

## PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: April 7, 2026

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Cindy Wright, Eric Johnson, Kurt Zehnder, Robert Schuldt, and Greg Myhre

Others Present: Interim Auditor/Treasurer Polly Heberlein, Fillmore County Journal Reporter Charlene Selbee, The Caledonia Argus Associate Editor Katia Gorsuch, Finance Director Carol Lapham, Coordinator Brent Parker, EDA Director & Coordinator Support Allison Wagner, Public Health Supervisor Jordan Knoke, Public Health Educator Bri Ceaser, Engineer Brian Pogodzinski, Environmental Services Director Amelia Meiners, Larry Gaustad, Clayton Johnson, Dan Vesterse, Mike Moen, Teresa O'Donnell Ebner, Dean Mierau, Linda Griggs, Mary Denzer, Donna Buckbee, Steve Hartwick, Heidi Harms, John Haines, Cory Baker, Jackie Baker, Rebecca Christenson, Joan Redig, Scott Halteli, Cindy Crestwell-Hatleli, Bonnie Laumb, Ray Ronnenberg, Deb Hoskins, Michael Sieve, and Joyce Roffler

Presiding: Chairperson Myhre

Call to order.

Pledge of Allegiance.

Motion was made by Commissioner Wright, seconded by Commissioner Johnson, motion unanimously carried to approve the agenda.

Motion was made by Commissioner Zehnder, seconded by Commissioner Schuldt, motion unanimously carried to approve the meeting minutes from March 24, 2026.

Public Comment:

Cynthia Crestwell-Hatleli from Yucatan Township said there could be a balance between ag and what was necessary to preserve karst terrain. She said years of damage due to agricultural practices could be changed, but it was hard to put the environment back in its former state. She said the half mile density standard should be a minimum distance between mines. She said if the goal was to make sand more readily available throughout the County it would make more sense to spread out the mines. She said while she could see the benefits for cattle, she thought over time sand spread out over soil would cause a soil degradation issues.

Cynthia Crestwell-Hatleli read a public comment on behalf of her husband, Scott Halteli. He asked “Do we really need more sand mines to meet the needs of Houston County?” In his

opinion he thought sand from the river could be used for septic systems and dairy farms. One mine had trees growing out of it. He thought the County should exhaust the mines that were currently permitted before more were permitted. Hatleli said Winona had less sand mines than Houston County and asked if Houston County needed more sand. He thought the 267 people who signed the petition deserved another public hearing on the matter.

John Hayes from Houston said the whole sand mine ordinance had been a big time thing years ago. He said the half mile rule had been a compromise that had been come up with at the time. He said the purpose of a sand mine density ordinance was to spread out the mines. He thought mines should be properly reclaimed. He said he hoped the original compromise would be upheld today.

Mary Denstad from Yucatan Township questioned if laws were followed during the process. She said a couple of years had been spent trying to uphold the rule.

Rebecca Christenson from Yucatan Township said it was to the County's benefit to space out quarries. She said the County had at least 40 dairy farms and that they were continuing to decline. She said she lived directly below where a mine was proposed to be located. She said there was obvious sand migration from that area. Christenson asked the Commissioners to please bring back the half mile setback.

Donna Buckbee said she did not believe in the distinction between industrial and construction sand. She said the criteria did not change how sand worked in the environment. She asked the board to restore the half mile rule.

Joan Redig from Money Creek Township said she grew up on a farm in Winona County. She said she was concerned about the findings, and felt they were only an opinion. She said it was not economical to transport materials and said she was concerned about clustering. Redig said controlling the density of mines protected the beauty of the surrounding area.

Teresa O'Donnell said she lived in La Crescent and had grown up in Rushford. She said she was at the meeting to voice her concern about increasing mining in Houston County. She referenced the Comprehensive Land Use Plan and said as a City Council member of La Crescent she understood the effort that goes into comprehensive plans. She said planning involved establishing needs and also following the values of the people. O'Donnell referenced a few pages at the beginning of the County's Comprehensive Land Use Plan. She said beginning on Page 4 of the plan discussed balancing the needs of the community and environment. She also quoted, quotes from the public engagement section of the plan stating "Houston County is one of the most beautiful places on earth in my opinion..." "The peace and quiet, the beautiful bluffs..." She said she thought there was a way to make that happen.

Joyce Roffler from Yucatan Township said she thought a monopoly of mines already existed. She said there should be preservation of ag, bluffs, and environmentally friendly

landscapes. She said the terms density and setbacks were different. She said there were different risks with different sands.

Mike Sieve from Yucatan Township said he had moved to the area and believed it was the prettiest part of the State. He said he left where he had lived because he didn't like the use of the land. He said 50 years later a lot was being done to stop mistakes made 50 years ago. He asked the Commissioners to think about the future.

Linda Griggs from Yucatan Township asked the Commissioners to restore the half mile rule. She reviewed the timeline and said she did not like the process.

Jackie Baker said she was one of the applicants on the agenda that day. She said she was respectfully asking that the Commissioners restore the half mile density standards on behalf of her and her husband. She said a lot of time had went into the original rule. She said her family depended on the half mile density standards. Baker said removing the rule impacted her family. She said if a property owner had wanted a mine and had applied for a variance property owners in the area would have been notified. She said lack of public comment at the time when the rule was changed was due to lack of awareness. She said restoring the rule did not ban sand mining.

Dean Mierau said he owned a business in Fillmore County and that people came to the area because they loved it. He said as a business owner he was asking that the board take that into consideration. He said he had many first time customers in previous years who enjoyed the area.

Steve Hartwick said he was a 50 year resident of Money Creek Township. He said he was concerned about noise at mining operations. He said factors were compiled when two mines were close together. He said he knew that legally the County had only needed to give notice in the Argus but he thought when amending County Code the County should reach out to as many people as possible.

Clayton Johnson said he appreciated the time and consideration the County had given to shotgun vs. rifle. He said he found it interesting that the people he had heard speak at meetings who wanted to use a rifle wanted it for personal reasons in Johnson's opinion. He said those opposed to rifles were concerned about safety.

Dan Vesterse from Spring Grove said he attended the first public hearing on rifle vs. shotgun. He said at that meeting more people were in favor of shotgun only. He said many had also signed a petition for shotgun only. He thanked the Commissioners.

Mike Moen from Spring Grove asked that the Commissioners change the rule back to shotgun only in Houston County. He said his biggest issue was safety. Moen said property owners he had talked to had wanted it to be left as shotgun only. He said he did not think more deer would be killed if rifles were allowed.

## APPOINTMENTS

None.

## CONSENT AGENDA

Commissioner Zehnder moved, Commissioner Schuldt seconded, motion unanimously carried to approve the consent agenda. The Commissioners thanked Carrie O’heron and Liza Jandt for their 82 years of combined service to Houston County. Approved items are below.

- 1) Accept retirement from Carrie O’heron effective May 29th, 2026, with 46 years of service.
- 2) Accept retirement from Liza Jandt Effective June 4<sup>th</sup>, 2026, with 36 years of service.
- 3) Change the employment status of McKinley Sisson, Jailer/Dispatcher from probationary to regular, effective April 21, 2026.
- 4) Review and approve payments. Payments are below.

## REQUEST APPROVAL FOR PAYMENTS

### 2026/04/07 COMMISSIONER WARRANTS:

<b>VENDOR NAME</b>	<b>AMOUNT</b>
CALEDONIA OIL CO INC	4,636.70
CDW GOVERNMENT	4,923.78
CENTEC CAST METAL PRODUCTS	3,568.14
COMPUTER FORENSIC SERVICES LLC	48,301.41
DELTA DENTAL	7,939.64
GREAT LAKES SALT COMPANY	37,144.84
GROUNDBREAKING CONNECTIONS LLC	7,083.33
INSIGHT PUBLIC SECTOR	7,716.50
INTERSTATE BILLING SERVICES	19,202.37
IUOE LOCAL 49 FRINGE BENEFIT FUNDS	28,475.00
LIBERTY TIRE RECYCLING LLC	3,716.45
MASTER'S TOUCH INC/THE	6,739.29
MEDICA	258,219.76
MN DEPT OF CORRECTIONS	56,439.72
MN LIFE INSURANCE COMPANY	2,679.11
OLYMPIC BUILDERS GENERAL CONTRAC	132,525.00
ONSOLVE INTERMEDIATE HOLDING COM	8,690.05
TRAFFTECH INC	8,421.64
VANGUARD APPRAISALS INC	3,040.00

VERIZON WIRELESS	2,678.52
ZIEGLER INC	7,553.37
	<hr/>
	659,694.62
42 VENDORS PAID LESS THAN \$2000.00	23,744.44
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	683,439.06
PUBLIC HEALTH & HUMAN SERVICES	17,843.77
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	701,282.83
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## ACTION ITEMS

File No. 1 – The Commissioners discussed options and possible action to either move forward with a shotgun only ordinance or allow rifles in Houston County. Coordinator Parker said the conversation would guide him in the direction the Commissioners wanted to go. Commissioner Wright said for several months she had talked to people about shotgun only vs. rifle. She said she had talked to about 125 additional people not including those who attended the public hearings. She said about 75% of people she spoke to were opposed to rifles. Wright said she did not believe Houston County needed to do what other counties in the area were doing. She said she was in favor of creating an ordinance and was opposed to rifles. Commissioner Zehnder said a majority of people in his district wanted the rule to stay shotgun only. Commissioner Wright moved, Commissioner Zehnder seconded, motion carried three to two to create a shotgun only ordinance. Rifles would not be allowed to be used in Houston County under the ordinance. The Commissioners voted by roll. Commissioners Wright, Zehnder, and Myhre voted yes to move forward with creating a shotgun only ordinance. Commissioners Johnson and Schuldt voted no.

File No. 2 – Commissioner Zehnder moved, Commissioner Johnson seconded, motion unanimously carried to approve a Conditional Use Permit (CUP) for Scott Standish for a single-family non-farm dwelling on less than 40 acres in the Agriculture Protection District in Mayville Township.

File No. 3 – Commissioner Johnson moved, Commissioner Wright seconded, motion unanimously carried to approve a Conditional Use Permit (CUP) for Gabriel Howe for a single-family non-family farm dwelling on less than 40 acres in the Agriculture Protection District in Yucatan Township.

File No. 4 – Commissioner Zehnder moved, Commissioner Schuldt seconded, motion unanimously carried to approve a Conditional Use Permit (CUP) for Thomas and Colleen Niebeling for substantial land alteration and excavation in floodplain.

File No. 5 – The Commissioners discussed approving or denying a Text Amendment to the Zoning Ordinance on mine density standards for Burns & Hansen, P.A. on behalf of Cory and Jackie Baker, Scott Hatleli and Cindy Cresswell-Hatleli, and Rosemary Iversen. The Planning Commission had not recommended approval for the request. Environmental Services Director Meiners said going back to 2025 the County had received a proposal from G-Cubed for a text

amendment. The applicant needed to provide compatibility with the Comprehensive Land Use Plan. The notice was published in the Caledonia Argus. Coordinator Parker said the Townships in the County were emailed. He said Environmental Services Director Meiners had emails that were sent to Townships. Commissioner Wright said the County had received a petition. Commissioner Wright said she wanted the concerns in the petition to be reviewed and looked into in the same way the County looked into other petitions. Commissioner Wright said the year prior when she had voted on the matter there were things she did not know. She said the County's inventory and enforcement of mines were things she wanted to know more about. Wright said she wanted more awareness to make people feel safe. Commissioner Wright said she was not saying it was not appropriate to approve the request, but she did not feel now was the time to do it. Commissioner Wright said she wanted more information. Commissioner Johnson said the half mile rule still applied to industrial. He said construction mines were a lesser mining operation. He said construction was less intense with not as much going out. He said Houston County's current rule was the same rule Fillmore and Winona County had. Commissioner Johnson said at the time when the current text amendment was changed, he thought it was the reasonable thing to do, as he knew a lot of dairy farmers and people putting in sewers that struggled to find sand. Commissioner Johnson said a lot of concerns would be addressed in a CUP application process. Commissioner Zehnder said he had concerns because since his time as Commissioner he had looked at the Comp Plan as the "holy grail". He said he wanted to keep the beauty of Houston County. Commissioner Schuldt said he kept hearing that people were not knowing about things. Commissioner Wright moved, Commissioner Schuldt seconded, motion carried four to one to table the matter until further research could be done. The Commissioners voted by roll. Commissioners Wright, Zehnder, Schuldt, and Myhre voted yes. Commissioner Johnson voted no. The matter was tabled.

File No. 6 – Commissioner Zehnder moved, Commissioner Johnson seconded, motion unanimously carried to award the 2026 Chloride bid to Bluff Country Brine. Bluff Country Brine's bid was for \$1.538 for chloride delivered and \$1.68 for chloride delivered and applied. Abstract is below.

