

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN  
SEPTEMBER 7, 2021**

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The Goodhue County Board of Commissioners met on Tuesday, September 7, 2021, at 9:00 a.m. by virtual meeting with the County Administrator appearing from the Goodhue County Boardroom, Government Center, Red Wing, MN, with Commissioners Anderson, Majerus, Drotos, Greseth and Flanders all present and appearing by virtual meeting.

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

<sup>1</sup> Moved by C/Drotos, seconded by C/Greseth, and carried to approve the August 12, 2021 County Board meeting minutes.

<sup>2</sup> Moved by C/Majerus, seconded by C/Flanders, and carried to approve the August 17, 2021 County Board meeting minutes.

<sup>3</sup> Moved by C/Flanders, seconded by C/Greseth, and carried to approve the September 7, 2021 County Board Agenda.

<sup>4</sup> Moved by C/Flanders, seconded by C/Drotos, and carried to approve the following items on the consent agenda:

C/Drotos requested to remove the following items for questions:

- #1. Approve the Radiological Emergency Preparedness (REP) grant agreement for 7/1/21-6/30/23.
- #3. Approve the HGACBuy Interlocal Contract.

- 1.
2. Approve Authorized Agents for Designation
- 3.
4. Approve Solid Waste Hauler Agreement.
5. Approve 2021-2023 Cost Allocation Plan Agreement.

C/Drotos questioned how COVID has effected the radiological emergency preparedness planning process. Mr. Arneson commented that staff would follow up with an email to the board.

C/Drotos noted the importance of shopping local and questioned why the county was not looking for these particular items locally. Finance Director, Brian Anderson, commented that specialty items are not available through local vendors.

<sup>5</sup> Moved by C/Drotos, seconded by C/Flanders, and carried to approve the following items on the consent agenda:

- #1. Approve the Radiological Emergency Preparedness (REP) grant agreement for 7/1/21-6/30/23.
- #3. Approve the HGACBuy Interlocal Contract.

**LAND USE MANAGEMENT DIRECTOR'S REPORT**

**"Lang Addition" Preliminary and Final Plat Review.** Request submitted by Steven and John Lang (Owners) for Preliminary and Final Plat review of the proposed Lang Addition Plat comprising approximately 38.03 acres. Parcels 31.001.6100 and 31.001.6200. 23849 289th ST Red Wing, MN 55066. Part of Government Lots 1 and 2 and part of the SW ¼ of the SE ¼ of Section 01 TWP 112 Range 15 in Featherstone Township. R1 Zoned District.

<sup>6</sup> Moved by C/Majerus, seconded by C/Flanders, and carried to approve the Planning Advisory Commission recommendation and adopt the staff report into the record; accept the application, testimony, exhibits, and other evidence presented into the record; and APPROVE the request submitted by Steven and John Lang (owners) for Preliminary and Final Plat approval of the proposed "Lang Addition" comprising 38.03 acres (PIDs: 31.001.6100 and 31.001.6200).

**Request for CUP for Non-Metallic Mineral Extraction Facility.** Request for CUP, submitted by Herrick Properties, LLP (Doug Herrick, Applicant/Owner) for a Non-Metallic Mineral Extraction Facility. Proposed activities include a limestone quarry and associated processing/transport equipment and facilities. Parcels 30.034.0400 and

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30.027.0800. TBD 94th AVE West Concord, MN 55985. The N ½ of the NW ¼ of Section 34 and the S ½ of the SW ¼ of Section 27 TWP 109 Range 17 in Cherry Grove Township. A1 Zoned District.

C/Drotos asked for an explanation on test sampling and base-line information. He felt establishing a base-line and regular testing was critical. Beau Kennedy with Goodhue County Soil and Water addressed the board. Ms. Hanni suggested modifying the language in condition 11 for stream monitoring and testing.

