

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
DECEMBER 1, 2015**

The Goodhue County Board of Commissioners met on Tuesday, December 1, 2015, at 5:00 p.m. in regular session in the County Board Room, Government Center, Red Wing, MN with Commissioners Seifert, Anderson, Majerus, Allen and Rehtzigel all present.

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

¹ Moved by C/Allen, seconded by C/Anderson, and carried to approve the November 17, 2015, County Board Minutes.

² Moved by C/Anderson, seconded by C/Rehtzigel, and carried to approve the December 1, 2015 County Board Agenda.

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

1. Approve Final Configuration-Nielsen Property Donation.
2. Approve Public Works Legislative Priorities.
3. Approve the sale of forfeiture vehicle - 1997 Saturn.
4. Approve the sale of 1998 Brine Maker, Model #SB600.

LAND USE MANAGEMENT DIRECTOR'S REPORT

Conditional Use Permit- David Bye. David Bye is requesting a conditional use permit for a feedlot operated outside of a farmyard in the A-2 Agricultural District. The request is located on parcel 40-027-0200 described as the West 75 acres of N ½ of the NE ¼ Section 27, T109N R16W, Roscoe Township.

David Bye addressed the board.

C/Rehtzigel was concerned with the leap frogging this would create if approved when it comes to permitting. He encouraged staff to ask the planning commission to consider increasing the number of animal units that is required for feedlot. C/Allen agreed with the need to increase the animal unit requirements.

C/Anderson did not feel the board had the authority to approve the proposed permit.

C/Seifert agreed that 10 animal unit feedlots are too small and the Planning Commission should address it.

C/Allen suggested tabling the issue for 60 days to come up with a solution. Mr. Wozniak stated that the applicant would need to agree since there was already one continuance. Mr. Bye agreed.

⁴ Moved by C/Allen, seconded by C/Seifert, and carried to approve to table the Conditional Use Permit for David Bye for a feedlot operated outside of a farmyard in the A-2 Agricultural District, on parcel 40-027-0200 described as the West 75 acres of N ½ of the NE ¼ Section 27, T109N R16W, Roscoe Township for 60 days to work with staff to come up with a solution and to allow the planning commission time to consider changing the 10 animal unit requirement.

Conditional Use Permit-Susan Rosckes/William Lacefield. Susan Rosckes/William Lacefield - Parcel ID 42.127.0030 , W1/2 OF SW1/4 OF SE1/4 of Section 27 T113N R16W, Vasa Township, Goodhue County, is requesting a conditional use permit for a canoe landing for a recreational business.

The Planning Commission recommended approval with the twelve conditions explained in the staff report.

C/Anderson noted that he received a number of calls regarding the activity that is happening on the water and that was something the county did not regulate. That was a DNR regulation.

C/Allen also received a number of phone calls and was not in support of any expansion on this scenic route even though the county did not regulate the activity on the river.

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- ⁵ Moved by C/Anderson, seconded by C/Majerus, and carried (4-1-0) with C/Allen dissenting to approve a Interim Use Permit for Susan Rosckes/William Lacefield - Parcel ID 42.127.0030 , W1/2 OF SW1/4 OF SE1/4 of Section 27 T113N R16W, Vasa Township, Goodhue County for a canoe landing for a recreational business.

HUMAN RESOURCE DIRECTOR'S REPORT

Personnel Committee Report. The Personnel Committee met on November 24, 2015 with the following items on the agenda:

Request to reclassify Part-Time Assistant County Attorney. The request was to reclassify a part-time Assistant County Attorney, as a full-time Assistant County Attorney effective December 1, 2015. This would offset a phased retirement for a current full-time Attorney who would move to part-time. The Personnel Committee recommended approval. There would be an overlap to the two attorneys from December 1, 2015 to January 31, 2016.

- ⁶ Moved by C/Rechtzigel, seconded by C/Anderson, and carried to approve to enter into a Phased Retirement Agreement with PERA.

- ⁷ Moved by C/Allen, seconded by C/Rechtzigel, and carried to approve to reclassify a part-time Assistant County Attorney, as a full-time Assistant County Attorney effective December 1, 2015 and be paid for the hours worked that she has been paid since November 1, 2015. This would offset a phased retirement for a current full-time Attorney who would move to part-time beginning February 1, 2016.

