

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
AUGUST 11, 2022**

The Goodhue County Board of Commissioners met on Thursday, August 11, 2022, at 10:00 a.m. at the Goodhue County Fair Grounds, Zumbrota, MN, with Commissioners Anderson, Majerus, Flanders and Greseth all present.

C/Majerus asked for a moment of silence in honor of the passing of Commissioner of District 5, Paul Drotos.

Chuck Schwartau with the Goodhue County Fair Board thanked the board for their support.

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

¹ Moved by C/Anderson, seconded by C/Greseth, and carried to approve the July 19, 2022 County Board meeting minutes.

² Moved by C/Flanders, seconded by C/Greseth, and carried to approve the August 11, 2022 County Board Agenda.

C/Flanders requested the Ray Sands memo on the consent agenda be removed to the regular agenda for discussion.

³ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the following Consent Agenda:

1. Approve Application to Conduct Off- Site Gambling for Wells Creek Riders Snowmobile Club on September 17, 2022 at the Bellchester Tavern, Bellchester, MN.
2. Approve Final of 2022 Traffic Marking Contract.
3. Approve Final of CR 44 Bridge Replacement Contract.
4. Approve LBRP Grant Agreement for S.P. 025-598-022.
5. Approve Goodhue County Fair Declaration.
6. Approve New Hires for Human Resources & Public Works

Ray Sands County Fair Declaration. C/Greseth thanked Ray Sands for his service to the county over the years.

⁴ Moved by C/Anderson, seconded by C/Greseth, and carried to approve the Goodhue County Fair Board to request to declare, August 12, 2022, as "Ray Sands Day."

COUNTY ATTORNEY'S REPORT

Commissioner District 5 Vacancy. County Attorney, Stephen O'Keefe, addressed the board on the vacancy in County Commissioner District 5 following the passing of Paul Drotos. The current vacancy requires the holding of a special election, which cannot be held until February 14, 2023, at the earliest. Staff recommended the board appoint an interim county commissioner to serve until a special election is held. The County Board must select an individual from the slate of qualified prospective appointees who filed letter of interest and supporting materials by the deadline set by the Board. Said individual must be a current resident of District Five and must be otherwise qualified to serve. The appointment term will be until a Special Election is held and a successor sworn into office.

⁵ Moved by C/Anderson, seconded by C/Flanders, and carried to approve to staff recommendation to appoint an interim county commissioner for District Five and authorize administration to being the appointment process.

LAND USE MANAGEMENT DIRECTOR'S REPORT

PUBLIC HEARING: Consider Goodhue County Zoning Ordinance Updates. Proposed amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), and 20 (Table of Uses) to create a Table of Uses for Business and Industrial District uses and remove Article 25 the B-1 (General Business District) to consolidate commercial uses into a single B (Business District). Proposal to amend Article 11 (Performance Standards) and Article 10 (Definitions) to include Self-Service Storage Facilities.

This issue was addressed at the July 18, 2022 Planning Advisory Commission.

⁶ Moved by C/Flanders, seconded by C/Greseth, and carried to approve to open the public hearing.

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

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

8 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; accept the testimony, exhibits, and other evidence presented into the record; and APPROVE the amendments to the amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), 20 (Table of Uses), 11 (Performance Standards) and 10 (Definitions) and remove all of Article 25 (B-1, General Business District).

PUBLIC HEARING: Lake Byllesby Water Surface Use Ordinance Amendments. Dakota County is working with the DNR, and Goodhue County to revise the Lake Byllesby Water Surface Use Ordinance. The main change is to not allow watercraft between the buoys and the dam (upstream), and between the pedestrian bridge and the dam (downstream). A public hearing is required for public comment on the proposed changes. Comments and the information about the hearing, including the statements of each person who testify, must be submitted to the DNR. After the public hearing, staff will coordinate with Dakota County and the DNR to adopt the ordinance and adopt an updated Joint Powers/Enforcement Agreement.

Staff recommended the County Board adopt the report and public comment into the record and approve the changes to the Water Surface Use Ordinance.

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

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

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

11 Moved by C/Anderson, seconded by C/Flanders, and carried to approve the report and public comment into the record and approve the changes to the Water Surface Use Ordinance.

Conditional Use Permit (CUP) request for a Retreat Center. The request, submitted by Trisha Studer (Applicant) on behalf of Catching Fireflies Inc. (Owner), is to establish a retreat center in an existing structure. Parcel 39.034.1001. 51506 210th AVE Pine Island, MN 55963. Part of the NW ¼ of the SW ¼ of Section 34 TWP 109 Range 15 in Pine Island Township. A-2 Zoned District.

The Planning Advisory Commission recommended approval with conditions.

