

BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
MARCH 5, 2024

The Goodhue County Board of Commissioners met on Tuesday, March 5, 2024, at 9:00 a.m. in the Goodhue County Boardroom, Red Wing, MN, with Commissioners Anderson, Majerus, Flanders, Betcher and Greseth all present.

C/Greseth asked for any disclosure of interest. There were none.

¹ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the February 20, 2024, County Board meeting minutes.

² Moved by C/Anderson, seconded by C/Majerus, and carried to approve the March 5, 2024, County Board Agenda.

³ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the following items on the consent agenda:

1. Approve Memorandum of Understanding with LELS 92 - Promotions
2. Approve MOU LELS 46 Split Sergeant position
3. Approve Award of 2024 Bituminous Paving Contract SAP 025-608-012
4. Approve Final Byllesby Pavilion and Essential Services Project

FINANCE DIRECTOR'S REPORT

Forfeited Land Delegated Duties. When property is forfeited to the State of Minnesota due to unpaid property taxes the County becomes the custodian of that property until such time it is placed back on the tax rolls. Minnesota Statute 282.135 allows the Board to delegate to the county auditor any or all the administration of tax forfeited land. They can also revoke that authority at any time. Staff recommended the board delegate all tax forfeited land duties to the County Auditor.

⁴ Moved by C/Anderson, seconded by C/Flanders, and carried to approve the following resolution delegating tax forfeited land authority, power, or responsibility to the County Auditor:

WHEREAS, Minnesota Statute 282.135 allows for County Board to delegate any authority, power, or responsibility relating generally to the administration of tax-forfeited land to the County Auditor;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Goodhue County, Minnesota, that; the Board hereby delegates the authority to classify tax forfeited land as conservation or non-conservation property; set the appraisal values and terms of sale and sell at public auction; initiate legal proceedings to cancel purchase and repurchase contracts in default status; authorize reinstatement of canceled tax-forfeited contracts; and authorize former owners and other eligible parties to repurchase tax-forfeited land to the County Auditor.

City of Red Wing TIF Proposal. The Finance Department received notice of the proposed Tax Increment Financing (TIF) District No. 10-1 for the City of Red Wing on February 26, 2024. The Board is not being asked to approve the project as that is solely at the discretion of the Red Wing City Council. Staff does not see any issues with the proposed TIF, however, the Board should inform staff if they have any significant comments you would like relayed to the City of Red Wing regarding the use of their proposed TIF.

LAND USE MANAGEMENT DIRECTOR'S REPORT

Request for IUP for a Utility-Scale Solar Energy System (SES). Request, submitted by Bullard Garden LLC (Applicant) on behalf of Kevin Ameling (Owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System occupying approximately 7-acres. Parcel 34.008.1700. TBD Highway 58 BLVD Red Wing, MN 55066. Part of the S ½ of the SW ¼ of Section 08 TWP 112 Range 14 in Hay Creek Township. A-2 Zoned District. The Planning Commission recommended approval.

⁵ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the Planning Advisory Commission recommendation and adopt the staff report into the record; adopt the findings of fact; accept the application, testimony, exhibits, and other evidence presented into the record; and APPROVE the request for an IUP, submitted by Bullard Garden LLC on behalf of Kevin Ameling (Owner) for a Utility-Scale Photovoltaic

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Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7 acres. Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. The project shall be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance and submitted plans;
3. A decommissioning agreement between the landowner and Nokomis Energy shall be maintained to ensure the reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days before ownership transfer or operator changes;
5. Applicants shall work with the Goodhue Soil and Water Conservation District to determine an appropriate seed mix for disturbed areas of the site and should submit "seed tags" to the Land Use Management department before final inspection;
6. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
7. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department before establishing the use;
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 22 (General Agriculture District). The Applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
9. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations; and
10. This IUP shall expire 35 years from the date of approval unless terminated prior to that date.

Request for IUP for a Rural Tourism Facility. Request, submitted by Martin Pansch and Heather McNabnay (Applicants/Owners) for a Rural Tourism Facility including educational events and bed and breakfast operation. Parcels 42.008.0303 and 42.005.1901. 13133 Wild Turkey Road Welch, MN 55089. Part of the W ½ of the NW ¼ of Section 08 and Part of the SW ¼ of the SW ¼ of Section 05 all in TWP 112 Range 16 in Vasa Township. A-1 and A-2 Zoned Districts. The Planning Commission recommended approval.

Martin Pansch addressed the board.

C/Anderson suggested adding a condition or language that either an owner or a representative be present when the public is at the facility.

