

**BOARD OF COMMISSIONERS' PROCEEDINGS, GOODHUE COUNTY, MN
FEBRUARY 19, 2019**

The Goodhue County Board of Commissioners met on Tuesday, February 19, 2019, at 9:00 a.m. in the County Board Room, Government Center, Red Wing, MN with Commissioners Anderson, Majerus, Nesseth, Drotos and Safe were all present.

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

¹ Moved by C/Nesseth, seconded by C/Majerus, and carried to approve the February 5, 2019, County Board Minutes.

² Moved by C/Drotos, seconded by C/Majerus, and carried to approve the amended February 19, 2019, County Board Agenda.

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

1. Approve the Repurchase of Forfeited Property.

COUNTY ADMINISTRATOR'S REPORT

Award Public Works Roof Contract. Staff recommended the board approve to award the contract to replace the roof on the Public Works Building to McPhillips Bros. Roofing Company, St. Paul with the lowest responsible bid of \$550,000.

⁴ Moved by C/Nesseth, seconded by C/Drotos, and carried to approve to award the contract to replace the roof on the Public Works Building to McPhillips Bros. Roofing Company, St. Paul with the lowest responsible bid of \$550,000.

February 19, 2019 Budget Committee Report. The Budget Committee met on Tuesday, February 19, 2019, prior to the board meeting with the following items on the agenda:

2018 Carryover Requests. The Budget Committee recommended the board approve the proposed 2018 carryovers.

⁵ Moved by C/Majerus, seconded by C/Drotos, and carried to approve the following 2018 carryover requests:

Capital - \$61,454

- ✓ \$25,000 – IT Server Room
- ✓ \$12,000 – IT Help Desk
- ✓ \$8,555 – Maintenance Energy Improvement Projects
- ✓ \$15,899 – Sheriffs Body Cameras & Trigger Boxes

Operating - \$197,500

- ✓ \$12,500 – State of MN Veterans Operational Grant
- ✓ \$85,000 – Maintenance Projects (CSAH 21 Signal Upgrade, HSIP Project-various county roads, CSAH 7 Culvert/Pipe Extensions)
- ✓ \$100,000 – Construction Project: CR 53 Project

2018 Year End Budget Report. This report was for information only.

FINANCE DIRECTOR'S REPORT

Reimbursement Resolution. Staff recommended the County Board approve the proposed Reimbursement Resolution for County Roof Project in order to proceed with the roof project and reimburse ourselves at a later date with bonding proceeds.

⁶ Moved by C/Nesseth, seconded by C/Majerus, and carried to approve the following resolution declaring the official intent of Goodhue County to reimburse certain expenditures from the proceeds of bonds to be issued by the county:

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

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WHEREAS, Goodhue County, Minnesota (the "County"), expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a tax-exempt bond;

WHEREAS, the County has determined to make this declaration of official intent (the "Declaration") to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY AS FOLLOWS:

1. The County proposes to undertake the following projects (together, the "Projects"):

(a) Public Works Roof Replacement_ (\$570,000);

2. The County reasonably expects to reimburse the expenditures made for certain costs of the Projects from the proceeds of bonds in an estimated maximum principal amount of \$_570,000____. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the County to finance the projects for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the County based on the facts and circumstances known to the County as of the date hereof. The anticipated original expenditures for the Projects and the principal amount of the bonds described in paragraph 2 are consistent with the County's budgetary

and financial circumstances. No sources other than proceeds of bonds to be issued by the County are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the County's budget or financial policies to pay such Projects expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

HUMAN RESOURCE DIRECTOR'S REPORT

February 19, 2019 Personnel Committee Report. The Personnel Committee met on Tuesday, February 19, 2019, prior to the board meeting with the following item on the agenda:

Request to fill Accountant I. The Personnel Committee recommended the board approve hiring a replacement Accountant I position in the Finance Office with an overlap in time of approximately two to three weeks to allow for training.

⁷ Moved by C/Neseth, seconded by C/Drotos, and carried to approve to hire a replacement Accountant I position in the Finance Office with an overlap in time to allow for training.

HHS Replace Case Aid. This issue will be addressed at the Health and Human Services Board.

HHS Family Services Collaborative Coordinator. This issue will be addressed at the Health and Human Services Board.

