

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JULY 3, 2024**

The Goodhue County Board of Commissioners met in Special Session on Wednesday, July 3, 2024, at 10:00 a.m. at the Cannon Valley Fairgrounds, Cannon Falls, MN, with Commissioners Anderson, Flanders, Majerus, Betcher and Greseth all present.

C/Greseth asked for any disclosure of interest.

¹ Moved by C/Anderson, seconded by C/Flanders, and carried to approve the June 18, 2024, County Board meeting minutes.

² Moved by C/Anderson, seconded by C/Flanders, and carried to approve the June 21, 2024, Emergency County Board meeting minutes.

³ Moved by C/Flanders, seconded by C/Majerus, and carried to approve the July 3, 2024, County Board Agenda.

⁴ Moved by C/Anderson, seconded by C/Flanders, and carried to approve the following items on the consent agenda:

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| <ol style="list-style-type: none"> 1. Approve the Application for Exempt Permit for Mounted Posse of Goodhue County for September 28, 2024 at the Goodhue County Fairgrounds. 2. Approve CPA Firm Letter to State Auditor 3. Approve the declaration for a State of Emergency for the flooding in Goodhue County starting 6/16/24. 4. Approve MOU LELS 78 Programs Coordinator 5. Approve Memorandum of Agreement - LELS 91 Corporal Position 6. Approve Treatment Court Agreement 7. Approve Covered Bridge Riders Snowmobile Club Temporary On-Sale Liquor License 8. Approve Goodhue County Ag Society Temporary On-Sale Liquor License 9. Approve the sale of obsolete items using on-line auction. 10. Approve Byllesby Park Deed Restriction. 11. Approve Byllesby Park Joint Powers Agreement with Dakota County. |
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LAND USE MANAGEMENT DIRECTOR'S REPORT

Public Hearing- Cannabis Moratorium. Staff updated the board and recommended to hold a public hearing to enact a moratorium on cannabis industry locations and uses to give staff, the Planning Commission, and County Board time to make changes to existing Ordinances and prepare new Ordinances addressing cannabis.

⁵ Moved by C/Flanders, seconded by C/Anderson, and carried to approve to open the public hearing.

Jeff Zimmer, Red Wing, spoke to the issue. In addition, a letter was received from the Bush Street Kids.

⁶ Moved by C/Anderson, seconded by C/Majerus, and carried to approve to close the public hearing.

⁷ Moved by C/Anderson, seconded by C/Flanders, and carried to approve the following resolution adopting an Emergency Interim Zoning Ordinance Instituting an Emergency Moratorium on Cannabis:

Whereas, the Goodhue County Zoning Ordinance does not contain standards for the regulation of the cannabis industry; and

Whereas, the Goodhue County Board of Commissioners has reviewed the recent Minnesota Statutes with respect to cannabis industry and believes regulations are necessary to protect public health, safety, and general welfare; and

Whereas, Minn. Stat. Sec. 342.13 specifically authorizes local governments to adopt interim ordinances for the purpose of protecting the planning process related to implementation of the new cannabis legislation.

Whereas, Minn. Stat. Ch. 342 provides for the newly created Office of Cannabis Management to work with local

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governments in the development of model ordinances for reasonable restrictions on the time, place, and manner of the operation of cannabis businesses.

Whereas, pursuant to Minnesota Statute § 394.34, the Goodhue County Board of Commissioners deems it necessary to adopt an Interim Ordinance placing a moratorium on the location, establishment, and finalization of new and pending cannabis industry locations and uses until January 1, 2025 to permit the planning process to take place and to allow County staff, the Planning Commission and the County Board sufficient time to proceed in an orderly fashion to make any necessary changes, modifications and updates to the County's Official Controls.

Whereas, an emergency situation exists and a temporary emergency moratorium is necessary to protect public health, safety, and general welfare until public hearings can be conducted on a longer term ordinance; and Whereas, the Goodhue County Board of Commissioners finds:

1. A temporary emergency zoning ordinance instituting a moratorium prohibiting new or pending cannabis industry certifications, locations and uses is necessary in order to hold discussions and hearings to determine whether a longer-term zoning ordinance shall be adopted and implemented, to protect the public health, safety, and general welfare of the residents of Goodhue County.
2. An emergency exists because based on the recent Minnesota Statutory law changes as well as the comments received from the community, the townships, and the cities, the Goodhue County Zoning Ordinance does not afford the protection needed to ensure that the residents of Goodhue County are not adversely affected.
3. It is in the interests of public health, safety, and the general welfare to impose a temporary moratorium until a public hearing can be noticed and a permanent ordinance can be published pursuant to Minn. Stat. § 375.51. 2