<sup>7</sup> Moved by C/Drotos, seconded by C/Flanders, 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 from Herrick Properties, LLP (Doug Herrick Applicant/Owner) for a Conditional Use Permit to operate a Non-Metallic Mineral Extraction Facility. 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 limited to 7:00 a.m. to 7:00 p.m., Monday through Friday and 7:00 a.m. to 12:00 p.m. Saturday. Any exceptions for special projects must comply with Article 14, Section 6, Subd. 4;
3. Seismic blasting records shall be submitted to the Zoning Administrator within 10 days of receiving the blast analysis;
4. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations. Evidence shall be provided to the County of all required permits prior to the start of Mining Operations; "To effectively promote the safety, health, and well-being of our residents" www.co.goodhue.mn.us Page 6 of 6
5. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 14 Mineral Extraction and Article 21 Agricultural Protection District;
6. Site Reclamation after completion of mineral extraction shall be performed according to submitted plans, specifications, and narrative in accordance with Article 14 Section 6 Subd. 4S;
7. The operation shall be annually registered with Goodhue County in accordance with Article 14 Section 6 Subd. 2;
8. Security. The applicant/owner (Doug Herrick) of the property on which the mineral extraction is occurring, shall post a letter of credit, bond, or cash escrow of \$100,000. If the required Security is provided in the form of a "Letter of Credit" or a "Performance Bond", it shall be subject to review and approval by the County Attorney prior to the start of Mining Operations. Goodhue County shall be listed as the eligible party to access the Security to reimburse the following costs upon failure of the Applicant/Owner to comply with requirements of this Conditional Use Permit;
9. Mineral Extraction and related activities are limited to the 34.10 acres as legally described on the Certificate of Survey for Herrick CUP Bruening Rock Products, Inc. WSB Project No. 017322;
10. Applicant shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to constructing any structures on the property;
11. Stream monitoring and water quality testing shall be performed in April, July, and October each year by the Applicant. Baseline stream testing will be performed weekly for a 3 month period leading up to the beginning of mining operations. All water testing results shall be provided to the Zoning Administrator

**Request for CUP to Establish a Feedlot Outside of a Farmyard.** Request for CUP, submitted by Zachary O'Reilly (Owner) for an existing 540 animal unit dairy to be split from an existing dwelling creating a feedlot outside of a farmyard. Parcel 31.032.0500. 33656 County 6 BLVD Goodhue, MN 55027. The E ½ of the SW ¼ and the SE ¼ of Section 32 TWP 112 Range 15 in Featherstone Township. A1 Zoned District.

<sup>8</sup> Moved by C/Majerus, seconded by C/Flanders, and carried to approve the Planning Advisory 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 CUP request from Zachary O'Reilly (Owner) for an existing dwelling to be split from an existing 540.6 animal unit dairy feedlot creating a Feedlot Outside a Farmyard.

**HUMAN RESOURCE DIRECTOR'S REPORT**

**2022 Health Insurance Recommendation.** Per Minnesota Statutes, all public entities are required to bid their health insurance every 60 months. Goodhue County is required to request bids for the 2022 health insurance plan year. With

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the help of our insurance consultant, Intellicents, we have gone through this process and the Insurance Committee recommended the board approve to maintain Blue Cross Blue Shield as a fully insured health carrier.

- <sup>9</sup> Moved by C/Greseth, seconded by C/Flanders, and carried to approve to continue with Blue Cross Blue Shield as a fully insured health carrier.

**Updated VSO report.** The Personnel Committee recommended posting the Veteran Service Officer position with the final grade from our pay consultant internally first and externally if needed. The Personnel Committee would like any vacancies created from this process to be brought back to the PC and County Board with the newly hired VSO.

The board discussed the issue of posting both internally and externally and determined to do both at the same time.

- <sup>10</sup> Moved by C/Drotos, seconded by C/Greseth, and carried (4-1) with C/Anderson dissenting to approve to post the vacant Veteran Service Officer position with the final grade from our pay consultant internally and externally.

**PUBLIC WORKS DIRECTOR'S REPORT**

**Public Hearing for Cascade Canoe and Kayak Access Rules Ordinance.** Staff recommended the County Board hold a public hearing to gather the public's input regarding the Cascade Canoe & Kayak Access Rules Ordinance, and adopt the ordinance.

- <sup>11</sup> Moved by C/Drotos, seconded by C/Flanders, and carried to approve to open the public hearing.

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

- <sup>12</sup> Moved by C/Flanders, seconded by C/Greseth, and carried to approve to close the public hearing.

