

BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JUNE 19, 2018

The Goodhue County Board of Commissioners met on Tuesday, June 19, 2018, at 9:00 a.m. in the County Board Room, Government Center, Red Wing, MN with Commissioners Anderson, Majerus, Nesseth, and Drotos were all present. C/Allen was absent.

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

¹ Moved by C/Nesseth, seconded by C/Anderson, and carried to approve the June 5, 2018, Special Session County Board Minutes.

² Moved by C/Nesseth, seconded by C/Majerus, and carried to approve the June 5, 2018, County Board Minutes.

³ Moved by C/Drotos, seconded by C/Majerus, and carried to approve the June 19, 2018, County Board Agenda.

Administrator Arneson requested the following items be removed:

Consent agenda-

7. Tuition reimbursement for Chris Link, Assessor.

Regular agenda-

4. Conditional Use Permit: Request for CUP for a Contractors Yard (Thomas Demartini).

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

C/Majerus removed the following from the consent agenda for discussion:

2. Approve sale of forfeited parcel. – *Moved to Finance Directors Reports.*

1. Approve renewal of 3.2% malt liquor licenses.
- 2.
3. Approve the 2017 Public Works Annual Report.
4. Approve CSAH 21 Signal Improvements-MnDot Agreement.
5. Approve CSAH 21 Signal Improvements- City Agreement.
6. Approve sale of motorpool vehicle 2006 Ford Taurus on Public Surplus Auction Site
- 7.
8. Approve Tuition Reimbursement for Kris Johnson, HHS.
9. Approve Tuition Reimbursement for Katie Tang, HHS.

COUNTY ADMINISTRATOR'S REPORT

2018 Committee Structure Interim. Staff recommended the board approve the proposed 2018 Committee Structure Interim.

⁵ Moved by C/Drotos, seconded by C/Majerus, and carried to approve the following resolution for 2018 Committee Structure Interims:

Whereas, Goodhue County Commissioner Ron Allen is temporarily unable, due to personal medical issues, to fulfill his obligations as a representative of the Goodhue County Board of Commissioners serving on the below listed county boards and committees, and

Whereas, the Goodhue County Board desires to maintain its representation on said boards and committees during Commissioner Allen's absence,

Now, Therefore, be it hereby resolved:

That the following board members or county designees shall temporarily replace Commissioner Allen as designated below in the following list of assignments and shall have full authority to act on behalf of the Goodhue County Board of Commissioners in place of Commissioner Allen:

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JUNE 19, 2018**

Committee/Board	Alternate:
AMC Health & Human Services	Nina Arneson
AMC Native American Task Force	Scott Arneson
Cannon Valley Trail JP Board	Jason Majerus
Goodhue County Historical Society	Paul Drotos
Planning Advisory Commission	Barney Nesseth
School Community Advisory Task Force	Brad Anderson
Red Wing Ignite Advisory Panel	Scott Arneson
Hiawatha Valley Mental Health Committee	Brad Anderson & Barney Nesseth

Be it further resolved that upon Commissioner Allen's return to service on the Goodhue County Board he shall be authorized to resume his previous positions on some or all of said boards or committees upon notification to the County Administrator and to his successor of his desire to resume his previous positions.

FINANCE DIRECTOR'S REPORT

Approve Sale of Forfeited Parcel – This item was removed from the consent agenda for clarification. Ms. Holmsten noted that this one parcel, 70.152.0380, is not in Emerald Valley but rather Emerald Valley 4th Addition. This was in the section where staff requested the ability to sell five parcels by private sale to adjacent owners. Due to the confusion regarding Emerald Valley the board held off on what we would like to do with this parcel. Staff requested the ability to move forward with this sale being offered to adjacent land owners due to the fact that the ability to access this parcel is quite limited.

⁶ Moved by C/Nesseth, seconded by C/Majerus and carried approve the selling parcel 70.152.0380 via a private sale method.