ABSTRACT OF BIDS						
HOUSTON COUNTY, MINNESOTA						
CALCIUM CHLORIDE QUOTE						
March 18, 2026 1:00 p.m.						
Item #	Item	Contractor	Bluff Country Brine Unit Price	Knife River Unit Price	Envirotech Services Inc Unit Price	Northern Salt Inc Unit Price
1	Delivered by tanker truck to Caledonia	Gallons	1.538	1.600	1.730	1.716
2	Delivered & Applied to various county roads	Gallons	1.680	1.760	1.930	1.820
	Minimum Transport load	Gallons	4,100.00	4,000.00	4,000.00	4,200.00
		Cashier's Check		Bond	Bond	Bond
		Total Gallons Est	54,000.00			
		Estimate Cost	83,052.00	40% County	60% Township/City	
		Budget 2026	100,000.00			
		Under Budget	(16,948.00)			

File No. 7 – Commissioner Johnson moved, Commissioner Zehnder seconded, motion unanimously carried to approve a quote for the replacement of overhead garage doors at the Spring Grove shop. The remaining doors would be replaced at a later time. Quotes are below.

Houston County Highway Department			
2026 Garage Doors			
Garage Door Location	Tri-State Doors	La Crosse Overhead Door	Overhead Door
Spring Grove Shop	31,950.00	35,158.00	38,789.00
		(25,918+9,240)	
Hokah Shop	7,778.00	7,739.00	8,562.00
Houston Shop	17,555.00	17,231.00	21,405.00
		(8,602+8,629)	
Discount for doing all doors	(2,500.00)	(4,900.00)	
<b>Total Cost</b>	<b>54,783.00</b>	<b>55,228.00</b>	<b>68,756.00</b>

File No. 8 – Commissioner Wright moved, Commissioner Zehnder seconded, motion unanimously carried to approve a quote from Addco Acquisition, LLC through their distributor Surefitter for message boards. Their quote was on the State Bid for \$25,122.

File No. 9 – Commissioner Zehnder moved, Commissioner Wright seconded, motion unanimously carried to approve changing the title and pay band of Jordan Knoke from Public Health Supervisor to Public Health Director (D-61 step 4) effective March 9<sup>th</sup>, 2026. This change was due to restructuring and not an open position.

File No. 10 – Commissioner Zehnder moved, Commissioner Wright seconded, motion unanimously carried to change the County’s current tax software to CPT (Counties Providing Technology).

File No. 11 – Commissioner Wright moved, Commissioner Zehnder seconded, motion unanimously carried to enter a three-year contract with Darktrace cyber security platform to further protect the County’s network and data.

## DISCUSSION ITEMS

The Commissioners discussed recent and upcoming meetings including Township Annual Meetings, PUC Hearing, Public Health, Airport, ECB, EDA, Planning Commission, Houston County Collaborative, SELCO, and Township Association meeting.

### Closing Public Comment:

Linda Griggs thanked the board for listening to all the people that showed up at the meeting. She said the question had been brought up as to why the rule had been changed in the first place. She said the 2015 rule had come about after hours of collaboration. Griggs said it had been a true compromise. She said Houston County did not need to mimic what Winona County and Fillmore County were doing. Griggs said she didn’t think too many people were complaining before the rule was changed. She thanked the board for keeping shotgun only in Houston County.

Donna Buckbee thanked the board. She said the family was a sweet family with nice children.

Mary Denzer thanked the board for their patience and for listening to concerns. She said she had been a potter for 52 years and lived near a proposed sand mine. She said there was a river nearby. She said construction sand and industrial sand were the same thing.

Steve Hartwick from Money Creek Township thanked the board for tabling the matter at the meeting. He said he wanted to know if Townships were notified of the change.

Joyce Roffler from Yucatan Township thanked the board for their work. She thanked the board for resolutions passed in recent months. She said she didn’t think the County had the staff to monitor all conditions and regulations. She thanked the Commissioners for listening.

There being no further business, a motion was made by Commissioner Zehnder, seconded by Commissioner Wright, motion unanimously carried to adjourn the meeting at 11:13 a.m. The next meeting would be a workgroup session on April 14, 2026.

## BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: \_\_\_\_\_  
Greg Myhre, Chairperson

Attest: \_\_\_\_\_

Brent Parker, Coordinator

## PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: April 14, 2026

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present:

Cindy Wright, Eric Johnson, Kurt Zehnder, Robert Schuldt, and Greg Myhre

Others Present:

Interim Auditor/Treasurer Polly Heberlein, The Caledonia Argus Associate Editor Katia Gorsuch, Finance Director Carol Lapham, Coordinator Brent Parker, EDA Director & Coordinator Support Allison Wagner, Public Health Supervisor Jordan Knoke, Environmental Services Director Amelia Meiners, Interim Attorney Suzanne Bublitz, Sheriff Brian Swedberg, Cindy Hateli, Scott Hateli, Steve Hartwick, Cory Baker, and Donna Buckbee

### Board Workgroup Session

Coordinator Parker told the board he had attended the Public Utilities Commission (PUC) meeting on Thursday April 9, 2026 regarding the Gopher to Badger Link 765 kV transmission line project. The County had been invited to participate in the process after passing a resolution opposing the project. Parker had attended in person and Commissioners Wright and Myhre had attended virtually. Parker said while the County had questions regarding the completeness of the application at the PUC meeting the County learned that the applicants had met the bare minimum requirements required by the PUC. Parker said the form had been filled out. The application would next be transferred to the Minnesota Department of Commerce and comments could be directed there. At the PUC meeting a stay had been put on the certificate of need meaning that the route and certificate of need would be reviewed jointly in October 2026. Commissioner Wright said she thought it was good for the PUC to see the County represented at the meeting. She said she had also attended a separate meeting with the No765MN group. She said the lawyer representing that group had a lot of experience, and that there were similar groups for example in Wisconsin. Dairyland Power had responded to the County's resolution, but mostly the response directed the County back to pages in the original application, and the County still had questions in some of those areas.

Coordinator Parker said at one point many counties had transferred their Department of Corrections jobs to the State. He said Houston County had had these jobs as County jobs at one time, but currently they were State employees. Parker said he had been researching the matter for a while as many counties were now reverting back to the county model. He would be researching cost effectiveness, and different models that were involved.

Commissioner Wright said she had attended the City of La Crescent City Council meeting the night prior. She said the City would be losing their paper that they used as their official

newspaper. They were looking into other options including the Caledonia Argus and a Minnesota Newspaper Association paper.

Commissioner Wright said she thought the County should look into an ordinance regarding data centers, commercial solar, battery storage, and other related items. She said many topics that had come before the board recently had a common theme.

The County had been given an extension and would have 104 days to pass an ordinance in order to be in compliance after a recent Municipal Separate Storm Sewer System (MS4) audit.

Sheriff Swedberg said he was concerned with the upcoming County ordinance regarding having Houston County be shotgun only and not allowing rifles. He said he had concerns about enforcement and said neighboring Counties around Houston County would not be enforcing the rule. The same bullets could be used in some rifles and legal hunting guns. The Sheriff said there was confusion on if the DNR would enforce the rule and what should happen when it came to forfeiting deer and firearms if people violated the ordinance. Attorney Bublitz said a discussion would need to be had with the DNR and she recommended a joint enforcement approach.

The workgroup session ended at 9:57 a.m.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: \_\_\_\_\_  
Greg Myhre, Chairperson

Attest: \_\_\_\_\_  
Brent Parker, Coordinator



# Houston County Trout Stream Designations

DNR Lanesboro Fisheries Office

[Melissa.Wagner@state.mn.us](mailto:Melissa.Wagner@state.mn.us)

507-765-7061

# Trout Stream Designations

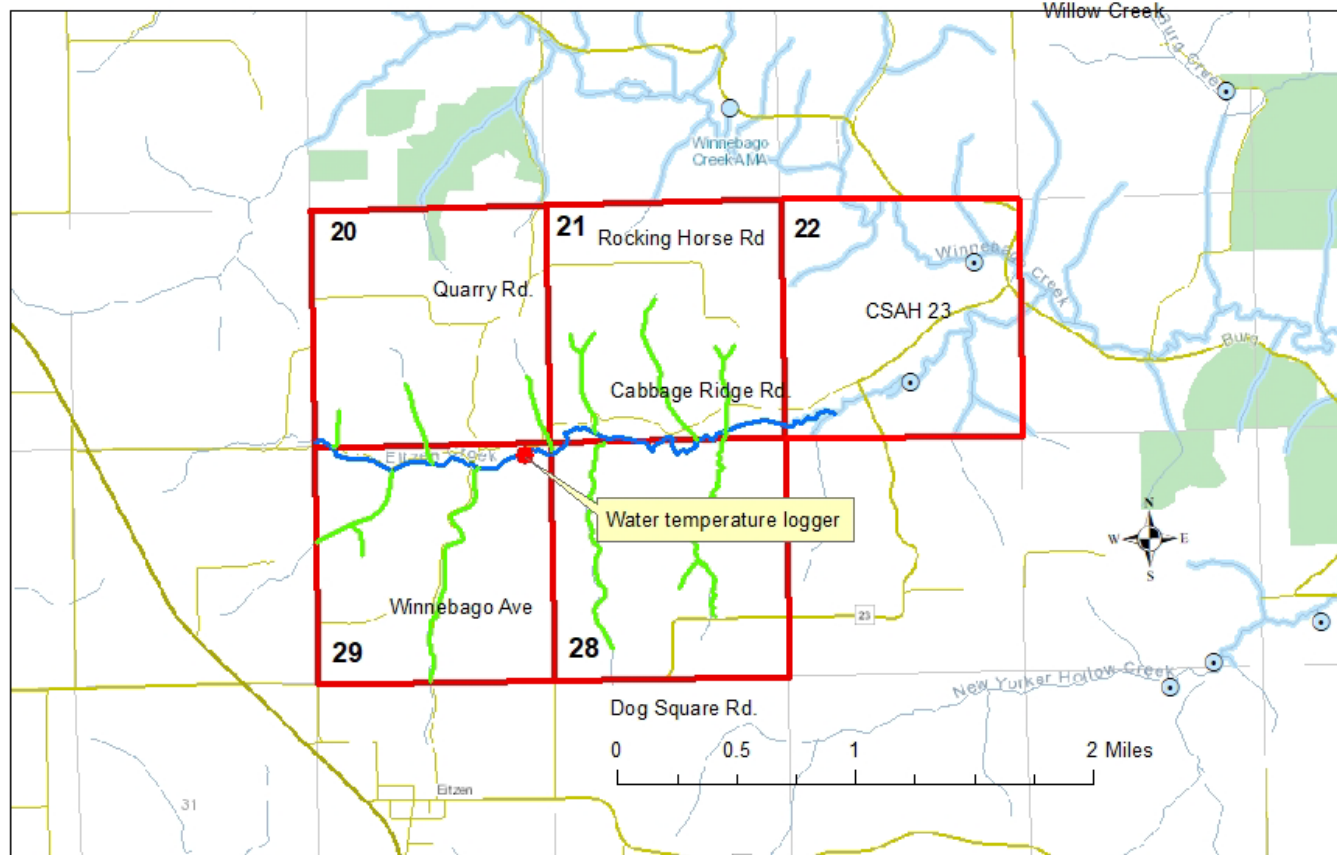
- Statewide process, typically occurs every 5 years, last designations in 2016
- Evaluate our management area and identify coldwater resources
- Collect data: identified springs, water temperature data, fish data, aerial imaging
- 10-15 years: spring flow increasing, stream temperatures decreasing, new streams
- Goals to protect coldwater resources, define them as what they are, potential active management with funds associated with trout streams

# Timeline - Completed

- Collect data and create management plans and designation proposals
- Landowner notification phase (90-day comment period) ended March 16h although still receiving and communicating with landowners
- Counties, townships, local politicians, were notified knowing they would get questions or receive comments

# Example Proposal

## EITZEN CREEK (M-001-011) Houston County, Winnebago Township (T101N, R5W), Section 20, 21, 22, 28 and 29



Designate by section  
Blue lines = trout streams  
Green lines = trout stream tributaries

