

BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
FEBRUARY 6, 2024

The Goodhue County Board of Commissioners met on Tuesday, February 6, 2024, at 8:30 a.m. in closed session pursuant to Minn. Stat. 13D.05, Attorney-Client Privilege; Jeff Solberg v. Goodhue County, Todd Greseth, Court File Number 25-CO-23-234, then again at 9:00 a.m. in regular session in the Goodhue County Boardroom, Red Wing, MN, with Commissioners Anderson, Majerus, Flanders, Betcher and Greseth all present.

C/Greseth called the meeting to order at 8:30 am. Moved by C/Anderson, seconded by C/Flanders to move to go into closed session.

Moved by C/Anderson C/Majerus second to open the closed session.

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

¹ Moved by C/Anderson, seconded by C/Betcher, and carried to approve the January 16, 2024, County Board meeting minutes.

² Moved by C/Flanders, seconded by C/Anderson, and carried to approve the February 6, 2024, County Board Agenda.

³ Moved by C/Flanders, seconded by C/Anderson, and carried to approve the following items on the consent agenda:

1. Approve the Premises Permit Application for Climb Theatre, Inc. and Hay Creek Campground.
2. Approve the ICAC (MN Internet Crimes Against Children) Joint Powers Agreement for 2024-2028.
3. Approve Temporary On-Sale Liquor License
4. Approve Hiring of Finance Intern
5. Approve the acceptance of the Community Crime Intervention & Prevention Grant.

COUNTY ADMINSTRATOR'S REPORT

State Housing Funding Update. Staff reviewed two new categories of housing funding that the 2023 State Legislature passed for all counties in Minnesota. Staff recommended the board approve the proposed Bring It Home Initiative and approve the application requesting funds from the Goodhue County Affordable Housing Trust Fund and to use statewide affordable housing aid funds and to utilize the same application.

⁴ Moved by C/Anderson, seconded by C/Betcher, and carried to approve the Bring It Home Initiative and the proposed application and use of Goodhue County Affordable Housing Trust Funds.

LAND USE MANAGEMENT DIRECTOR'S REPORT

Request for IUP for a Utility-Scale Solar Energy System (SES). The request, submitted by Kevin Ameling (Property Owner) for a Utility-Scale Photovoltaic Ground 1- Megawatt Solar Energy System occupying approximately 7 acres (Jones Garden LLC).

The Planning Commission recommended approval.

⁵ 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; 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 Kevin Ameling (Landowner) and Nokomis Energy (Jones Garden LLC, Developer) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7 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 Nokomis Energy shall be maintained to ensure the reclamation of the area;

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4. LUM staff shall be notified by the landowner or solar company 30 days before 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 before 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 before 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). 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; and
10. This IUP shall expire 35 years from the date of approval unless terminated prior to that date.

FINANCE DIRECTOR'S REPORT

2024 Financial Policies. Staff recommended the board approve the proposed 2024 Financial Policies as presented.

⁶ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the 2024 Financial Policies as presented.

2022 GFOA Certificate. Finance Director, Lucas Dahling, announced that the Government Finance Officers Association of the United States and Canada (GFOA) has awarded the Certificate of Achievement for Excellence in Financial Reporting to Goodhue County for the annual comprehensive financial report (audit) for the fiscal year ended December 31, 2022.

The County Board congratulated all staff involved.

PUBLIC WORKS DIRECTOR'S REPORT

CSAH 2 Reconstruction Eminent Domain. Staff recommended the County Board pass the proposed resolution authorizing the commencement of eminent domain proceedings to obtain the unacquired parcels of land needed for the construction of S.A.P. 025-602-031, with those eminent domain proceedings to include provisions of early possession or "quick take" by Goodhue County.

⁷ Moved by C/Anderson, seconded by C/Greseth, and carried to approve the following resolution authorizing the commencement of eminent domain proceedings to obtain the unacquired parcels of land needed for the construction of S.A.P. 025-602-031, with those eminent domain proceedings to include provisions of early possession or "quick take" by Goodhue County:

WHEREAS, the construction of Goodhue County State Aid Highway (CSAH) No. 2 from CSAH 5 to Trunk Highway 61 is part of the approved Goodhue County Five-Year Construction Plan; and,

WHEREAS, the County contracted with Julie A. Kalahar Appraisal Service to complete appraisals for 48 parcel groups; and,

WHEREAS, the County has successfully negotiated settlements with 22 of the 48 parcel groups appraised; and,

WHEREAS, the eminent domain process will take approximately 5 months to obtain title and possession; and

WHEREAS, County staff is proposing to bid the project this year to allow for tree clearing in the fall and winter months of 2024 to meet environmental requirements; and,

WHEREAS, possession of the right of way is necessary to proceed with construction.

NOW, THEREFORE, BE IT RESOLVED, that the Goodhue County Board of Commissioners authorizes the Public Works Director and the County Attorney to begin eminent domain proceedings, at the appropriate time,

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against unacquired parcels of land needed for the construction of S.A.P. 025-602-031, with those eminent domain proceedings to include provisions of early possession or “quick take” by Goodhue County

Five Year Bridge Replacement Program. Staff recommended the board approve the proposed resolution for the 2024 Five-Year Bridge Program as presented.