Wanamingo Forfeited Parcels. The county is responsible for trying to sell parcels held by the State of Minnesota in trust for the local taxing districts because they were forfeited due to unpaid taxes. At the June 5, 2018 meeting there were a number of parcels in Wanamingo known as Emerald Valley that were pulled from the public sale to be held in July. The City of Wanamingo has sent a formal request for the County to withhold parcels from sale for six months. During that time the city can purchase them at the price they have been offered to the public. Because they are residential lots they do not qualify for public use (no cost for the city to acquire) and they do not qualify for public purpose where they could be purchased at a reduced cost. Staff recommended the board approve holding the provided list of parcels in Wanamingo's Emerald Valley from public sale until December 19, 2018.

City Administrator, Michael Boulton, summarized the City of Wanamingo's position on the topic. James Hill spoke to the issue as owner of one of the properties. He questioned the City of Wanamingo's intent. His interest is in getting the area developed and not delay.

⁷ Moved by C/Nesseth, seconded by C/Majerus, and carried to approve the following list of parcels in Wanamingo's Emerald Valley from public sale until December 19, 2018:

701470110, 701470120, 701470640, 701470650, 701470660, 701470670, 701470680, 701470690,
701470800, 701470810, 701470820, 701470830, 701470840, 701470850, 701470860, 701470870,
701470880, 701470890, 701470900, 701470910, 701470920, 701470930, 701470940, 701470950,
701470960, 701470970, 701471000, 701471020, 701471030, 701471040, 701471050

As a follow up, Ms. Holmsten noted that there were another five parcels in the Emerald Valley section but on the portion that does have sewer and water established. Staff recommended these parcels be include that in the next sale in July.

⁸ Moved by C/Drotos, seconded by C/Majerus, and carried to approve the following list of parcels in Wanamingo's Emerald Valley for public sale in July, 2018:

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JUNE 19, 2018**

LEGAL DESCRIPTION	PID	VALUE	ASSESSMENTS BEFORE FORFEITURE
Lot 53, Block 1 Emerald Valley	70.147.0530	Previous sale price \$6,600.00 After assessments <u>1,202.40</u> Subtotal \$7,802.40 Adjustment <u>-3,300.00</u> Basic Sale Price \$4,502.40	\$90.26
Lot 15, Block 1 Emerald Valley	70.147.0150	Assessor's value \$10,000 After assessments <u>0</u> Basic sale price: \$10,000	\$196.46
Lot 16, Block 1 Emerald Valley	70.147.0160	Assessor's value \$10,000 After assessments <u>0</u> Basic sale price: \$10,000	\$196.46
Lot 43, Block 1 Emerald Valley	70.147.0430	Assessor's value \$10,000 After assessments <u>0</u> Basic sale price: \$10,000	\$196.46
Lot 44, Block 1 Emerald Valley	70.147.0440	Assessor's value \$10,000 After assessments <u>0</u> Basic sale price: \$10,000	\$196.46

HUMAN RESOURCE DIRECTOR'S REPORT

Personnel Committee Report. The Personnel Committee met on Tuesday, June 12 with the following items on the agenda:

Finance & Taxpayer Services Request To Hire Appraiser I Step 1 Or 2. The Personnel Committee had a split recommendation on the issue. C/Majerus did not support hiring the position until the budget issues were addressed and C/Anderson supported the position and wanted it added to the 2019 budget.

Ms. Holmsten noted that the county would need to hire a contract appraiser to complete the work for 2018 if this position was not hired.

Administrator Arneson noted that the proposed 2019 budget included an approximate 10% increase in the levy. There has been discussion from the board to try and reduce that increase to a 3% increase. If that was the case, the county would need to cut approximately \$2 million dollars in capital or employees. He suggested that the county not add positions if the board was serious about reducing the levy to a 3% increase.

⁹ Moved by C/Anderson, seconded by C/Drotos, motion fails with C/Majerus and C/Nesseth dissenting to approve to hire an Appraiser I position in the Assessor's office.

Drug Court Legal Clerk Support. The Personnel Committee had a split recommendation on the issue. C/Majerus did not support hiring the position until we knew if we would be getting the grant. C/Anderson supported hiring the position immediately.

