facilities that they are identified in the permit.

NOW THEREFORE BE IT RESOLVED, that the Faribault County Board of Commissioners approve a conditional use permit to Michele and Troy Stindtman to allow for an event venue in the A-2 General Agriculture District with the following conditions:

1. All County, State, and Federal laws, regulations, and ordinances shall be complied with and all necessary permits and licensures, including, but not limited to any permits or requirements by Minnesota Department of Health, Department of Labor and Industry: Americans with Disabilities Act (ADA), including any requirements related to the preparation and serving of food, any required Faribault County permits and any other licenses, including any liquor license or licenses that may be needed prior to the start of operation.
2. Applicant shall provide proof of a satisfactory building inspection prior to operating or renting out for any events. The inspection shall be at the applicant's cost with a licensed building inspector of applicant's choosing. Alternatively, applicant could seek to voluntarily go through the Department of Labor and Industry (DLI) inspection process.
3. All lighting shall be directed downward to minimize glare to adjacent properties and public roadways.
4. Per the application, all electrical work will be done by a licensed electrician.
5. Per the application, appropriate insurance and rental agreements will be in place prior to operating.
6. MPCA noise standards must be met. If noise becomes a concern, the applicant shall prove they meet this condition. Per the application, the hours of music are limited to Friday and Saturday until midnight, and until 10 pm Sunday-Thursday.

7. Applicants have addressed waste and will make that part of their rental agreement that the renter will be responsible for disposal.
8. Parking shall meet or exceed the Faribault County Zoning Ordinance, *Section 15 – General Regulations; A. Parking and Loading Regulations*. There shall be one space for every four people on site and one accessible space for every twenty-five parking spaces.
9. Prior to operating, applicants shall provide a plan, to be approved by Faribault County, which outlines emergency services and allows for appropriate entrance into and out of the driveway and facilities in emergency events.
10. SSTS installation, compliance and maintenance must be performed in accordance with Section 23 of the Faribault County Zoning Ordinance and MN Statutes 7080. Completed and approved septic application must be submitted at the time of need as determined by the applicant and/or County.
11. 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.
12. 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 county road restrictions.
13. This conditional use permit shall become void two years after being granted by the County Board unless used. If the established use has begun, but is then discontinued for a period of three-hundred and sixty-five consecutive days the conditional use permit becomes void.
14. Applicant must notify the Zoning Administrator, neighbors, local fire, police, and sheriff, as listed in the conditional use permit file, of any event related to the business 10 days prior to its occurrence. The notification shall include the nature of the event, approximate hours of operation, and number of expected people at the event.
15. A review of the conditional use permit will be completed by the Planning and Zoning Department every two years and a maintenance fee of \$50.00 shall be paid every two years as long as the conditional use is in effect starting August 1, 2019 and shall be subject to revocation for any violation of the above listed conditions.

Discussion was held regarding the draft of the buffer ordinance approved by the planning and zoning commission. The Board of Soil and Water Resources is requesting a clause be grandfathered into the ordinance. Staff will work on the request and report back to the board.

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

Groskreutz/Young motion carried unanimously to approve the sole quote from Pentagon Materials for CP 17-600-07 sand mining and washing in the amount of \$83,800.

Loveall/Warmka motion carried unanimously to approve Resolution 17-RB07-21 for final payment of \$58,857.48 to Asphalt Surface Technologies Corp. for CP 17-600-06 crack sealing. Commissioners Groskreutz, Loveall, Roper, Warmka, and Young voted yes.

RESOLUTION

WHEREAS, CP 17-600-06, crack sealing, has in all things been completed; and

WHEREAS, the final contract amount is \$58,857.48 which is \$2,153.80 (3.8%) more than the original contract bid of \$56,703.68; and

WHEREAS, to date \$.00 has been paid to the contractor leaving the balance of \$58,857.48; and

WHEREAS, the work has been performed satisfactorily and all necessary forms have been completed and received by the Highway Department.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners in and for the County of Faribault, Minnesota, do hereby accept said completed project and authorize final payment to Asphalt Surface Technologies Corp.

Loveall/Young motion carried unanimously to purchase large stop signs for use on CSAH 18 for change in new stoppage area.

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Building Facilities Maintenance Director Troy Beckman and Bob Mickelson of ISG met regarding building issues.

Young/Loveall motion carried unanimously to authorize ISG to draft change orders with an additional 5% to be added to the estimated costs as follows: \$17,625 to replace the north flat EPDM roof (20-year warranty); \$400 to remove existing un-used downspout and patch the hole through the fascia; \$1,450 to remove and replace damaged north fascia by the scupper to the east of the NW tower; \$625 to repair copper cone in the center of the north side; ISG will work with contractor for the cost of re-anchoring galvanized downspouts on the north side of the courthouse; and \$28,350 to repair the southwest tower roof.

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Transportation District Engineer Greg Ous and Assistant Engineer Gordon Regenscheid of Minnesota Department of Transportation met regarding District 7 updated ten-year plan.

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Groskreutz/Young motion carried unanimously to approve training requests of B. Gehrking to attend a 3-day MN State Patrol criminal interdiction training in Mankato and M. Lore to attend a 3-day MN DNR Ditching Dilemma workshop in Blue Earth.

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Groskreutz/Warmka motion carried unanimously to close the meeting for discussion of potential litigation. Present were the full board, County Attorney Troy Timmerman, and Auditor/Treasurer/Coordinator John Thompson.

Young/Groskreutz motion carried unanimously to re-open the meeting.

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Groskreutz/Warmka motion carried unanimously to pay bills totaling \$306,174.44 as follows:

COUNTY REVENUE FUND	\$ 100,355.20
PUBLIC WORKS FUND	12,265.99
HUMAN SERVICES FUND	192,988.25
DITCH FUND	97.50
NON REVENUE/DISB A	<u>467.50</u>
	\$ 306,174.44

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The meeting was recessed to 9:00 a.m. August 15, 2017 meeting.

John Roper, Chair

John Thompson, Auditor/Treasurer/Coordinator