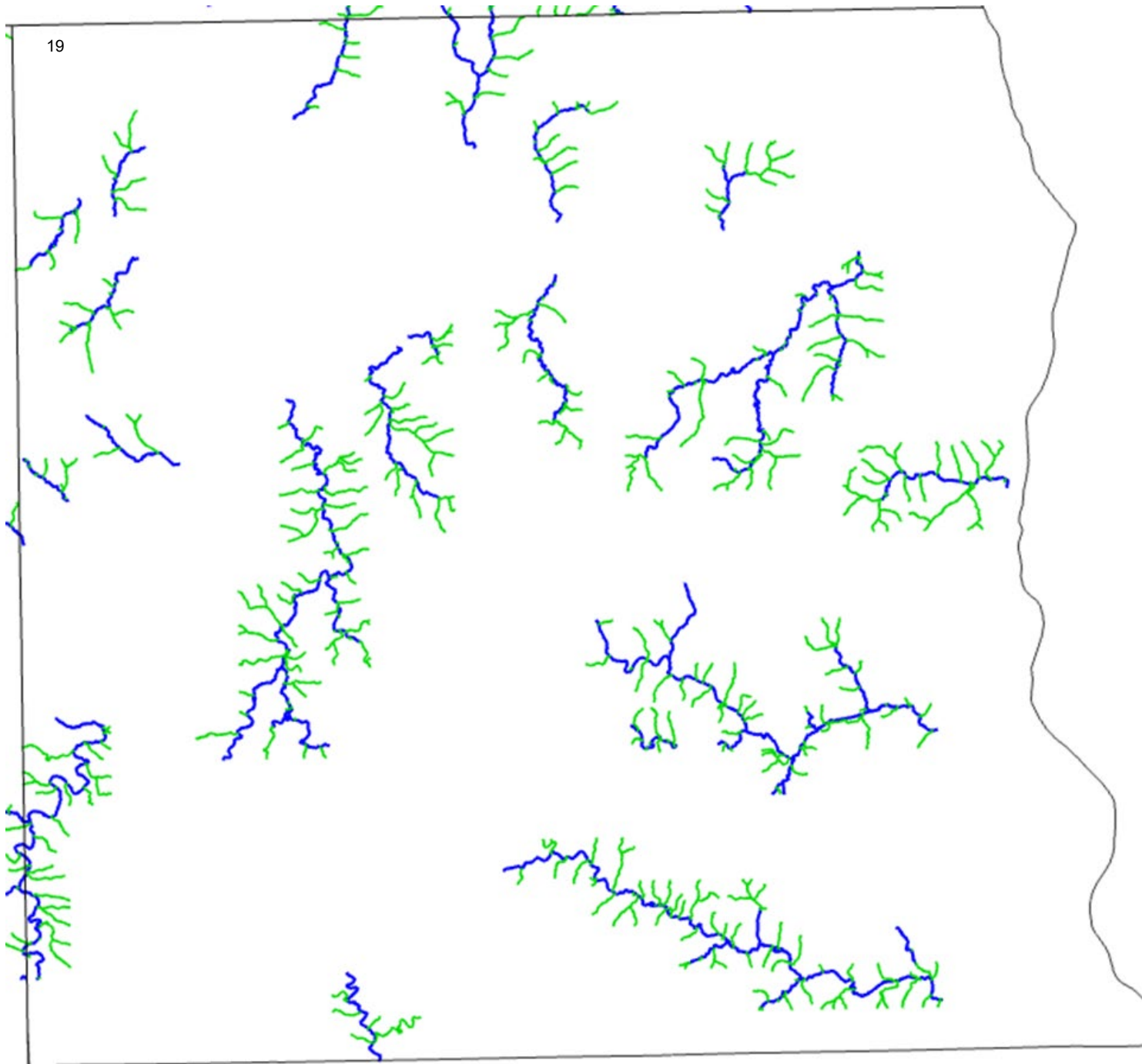
# Summary of Efforts

- 37.4 miles – proposed trout streams and tributaries
- 22 different streams
- 168 households notified
- 35 households reached out (1 included a petition) = 41 households
- 24% responded
- All have been contacted – answered questions, listened to concerns, sent additional information

- Press release and public comment period (online map and comments), landowners included
- Review proposals, comments, data and make determinations for each stream designation proposal (drop, table, modify, pass)
- Various levels of review with DNR Fisheries Managers and ultimately the Commissioners Office
- Rule making process with additional comment period

# Public Watercourses & Designated Trout Streams

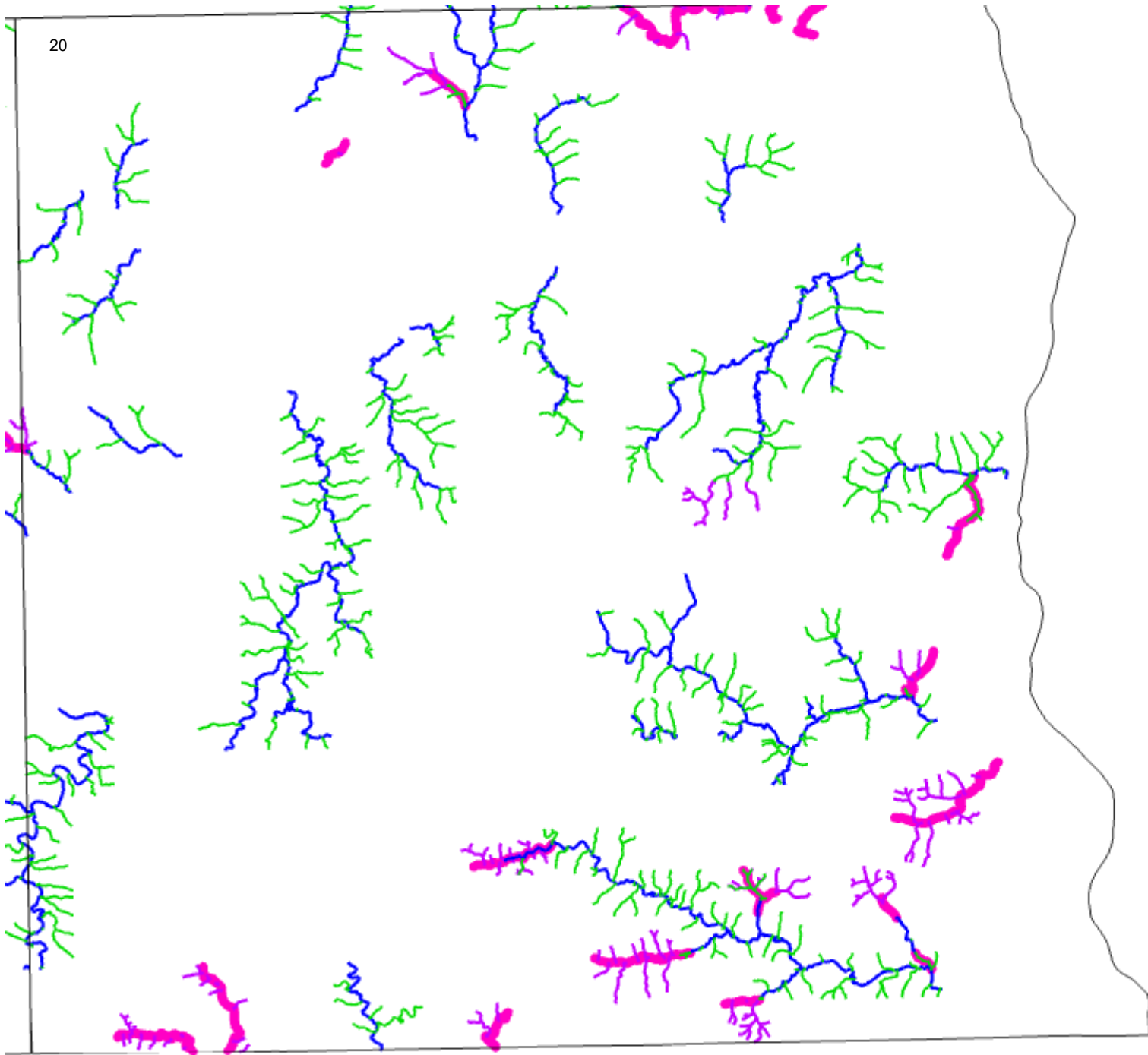
- Public Watercourse Inventory (PWI) determined by DNR Ecological & Waters Resources
- Designated trout streams determined by DNR Fisheries
- All current designated trout streams are Public Waters
- Many proposed trout streams already Public Waters, but not currently designated
- Some proposed trout streams not Public Waters, but will be added to PWI if designated
- PWI can trigger DNR Waters Permit and MN Buffer Law uses PWI to inform buffer map
- Could be adopted by Houston County as a “Tributary” into shoreland ordinances
- Statewide PWI update in progress and moving across the state alphabetically.  
Trout streams and tributaries will be added to the PWI layer.