PUBLIC WORKS DIRECTOR'S REPORT

Reconstruction of CSAH 27 in Pine Island. Staff requested the board approve the proposed resolution committing \$800,000 of Municipal County State Aid highway Construction funds for the reconstruction of CSAH 27 from Main Street to 6th Avenue in Pine Island with construction anticipated in 2017.

- ⁸ Moved by C/Rechtzigel, seconded by C/Anderson, and carried to approve the following resolution committing \$800,000 of Municipal County State Aid highway Construction funds for the reconstruction of CSAH 27 from Main Street to 6th Avenue in Pine Island:

WHEREAS, the City of Pine Island has submitted a city resolution 15-019 requesting the use of State Aid Highway and County Fund for the reconstruction of CSAH 27;

NOW THEREFORE BE IT RESOLVED, that the Goodhue County Board of Commissioners commits \$800,000 of Municipal State Aid Highway Construction funds for the reconstruction of CSAH 27 from Main Street to 6th Avenue in Pine Island, with construction anticipated in 2017

SEC-North EAW FOFC. Staff requested the board approve the Findings of Facts and Conclusions for the *Environmental Assessment Worksheet (EAW)* for the segment of the South East Collector that will be built between CSAH 25 and TH 19.

- ⁹ Moved by C/Allen, seconded by C/Anderson, and carried to approve the following resolution adopting the Findings of Facts and Conclusions for the *Environmental Assessment Worksheet (EAW)* for the segment of the South East Collector that will be built between CSAH 25 and TH 19.

WHEREAS, Goodhue County is proposing to construct a two-lane roadway for approximately one mile along a new alignment from Trunk Highway (TH) 19 to County State Aid Highway (CSAH) 25; and

WHEREAS, an Environmental Assessment Worksheet (EAW) has been prepared as part of the state environmental review process for the proposed CSAH 24 Southeast Collector (SEC) North Project to fulfill requirements of Minnesota Statute (M.S.) 116D. Pursuant to the Minnesota Review Program Rule 4410.4300, Subpart 22.A, Goodhue County is the Responsible Governmental Unit (RGU) for the project; and

WHEREAS, the EAW has been made available for public and agency review and comment. A notice of availability of the EAW was published in the Environmental Quality Board (EQB) *Monitor* on August 3, 2015

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and a press release announcing the availability of EAW was distributed by the Department of Public Works. The EAW was distributed to the EQB distribution list and made available for review on the County website. The 30-day review period expired on September 2, 2015, and all comments and recommendations received by interested parties have been considered; and

WHEREAS, the Goodhue County Board of Commissioners has reviewed the CSAH 24 SEC North Project EAW; and

WHEREAS, it has been determined that the proposed project does not present a potential for environmental impacts of such significance that an Environmental Impact Statement (EIS) would be required;

NOW, THEREFORE, BE IT RESOLVED BY THE GOODHUE COUNTY BOARD OF COMMISSIONERS, that it should and hereby does make a Negative Declaration on the need for an EIS for the proposed CSAH 24 SEC North Project, based on the documents completed for this project – the EAW dated July 2015 and the Findings of Fact and Conclusions dated November 2015.

Solid Waste Direction. Staff recommended that the County Board take advantage of the legislation allowing the Bench Street Landfill into the Closed Landfill Program by enacting an Ordinance to Designate Solid Waste to the Red Wing Solid Waste Campus (the only resource recovery facility in the county). It is further recommended that the County utilize an Environmental Service Fee so that the State Solid Waste Tax is applied to only the Market Rate of waste disposal in the area. It was also recommended that staff be directed to modify the County's Solid Waste Plan to reflect the above and submit the plan to the State for approval. Once the plan is approved, the SCORE funds that have been withheld will be released to the County.

C/Rechtzigel was not in favor of moving forward due to the unknowns. C/Majerus wanted to see the cities have the options to whatever they wanted to do.

¹⁰ Moved by C/Allen, seconded by C/Anderson, and carried (3-2-0) with C/Rechtzigel and C/Majerus dissenting to approve to take advantage of the legislation allowing the Bench Street Landfill into the Closed Landfill Program by enacting an Ordinance to Designate Solid Waste to the Red Wing Solid Waste Campus

C/Anderson noted that this would allow staff to start the process to design how this was going to work.