LAND USE MANAGEMENT DIRECTOR'S REPORT

Conditional Use Permit (CUP) Request to Elevate a Dwelling within a Floodplain by Means Other than Fill.

Request submitted by Curt Caverly (Buyer) and John Enblom (Owner) to elevate a proposed dwelling above the base flood elevation of a Floodplain area by means of a "tuck under" garage foundation. Parcel 43.230.0060. TBD Lake View Ave Red Wing, MN 55066. Lot 6, Block 1 of Wacouta Point Plat located in Sect 31 Twp 113, Range 13 in Wacouta Township. R1 Zoned District.

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- 8 Moved by C/Drotos, seconded by C/Nesseth, and carried to approve to Planning Advisory Commission recommendation to 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 submitted by Curt Caverly (Buyer) and John Enblom (Owner) to elevate a proposed dwelling above the Base Flood Elevation of a Floodplain area by means of a “tuck under” garage foundation. 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. Applicant shall provide an as-built Elevation Certificate verifying the first-floor elevation and all electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities meet or exceed the regulatory flood protection elevation (RFPE) of 683.0 feet mean sea level;
 3. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 24 (Suburban Residence District), Article 31 (Shoreland Regulations), and Article 32 (Floodplain District).

Conditional Use Permit (CUP) for a Utility-Scale Solar Energy System (SES). Request for a CUP submitted by MN 121819 LLC (applicant) and Jonathan and Lora Luhman (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 6.65 acres. Parcel 26.032.0400. TBD 390th Ave, Goodhue, MN 55027. Part of the NW ¼ of Sect 32 Twp 111 Range 14 in Belvidere Township. A1 Zoned District.

- 9 Moved by C/Majerus, seconded by C/Drotos, and carried to approve to the Planning Advisory Commission recommendation to 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 a CUP submitted by MN 121819 LLC (applicant) and Jonathan and Lora Luhman (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 6.65 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 CUP;
 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 MN 121819 LLC 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 communicate with Beau Kennedy, Wetlands Coordinator with the Goodhue SWCD to ensure compliance with applicable Wetlands Rules prior to completion of any site grading/construction and/or submittal of the Building Permit Application;
 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 work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix to establish on disturbed areas of the site;
 8. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
 9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 21 (Agriculture Protection District). The applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
 10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
 11. This CUP shall expire 30 years from the date of approval unless terminated prior to that date.

Conditional Use Permit (CUP) for a Utility-Scale Solar Energy System (SES). Request for a CUP submitted by MN 121819 LLC (applicant) and Andrew and Kim Huneke (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.31 acres. Parcel 39.007.0301. TBD 180th Ave, Zumbrota, MN 55992. Part of the NW ¼ of Sect 07 Twp 109 Range 15 in Pine Island Township. A1 Zoned District.

- 10 Moved by C/Drotos, seconded by C/Majerus, and carried to approve to the Planning Advisory Commission recommendation to 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

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APPROVE the request for a CUP submitted by MN 121819 LLC (applicant) and Andrew and Kim Huneke (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 8 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 CUP;
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 MN 121819 LLC 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 communicate with Beau Kennedy, Wetlands Coordinator with the Goodhue SWCD to ensure compliance with applicable Wetlands Rules prior to completion of any site grading/construction and/or submittal of the Building Permit Application;
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 work with the Goodhue County Soil and Water Conservation District to “To effectively promote the safety, health, and well-being of our residents” www.co.goodhue.mn.us Page 5 of 5 determine an appropriate seed mix to establish on disturbed areas of the site;
8. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 21 (Agriculture Protection District). The applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
11. This CUP shall expire 30 years from the date of approval unless terminated prior to that date.
12. Applicants shall conduct a stray voltage study to be completed before and after building the solar array. The applicant shall share the results with neighboring landowners and Land Use Management Staff.

Conditional Use Permit (CUP) for a Utility-Scale Solar Energy System (SES). Request for a CUP submitted by MN 121819 LLC (applicant) and Andrew and Kim Huneke (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 10.42 acres. Parcel 38.033.0100. TBD ST HWY 60, Zumbrota, MN 55992. Part of the E ½ of the NE ¼ of Sect 33 Twp 110 Range 16 in Minneola Township. A1 Zoned District.