County Attorney, Steve Betcher reviewed how this position would fit into his office. The part-time position would be funded using the Attorney Contingency Fund.

C/Drotos supported the position. C/Nesseth questioned the forfeiture fund and if is it different than the Sheriff Dept. Attorney Betcher explained the difference between the Sheriff contingency fund and the Attorney contingency fund which are two separate funds set by statute.

C/Majerus commented that he would support using the forfeiture fund to pay for the position at this time.

¹⁰ Moved by C/Anderson, seconded by C/Drotos, and carried to approve to hire a law clerk position at \$20 per hour for up to 100 days for a total of \$16,000 salary to be paid for using the county attorney's forfeiture and contingency funds.

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JUNE 19, 2018**

PUBLIC WORKS DIRECTOR'S REPORT

Set Public Hearing-Revised 10 yr. Program/Local Option Sales Tax for funding. Staff recommended the board adopt a revised 10 year program at the July 24, 2018 County Board meeting and also set a public hearing date at that same July 24, 2018 meeting to gather the public's input about the revised program before deciding how to fund the revised program which includes the local optional sales tax.

C/Majerus pointed out that the issue on the table was only to set a public hearing date. C/Nesseth was not interested in discussing the issue again.

- ¹¹ Moved by C/Anderson, seconded by C/Drotos, and carried (3-1) with C/Nesseth dissenting to approve the following resolution establishing a public hearing date regarding implementation of a countywide sales tax to fund transportation projects:

WHEREAS, the quality of Goodhue County's transportation system has a direct impact on the safety of system users, the county's economy, and future economic development; and,

WHEREAS, current levels of local, state, and federal transportation funding are inadequate; and,

WHEREAS, Minnesota Statute 297A.993, Subdivision 1, authorizes county boards to adopt a countywide 'transportation sales and use tax' after holding a public hearing and passing an official resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Goodhue County Board of Commissioners will hold a public hearing on 24 Jul 18 regarding the implementation of this countywide sales tax to fund transportation projects.

LAND USE MANAGEMENT DIRECTOR'S REPORT

PUBLIC HEARING: Request for Map Amendment (Rezone). Request for map amendment submitted by David Lorentz to rezone 11.35 acres from A2 (Agriculture District) to R1 (Suburban Residence District). Parcel 41.014.1500. 4900 Scout Ridge RD Cannon Falls, MN 55009. Part of the SE ¼ of the NE¼ in Sect 14 Twp 112 Range 18 in Stanton Township.

The Planning Advisory Commission recommended approval.

- ¹² Moved by C/Nesseth, seconded by C/Majerus, and carried to approve to open the public hearing.

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

- ¹³ Moved by C/Anderson, seconded by C/Majerus, and carried to approve to close the public hearing.

- ¹⁴ 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 from David Lorentz to rezone 11.35 acres from A2 (Agriculture District) to R1 (Suburban Residence District). Parcel 41.014.1500. 4900 Scout Ridge RD Cannon Falls, MN 55009. Part of the SE ¼ of the NE¼ in Sect 14 Twp 112 Range 18 in Stanton Township.

Interim Use Permit: IUP request for Home Business (Steve Jacobsen). Request for an Interim Use Permit (IUP) submitted by Steve Jacobsen (Cannon Custom Cabinets) to reestablish a home-based cabinetry business destroyed by fire. Located at 30700 Oxford Mill RD Cannon Falls, MN 55009. Parcel 41.013.5501. Part of the SW ¼ of the SE¼ and SE¼ of the SW¼ in Sect 13 Twp 112 Range 18 in Stanton Township. A3 Zoned District.

The Planning Advisory Commission recommended approval with conditions.

- ¹⁵ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the Planning Committee Recommendation to adopt the staff report into the record; adopt the findings of fact; and accept the application, testimony, exhibits, and other evidence presented into the record; and

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JUNE 19, 2018**

APPROVE the request from Steve Jacobsen for an IUP to reestablish a Tier-3 Home Business. 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. Primary hours of operation shall be Monday through Saturday, 7:00 AM to 6:00 PM;
3. On-street parking shall be prohibited;
4. On-street loading or off-loading shall be prohibited;
5. Applicant shall obtain Building Permit approvals for the proposed structure from the County Building Permits Department prior to establishing the use;
6. Applicant shall work with Goodhue County Environmental Health to achieve compliance with the Goodhue County SSTS Ordinance;
7. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, Section 12, Home Businesses and Article 23 A3, Urban Fringe District.

