

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JUNE 5, 2018**

The Goodhue County Board of Commissioners met on Tuesday, June 5, 2018, at 2:30 p.m. in Closed Session and again in Open Session at 5:00 p.m. in the County Board Room, Government Center, Red Wing, MN with Commissioners Anderson, Majerus, Nesseth, Drotos and Allen were all present.

C/Majerus asked if there were any disclosures of interest. There were none.

¹ Moved by C/Anderson, seconded by C/Drotos, and carried to approve the May 8, 2018, County Board Minutes.

² Moved by C/Anderson, seconded by C/Majerus, and carried to approve the May 15, 2018, County Board Minutes.

³ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the June 5, 2018, County Board Agenda.

Administrator Arneson requested to remove item number one under the Finance Director's report- Abatement of property taxes.

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

1. Approve a gambling application for Resthaven Horse Rescue, Inc. for September 29, 2018.
2. Approve SE MN Water Resources Board Agreement Amendment.
3. Approve Resolution to Support SE MN Wastewater Initiative.
4. Approve MOA for Watershed Based Planning in Zumbro Watershed.

SHERIFF'S REPORT

Enterprise Fleet Management Program. This issue was discussed at a previous Committee of the Whole meeting. Staff recommended the board enter into an agreement with Enterprise Fleet Management for the management of the Sheriff's Department squad cars.

Consensus was that staff review the program and consider it for future years.

FINANCE DIRECTOR'S REPORT

Abatement of Property Taxes. Pulled from the agenda.

Mill Towns Trail. The Goodhue County Trails Association has agreed to groom and maintain Section 315 of the Mills Towns State Trail between Cannon Falls and Lake Byllesby. Goodhue County has been the fiscal agent for the Goodhue County Trail Association for a number of years, assisting with other grooming and equipment grants with the DNR. Staff recommended the board approve the proposed resolution and enter into a ten year Grant-in-Aid Trail Permit Agreement with the State of Minnesota DNR for this project.

⁵ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the following resolution to enter into a grant-in-aid trail permit agreement for a portion of trail #317 between Cannon Falls and Lake Byllesby Park in Goodhue and Dakota Counties:

WHEREAS, Goodhue County is the fiscal agent for the Goodhue County Trails Association; and
 WHEREAS, the Goodhue County Trails Association is the local association that agrees to groom and maintain Section #317 of the Mill Towns State Trail located in Goodhue and Dakota Counties; and
 WHEREAS, Goodhue County will act as legal sponsor for an application for Grant-in-Aid Trail Permit and enter in to an agreement with the State of Minnesota on behalf of the Goodhue County Trails Association;
 NOW, THEREFORE BE IT RESOLVED, that the Goodhue County Board of Commissioners approve the application for the Grant-in-Aid Trail Permit and that the Chairperson and/or County Finance Director be authorized to sign all documents relating to the program.

Property forfeited prior to 2018. Staff recommended the board approve the applications for acquisition of forfeited property for public use.

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- ⁶ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the following resolution for the City of Cannon Falls to acquire forfeited property for public use:

WHEREAS, Goodhue County Finance & Taxpayer Services office has received a request from the City of Cannon Falls to acquire parcel 52.540.0180 for public purpose, and

WHEREAS, the County Board has determined that it is in the best interest of the county to allow the City of Cannon Falls to acquire this parcel.

NOW, THEREFORE BE IT RESOLVED by the Goodhue County Board that the subject parcel be deeded and conveyed to the City of Cannon Falls for the price of \$1.

BE IT FURTHER RESOLVED that the Goodhue County Board of Commissioners hereby request staff to complete the necessary application and submit it to the State of Minnesota for their approval. Upon approval staff will complete the process of deeding this property to the City of Cannon Falls.

- ⁷ Moved by C/Neseth, seconded by C/Anderson, and carried to approve the following resolution for the City of Kenyon to acquire forfeited property for public use:

WHEREAS, Goodhue County Finance & Taxpayer Services office has received a request from the City of Kenyon to acquire parcels 66.160.0215 and 66.160.0380 for public use as a public service facility with potential for future recreation and open space use by area residence, and

WHEREAS, the County Board has determined that it is in the best interest of the county to allow the City of Kenyon to acquire these parcels to be used as a public service facility.