# Current Trout Stream Designations

Blue = trout stream

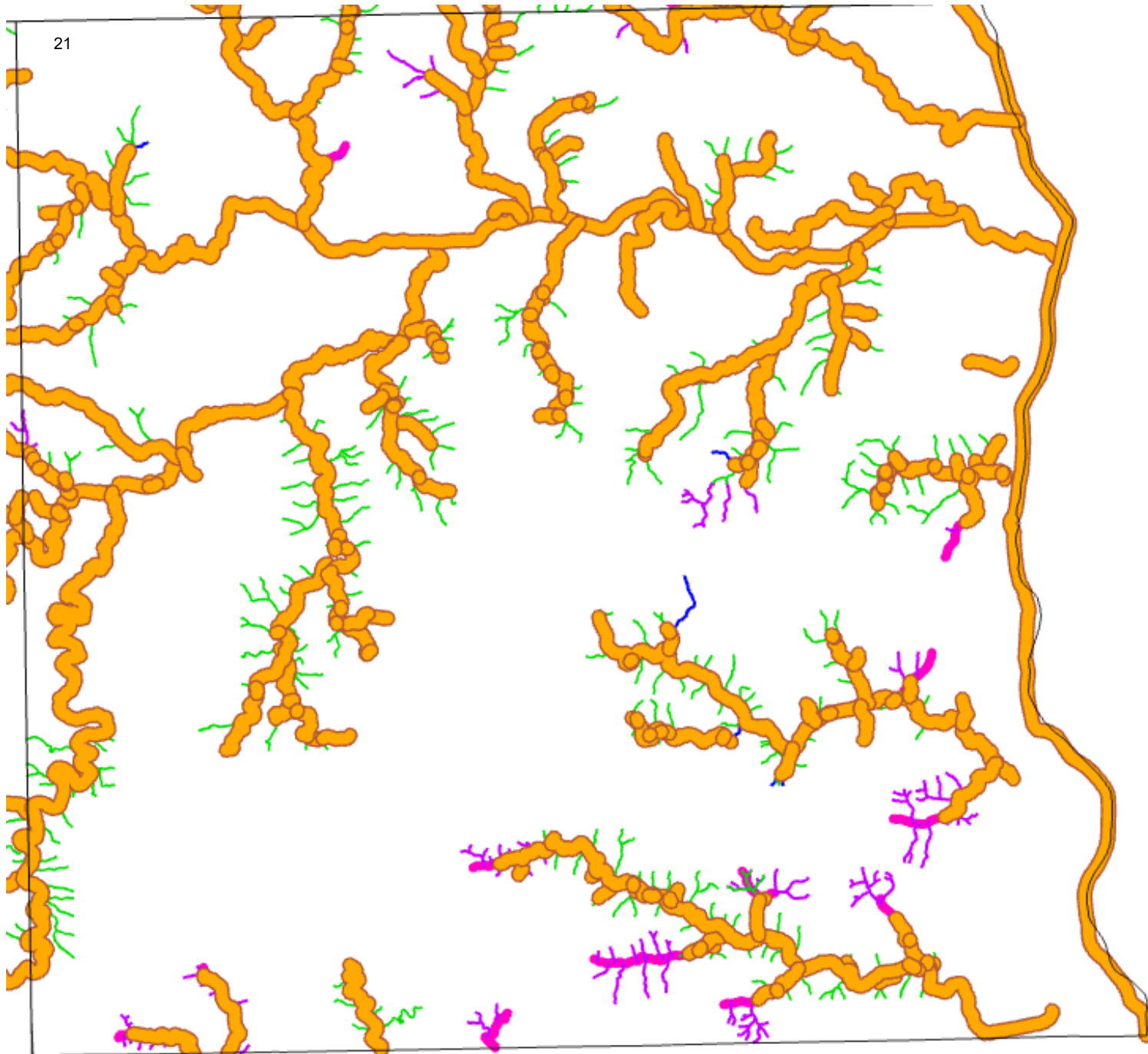
Green = trout stream tributary



# Additions to Trout Stream Designation

Pink = trout stream

Purple = trout stream tributary



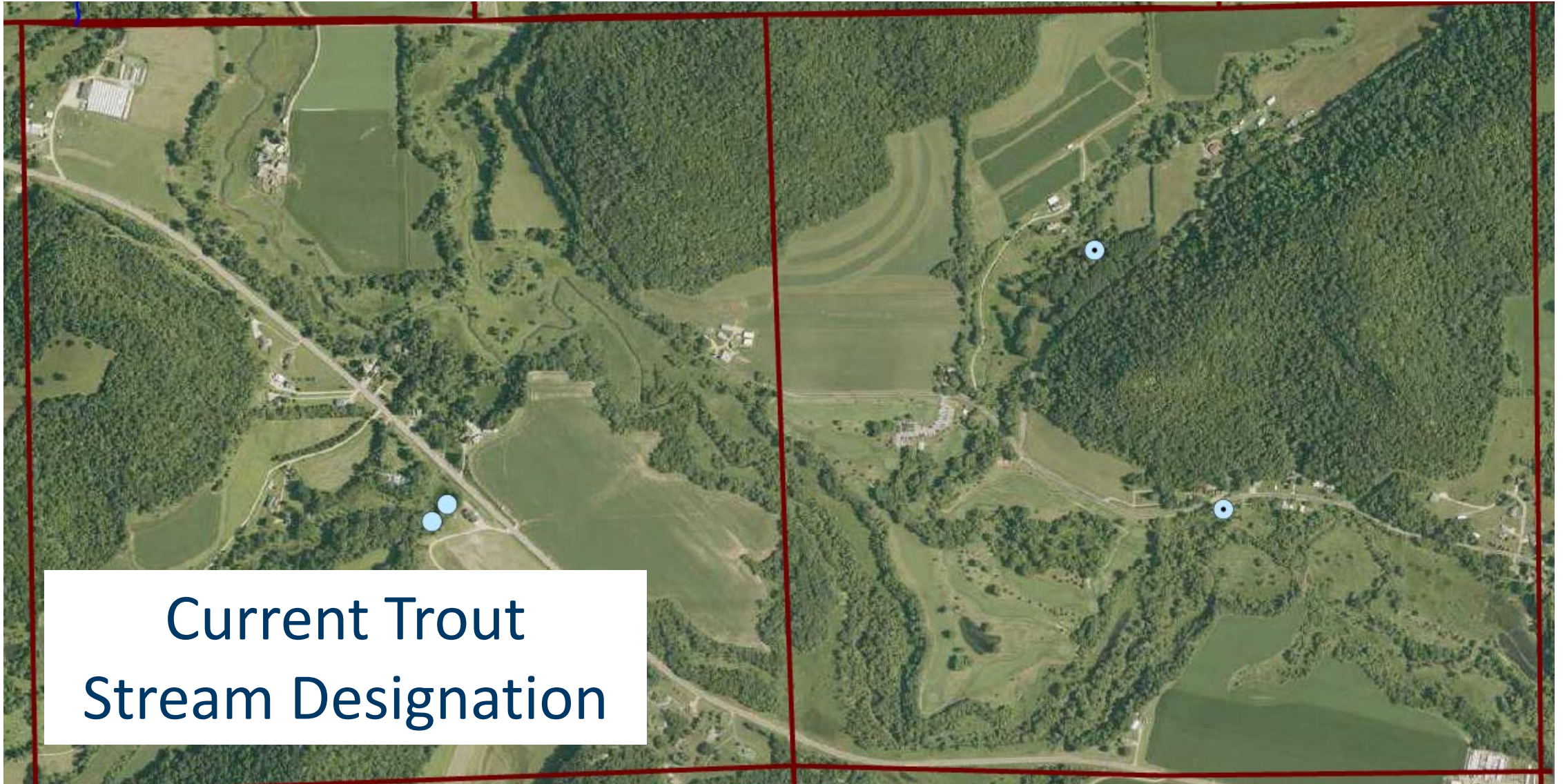
# Current Public Watercourse

Orange = PWI

# BURNS VALLEY CREEK – Houston & Winona



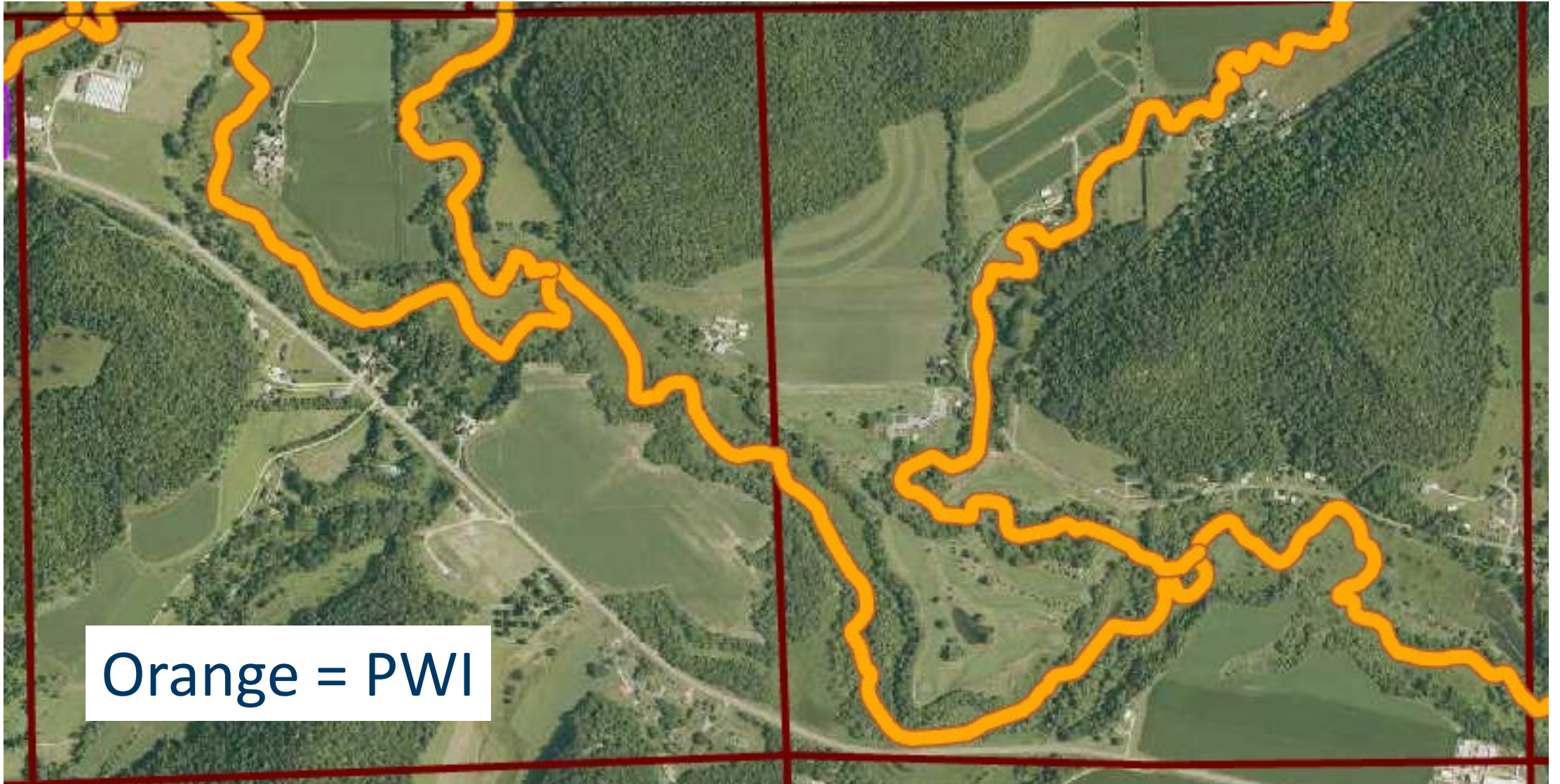
# Lane Valley Creek (M-011-007) Burns Valley Creek (M-011-005)