Conditional Use Permit: Request for CUP for a Contractors Yard (Alfred Bear). Request for CUP submitted by Alfred Bear (Bear's Overhead Door) to establish a Contractors Yard for a commercial door service and installation business. 37509 County 4 BLVD Goodhue, MN 55027. Parcel 33.023.0600. Part of the NW ¼ of SW ¼, Sect 23 Twp 111 Range 15 in Goodhue Township. A1 Zoned District.

The Planning Advisory Commission recommended approval with conditions.

¹⁶ Moved by C/Anderson, 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; and accept the application, testimony, exhibits, and other evidence presented into the record; and

APPROVE the request from Alfred Bear (Bear Overhead Doors LLC) for a CUP to establish a Contractors Yard. Upon approval, this Conditional Use Permit will replace and cause the 2012 Conditional Use Permit for a Home Occupation Permit to be revoked. 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. Hours of operation shall be year-round, Monday through Friday from 6:30 AM to 6:30 PM;
3. On-street parking shall be prohibited;
4. On-street loading or off-loading shall be prohibited;
5. Applicant shall obtain Building Permit approvals for the proposed structure from the Goodhue County Land Use Management Department prior to establishing the use;
6. Compliance with Goodhue County Zoning Ordinance including, but not limited to Article 21 A-1 (Agriculture Protection District) and Article 11 Section 33 (Contractors Yard);
7. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

Conditional Use Permit: Request for CUP for a Contractors Yard (Thomas Demartini). Request for CUP submitted by Thomas Demartini (Demartini Trucking) to establish a Contractors Yard for a commercial trucking business. TBD County 9 BLVD Goodhue, MN 55027. Parcels 25.029.0309 and 25.0290303. Part of the NW ¼, Sect 29 Twp 111 Range 16 in Belle Creek Township. A1 Zoned District.

This issue was removed from the agenda.

Conditional Use Permit: Request for CUP for a Contractors Yard (Simanski Metals LLC). Request for CUP submitted by Simanski Metals LLC (Kevin Simanski) to establish a Contractors Yard for a commercial hauling and transport business. 29409 HWY 58 BLVD, Red Wing, MN 55066. Parcels 34.008.1400 and 34.008.1500. Part of the SE ¼ of NW ¼, Sect 08 Twp 112 Range 14 in Hay Creek Township. A2 and B2 Zoned District.

The Planning Advisory Commission recommended approval with 11 conditions.

C/Drotos and C/Anderson both had concerns with erosion control. C/Anderson felt there were a few questions that still needed more clarification in addition, he would like a complete site plan before approving.

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JUNE 19, 2018**

¹⁷ Moved by C/Anderson, seconded by C/Drotos, and carried to approve to table the Conditional Use Permit request from Simanski Metals LLC to construct and operate a Contractors Yard. 29409 Hwy 58 Blvd, Red Wing, MN 55066 Parcels: 34-008-1400 and 34-008-1500 Abbreviated Legal Description: Part of the SE ¼ of NW ¼ of Sect 8 Twp 112 Range 14 in Hay Creek Township, to the July 24, 2018 County Board Meeting.

Ms. Hanni clarified that the board was looking for detailed site plan maps, correspondence with MnDot on what they would require regarding culverts when the road gets paved, and clarification on condition number 10 about storage of solid waste on the site.

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. This issue was tabled from the June 2, 2018 meeting.

Ms. Hanni read a report received from Beau Kennedy with Goodhue County Soil and Water and noted that the County has its ordinance and the Township has its own ordinance. From the county’s perspective, the proposed site did not meet the requirements for a mandatory EAW.

C/Majerus pointed out that the board was making a decision on Goodhue County’s portion. The applicant still needed to go through the township for approval and if the township wanted to require an EAW that was within their rights.