NOW, THEREFORE BE IT RESOLVED that the Goodhue County Board of Commissioners hereby grants their approval for the City of Kenyon to acquire parcels 66.160.0215, 66.160.0380 for public use.

BE IT FURTHER RESOLVED that the Goodhue County Board of Commissioners hereby request staff to complete the necessary application and submit it to the State of Minnesota for their approval. Upon approval staff will complete the process of deeding this property to the City of Kenyon.

- ⁸ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the following resolution for the City of Zumbrota to acquire forfeited property for public use:

WHEREAS, Goodhue County Finance & Taxpayer Services office has received a request from the City of Zumbrota to acquire parcel 72.420.0020 for public purpose, and

WHEREAS, the County Board has determined that it is in the best interest of the county to allow the City of Zumbrota to acquire this parcel.

NOW, THEREFORE BE IT RESOLVED by the Goodhue County Board that the subject parcel be deeded and conveyed to the City of Zumbrota for the price of \$1.

BE IT FURTHER RESOLVED that the Goodhue County Board of Commissioners hereby request staff to complete the necessary application and submit it to the State of Minnesota for their approval. Upon approval staff will complete the process of deeding this property to the City of Zumbrota.

C/Neseth noted that the City of Wanamingo requested that the county withhold doing anything with the Emerald Valley properties because they were working on a development agreement.

- ⁹ Moved by C/Neseth, seconded by C/Anderson, and carried to approve the Finance Director's recommendation for the sale of forfeited property for public use excluding the Emerald Valley Properties in all cases and parcel 70.152.0380.

PUBLIC WORKS DIRECTOR'S REPORT

Reconsider Solar Garden Subscription. Staff requested the county board determine if they wish to move forward with becoming a subscriber to Community Solar Garden.

Consensus was to have a future Committee of the Whole meeting and invite the City of Red Wing and the Red Wing School District to present how they have benefited from their projects.

LAND USE MANAGEMENT DIRECTOR'S REPORT

PUBLIC HEARING: Request for Map Amendments (Rezoning). Request for map amendments submitted by Stanton Township to rezone 39 parcels from A3 (Urban Fringe District), A2 (Agriculture District) and A1

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(Agriculture Protection District) to R1 (Suburban Residence District). Parts of the SE ¼ of Section 30, NE ¼ of Section 36, NE ¼ of Section 24, NW ¼ and SE ¼ of Section 13 all located in Township 112 Range 18 in Stanton Township.

The Planning Advisory Commission recommended approval.

¹⁰ Moved by C/Drotos, seconded by C/Anderson, and carried to approve to open the public hearing.

C/Majerus asked three times for public comment. There was none.

¹¹ Moved by C/Nesseth, seconded by C/Majerus, and carried to approve to close the public hearing.

¹² Moved by C/Anderson, seconded by C/Majerus, and carried to approve the Planning Committee Recommendation to adopt the staff report into the record, accept the application, testimony, exhibits, and other evidence presented into the record; and approve the map amendments in Stanton Township as listed:

PIN	ACRES	OWNER	Current Zone	New Zone
410300600	0.25	WALLACE J HAMP	A1	R1
410300800	0.26	GREGORY L ANDREWS	A1	R1
410301100 (southerly 304 feet)	10.37	GLEN EMERY	A1	R1
410301300	0.39	NICHOLAS C LARSON	A1	R1
410301600 (southerly 300 feet)	2	TROY D ARMSTRONG ET AL	A1	R1
410302100	0.75	STANTON TOWNSHIP	A1	R1
410302101	0.28	GREGORY L ANDREWS	A1	R1
410302200	1.4	BRIAN K VALEK	A1	R1
410302300	0.26	STANTON TOWNSHIP	A1	R1