¹¹ Moved by C/Majerus, seconded by C/Safe, and carried to approve the Planning Advisory Commission recommendation to 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 a CUP submitted by MN 121819 LLC (applicant) and Andrew and Kim Huneke (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 10.42 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 CUP;
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 MN 121819 LLC 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. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
6. Applicants shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix to establish on disturbed areas of the site;
7. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;

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- 8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 21 (Agriculture Protection 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;
- 10. This CUP shall expire 30 years from the date of approval unless terminated prior to that date.

Conditional Use Permit (CUP) for a Utility-Scale Solar Energy System (SES). Request for a CUP submitted by MN 121819 LLC (applicant) and Paul Betcher (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5.63 acres. Parcel 33.027.0400. TBD CTY 9 BLVD, Goodhue, MN 55027. Part of the NE ¼ of Sect 27 Twp 111 Range 15 in Goodhue Township. A1 Zoned District.

¹² Moved by C/Majerus, seconded by C/Drotos, and carried to approve the Planning Advisory Commission recommendation to 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 a CUP submitted by MN 121819 LLC (applicant) and Paul Betcher (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5.63 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 CUP;
- 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 MN 121819 LLC 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 communicate with Beau Kennedy, Wetlands Coordinator with the Goodhue SWCD to ensure compliance with applicable Wetlands Rules prior to completion of any site grading/construction and/or submittal of the Building Permit Application;
- 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 work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix to establish on disturbed areas of the site;
- 8. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
- 9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 21 (Agriculture Protection District). The applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
- 10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
- 11. This CUP shall expire 30 years from the date of approval unless terminated prior to that date.

COMMITTEE REPORTS:

C/Drotos	<ul style="list-style-type: none"> • AMC Legislative Meeting.
C/Nesseth	<ul style="list-style-type: none"> • Zumbro One Watershed One Plan Meeting.
C/Anderson	<ul style="list-style-type: none"> •
C/Majerus	<ul style="list-style-type: none"> •
C/Safe	<ul style="list-style-type: none"> •
Administrator Arneson	<ul style="list-style-type: none"> •

Review and Approve the County Claims

¹³ Moved by C/Majerus, seconded by C/Nesseth, and carried to approve to pay the County claims in the amount of 01-General Revenue \$395,295.34, 03-Public Works \$691,184.99, 11- Human Service Fund \$129,531.98, 21-ISTS \$00, 25- EDA \$282.54, 30-Capital Improvement \$00, 31-Capital Equipment \$00, 34-Capital Equipment \$71,536.01, 35-Debt Services \$00, 40-County Ditch \$00, 61-Waste Management \$15,108.31, 62-

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Recycling Center \$00, 63-HHW \$00, 72-Other Agency Funds \$90,464.89, 81-Settlement \$161,077.33, in the total amount of \$1,554,481.39.

- 14 Moved by C/Drotos, seconded by C/Majerus, and carried to approve to adjourn the February 19, 2019, County Board Meeting.



SCOTT O. ARNESON
COUNTY ADMINISTRATOR



BRAD ANDERSON, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

MINUTE

1. Approved February 5, 2019 County Board Meeting Minutes. (Motion carried 5-0)
2. Approved the February 19, 2019 County Board Meeting Agenda. (Motion carried 5-0)
3. Approved the Consent Agenda. (Motion carried 5-0)
4. Approved to award the Public Works Roof Contract. (Motion carried 5-0)
5. Approved the 2018 budget carryovers. (Motion carried 5-0)
6. Approved a reimbursement resolution. (Motion carried 5-0)
7. Approved to hire a replacement Accountant I position with an overlap of time for training. (Motion carried 5-0)
8. Approved a Conditional Use Permit for Curt Caverly and John Enblom of Wacouta Township. (Motion carried 5-0)
9. Approved a Conditional Use Permit for Jonahtan and Lora Luhman, Belvidere Township. (Motion carried 5-0)
10. Approved a Conditional Use Permit for Andrew and Kim Huneke, Pine Island Township. (Motion carried 5-0)
11. Approved a Conditional Use Permit for Andrew and Kim Huneke, Minneola Township. (Motion carried 5-0)
12. Approved a Conditional Use Permit for Paul Betcher, Goodhue Township. (Motion carried 5-0)
13. Approved the County Claims. (Motion carried 5-0)
14. Approved to adjourn the February 19, 2019 County Board Meeting. (Motion carried 5-0)