C/Rechtzigel suggested including representatives from the cities and townships when writing the ordinance.

FUTURE MEETING DATES:

1. December 1 at 5:00 p.m.- County Board Meeting: County Board Room, Government Center, Red Wing.
2. December 1 at 6:00 p.m.- 2016 Budget and Tax Public Discussion Meeting: County Board Room, Government Center, Red Wing.
3. December 14 at 7:00 p.m.- Planning Advisory Committee: Jury Assembly Room, Justice Center, Red Wing.
4. December 15 at 8:00 a.m.- EDA Subcommittee Meeting: Administration Conference Room, Government Center, Red Wing.
5. December 15 at 8:30 a.m.- EDA Board Meeting: County Board Room, Government Center, Red Wing.
6. December 15 at 9:00 a.m.- County Board Meeting: County Board Room, Government Center, Red Wing.
7. December 15 at 10:30 a.m.- Health & Human Services Board Meeting: County Board Room, Government Center, Red Wing.
8. December 15 at 11:30 a.m.- Legislative Luncheon: Office of Emergency Management Conference Room, ADC, Red Wing.
9. December 15, 2015 at 1:15 a.m.- Budget/Personnel Committee: Administration Conference Room, Government Center, Red Wing.
10. December 21, 2015 at 5:30 p.m.- Board of Adjustment: Jury Assembly Room, Justice Center, Red Wing.
11. December 24-25 County Offices Closed in observance of Christmas Holiday.

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COMMITTEE REPORTS: deferred

C/Seifert	•
C/Rechtzigel	•
C/Anderson	•
C/Majerus	•
C/Allen	•
Administrator Arneson	•

Review and approve county claims.

- ¹¹ Moved by C/Anderson, seconded by C/Allen, and carried to approve to pay the County claims in the amount of 01-General Revenue \$213,904.06, 03-Public Works \$293,731.14, 11- Human Service Fund \$15,916.15, 21-ISTS \$00, 25- EDA \$00; 30-Capital Improvement \$00, 31-Capital Equipment \$00, 34-Capital Equipment \$7,506.00, 35-Debt Services \$00, 40-County Ditch \$00, 61-Waste Management \$18,722.27, 62-Recycling Center \$00, 63-HHW \$00, 72-Other Agency Funds \$2,739.82, 81-Settlement \$10,605.34, in the total amount of \$563,124.78.
- ¹² Moved by C/Anderson, seconded by C/Allen, and carried to approve to adjourn the December 1, 2015, County Board Meeting.

SCOTT O. ARNESON
COUNTY ADMINISTRATOR

TED SEIFERT, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

MINUTE

1. Approved the November 17, 2015 County Board Meeting Minutes. (Motion carried 5-0)
2. Approved the December 1, 2015 County Board Meeting Agenda as amended. (Motion carried 5-0)
3. Approved the December 15, 2015 County Board Meeting Consent Agenda as amended. (Motion carried 5-0)
4. Approved to table the Conditional Use Permit for David Bye, Roscoe Township. (Motion carried 5-0)
5. Approved a Conditional Use Permit for Susan Rosckes/William Lacefield, Vasa Township. (Motion carried 4-1-0)
6. Approved to enter into a retirement agreement with PERA. (Motion carried 5-0)
7. Approved to reclassify a part-time Assistant County Attorney to full-time. (Motion carried 5-0)
8. Approved a resolution for reconstruction of CSAH 27 from Main Street to 6th Avenue in Pine Island. (Motion carried 5-0)
9. Approved the Findings of Facts and Conclusions for the Environmental Assessment Worksheet for the SE Collector between CSAH25 & TH 19. (Motion carried 5-0)
10. Approved to take advantage of the legislation allowing the Bench Street Landfill into the Closed Landfill Program by enacting an Ordinance to Designate Solid Waste to the Red Wing Solid Waste Campus. (Motion carried 3-2-0)
11. Approved the County Claims. (Motion carried 5-0)
12. Approved to adjourn the December 1, 2015 County Board Meeting. (Motion carried 5-0)