PIN	ACRES	OWNER	Current Zone	New Zone
410361700	3.55	JOSEPH S CROSBY	A2	R1
410361800	6.49	BRUCE D SHOWEL	A2	R1
410361900	4.24	MITCH A OTTO	A2	R1
410252600	0.53	DANIEL C LUCE	A2	R1
410360200	1.49	JON C WERSAL	A2	R1
410360300	1.46	MITCH A OTTO	A2	R1
410360301	1.75	LOUISE M BOWMAN	A2	R1
410360500	11.57	TROY A ISENBERG	A2	R1
410360600	0.63	LOUISE M BOWMAN	A2	R1
410360601	0.71	LOUISE M BOWMAN	A2	R1
410360700	1.67	DEAN R CLARE	A2	R1
410360800	2.09	STEVEN M RICHTER	A2	R1
410360900	1.72	QUENTIN L GARLETS JR	A2	R1

PIN	ACRES	OWNER	Current Zone	New Zone
410133600	0.5	JOHN W HOGAN	A3	R1
410133700	2.46	DAVID A SCHULTZ	A3	R1
410133800	0.62	ARLENE B ERICKSON	A3	R1
410133900	1.15	BRETT K KLAVON	A3	R1
410134200	1.07	WALTER W PIERCE	A3	R1
410134300	1.38	JOSHUA T HUNEKE	A3	R1
410134600	0.53	CARRIE VOVK	A3	R1
410134700	0.91	CASEY T CARLSON	A3	R1
410134800	0.83	STEPHANIE HALBERT	A3	R1

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410134900	3.37	BRYANT BECHTHOLDT	A3	R1
410135100	1.44	TIMOTHY M LANGDON	A3	R1
410135200	0.94	CHRISTOPHER STRICKLAND	A3	R1
410135400	1.14	LARRY L STRAIN	A3	R1
410240200	1.33	SCOTT OLSON	A3	R1
410240300	3.86	CHAD MILLER	A3	R1
410240400	5.18	DANIEL BANKS	A3	R1
410240500	5.18	KERRY R BANKS	A3	R1

Conditional Use Permit: Utility Scale Solar Energy System (SES). Request for a CUP submitted by Nokomis Hiawatha LLC (applicant) and Douglas Stegemann (owner) for a Utility Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5 acres. Parcel 28.016.0300. TBD HWY 19 BLVD, Cannon Falls, MN 55009. Part of the SW ¼ of NE ¼ in Sect 16 Twp 112 Range 17 in Cannon Falls Township. A2 Zoned District.

The Planning Advisory Commission recommended approval with conditions.

C/Nesseth questioned the decommissioning costs.

¹³ Moved by C/Allen, seconded by C/Drotos, and carried to approve the Planning Committee Recommendation to adopt the staff report into the record; adopt the findings of fact; add condition #12 to staff's suggested conditions and accept the application, testimony, exhibits, and other evidence presented into the record; and

APPROVE the CUP request submitted by Nokomis Hiawatha LLC (applicant) and Douglas Stegemann (owner) for a Utility Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5 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 CUP;
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 the solar energy system company shall be maintained to ensure reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
5. A stormwater management and erosion control plan shall be submitted for administrative review and approval prior to construction of the facility;
6. Vegetative screening shall be established according to submitted plans within 1 year of completion of the facility;
7. Applicants' shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix of native vegetation to establish on disturbed areas of the site;
8. Applicants' shall obtain Building Permit approvals from the Goodhue County Building Permits Department prior to establishing the use;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 22 (Agricultural District);
10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
11. This CUP shall expire 25 years from the date of approval unless terminated prior to that date.
12. Applicants shall provide a revised landscaping plan specifying 2 staggered rows of Black Hills Spruce or similar species be installed along the easterly boundary of the solar garden.

Located at TBD HWY 19 BLVD, Cannon Falls, MN 55009. Parcel 28.016.0300. Part of the SW ¼ of NE ¼ in Sect 16 Twp 112 Range 17 in Cannon Falls Township. A2 Zoned District.

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Conditional Use Permit - Non-Metallic Mineral Extraction Facility. Request by Doug Mahoney (applicant/owner) for CUP for a Non-Metallic Mineral Extraction Facility. Proposed mining includes a limestone quarry and sand/gravel pit and associated processing/transport equipment and facilities. The total site area is 61.5 acres. The area to be mined is approximately 13.4 acres. This CUP proposes to reopen an inactive/lapsed non-metallic mining operation located at 32245 296th Street, Red Wing, MN 55066. Parcel 32.009.1201. Part of the S1/2 of NW1/4 and the N ½ of the SW 1/4, Sect 09 Twp 112 Range 13 in Florence Township. A2 Zoned District.