- <sup>13</sup> Moved by C/Flanders, seconded by C/Anderson, and carried to approve the Cascade Canoe and Kayak Access Rules Ordinance:

The County Board of Goodhue County ordains:

1. The intent of this facility is to provide canoe and kayak access. Parking is provided for canoe and kayak access only. Units parked for other purposes, including fishing, may be cited and towed at the vehicle owner's expense.
2. The property shall be open to the public from 30 minutes before sunrise until 30 minutes past sunset, except as otherwise posted, and during emergencies. Property quiet hours are from opening time until 8:00 a.m. No overnight parking or camping allowed.
3. Pets are welcome at the canoe & kayak access, as long as they are kept on a leash six feet or shorter and are personally attended at all times. All droppings must be picked up and disposed of. Pets shall not deprive or disrupt the enjoyment or use of the property by others.
4. Any person who violates this ordinance is guilty of a misdemeanor, and subject to immediate removal from the property.
5. The following activities are prohibited on the property:
  - a. To engage in any brawling or fighting, or to engage in offensive, obscene, abusive, boisterous or noisy conduct or to engage in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others.
  - b. To display or to have in one's possession glass bottle containers.
  - c. To use or have in one's possession alcoholic beverages in containers larger than two liters.
  - d. To be in possession of or under the influence of any drug which is in violation of federal or state law.
  - e. To dispose of garbage, refuse, or trash of any kind except to dispose of the same in receptacles provided for that purpose. Only garbage, refuse, or trash generated on the river or the property is allowed to be disposed of in the receptacles provided.
  - f. To dispose of cut grass, tree trimmings, or personal property on the property.
  - g. To operate or park any motor vehicle within the boundaries of the property except upon designated roads or parking areas, or with a permit issued by Goodhue County Public Works.
  - h. To operate any vehicle in a reckless manner or at a speed in excess of 10 mph.
  - i. To cut, damage, or remove trees, shrubs, plants, and other vegetation.
  - j. To hunt or disturb wildlife.

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- k. To deface, damage, or remove any property.
  - l. To clean fish and leave remaining waste products on the property.
  - m. To discharge wastewater or sewage onto the property.
  - n. To use, point, discharge or display uncased firearms or other dangerous weapons including explosives (fireworks), air guns, slingshots, traps, seines, nets, bows, and arrows.
  - o. To be present on the property outside open hours.
  - p. To be in violation of property quiet hours.
  - q. To burn wood, charcoal, or other materials or refuse.
6. This ordinance will take effect upon Goodhue County Board approval.

The property belongs to you. Please treat both the property and the neighbors with respect and help us to protect the community by following the rules.

**Cost of Succession Planning.** Staff presented an agenda item ‘Approve and Implement Succession Planning for the Replacement of the County Engineer/Public Works Director Upon his Retirement’ at the August 17, 2021 County Board meeting. That presentation included recommendations to:

- approve the Succession Plan discussed in the report,
- approve an internal posting for the County Engineer position, and
- approve the external posting for a licensed engineer.

The County Board approved the above recommendations with a caveat that staff provide a review of the financial implications of the Succession Plan before filling the additional FTE shown in Attachment 2. The estimated financial impact of hiring an experienced licensed engineer, (Grade 86 / Step 6) and assuming ‘Family Plan 2’ health insurance would cost approximately \$131,000 per year.

- <sup>14</sup> Moved by C/Drotos, seconded by C/Flanders, and carried to approve the cost of succession planning in the Public Works Department.

**Upcoming MnDOT TH61 Construction 2022.** This item was for information only. No board action was required.

**COUNTY ADMINISTRATOR'S REPORT**

**2022 Preliminary Levy.** Minnesota State Statue established September 30 as the deadline for the County to certify to the County Auditor the proposed property tax levy for taxes payable in the following year. The final levy (which can be lower, not higher than the preliminary levy) will be approved by the board at the December board meeting. Since that time, the following updates have been made: removed funding for the legal secretary position (\$91,923); removed funding for communications position (\$100,887); removed county ditch #1 funding (\$100,000). The two positions removed meet the qualifications to be funded by ARAPA dollars.

With these modifications, the current levy request is \$40,492,384. This represents an increase of \$2,593,275 (6.84%) over the approved 2021 levy. Staff recommended the board approve the proposed resolution establishing the 2022 preliminary levy for Goodhue County.

The board consensus was to approve the preliminary levy at the September 21, 2021 County Board Meeting.

**December meeting schedule.** Staff recommended the board discuss options for the December 2021 meeting calendar. Association of Minnesota Counties (AMC) has scheduled its annual conference for December 6-8, 2021 in Minneapolis. We typically conduct the required Budget and Tax public meeting, which can start no earlier than 6:00 p.m., in conjunction with the first board meeting of the month in December and host our Legislative Luncheon following the second board meeting of the month.

- <sup>15</sup> Moved by C/Greseth, seconded by C/Flanders, and carried to approve option #1

Thursday, December 2: 4:00 p.m. County Board Meeting

6:00 p.m. Budget and Tax Public Comment Meeting

\*reconvene county board meeting immediately following the budget and tax meeting to discuss and/or set the final 2022 levy.