⁸ Moved by C/Anderson, seconded by C/Majerus, and carried to approve the following resolution approving the 2024 Five-Year Bridge Program:

WHEREAS: Goodhue County is required to submit a Bridge Replacement Priority List to the State for these projects to be eligible for Town Bridge Funds and/or State Bridge Bonding Funds.

NOW, THEREFORE, BE IT RESOLVED that the Goodhue County Board of Commissioners approves the Bridge Replacement Priority List as presented below.

BE IT FURTHER RESOLVED, that the bridges will be replaced as funding is available

2024 Bridge Replacement Priority List				
Bridge	Agency	Location	Estimate	Year
25502	County	CR 45	\$850,000	2024
L2510	City of Pine Island	511 th Street	\$750,000	
L8937	Holden	20 th Avenue	\$175,000	
L0618	Featherstone	325 th Street	\$225,000	
L0624	Wanamingo	90 th Avenue	\$310,000	
L0701	Zumbrota	400 th Avenue	\$615,000	
25516	County	CSAH 8	\$1,455,000	2025
25530	County	CSAH 7	\$1,000,000	
L0549	Welch	Welch Trail	\$275,000	
L0574	Florence	Hill Avenue	\$335,000	
R0901	Kenyon	Goodhue Ave.	\$250,000	
L0415	County	CSAH 7 (Welch)	\$400,000	2026
L0416	County	CSAH 7 (Welch)	\$400,000	
L0679	Goodhue	370 th Street	\$350,000	
L0740	Pine Island	195 th Avenue	\$375,000	
L0612	Vasa	325th Street	\$275,000	
25573	County	CR 43	\$1,000,000	2027
L0470	County	CSAH 12	\$400,000	
L0519	County	CR 44	\$1,000,000	
97629	Zumbrota	460th Street	\$300,000	
L6387	Holden	430th Street	\$300,000	
L0544	County	CR 56	\$500,000	2028
25J07	Belle Creek	360th Street	\$325,000	
6169	Featherstone	320th Street	\$300,000	
L9646	Warsaw	Goodhue Ave.	\$1,000,000	
L0693	City of Goodhue	Broadway	\$300,000	

Five Year County Highway Construction Program. Staff recommended the Board discuss and approve the proposed Five-Year Highway Construction program so staff can work to deliver those projects. It was also recommended that the County reconsider and develop a new list of projects that are eligible for LOST funding under another agenda item during this Board meeting.

⁹ Moved by C/Anderson, seconded by C/Flanders, and carried to approve the Five Year County Highway Construction Program.

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Local Option Sales Tax Eligible Project Update. Staff recommended the Board hold a public hearing and consider adopting the updated list of proposed projects that could receive proceeds from the Local Optional Sales Tax. The Board is reminded that this list of projects is fluid and will require revisions as the system ages, new needs develop, and opportunities emerge.

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

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

12 Moved by C/Anderson, seconded by C/Betcher, and carried to approve the following resolution approving the Local Option Sales Tax Eligible Project List:

WHEREAS, Minnesota Statute 297A.993, Subdivision 1, authorizes county boards to adopt a countywide transportation sales tax of up to ½ percent (.5%), and an excise tax of \$20 per motor vehicle (purchased or acquired from any person engaged in the business of selling motor vehicles at retail occurring within the jurisdiction of Goodhue County) after holding a public hearing and passing an official resolution; and

WHEREAS, Minnesota Statute 297A.993, Subdivision 2, requires proceeds of these countywide transportation taxes to be dedicated exclusively to fund capital costs of specific transportation projects or improvements, both capital and operating costs of specific transit projects or improvements, payment of the capital costs of a safe route to school program, or payment of transit operating costs; and

WHEREAS, the Goodhue County Board held a public hearing on July 24, 2018 to initially approved this Local Optional Sales Tax and directed the Auditor-Treasurer to certify this tax to the Minnesota Department of Revenue for collection of the sales tax on or before September 30, 2018; and

WHEREAS, the Goodhue County Board held a public hearing on February 6, 2024, approved an updated list of projects that are eligible to use revenues generated by this local optional sales tax; and

WHEREAS, proceeds of these countywide transportation sales taxes shall be spent on projects specifically identified at the February 6, 2024 public hearing; and

WHEREAS, the addition of other projects or improvements to be considered for funding by these countywide transportation sales taxes shall be presented at a public hearing and included in a resolution passed by the Goodhue County Board of Commissioners; and

WHEREAS, Minnesota Statute 297A.993, Subdivision 2, requires these countywide transportation sales taxes to terminate when revenues raised are sufficient to finance the identified projects or improvements;

NOW, THEREFORE, BE IT RESOLVED, the countywide transportation sales taxes shall continue each subsequent year until revenues raised are sufficient to finance all projects identified or December 31, 2034, whichever occurs first.