Jim McIlrath, Florence Township Supervisor commented that the Florence Township Planning Commission approved a resolution to start a discretionary EAW. Kristin Ide Tollifson who is on the Land Use Committee for Florence Township, clarified that Florence Township has ordered an EAW and took responsibility to be the responsible governing unit.

County Attorney, Steve Betcher commented that all government actions for final decisions are suspended until the EAW has been completed.

¹⁸ Moved by C/Drotos, seconded by C/Anderson, and carried to approve to table the Conditional Use Permit request submitted by Doug Mahoney (applicant/owner) for CUP for a Non-Metallic Mineral Extraction Facility, pending resolution for EAW proposed by the Florence Township Board.

COMMITTEE REPORTS: Deferred

C/Drotos	•
C/Nesseth	•
C/Anderson	•
C/Majerus	•
C/Allen	•
Administrator Arneson	•

New Business. C/Nesseth stated that he would like to see a change in the county’s permit process which would require township approval for a completed application. Attorney, Steve Betcher commented that there is a lot of risk with allowing someone else to say the county’s legal responsibility. The county has a separate responsibility to follow the law in all zoning and regulatory areas.

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
JUNE 19, 2018**

Review and approve county claims.

- 19 Moved by C/Anderson, seconded by C/Majerus, and carried to approve to pay the County claims in the amount of 01-General Revenue \$571,438.74, 03-Public Works \$581,040.02, 11- Human Service Fund \$120,051.76, 21-ISTS \$00, 25- EDA \$784.87, 30-Capital Improvement \$00, 31-Capital Equipment \$00, 34-Capital Equipment \$69,694.45, 35-Debt Services \$00, 40-County Ditch \$00, 61-Waste Management \$30,081.37, 62-Recycling Center \$00, 63-HHW \$00, 72-Other Agency Funds \$154,445.18, 81-Settlement \$8,279,302.27, in the total amount of \$9,806,838.66.
- 20 Moved by C/Anderson, seconded by C/Majerus, and carried to approve to adjourn the June 19, 2018, County Board Meeting.



SCOTT O. ARNESON
COUNTY ADMINISTRATOR



JASON MAJERUS, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

MINUTE

1. Approved the June 5, 2017 Special Session County Board Meeting Minutes. (Motion carried 4-0)
2. Approved the June 5, 2018 County Board Meeting Minutes. (Motion carried 4-0)
3. Approved the June 19, 2018 County Board Meeting Agenda. (Motion carried 4-0)
4. Approved the Consent Agenda as amended. (Motion carried 4-0)
5. Approved the 2018 Committee Structure Interim. (Motion carried 4-0)
6. Approved the Sale of Forfeited Parcel. (Motion carried 4-0)
7. Approved the Sale of Forfeited Parcels in Wanamingo in December, 2018. (Motion carried 4-0)
8. Approved the Sale of Forfeited Parcels in Wanamingo in July, 2018. (Motion carried 4-0)
9. Motion to hire an Appraiser I position failed. (Motion failed 2-2)
10. Approved to hire a part-time law clerk. (Motion carried 4-0)
11. Approved to set a public hearing date to discuss 10yr Road Program Funding options including local option sales tax. (Motion carried 3-1)
12. Approved to open the public hearing. (Motion carried 4-0)
13. Approved to close the public hearing. (Motion carried 4-0)
14. Approved the map amendment for David Lorentz in Stanton Township. (Motion carried 4-0)
15. Approved the Interim Use Permit for Steve Jacobson in Stanton Township. (Motion carried 4-0)
16. Approved a conditional use permit for Alfred Bear, Goodhue Township. (Motion carried 4-0)
17. Approved to table a conditional use permit for Simanski Metals LLC, Hay Creek Township. (Motion carried 4-0)
18. Approved to table a conditional use permit for Doug Mahoney, Florence Township. (Motion carried 4-0)
19. Approved the county claims. (Motion carried 4-0)
20. Approved to adjourn the June 19, 2018 County Board Meeting. (Motion carried 4-0)