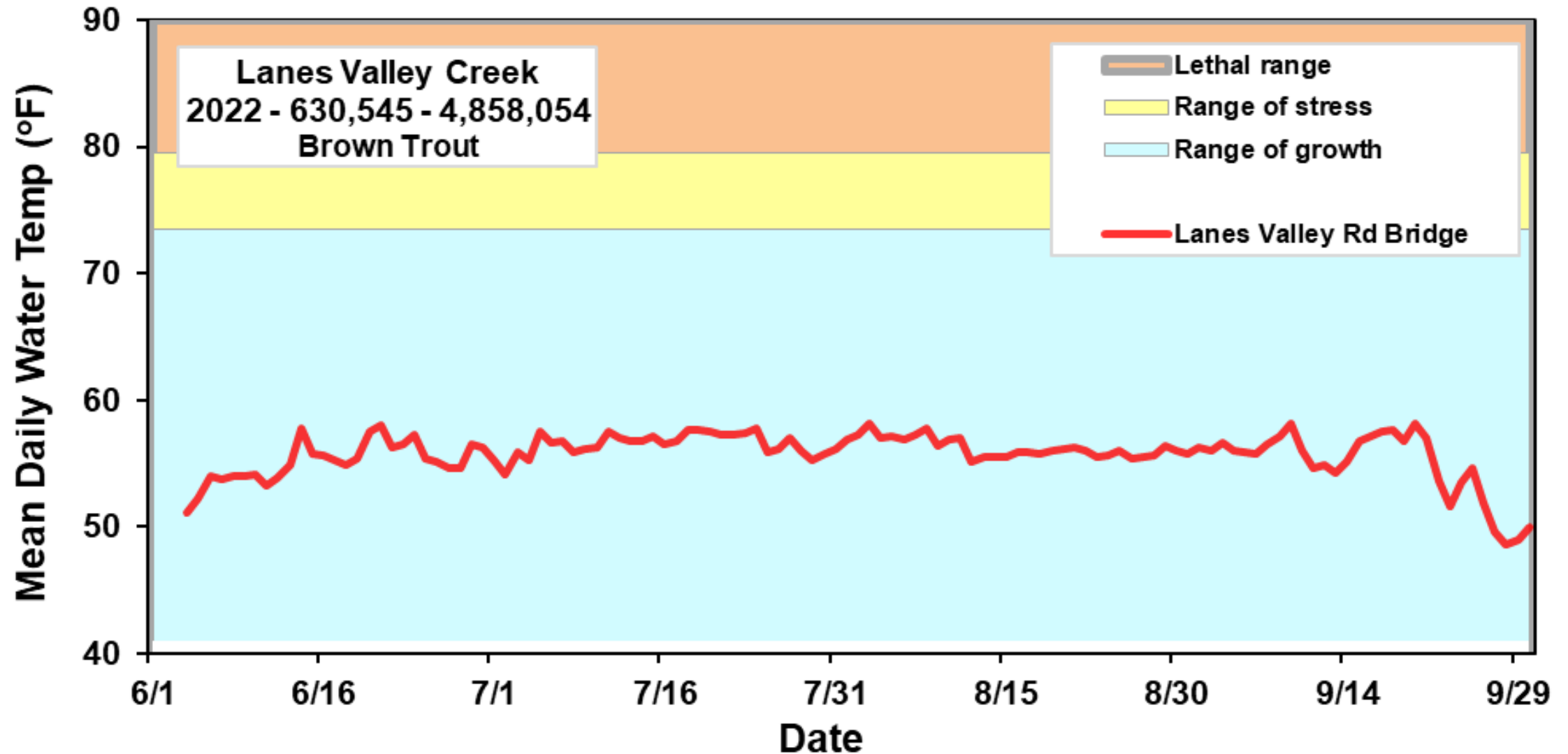
Current Trout  
Stream Designation



# Lane Valley Creek (M-011-007) Burns Valley Creek (M-011-005)



# Lane Valley Creek (M-011-007)

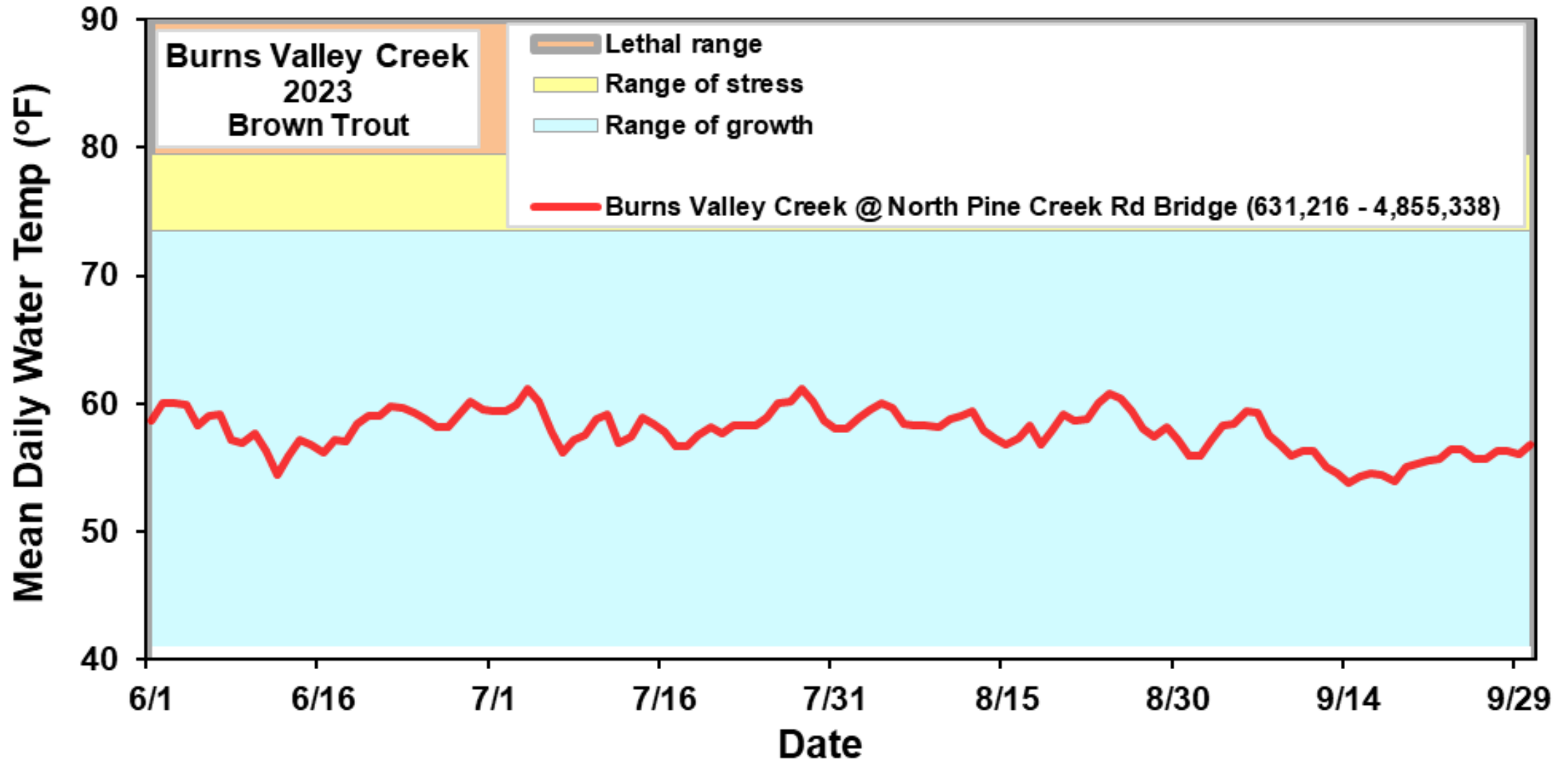


# Burns Valley Creek (M-011-005)

Table 1. Fish species sampled in fisheries surveys and assessments, Burns Valley Creek, Houston and Winona counties.

<b>Common Name</b>	<b>Species</b>	<b>1980</b>	<b>1990</b>	<b>2017</b>
Brook Trout	<i>Salvelinus fontinalis</i>		X	X
Brown Trout	<i>Salmo trutta</i>			
Rainbow Trout	<i>Oncorhynchus mykiss</i>	X		
White Sucker	<i>Catostomus commersoni</i>	X	X	
Creek Chub	<i>Semotilus atromaculatus</i>	X	X	
Blacknose Dace	<i>Rhinichthys atratulus</i>	X	X	
Brassy Minnow	<i>Hybognathus hankinsoni</i>	X		
Fathead Minnow	<i>Pimephales promelas</i>	X	X	
Central Stoneroller	<i>Campostoma anomalum</i>		X	
Iowa Darter	<i>Etheostoma exile</i>	X	X	
Green Sunfish	<i>Lepomis cyanellus</i>	X		
Brook Stickleback	<i>Culaea inconstans</i>	X	X	
Central Mudminnow	<i>Umbra limi</i>	X		

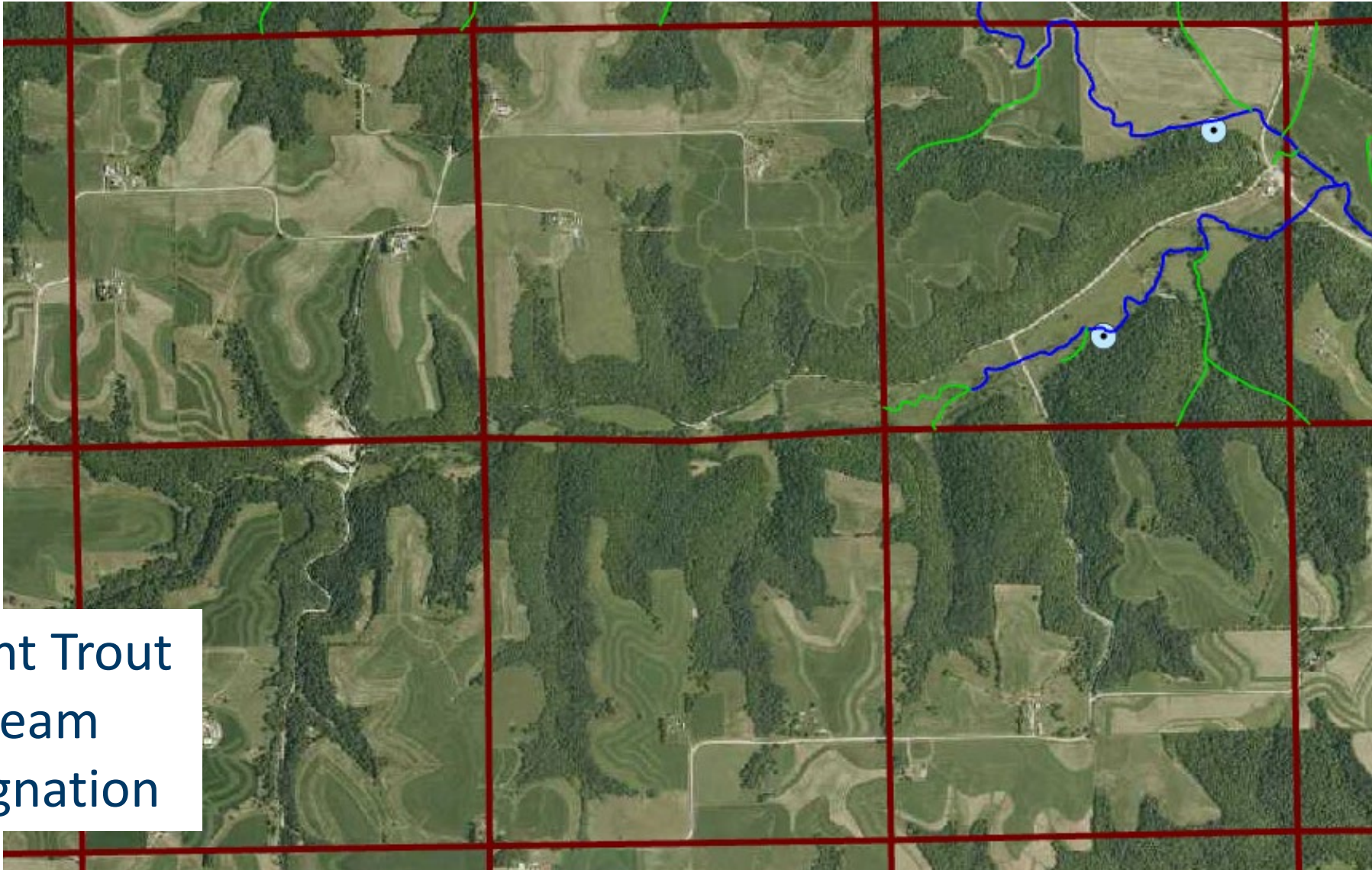
# Burns Valley Creek (M-011-005)