⁶ Moved by C/Anderson, seconded by C/Majerus, and carried (3-2-0) with C/Betcher and C/Flanders dissenting to approve the Planning Advisory Commission recommendation and adopt the staff report into the record; adopt the findings of fact; accept the application, testimony, exhibits, and other evidence presented into the record; and APPROVE the request from Martin Pansch and Heather McNabnay (Applicants/Owners) for an Interim Use Permit to establish a Rural Tourism Facility including educational events and a bed and breakfast. Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP. Activities or uses not included in the approved plans, specifications, and narrative shall require an IUP amendment before opening. Overnight stays shall only be for school students during education activities. No overnight stays will be permitted during special events;
2. On-site camping for students shall be permitted during education activities. No more than 4 RVs/tents shall be used on-site at once. A maximum of 20 individuals may stay on the property overnight between the bed and breakfast and outdoor camping accommodations;
3. Maximum number of participants on-site for educational classes shall not exceed 35 persons including instructors but not including the Applicants. Special events shall be allowed a maximum of 50 participants on-site at one time not including the Applicants. The Zoning Administrator shall be notified at least 10 days before any event where 36 or more guests may be present;
4. Special Events shall be limited to two events per year and shall not be held for more than three consecutive days. Special Events are activities organized through Red Wing Arts or a similar institution or fundraising events organized by the Applicants and their non-profit;
5. On-street parking/loading/off-loading shall be prohibited;

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6. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 Section 17 (Sign Regulations);
7. Applicants shall obtain Building Permit approvals for all renovations, change of use of the dwelling to a bed and breakfast, and all new building construction;
8. Applicants shall replace the existing septic system prior to opening the dwelling as a bed and breakfast. Any new SSTS shall obtain proper permits from Goodhue County Environmental Health. A septic design from a licensed professional shall be submitted to the County Sanitarian one year before the bed and breakfast opens for overnight stays;
9. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations. Proof of licenses shall be submitted to the Zoning Administrator prior to opening the bed and breakfast and commercial kitchen;
10. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, section 30 Rural Tourism, Article 11 Section 13 Bed and Breakfast Inns, Article 21 A1 Agricultural Protection District, and Article 22 A2, General Agriculture District;
11. Property boundary signage shall be established along all neighboring property lines abutting property not owned by the Applicants identifying neighboring properties as private property;
12. Guests shall be directed to use 137th Avenue from Highway 19 for access to the property. Maps shall be provided to guests and posted on websites and social media. The Applicants will pay for dust control along 137th Avenue in front of 30350 137th Ave, 29751 137th Ave, and 29290 137th Ave with permission from and consultation with these property owners;
13. Retail activities shall be limited to sales to students and participants on-site for hosted classes and events;
14. Compost shall be adequately secured and maintained to prevent rodent or animal harborage; and
15. This IUP shall expire upon sale of the property (change of ownership to an LLC or other entity overseen by the Applicants or their designated representative does not qualify as a sale. The Zoning Administrator shall be made aware of future ownership changes).
16. The Applicant/Owner or a designated representative of the Applicant/Owner shall be on site at all times when the public is on the property.

COMMITTEE REPORTS:

C/Betcher	•
C/Greseth	•
C/Anderson	•
C/Majerus	•
C/Flanders	• AMC Policy Committee update.
Administrator Arneson	•

Review and Approve the County Claims

⁷ Moved by C/Majerus, seconded by C/Anderson, and carried to approve to pay the County claims in the amount of 01-General Revenue \$209,398.21, 03-Public Works \$167,904.36, 11- Human Service Fund \$84,064.73, 12- GC Family Services Collaborative \$00, 15- County Ditch 1 \$00, 20-National Opioid Settlement Fund \$00, 25- EDA \$311.85, 34-Capital Equipment \$79,736.73, 35-Debt Services \$00, 61-Waste Management \$4,648.48, 72-Other Agency Funds \$115,059.03, 81-Settlement \$107.83, in the total amount of \$661,231.22.

Adjourn

⁸ Moved by C/Majerus, seconded by C/Anderson, and carried to approve to adjourn the March 5, 2024, County Board Meeting.

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SCOTT O. ARNESON
COUNTY ADMINISTRATOR

TODD GRESETH, CHAIR
BOARD OF COUNTY COMMISSIONERS

MINUTE

1. Approved the February 20, 2024, board meeting minutes. (Motion carried 5-0)
2. Approved the county board agenda. (Motion carried 5-0)
3. Approved the consent agenda. (Motion carried 5-0)
4. Approved the Forfeited Land Delegated Duties. (Motion carried 5-0)
5. Approved the IUP for a Kevin Ameling, Hay Creek Township. (Motion carried 5-0)
6. Approved IUP for Martin Pansch and Heather McNabny, Vasa Township. (Motion carried 3-2-0)
7. Approved the county claims. (Motion carried 5-0)
8. Approved to adjourn the March 5, 2024, County Board Meeting. (Motion carried 5-0)

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