NOW, THEREFORE, the Goodhue County Board of Commissioners Hereby Ordains:

Section 1. A moratorium is hereby imposed by this Ordinance regarding the operation of Cannabis Businesses within Goodhue County. During the term of this Ordinance, no business, person, or entity may establish or operate a Cannabis Business, as that term is defined in Minn. Stat. 342.01 Subd. 14, within Goodhue County.

Section 2. Temporary Restrictions on Cannabis Industry Zoning and Permitting. Until January 1, 2025, or until such earlier time as the Goodhue County Board of Commissioners determines by resolution that the reasons for the interim ordinance no longer exist, no new or pending applications for cannabis application certification, zoning, rezoning, or land use permits (including, without limitation, permitted, interim use or conditional use permits) for any cannabis industry related use shall be accepted, processed or approved by the County.

Section 2. Definitions and Application. The terms "Cannabis Industry" means every item, product, person, process, action, business, or other thing related to cannabis flower and cannabis products and subject to regulation under this chapter

Section 3. Enforcement. Goodhue County may enforce any provision of this Ordinance by any and all means authorized by Goodhue County Ordinances and State Statutes.

Section 4. Effective Date. This Ordinance shall take effect on the date of its passage and shall be in effect until January 1, 2025, unless earlier terminated by the Goodhue County Board of Commissioners.

Section 5. Severability. Every section, provision, or part of this Interim Ordinance is declared severable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof

CONSIDER: Request for CUP for a Contractor's Yard. Request, submitted by David and Victoria Bauer (Owners) for a Conditional Use Permit (CUP) to operate a Contractor's Yard for tree and brush storage and mulching. 21726 287th Street Red Wing, MN 55066. Parcel 31.010.0102. Part of the N ½ of the NE ¼ of Section 10 TWP 112 Range 15 in Featherstone Township. A-2 Zoned District.

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The planning advisory commission recommended approval with conditions.

⁸ Moved by C/Anderson, seconded by C/Flanders, and carried to approve to 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 submitted by David and Victoria Bauer (Owners) for a Contractors Yard to store brush and logs for processing into mulch. Subject to the following conditions:

1. The Contractors Yard shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 22 (Agricultural District) and Article 11 Section 33 (Contractors Yards);
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations; and
4. No on-street parking, loading, or off-loading is permitted;
5. Truck hauling shall be limited to 3 days per week; Additional hauling may occur in the event Goodhue County is impacted by an extreme weather event with notice to the Zoning Administrator.
6. The Applicant shall apply chloride/dust control along all of 287th Street from County 1 BLVD to their property entrance.

COMMITTEE REPORTS:

C/Betcher	•
C/Greseth	•
C/Anderson	•
C/Majerus	•
C/Flanders	• Housing subcommittee update.
Administrator Arneson	•

2024 FEMA Exercise. Captain Chad Steffen and Sheriff Marty Kelly recognized Emergency Management Director Earl Merchlewitz and Deputy Director Mallore McCarty for achieving exceptional performance for the 2024 FEMA Exercise.

Adjourn

⁹ Moved by C/Anderson, seconded by C/Flanders, and carried to approve to adjourn the July 3, 2024, County Board Meeting.

SCOTT O. ARNESON
COUNTY ADMINISTRATOR

TODD GRESETH, CHAIR
BOARD OF COUNTY COMMISSIONERS

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MINUTE

1. Approved the June 18, 2024, board meeting minutes. (Motion carried 5-0)
2. Approved the June 21, 2024, emergency board meeting minutes. (Motion carried 5-0)
3. Approved the county board agenda. (Motion carried 5-0)
4. Approved the consent agenda. (Motion carried 5-0)
5. Approved to open the public hearing. (Motion carried 5-0)
6. Approved to close the public hearing. (Motion carried 5-0)
7. Approved the cannabis moratorium. (Motion carried 5-0)
8. Approved the conditional use permit for David and Victoria Bauer, Featherstone Township. (Motion carried 5-0)
9. Approved to adjourn the July 3, 2024, County Board Meeting. (Motion carried 5-0)

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