# Eitzen Creek (M-001-011)

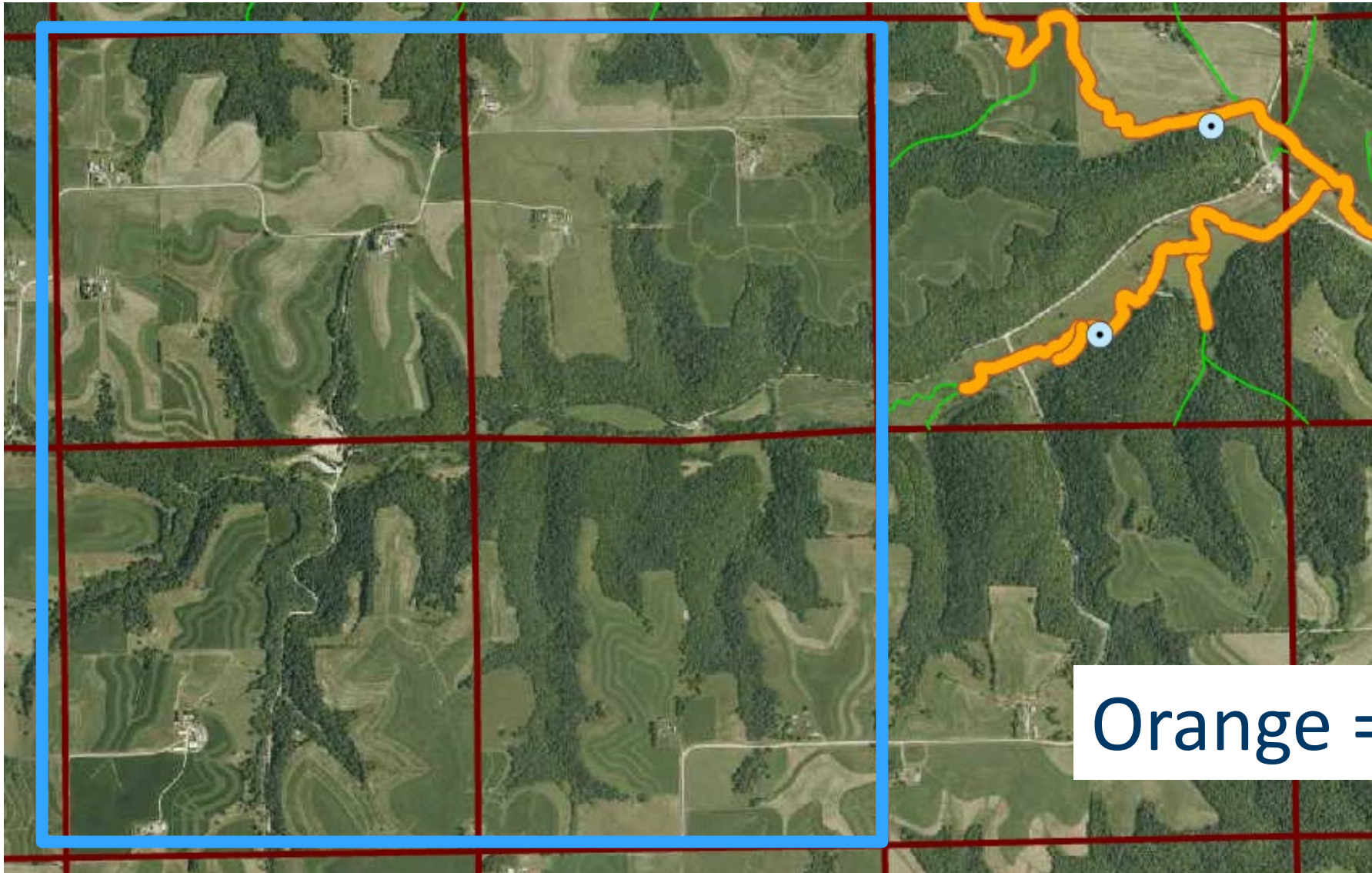


# Eitzen Creek (M-001-011)



Current Trout  
Stream  
Designation

# Eitzen Creek (M-001-011)

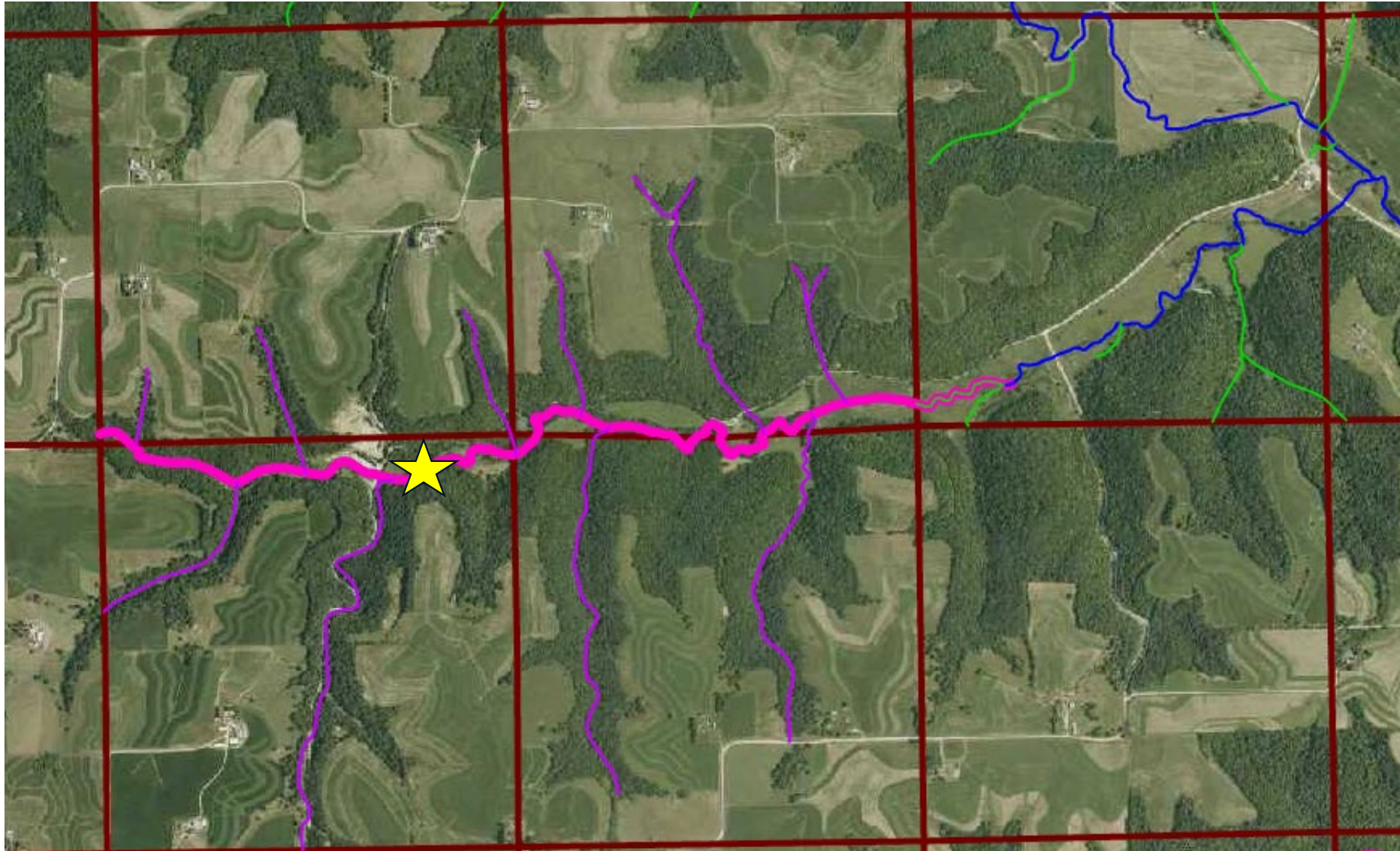


Orange = PWI

Pink = trout stream

Purple = trout stream tributary

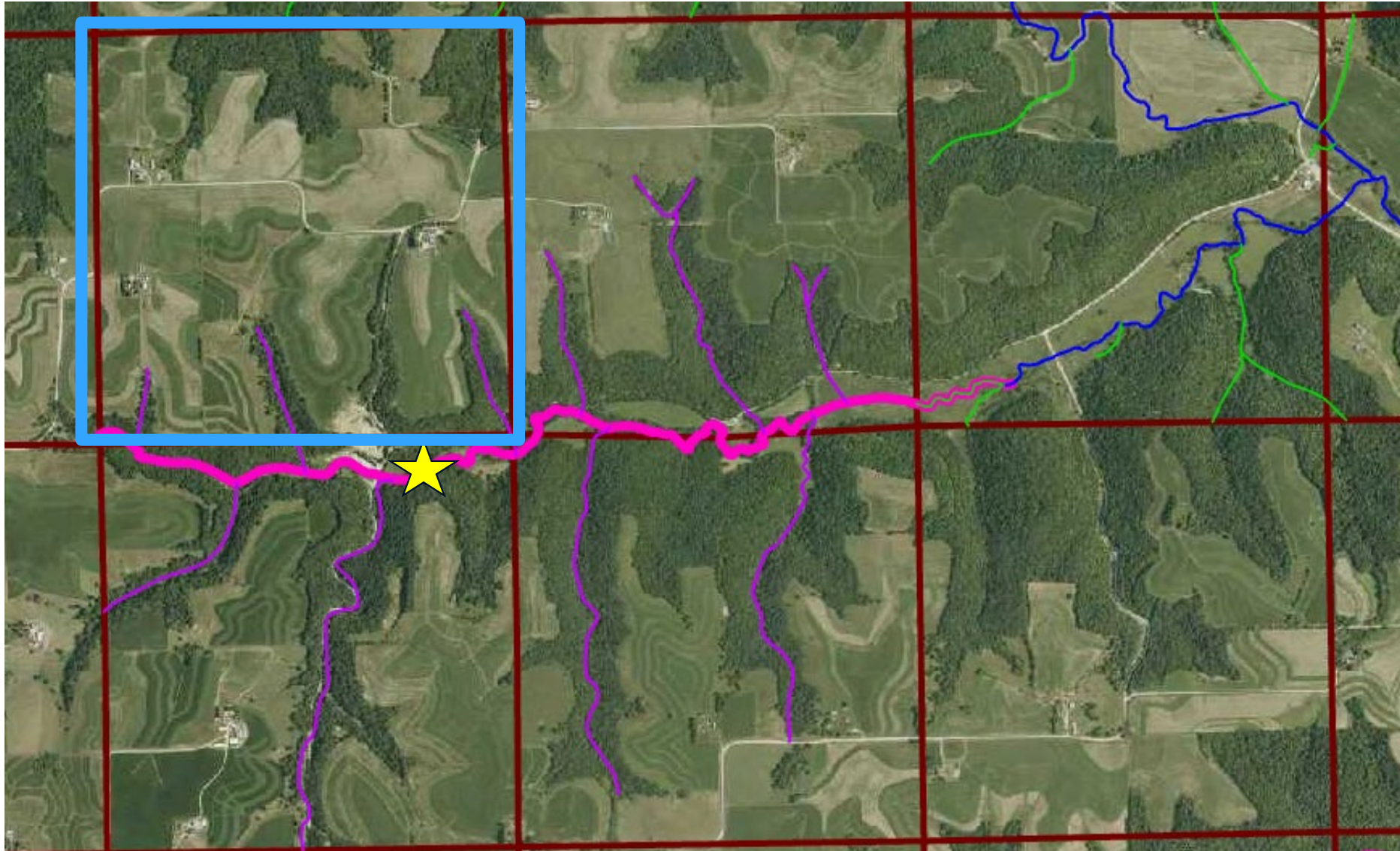
Eitzen Creek (M-001-011)



Pink = trout stream

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Eitzen Creek (M-001-011)

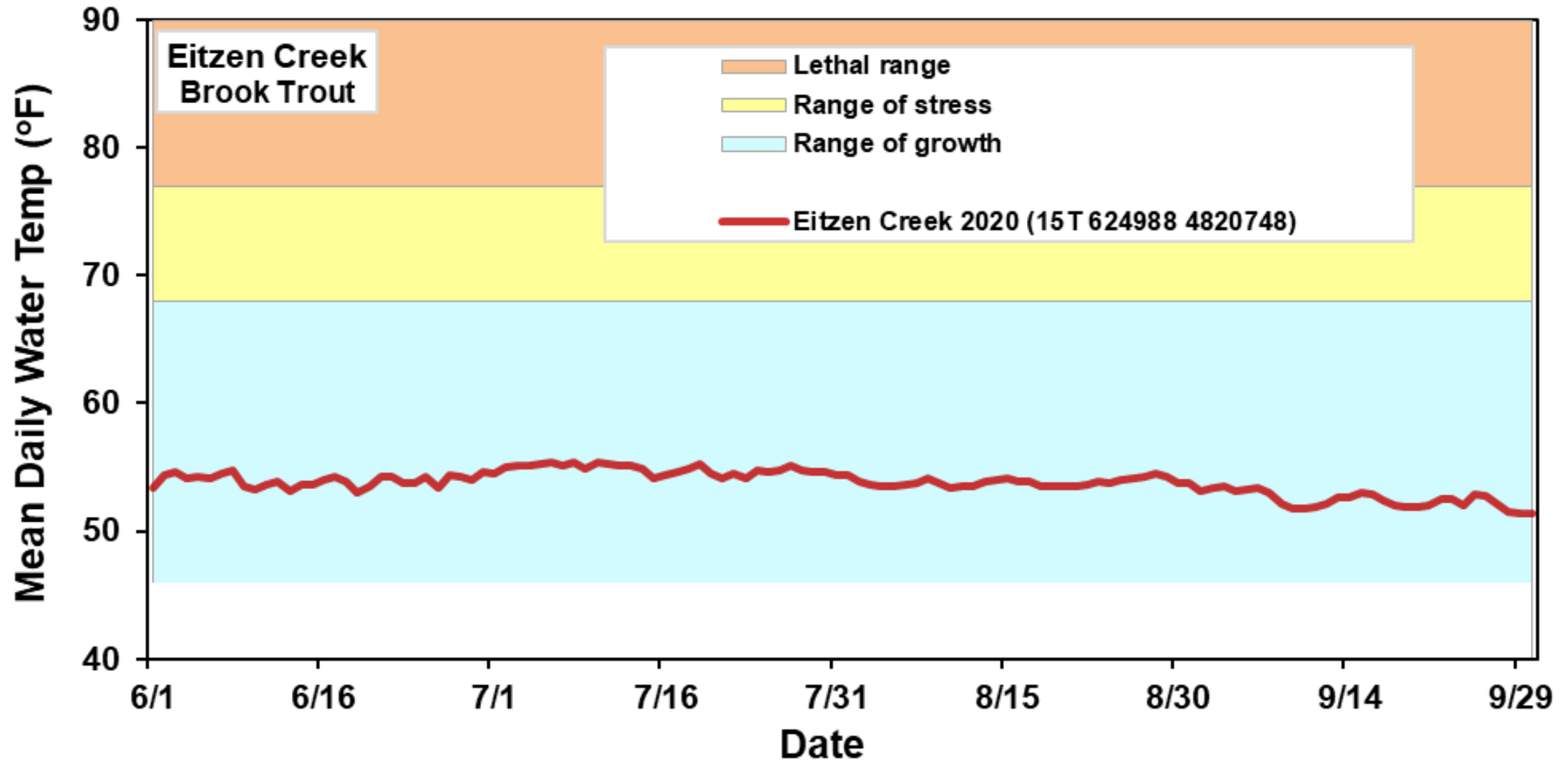


# Eitzen Creek (M-001-011)

Table 1. Fish sampled in stream assessments in Eitzen Creek (M-001-011), Houston County, Minnesota.

Common Name	Species	1982	1987	1987	2012	2012
		0.18	0.18	0.66	0.66	2.15
Brook Trout	<i>Salvelinus fontinalis</i>	X			X	X
Brown Trout	<i>Salmo trutta</i>		X	X	X	
White Sucker	<i>Catostomus commersoni</i>	X		X	X	
Creek Chub	<i>Semotilus atromaculatus</i>	X	X			
Blacknose Dace	<i>Rhinichthys atratulus</i>		X			
Longnose Dace	<i>Rhinichthys cataractae</i>		X			
Fathead Minnow	<i>Pimephales promelas</i>			X		
Central Stoneroller	<i>Campostoma anomalum</i>	X	X	X		
Fantail Darter	<i>Etheostoma flabellare</i>	X	X			
Slimy Sculpin	<i>Cottus cognatus</i>	X	X	X		X
Sculpin	Species unknown				X	
Brook Stickleback	<i>Culaea inconstans</i>		X	X		X

# Eitzen Creek (M-001-011)



- Riparian Rights: [https://www.dnr.state.mn.us/waters/watermgmt\\_section/pwpermits/waterlaws.html](https://www.dnr.state.mn.us/waters/watermgmt_section/pwpermits/waterlaws.html)
- MN Waters Permits: <https://www.dnr.state.mn.us/permits/water/index.html>
- MN Buffer Law: <https://www.dnr.state.mn.us/buffers/index.html>
- Manure Management: <https://www.pca.state.mn.us/business-with-us/land-application-of-manure>
- Map of Manure Management: <https://experience.arcgis.com/experience/b99690542f364a6dace31df6fab2e55a/page/Page>

# Questions?

**Melissa Wagner | Fisheries Supervisor**

*Melissa.Wagner@state.mn.us*

Office 507-765-7061



# HOUSTON COUNTY

## BOARD OF COMMISSIONER MEETING

### AGENDA REQUEST FORM

Historic Courthouse  
304 S Marshall Street  
Caledonia, MN 55921

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**Board Meeting Date:**  
**Date Request Submitted:**  
**Submitted By (Name and Title):**

**Please fill in item(s) requested for agenda in correct category below. Add numbers as needed.**

Appointment Request:

Consent Agenda Request:

- 1) Change the title and pay band of Bethany Moen from Social Services Supervisor to Social Services Director (D61 step 8) effective March 9<sup>th</sup>, 2026. This change is due to restructuring and not an open position.
- 2) Change the title and pay band of Karen Kohlmeyer from Financial Assistance Supervisor to Financial Assistance Director (C44 step 8) effective March 9<sup>th</sup>, 2026. This change is due to restructuring and not an open position.
- 3) Transfer Melissa Jordan from 1 FTE Child Support Officer (B24) to a 1 FTE Appraiser Trainee (B22 step 9) effective 5/4/2026
- 4) Approve a competitive search for 2 – 1 FTE Child Support Officers.
- 5) Approve a competitive search for a 67-day Social Worker

Action Item Request:

Discussion Item:

- 1)

Background/additional information can be typed below and/or included with request:

Note: Please submit all agenda request forms and supporting documentation to the BOC email at **BOC@HoCoMN.gov** by noon the Thursday before each BOC meeting to be included on the agenda. If your department needs a resolution number, please ask for the number ahead of time via the BOC email. Resolutions should be emailed in word format so they can be easily copied and pasted into the meeting minutes. Departments are responsible for scheduling their own public hearings, but please email the BOC to verify a date and time is available prior to advertising the hearing to ensure we do not double book times. Questions regarding agenda requests and board meetings can be sent to the BOC email. Thank you!