BE IT FURTHER RESOLVED, the sales tax revenue shall only fund transportation projects within Goodhue County and improvements identified and presented at the February 6, 2024, public hearing.

LOST Eligible Project List - As of 06 Feb 2024		
100TH AVE	GRADING	CSAH 9 - CSAH 1
100TH AVE	SURFACING (CONC)	INITIAL PAVEMENT CSAH 9 - CSAH 1
CSAH 8	SURFACING	FDR (CSAH 1 - TH 57)
CSAH 21	TRAIL SURFACING	FDR (TH 58 - CIRCLE S ROAD)
CSAH 28	SURFACING	FDR (CSAH 2 - END OF ROAD)
CSAH 63	SURFACING	MILL & FILL (TH 57 - TH 57)
CSAH 9	ROUNDBOUT	CSAH 9 & TH 58
CSAH 11	CULVERT LINING	WABASHA CO LINE TO 1.3 MILES SOUTH
CR 45	REPLACE BR 25502	BRIDGE & APPROACH GRADING

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CSAH 2	GRADING	CSAH 5 - TH 61
CSAH 12	MUN GRADING	IN KENYON, EAST SIDE
CSAH 8	REPLACE BR 25516	BRIDGE & APPROACH GRADING
CSAH 7	REPLACE BR 25530	BRIDGE & APPROACH GRADING
CSAH 1 & 6	INTERSECTION	CSAH 1 & 6
CSAH 2	SURFACING (CONC)	INITIAL PAVEMENT (CSAH 5 - TH 61)
CSAH 11	GRADING	CR 55 TO ECL
CSAH 7	REPLACE BR L0415	BRIDGE & APPROACH GRADING
CSAH 7	REPLACE BR L0416	BRIDGE & APPROACH GRADING
CSAH 1	GRADING & PAVING	CSAH 1 - 2500' EAST OF CSAH 25
CSAH 1	SURFACING (CONC)	CR 53 - BENCH STREET
CSAH 1 & 66	INTERSECTION	CSAH 1 & 66
CSAH 11	INITIAL SURFACING	CR 55 - ECL
CSAH 12	REPLACE BR L0470	BRIDGE & APPROACH GRADING
CR 43	REPLACE BR 25573	BRIDGE & APPROACH GRADING
CR 44	REPLACE BR L0519	BRIDGE & APPROACH GRADING
CSAH 11	GRADING	CR 27 - PINE ISLAND
CSAH 62	MUN GRADING	S MAIN ST. IN PINE ISLAND
CR 56	REPLACE BR L0544	BRIDGE & APPROACH GRADING

COMMITTEE REPORTS:

C/Betcher	<ul style="list-style-type: none"> Township officer meeting update.
C/Greseth	<ul style="list-style-type: none">
C/Anderson	<ul style="list-style-type: none">
C/Majerus	<ul style="list-style-type: none">
C/Flanders	<ul style="list-style-type: none"> Technology Committee Report.
Administrator Arneson	<ul style="list-style-type: none">

Review and Approve the County Claims

¹³ Moved by C/Anderson, seconded by C/Flanders, and carried to approve to pay the County claims in the amount of 01-General Revenue \$1,018,741.96, 03-Public Works \$267,255.05, 11- Human Service Fund \$109,184.17, 12- GC Family Services Collaborative \$00, 15- County Ditch 1 \$00, 20-National Opioid Settlement Fund \$00, 25- EDA \$1,515.00, 34-Capital Equipment \$534,084.84, 35-Debt Services \$1,637,526.25, 61-Waste Management \$37,331.23, 72-Other Agency Funds \$127,356.83, 81-Settlement \$987.611.37, in the total amount of \$4,720,606.70.

Adjourn

¹⁴ Moved by C/Majerus, seconded by C/Betcher, and carried to approve to adjourn the February 6, 2024, County Board Meeting.



SCOTT O. ARNESON
COUNTY ADMINISTRATOR



TODD GRESETH, CHAIR
BOARD OF COUNTY COMMISSIONERS

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MINUTE

1. Approved the January 16, 2024, board meeting minutes. (Motion carried 5-0)
2. Approved the county board agenda. (Motion carried 5-0)
3. Approved the consent agenda. (Motion carried 5-0)
4. Approved the Bring It Home Initiative. (Motion carried 5-0)
5. Approved an IUP for a Utility Scale Solar System for Kevin Ameling. (Motion carried 5-0)
6. Approved the 2024 Financial Policies. (Motion carried 5-0)
7. Approved CSAH 2 Reconstruction Eminent Domain. (Motion carried 5-0)
8. Approved the 5-year Bridge Replacement Program. (Motion carried 5-0)
9. Approved the Highway Construction Program. (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 Local Optional Sales Tax Project List (Motion carried 5-0)
13. Approved the county claims. (Motion carried 5-0)
14. Approved to adjourn the February 6, 2024, County Board Meeting. (Motion carried 5-0)