

Motion by Commissioner Schultz, seconded by Commissioner Johnson to have Lynn Holthus gather all surplus radios, document each unit on a spreadsheet and research ways to re-use or dispose of the units. Ayes all.

Motion by Commissioner Huntington, seconded by Commissioner Schultz to approve obtaining quotes on Plan "B" of the Administration Center sidewalk. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Johnson to approve advertising for the custodial position at the Administration Center for four 10 hour days, Monday – Thursday. Ayes all.

The Chairman recessed the board for the Public Hearing for the Proposed Variance Ordinance Amendment at 7:18 p.m.

Planning and Zoning Director Dale Oolman reviewed the changes to the Ordinance with those in attendance.

The Hearing was then open to questions from those in attendance.

Motion by Commissioner Huntington, seconded by Commissioner Johnson to close the Public Hearing at 7:21 p.m. Ayes all.

Commissioner Schultz offered the following RESOLUTION, seconded by Commissioner Ebeling Amending Section 302 and Section 501 of the Steele County Zoning Ordinance #22;

WHEREAS Minnesota Statute 394.27, subdivision 7 governing variances has been amended and,

WHEREAS the Planning Commission held a Public Hearing on amendments to the variance language in Section 302 and 501 of the Steele County Zoning Ordinance on June 4th, 2012 and forwarded its recommendation to the Steele County Board of Commissioners.

NOW THEREFORE BE IT RESOLVED: The Steele County Board of Commissioners ordains Section 302, Variance Definition, and Section 501 of the Steele County Zoning Ordinance #22 adopted Nov 9, 1993 and recorded on February 2, 1994 as Document #239700 in the office of the Steele County Recorder is amended to read:

302 Definitions

Variance. A modification or variation of the strict provisions of this Ordinance, as applied to a specific piece of property in order to provide relief for a property owner because of practical difficulties imposed upon him by this Ordinance.

501. Variances

A variance to requirements of the Zoning Ordinance may be issued by the Board of Adjustment in accordance to Minnesota Statutes, Chapter 394. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan.

501.01 – Criteria for Granting Variances

- 1) Variances may be granted by the Board of Adjustments when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties as used in connection with the granting of a variance means:
 - A) The property owner proposes to use the property in a reasonable manner not permitted by the ordinance.
 - B) The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - C) The variance if granted will not alter the essential character of the locality.
- 2) Economic considerations alone do not constitute practical difficulties.
- 3) No variance may be granted that would allow any use that is not allowed in the zoning district in which the property is located.
- 4) The Board of Adjustment may impose conditions in the granting of the variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

505.02 – Required Exhibits for Variances

- 1) Appeals shall be filed with the Zoning Administrator on a form provide by the planning and zoning department.

- 2) Appeal forms shall be complete, and shall clearly specify the grounds of the appeal. Where required by the nature of the appeal, the application shall be accompanied by plans showing all details of the land area and the nature of the circumstances surrounding the appeal. The burden of providing clear, accurate and adequate information pertaining to the request is on the applicant. Failure to provide said information may result in the application being deemed incomplete.
- 3) Appeals for property located in shore land must provide a septic certificate of compliance or establish an escrow account as allowed in Section 1410.03 of this ordinance.
- 4) The appeal shall be accompanied by the required fee as set by the County Board. The fee shall not be refundable.

505.03 – Procedure

- 1) Upon receipt of a complete application, the Zoning Administrator shall schedule a public hearing before the Board of Adjustment after notice is given in accordance with Minnesota Statutes 394 or as may be required under Minnesota Rules 6120.
- 2) Failure of a property owner to receive said notice shall not invalidate any such proceedings as set forth in this Ordinance.
- 3) The Board of Adjustment shall make a finding of fact within the time prescribed by MN Statute 15.99. It shall take one of three (3) actions: approval, denial, or approval with special conditions.
- 4) The granting of a variance to this Ordinance or of an appeal shall be by majority vote of the full Board of Adjustment. The Zoning Administrator shall notify the originator of the variance request or appeal of the Board of Adjustment's decision in written form.
- 5) No application by a property owner for a variance shall be submitted to the Board of Adjustment within a six (6) month period following a denial of such a request, except the board may permit a new application, if in the opinion of the board, new evidence of change or circumstances warrant it.
- 6) All appeals from the decision of the Board of Adjustment relating to variances shall be directed to a court of competent jurisdiction.

505.04 – Lapse of Variance or Appeal

A variance shall expire and be considered null and void one year after the Board of Adjustments' decision to grant the variance if no construction has begun unless a petition for extension of time in which to complete the work has been granted by the Board of Adjustment and Appeals. Such extension shall be requested in writing and filed with the Zoning Administrator at least sixty (60) days before the expiration of the original variance or appeal. There shall be no charge for the filing of such petition. The request for extension shall state facts showing a good faith attempt to complete the work permitted in the variance or appeal.

Motion by Commissioner Ebeling, seconded by Commissioner Huntington to award the bid for the 2012 Bituminous Overlays to Crane Creek Construction in the amount of \$203,998.96. Ayes all.

Motion by Commissioner Huntington, seconded by Commissioner Johnson to authorize advertising and filling the Highway Maintenance Tech I position at the Highway Department. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to appoint Commissioners Kubicek and Huntington to the Canvassing Board. Ayes all.

Motion by Commissioner Huntington, seconded by Commissioner Johnson to approve the following listing of bills and Human Services bills in the amount of \$188,545.17. Ayes all.

LISTING OF BILLS

7/24/2012

A'viands LLC	3,502.94
Alpha Card	2,728.80
Anoka County Corrections	7,470.00
Block Plumbing and Heating Inc	3,476.98
Bureau of Criminal Apprehension	8,280.00
Businessware Solutions Corporation	3,572.25
Cavalier Coaches Inc	36,380.55
Central Valley Cooperative	7,515.12
CliftonLarsonAllen LLP	2,400.00
Crane Creek Asphalt	8,038.54
Custom Communications Inc	20,462.02
DLT Solutions	4,545.91
EPG Companies	2,878.00
Everbridge Inc	22,500.00
Frontier Precision Inc	3,873.50
Jenkins Bros Inc	14,500.00
Local Government Information Systems	21,506.80
Mike's Repair	3,526.47
Minnesota Dept of Transportation	2,952.09
NEC Financial Services LLC	4,269.61
New Ulm Quartzite Quarries Inc	5,853.87
Newman's Signs Inc	6,634.29
Oertel Architects	50,790.00
Owatonna Police Dept	8,430.10
PSC Alliance Inc	14,530.00
RDO Equipment Co Inc	2,420.37
Rocon Incorporated	5,820.00
Sheriff of Blue Earth Co-Civil Div.	7,835.12
Steele County Revenue	40,382.46
Steele County Treasurer	139,692.98
Steele County Treasurer-PCP	6,070.89
Sweet Towing & Repair, Inc	6,171.22
Treas of Aurora Township	16,758.50
Ulland Brothers Inc	5,135.72
Waste Management of Wi-MN	31,138.03
Whitewater Wireless Inc	5,588.79
150 warrants under \$2,000.00	<u>61,052.38</u>
TOTAL	603,639.10

Motion by Commissioner Ebeling, seconded by Commissioner Schultz to adjourn to the call of the Chair at 7:38 p.m. Ayes all.

ATTEST: _____
 AUDITOR

 CHAIRMAN