**REVIEW LICENSE CENTER PAYMENTS****2026/04/06 AUDITOR WARRANTS:**

<b>VENDOR NAME</b>	<b>AMOUNT</b>
US BANK VOYAGER FLEET SYS	<u>2,077.15</u>
	2,077.15
6 VENDORS PAID LESS THAN \$2000.00	<u>2,779.34</u>
	<u><u>4,856.49</u></u>

**REQUEST APPROVAL FOR PAYMENTS****2026/04/21 COMMISSIONER WARRANTS:**

<b>VENDOR NAME</b>	<b>AMOUNT</b>
ABILITY BUILDING COMMUNITY	2,666.87
ACEN TEK	4,353.76
ADVANCED CORRECTIONAL HEALTHCARE	8,136.41
BOLTON & MENK INC	4,500.00
CALEDONIA AMBULANCE SERVICE	2,500.00
CALEDONIA/CITY OF	14,050.39
COULEE REGION DOCKS & DECKS LLC	9,988.00
DEPT OF TRANSPORTATION	4,188.43
ENTERPRISE FM	11,199.61
GREAT LAKES SALT COMPANY	48,494.15
HOUSTON AMBULANCE SERVICE	2,500.00
HOUSTON COUNTY AG SOCIETY	24,000.00
HOUSTON COUNTY TREASURER	18,511.32
HOUSTON COUNTY TREASURER	20,733.13
KELLY PRINTING & SIGNS	3,436.36
KWIK TRIP	6,558.90
MAYO CLINIC	16,161.66
MIENERGY COOPERATIVE	2,444.66
MINNESOTA ENERGY RESOURCES	6,323.57
MN STATE AUDITOR	10,541.00
MNCCC	14,177.14
QUALITY POWER SOLUTIONS	26,777.56
REGENTS OF THE UNIVERSITY OF MINNE	38,925.00
RICHARD'S SANITATION LLC	22,918.59
SE MN EMERGENCY MEDICAL SERVICES	5,000.00
SELCO	50,820.75
SPRING GROVE AMBULANCE SERVICE	2,500.00
WEX BANK	2,371.59
WIEBKE TIRE CO	5,165.90
	<hr/>
	389,944.75
62 VENDORS PAID LESS THAN \$2000.00	<hr/>
	28,320.81
	<hr/>
	418,265.56
PUBLIC HEALTH & HUMAN SERVICES	<hr/>
	268,197.11
	<hr/>
	<u>686,462.67</u>



# HOUSTON COUNTY

## BOARD OF COMMISSIONER MEETING

### AGENDA REQUEST FORM

Historic Courthouse  
304 S Marshall Street  
Caledonia, MN 55921

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**Board Meeting Date: 4/21/2026**  
**Date Request Submitted: 4/9/2026**  
**Submitted By Luke Onstad (Assessor)**

**Please fill in item(s) requested for agenda in correct category below. Add numbers as needed.**

Appointment Request:

Consent Agenda Request:

Action Item Request: Consider approving tax abatement for Bullfrog Properties LLC, (parcel 26.0151.000) in the amount of \$7,210

Discussion Item:

Background/additional information can be typed below and/or included with request:

This abatement is being requested due to corrections made in the spring of 2025 for square footage of building and status of new construction. These corrections reduced the value of the property from \$560,600 to \$361,700 for taxes payable in 2026. Due to programming, the change with in the tax system was rejected and reverted to \$560,600, which resulted in an incorrect tax amount for 2026 payable taxes.

Note: Please submit all agenda request forms and supporting documentation to the BOC email at **BOC@HoCoMN.gov** by noon the Thursday before each BOC meeting to be included on the agenda. If your department needs a resolution number, please ask for the number ahead of time via the BOC email. Resolutions should be emailed in word format so they can be easily copied and pasted into the meeting minutes. Departments are responsible for scheduling their own public hearings, but please email the BOC to verify a date and time is available prior to advertising the hearing to ensure we do not double book times. Questions regarding agenda requests and board meetings can be sent to the BOC email. Thank you!



# HOUSTON COUNTY

## BOARD OF COMMISSIONER MEETING

### AGENDA REQUEST FORM

Historic Courthouse  
304 S Marshall Street  
Caledonia, MN 55921

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**Board Meeting Date:** 4/21/2026

**Date Request Submitted:** 4/15/2026

**Submitted By (Name and Title):** Jeremy Burt, County Feedlot Officer (CFO)

**Please fill in item(s) requested for agenda in correct category below. Add numbers as needed.**

Appointment Request:

Consent Agenda Request:

Action Item Request:

Approve the 2025 County Feedlot Officer (CFO) Annual Report and Financial Report.

Signature required.

Discussion Item:

Background/additional information can be typed below and/or included with request:

The 2025 Feedlot Officer Annual Report and Financial Report are included with this request.

Note: Please submit all agenda request forms and supporting documentation to the BOC email at **BOC@HoCoMN.gov** by noon the Thursday before each BOC meeting to be included on the agenda. If your department needs a resolution number, please ask for the number ahead of time via the BOC email. Resolutions should be emailed in word format so they can be easily copied and pasted into the meeting minutes. Departments are responsible for scheduling their own public hearings, but please email the BOC to verify a date and time is available prior to advertising the hearing to ensure we do not double book times. Questions regarding agenda requests and board meetings can be sent to the BOC email. Thank you!



# HOUSTON COUNTY

## BOARD OF COMMISSIONER MEETING

### AGENDA REQUEST FORM

Historic Courthouse  
304 S Marshall Street  
Caledonia, MN 55921

**Board Meeting Date:** 4/21/2026

**Date Request Submitted:** 4/16/2026

**Submitted By (Name and Title):** Amelia Meiners, Environmental Services Director

**Please fill in item(s) requested for agenda in correct category below. Add numbers as needed.**

Appointment Request:

Consent Agenda Request:

Action Item Request:

Final approval/denial by the County Board for the following applications:

- 1) Consider approving or denying a Text Amendment to the Zoning Ordinance on mine density standards for Burns & Hansen, P.A. on behalf of Cory and Jackie Baker, Scott Hatleli and Cindy Cresswell-Hatleli, and Rosemary Iversen.

Discussion Item:

Background/additional information can be typed below and/or included with request:

The agenda, hearing notice, findings, and board packet are included with this request.

The Planning Commission meeting was on 3/26/2026. The Text Amendment will be presented as a failed motion due to the lack of a second.

The request was presented to the Board of Commissioners on 4/7/2026 where it was tabled.

Note: Please submit all agenda request forms and supporting documentation to the BOC email at [BOC@HoCoMN.gov](mailto:BOC@HoCoMN.gov) by noon the Thursday before each BOC meeting to be included on the agenda. If your department needs a resolution number, please ask for the number ahead of time via the BOC email. Resolutions should be emailed in word format so they can be easily copied and pasted into the meeting minutes. Departments are responsible for scheduling their own public hearings, but please email the BOC to verify a date and time is available prior to advertising the hearing to ensure we do not double book times. Questions regarding agenda requests and board meetings can be sent to the BOC email. Thank you!

**HOUSTON COUNTY  
BOARD OF ADJUSTMENT AND  
PLANNING COMMISSION  
AGENDA  
Thursday, March 26, 2026**

*Hearings are in the Houston County Commissioner's Room.  
Please enter through the west entrance. Doors will open at 4:45 pm.*

**BOARD OF ADJUSTMENT**

Approve Minutes for February 26, 2026.  
Elect Chair and Vice Chair for 2026.

**VARIANCE HEARINGS:**

- 4:00 pm      ***Randolph & Sherry Pitzer – Sheldon Township***  
Variance to reduce front yard setback requirements for a proposed dwelling  
(Section 15-15.6, Subd. 3).
- 4:15 pm      ***Timmie & Kelly Meyer – Caledonia Township***  
Variance to reduce front yard setback requirements for a proposed dwelling addition  
(Section 14-14.7, Subd. 1).
- 4:30 pm      ***Joshua Dahl – Yucatan Township***  
1) Variance to reduce front yard setback requirements for a proposed ag building  
(Section 14-14.7, Subd. 3).  
2) Variance to reduce property line setback requirements for a proposed ag building  
(Section 14-14.8, Subd. 1).
- 4:45 pm      ***Scott Standish – Mayville Township***  
Variance to reduce front yard setback requirements for a proposed dwelling  
(Section 14-14.7, Subd. 2).
- 5:00 pm      ***Gabriel Howe – Yucatan Township***  
1) Variance to reduce setback requirements for a proposed dwelling from an existing  
feedlot (Section 33.16, Subd. 6).  
2) Variance to reduce setback requirements for an existing accessory structure to a  
property line (Section 14-14.8, Subd. 1).

**PLANNING COMMISSION**

Approve Minutes for February 26, 2026.

**CONDITONAL USE HEARINGS:**

- 5:20 pm      ***Scott Standish – Mayville Township***  
Conditional Use Permit to build a dwelling in an Agricultural Protection District  
(Section 14-14.3, Subd. 1, Subs. 10).

5:40 pm        ***Gabriel Howe – Yucatan Township***  
Conditional Use Permit to build a dwelling in an Agricultural Protection District  
(Section 14-14.3, Subd. 1, Subs. 10).

6:00 pm        ***Thomas & Colleen Niebeling – Mound Prairie Township***  
1) Conditional Use Permit for substantial land alteration in an Agricultural  
Protection District (Section 24-24.2, Subd. 1).  
2) Conditional Use Permit for work within the Floodplain District (Section 21-21.5,  
Subd. 3 (2)).

**ZONING AMENDMENT HEARINGS:**

6:20 pm        ***Burns & Hansen, P.A. on behalf of Cory & Jackie Baker, Scott & Cindy Hatleli, and  
Rosemary Iversen – Houston County Zoning Ordinance Text Amendment***  
Request to modify the following Ordinance section:

SECTION 27.8 – Operational Performance Standards  
Change mine density standard language from “industrial mineral” mine to “sand” mine  
(Section 27.8, Subd. 1 (5)).

## NOTICE OF PUBLIC MEETING

## PLEASE TAKE NOTICE:

That an application has been made by Burns & Hansen, P.A. on behalf of Cory and Jackie Baker, 22848 State 16, Rushford, MN 55971, Scott and Cindy Hatleli, 23263 Hatleli Dr, Rushford, MN 55971, and Rosemary Iversen, 2835 Casco Point Rd, Wayzata, MN 55391 to make a text amendment to the Houston County Zoning Ordinance.

A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota, 55921 at 6:20 p.m. on Thursday, March 26, 2026.

The affected section and topics include:

1. Section 27.8 Subd. 1 (5) – Mine Density Standards
  - a. Modify language as follows: New ~~industrial mineral sand~~ mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non-conforming ~~industrial mineral sand~~ mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.

All persons having an interest in the matter may attend the hearing or submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street – Room 209, Caledonia, MN 55921, or emailed to [Zoning@HoCoMN.gov](mailto:Zoning@HoCoMN.gov), and must be received by Tuesday, March 17, 2026 to be included for review prior to the hearing. All comments are considered public record.

## HOUSTON COUNTY PLANNING COMMISSION

By Amelia Meiners  
Zoning Administrator

ADV: March 11, 2026

## HOUSTON COUNTY PLANNING COMMISSION

### Proposed changes to the Houston County Zoning Ordinance for mine density standards.

Section 8.6 of the Houston County Zoning Ordinance requires that the Planning Commission make findings in support of a decision but does not prescribe specific criteria. The following findings are proposed for your consideration.