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Tuesday, December 14: 9:00 a.m. County Board Meeting  
10:30 a.m. Health and Human Services Meeting  
11:30 a.m.-1:00 p.m. Legislative Luncheon

**COMMITTEE REPORTS:**

|                          |   |
|--------------------------|---|
| C/Drotos                 | •   |
| C/Greseth                | •   |
| C/Anderson               | •   |
| C/Majerus                | •   |
| C/Flanders               | • AMC training for counties and tribes maybe in February of 2022. |
| Administrator<br>Arneson | • AMC tribal relations forum in Carlton, MN in October.           |

**Review and Approve the County Claims**

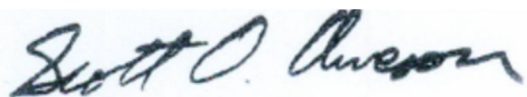
- <sup>16</sup> Moved by C/Drotos, seconded by C/Majerus, and carried to approve to pay the County claims in the amount of 01-General Revenue \$261,029.86, 03-Public Works \$1,105,602.20, 11- Human Service Fund \$86,962.31, 12- GC Family Services Collaborative \$37.25, 15- County Ditch 1 \$13,221.62, 21-ISTS \$00, 25- EDA \$750.00, 30-Capital Improvement \$00, 31-Capital Equipment \$00, 34-Capital Equipment \$86,119.17, 35- Debt Services \$00, 40-County Ditch \$00, 61-Waste Management \$32,678.84, 62-Recycling Center \$00, 63-HHW \$00, 72-Other Agency Funds \$237,748.09, 81-Settlement \$368.10, in the total amount of \$1,824,517.44.

**Closed Session**

- <sup>17</sup> Moved by C/Greseth, seconded by C/Majerus, and carried to approve to move to closed session.

**Adjourn**

- <sup>18</sup> Moved by C/Greseth, seconded by C/Majerus, and carried to approve to adjourn the September 7, 2021, County Board Meeting.




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SCOTT O. ARNESON  
COUNTY ADMINISTRATOR




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BRAD ANDERSON, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

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### MINUTE

1. Approve the August 12, 2021 County Board Meeting Minutes. (Motion carried 5-0)
2. Approved the August 17, 2021 County Board Meeting Minutes. (Motion carried 5-0)
3. Approve the September 7, 2021 County Board Meeting Agenda. (Motion carried 5-0)
4. Approved the Consent Agenda as amended. (Motion carried 5-0)
5. Approved items 1 and 3 on the Consent Agenda. (Motion carried 5-0)
6. Approved the "Lang Addition" Preliminary and Final Plat. (Motion carried 5-0)
7. Approved the Conditional Use Permit for Non-Metallic Mineral Extraction Facility. (Motion carried 5-0)
8. Approved the Conditional Use Permit for Zachary O'Reilly, Featherstone Township. (Motion carried 5-0)
9. Approved Blue Cross Blue Shield fully insured health carrier for county employee health insurance. (Motion carried 5-0)
10. Approved to post the Veteran's Service Officer Position both externally and internally. (Motion carried 4-1)
11. Approved to open the public hearing. (Motion carried 5-0)
12. Approved to close the public hearing. (Motion carried 5-0)
13. Approved the Cascade Canoe and Kayak Access Rules Ordinance. (Motion carried 5-0)

The following is a summary of the Cascade Canoe & Kayak Access Rules Ordinance. A full text version of the Ordinance is available for public inspection at the Goodhue County Auditor's Office located at 509 W. 5th Street, Red Wing, Minnesota, 55066 and is available on-line at [www.co.goodhue.mn.us](http://www.co.goodhue.mn.us) , or by mail or electronic mail upon request.

NOTICE of enactment of the Cascade Canoe & Kayak Access Rules Ordinance.

Summary: The County Board approved the Cascade Canoe & Kayak Access Rules Ordinance to define the intent of the facility; establish hours of operation; regulate parking and pets; specify prohibited activities; and other matters. This Ordinance is intended to support and promote the health, welfare, and safety of the public. These Ordinance revisions went into effect upon County Board approval September 07, 2021.

14. Approved the cost of succession planning in the Public Works Department. (Motion carried 5-0)
15. Approved the December meeting schedule. (Motion carried 5-0)
16. Approved the county claims. (Motion carried 5-0)
17. Approved to move to a closed session. (Motion carried 5-0)
18. Approved to adjourn the September 7, 2021 County Board Meeting. (Motion carried 5-0)