12 Moved by C/Anderson, 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 Trisha Studer (Applicant) on behalf of Catching Fireflies Inc. (Owner) to establish a Retreat Center within an existing structure. 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. Retreat Center occupancy shall not exceed 50 guests;
3. On-street parking/loading shall be prohibited;
4. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 section 17 (Sign Regulations). The applicant shall consult the appropriate road authority prior to placing signs within road Right-of-Way;
5. Applicant shall obtain Building Permit approvals for a change of use to the existing structure from the Goodhue County Building Permits Department prior to establishing the use;
6. Applicant shall work with Goodhue County Environmental Health to provide documentation on septic system compliance and obtain appropriate permits for future septic construction or capacity increases;
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 25 Retreat Centers and Article 22 A2, General Agriculture District.

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Conditional Use Permit request to Establish a Liquid Manure Storage Basin Exceeding 500,000 Gallons. The request was submitted by Ann Buck (Owner) is to construct a concrete liquid manure storage basin capable of holding up to 963,262 gallons at a 280 animal unit dairy heifer facility with confinement barns and open lots that are without runoff controls. Parcel 25.024.0401. 37609 180th AVE Goodhue, MN 55027. Part of the SE ¼ of Section 24 TWP 111 Range 16 in Belle Creek Township. A-1 Zoned District.

The Planning Advisory Commission recommended approval with conditions.

13 Moved by C/Flanders, 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 CUP, submitted by Ann Buck (Owner), to construct a concrete liquid manure storage basin capable of holding up to 963,262 gallons at a 280 animal unit dairy heifer facility with confinement barns and open lots that are without runoff controls. Subject to the following conditions:

1. The manure storage basin 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 21 (Agriculture Protection District) and Article 13 (Confined Feedlot Regulations);
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

Interim Use Permit request for a Utility Scale Solar Energy System (SES). The request, submitted by Brian Keenan (IPS Solar, Applicant) and Mark Dykes (owner) is for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System occupying approximately 11-acres. Parcel 39.012.0600. TBD 240th Avenue Mazeppa, MN 55956. Part of the SE ¼ of the NE ¼ of Section 12 TWP 109 Range 15 in Pine Island Township. A-2 Zoned District.

14 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 Brian Keenan (IPS Solar, Applicant) and Mark Dykes (Owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 11 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 IPS Solar 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. 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 prior to 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 prior to 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) and Article 12 (Bluffland Protection). 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;
10. This IUP shall expire 35 years from the date of approval unless terminated prior to that date; and
11. A second row of evergreen trees shall be added on the north side of the solar array and a row of bushes shall be installed north of the proposed trees along the north property line.

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PUBLIC WORKS DIRECTOR’S REPORT

Concrete Paving Award. County Engineer, Greg Isakson, presented the county board and staff with an award the county recently received for the 2021 CSAH 6 Concrete Paving Project from TH58 to 435th Street in the City of Zumbrota, directly in front of the county fairgrounds.

EXTENSION OFFICE DIRECTOR’S REPORT

2022 Farm Family of the Year Presentation. Chuck Schwartau with the Goodhue County Extension Committee presented the 2022 Farm Family of the Year to Zumbroview Farms, LLC.

SOIL & WATER CONSERVATION DISTRICT

Conservation Farm Family of the Year. Goodhue Soil & Water Conservation District presented the 2022 Conservation Farmer of the Year award to Allen Stolee and David Sathrum.

COMMITTEE REPORTS:

Vacant	•
C/Greseth	•
C/Anderson	•
C/Majerus	•
C/Flanders	Welch township river cleanup project.
Administrator Arneson	•

Adjourn

¹⁵ Moved by C/Anderson, seconded by C/Majerus, and carried to approve to adjourn the August 11, 2022, County Board Meeting.

SCOTT O. ARNESON
COUNTY ADMINISTRATOR

JASON MAJERUS, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

MINUTE

1. Approved the July 19, 2022 County Board Meeting Minutes. (Motion carried 4-0)
2. Approved the county board agenda. (Motion carried 4-0)
3. Approved the consent agenda. (Motion carried 4-0)
4. Approved to move forward with the process to appoint an interim county commissioner for district five. (Motion carried 4-0)
5. Approved to open the public hearing. (Motion carried 4-0)
6. Approved to close the public hearing. (Motion carried 4-0)
7. Approved the Goodhue County Zoning Ordinance updates. (Motion carried 4-0)
8. Approved to open the public hearing. (Motion carried 4-0)

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9. Approved to close the public hearing. (Motion carried 4-0)
10. Approved the Lake Byllesby Water Surface Use Ordinance. (Motion carried 4-0)
11. Approved a Conditional Use Permit for Trisha Studer on behalf of Catching Fireflies Inc. for a retreat center in Pine Island Township. (Motion carried 4-0)
12. Approved a Conditional Use Permit to establish a liquid manure storage basin for Ann Buck, Belle Creek Township. (Motion carried 4-0)
13. Approved an Interim Use Permit for a Utility Scale Solar Energy System for Mark Dykes, Pine Island Township. (Motion carried 4-0)
14. Approved to adjourn the August 11, 2022 County Board Meeting. (Motion carried 4-0)

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