The Planning Commission recommended approval with conditions.

C/Allen made a motion to change the language to an interim use permit instead of a conditional use permit so that if it were to be sold it would need to come back to the board for approval again. Motion died for lack of a second.

C/Nesseth was interested in letting the township address the issue first.

¹⁴ Moved by C/Nesseth, seconded by C/Drotos, and carried (3-2-0) with C/Anderson and C/Majerus dissenting to approve to table the issue to the next board meeting on June 19, 2018.

Ms. Hanni asked for clarification on why it was tabled and what additional information was needed. Administrator Arneson suggested that commissioners email Lisa Hanni with what additional information they would like brought to the June 19 board meeting.

COUNTY ADMINISTRATOR’S REPORT

SELCO Appointment. Goodhue County is eligible to appoint one member to the SELCO Board of Directors. The Board has three options: 1) Appoint a Commissioner directly 2) Appoint a citizen to represent the county's interests 3) Appoint a county staff person The SELCO Board of Directors meets on a quarterly basis in July, October, January and April. The annual meeting is July 24, 2018.

C/Anderson volunteered to be the appointment through the end of 2018.

COMMITTEE REPORTS:

C/Drotos	•
C/Nesseth	•
C/Anderson	•
C/Majerus	•
C/Allen	• History Center.
Administrator Arneson	•

Review and approve county claims.

¹⁵ Moved by C/Anderson, seconded by C/Majerus, and carried to approve to pay the County claims in the amount of 01-General Revenue \$945,745.04, 03-Public Works \$66,552.20, 11- Human Service Fund \$29,015.28, 21-ISTS \$48,614.00, 25- EDA \$8,000.00, 30-Capital Improvement \$00, 31-Capital Equipment \$00, 34-Capital Equipment \$124,415.18, 35-Debt Services \$500.00, 40-County Ditch \$00, 61-Waste Management \$21,120.04, 62-Recycling Center \$00, 63-HHW \$00, 72-Other Agency Funds \$101,295.94, 81-Settlement \$8,204,143.22, in the total amount of \$9,549,400.90.

¹⁶ Moved by C/Anderson, seconded by C/Majerus, and carried to approve to adjourn the June 5, 2018, County Board Meeting.

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SCOTT O. ARNESON
COUNTY ADMINISTRATOR



JASON MAJERUS, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

MINUTE

1. Approved the May 8, 2017 County Board Meeting Minutes. (Motion carried 5-0)
2. Approved the May 15, 2018 County Board Meeting Minutes. (Motion carried 5-0)
3. Approved the June 5, 2018 County Board Meeting Agenda. (Motion carried 5-0)
4. Approved the Consent Agenda as amended. (Motion carried 5-0)
5. Approved the Snowmobile Trail Grant in Aid Application. (Motion carried 5-0)
6. Approved the Property forfeited prior to 2018 for City of Cannon Falls. (Motion carried 5-0)
7. Approved the Property forfeited prior to 2018 for City of Kenyon. (Motion carried 5-0)
8. Approved the Property forfeited prior to 2018 for City of Zumbrota. (Motion carried 5-0)
9. Approved the Property forfeited prior to 2018. (Motion carried 5-0)
10. Approved to open the public hearing. (Motion carried 5-0)
11. Approved to close the public hearing. (Motion carried 5-0)
12. Approved the map amendments in Stanton Township. (Motion carried 5-0)
13. Approved a conditional use permit for Nokomis Hiawatha LLC and Douglas Stegemann, Cannon Falls Township. (Motion carried 5-0)
14. Approved to table a conditional use permit for Doug Mahoney, Florence Township. (Motion carried 5-0)
15. Approved the county claims. (Motion carried 5-0)
16. Approved to adjourn the June 5, 2018 County Board Meeting. (Motion carried 5-0)