1. One of Houston County's guiding values acknowledges that aggregate materials are important to the economic basis of the community and to use in construction, road maintenance and other uses, and strives to balance access to materials with protection of natural resources.
2. Another value in the Comprehensive Land Use Plan (CLUP) cites the importance of sound environmental practices that promote the efficient use of all natural resources and protection of environmentally sensitive natural resources. While it has been stated that this ordinance change creates unregulated mining, it is not unregulated. There are still County and State permitting requirements.
3. Goal 2.2 of the CLUP promotes agriculture as a viable land use and significant contribution to economic activity in the County and access to these construction materials is important for operations. In addition, the Plan recognizes the cultural and economic importance of agriculture to the community. Local decisions should support maintaining and sustaining the vitality of family farms and locally owned agricultural operations and support practices that balance the conservation of soil, water quality, and economic viability.
4. Tourists travel our roads and bike trails and utilize our establishments and these all require construction minerals to build and/or maintain.
5. Rock quarries, which are classified as construction minerals, exist in greater frequency in the County than sand mines and there is no density limitation required for those operations.
6. The amendments adopted in March 2025 did not change requirements for frac or industrial sand operations.
7. Raw materials are a necessary component of maintaining our infrastructure and keeping those small and local should be prioritized. It's not economical to transport materials long distances and you experience an environmental tradeoff by doing so with increased emissions, demand for fuels, etc.
8. Neighboring counties likely hold the same values for protection of natural resources and their citizens and it is unfair to place the additional burden of asking them to support our County as well.

General discussion was held by the Board regarding a density standard for sand mines but not for rock quarries, as well as the difference between the two.

Chairman Hahn asked for a motion on the findings if there were no additional comments or questions.

Eric Johnson made a motion to accept the findings as presented. Josh Gran seconded. A roll call vote was taken. Motion carried four to one.

<b>Board Member</b>	<b>Yes</b>	<b>No</b>	<b>Comment</b>
Larry Gaustad	X		Approved of findings as written.
Josh Gran	X		Does not see anything to disagree with what was detailed out specifically in the findings.
Franklin Hahn	X		

Eric Johnson	X		Agreed with Finding #2 that it sites our Comprehensive Land Use Plan where we protect our natural resources but also allow mining within the County. Also agreed with Finding #5 the rock quarries are classified as construction materials require no density limitation for those operations. The amendments adopted did not change the requirements for frac or industrial sand operations.
Richard Schild		X	Had trouble with some of the language.

Chairman Hahn asked for a motion on the zoning amendment request if there were no additional comments or questions.

Richard Schild made a motion to recommend the Houston County Board adopt the change to Section 27.8 Subd. 1 (5) as proposed:

Section 27.8, Subd. 1 (5) – Mine Density Standards

- a. New ~~industrial mineral sand~~ mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non-conforming ~~industrial mineral sand~~ mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.

There was not a second. Motion failed due to lack of a second.

The application, with the conditions, will be presented to the Houston County Board of Commissioners for final action.

Eric Johnson made a motion to adjourn the meeting. Josh Gran seconded. Motion carried.



## HOUSTON COUNTY ENVIRONMENTAL SERVICES

Solid Waste ● Recycling ● Zoning  
304 South Marshall Street – Room 209, Caledonia, MN 55921  
Phone: (507) 725-5800 ● Fax: (507) 725-5590



### STAFF REPORT

2/18/2026, Amended 3/18/2026

Application Date: 1/28/2026  
Hearing Date: 3/26/2026  
Petitioner: Burns and Hansen, P.A on behalf of Corey & Jackie Backer, Rose Mary Iversen, Scott & Cindy Hatleli  
Reviewer: Amelia Meimers  
Zoning: Agriculture Protection District  
Address: N/A  
Township: N/A  
Parcel Number: N/A  
Submitted Materials: Petition to Amend Houston County Zoning Ordinance Packet

### OVERVIEW

#### REQUEST

The Petitioners are requesting to repeal the March 2025 decision to modify the density requirement for mines in the Houston County Zoning Ordinance. This was originally on the February agenda but was tabled at the request of the applicants.

#### SUMMARY OF NOTEWORTHY TOPICS

The applicants feel that there was not adequate public notice prior to the Planning Commission and Board of Commissioner decision on the following language amended in the Houston County Zoning Ordinance (HCZO) in March 2025.

That 2025 proposal added definitions of construction minerals and industrial minerals under Section 27.3 to mirror those in neighboring Fillmore and Winona Counties.

#### **SECTION 27 – MINERAL EXTRACTION**

##### **27.3 DEFINITIONS**

- a. *Construction minerals: The term "construction minerals" includes natural common rock, stone, aggregate, gravel and sand that is produced and used for local construction purposes, including road pavement, unpaved road gravel or cover, concrete, asphalt, building and dimension stone, railroad ballast, decorative stone, retaining walls, revetment stone, riprap, mortar sand, construction lime, agricultural lime and bedding for livestock operations, sewer and septic systems, landfills, and sand blasting. The term "construction minerals" does not include "industrial minerals" as defined below.*
- b. *Industrial minerals: The term "industrial minerals" includes naturally existing high quartz level stone, silica sand, quartz, graphite, diamonds, gemstones, kaolin, and other*

*similar minerals used in industrial applications, but excluding construction minerals as defined above. Silica sand is categorized as an industrial mineral by the Minnesota Department of Natural Resources and the North American Industry Classification System under classification no. 212322. "Silica sand" has the meaning given in Minnesota Statutes, Section 116C.99, subd. 1 (d): "'Silica sand' means well-rounded, sand-sized grains of quartz (silicon dioxide), with very little impurities in terms of other minerals. Specifically, the silica sand for the purposes of this section is commercially valuable for use in the hydraulic fracturing of shale to obtain oil and natural gas. Silica sand does not include common rock, stone, aggregate, gravel, sand with low quartz level, or silica compounds recovered as a by-product of metallic mining." Minn. State Section 116C.99, subd. 1 (d) "Silica sand project" has the meaning given in Minnesota Statutes, Section 116C.99, subd. 1 (e): "'Silica Sand project' means the excavation and mining and processing of silica sand; the washing, cleaning, screening, crushing, filtering, drying, sorting, stockpiling, and storing of silica sand, either at the mining site or at any other site; hauling and transporting of silica sand; or a facility for transporting silica sand to destinations by rail, barge, truck, or other means of transportation." Minn. State. Section 116C.99, subd. 1 (e).*

At the same time, the applicant requested to modify the density standard for sand mines by making it specific to industrial minerals only, thus opening opportunities for construction mineral mines in areas that were previously inaccessible. The intent was not to modify any regulation in regard to silica sand/frac sand and the 20-acre size limit was maintained. All mineral extraction still requires a conditional use permit which will review site specific impacts and set regulations accordingly. See language below.

### **27.8 OPERATIONAL PERFORMANCE STANDARDS**

*Each person, firm, or corporation to whom a mining operation permit is issued may engage in mining upon lands described in the license, subject to the following operational performance standards:*

#### ***Subdivision 1. General Requirements.***

***(5) Mine Density Standards.*** *New ~~sand~~ industrial mineral mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non-conforming ~~sand~~ industrial mineral mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.*

This application was handled consistent with other public hearing requests. It was reviewed by the Planning Commission on February 27, 2025 and those two changes were approved by the Board of Commissioners on March 18, 2025.

The current proposal upholds the definitions as adopted but proposes to modify language as shown below.

#### ***Section 27.8 Subd. 1 (5) – Mine Density Standards***

- a. Modify language as follows: New ~~industrial mineral sand~~ mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non-conforming ~~industrial mineral sand~~ mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.***

The end use of construction sand is for agriculture, septic systems, building sites and transportation projects, all of which are essential activities that take place in Houston County. The Comprehensive Land Use Plan identifies multiple goals that both protect natural resources and promote agriculture, economic development, and responsible rural housing development. The Planning Commission's initial decision considered the balance of protecting both our natural resources and residents as well as providing material that is necessary for development to continue in Houston County. It is unfair to place the burden of

supplying that raw material on neighboring counties that likely have similar values for protecting air, water and land resources for their citizens. Further, when sites are restricted you create a monopoly on products and increase transportation requirements that may result in increased emissions.

It is understood that numerous discussions took place regarding frac sand operations about a decade ago and the March 2025 amendment did not change regulations for those operations. Maintaining the setback for industrial mineral sites that are much more operationally intensive ensures additional protection to neighboring properties and infrastructure. The current ordinance does not require a setback for other aggregate resources falling under the definition of construction minerals (i.e. road gravel) and the mining and handling of construction sand would be more similar in operation to rock than industrial sand. The ordinance currently requires new dwellings meet a 1,000-foot setback from the boundary of an existing mine and that language did not change with the 2025 amendment. In addition, there is not and has not been a setback requirement to agricultural lands and implying the density standard is necessary to maintain that is misleading. If there is concern about concentrated operations that will be reviewed as part of the site-specific conditional use permit hearing, since applicants of any conditional use proposal must demonstrate there is a need for their good or service. When reviewing a specific location, neighboring property owners will be notified per HCZO Section 6.2 Subd. 2.

Included in the packet is the surficial geology plate from the County Geologic Atlas. The sand resource in question is classified as *Qat* and is shown in light yellow. This exists heavily in the Root River corridor and along its tributaries. While this shows you how that resource is dispersed throughout the County it does not depict the depth of material which is considered when reviewing whether a location is economical for a mining operation.

The ordinance does not provide the Planning Commission with specific findings from which to make a decision but perhaps the framework set up in the Comprehensive Land Use Plan may be helpful.

The following language is found under *Amending the Comprehensive Plan* on page 64.

*Criteria to consider when reviewing an amendment:*

- *The change is consistent with the overall vision of the County*
- *The change does not create an adverse impact on public facilities and services that cannot be mitigated*
- *The change results in development that is inconsistent with or negatively impacts surrounding properties*
- *The change results in consistency between city, township, county, and/or other regional plans*
- *The change is necessary due to an identified or demonstrated need not identified at the time of the Plan being adopted*

## TOWNSHIP AND NEIGHBORHOOD COMMENTS

Since this application was not tied to a specific location it was published in the Caledonia Argus, which is the legal newspaper, in addition to being sent to those agencies and municipalities regularly notified. Multiple comments were received and included in the packet.

## EVALUATION

Section 8.6 of the Houston County Zoning Ordinance requires that the Planning Commission make findings in support of a decision but does not prescribe specific criteria. The following findings are proposed for your consideration.

1. One of Houston County's guiding values acknowledges that aggregate materials are important to the economic basis of the community and to use in construction, road maintenance and other uses, and strives to balance access to materials with protection of natural resources.
2. Another value in the Comprehensive Land Use Plan (CLUP) cites the importance of sound environmental practices that promote the efficient use of all natural resources and protection of environmentally sensitive natural resources. While it has been stated that this ordinance change creates unregulated mining, it is not unregulated. There are still County and State permitting requirements.
3. Goal 2.2 of the CLUP promotes agriculture as a viable land use and significant contribution to economic activity in the County and access to these construction materials is important for operations. In addition, the Plan recognizes the cultural and economic importance of agriculture to the community. Local decisions should support maintaining and sustaining the vitality of family farms and locally owned agricultural operations and support practices that balance the conservation of soil, water quality, and economic viability.
4. Tourists travel our roads and bike trails and utilize our establishments and these all require construction minerals to build and/or maintain.
5. Rock quarries, which are classified as construction minerals, exist in greater frequency in the County than sand mines and there is no density limitation required for those operations.
6. The amendments adopted in March 2025 did not change requirements for frac or industrial sand operations.
7. Raw materials are a necessary component of maintaining our infrastructure and keeping those small and local should be prioritized. It's not economical to transport materials long distances and you experience an environmental tradeoff by doing so with increased emissions, demand for fuels, etc.
8. Neighboring counties likely hold the same values for protection of natural resources and their citizens and it is unfair to place the additional burden of asking them to support our County as well.

### RECOMMENDATION

The Planning Commission's initial decision considered the balance of protecting both our natural resources and residents as well as providing material that is necessary for development to continue and be affordable in Houston County. This amendment did not create a blanket approval of all sand mines and many of the same concerns would be raised whether or not a mine proposal had a setback requirement.

Should the Planning Commission decide to recommend approval, the following motion has been drafted for your consideration.

Motion to recommend adopting the change to Section 27.8 Subd. 1 (5) as proposed:

#### Section 27.8 Subd. 1 (5) – Mine Density Standards

- a. Modify language as follows: New ~~industrial-mineral sand~~ mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non-conforming ~~industrial-mineral sand~~ mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.



**From:** [REDACTED]  
**To:** [HoCo Zoning](#)  
**Subject:** Mine Density Standards Ordinance  
**Date:** Friday, February 13, 2026 9:57:37 PM

\*\*\* HOUSTON COUNTY SECURITY NOTICE \*\*\*

This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact HelpDesk.

I am a resident of Rushford in Fillmore County, close to the border of Houston County. I am strongly in favor of the proposed amendment to the Mining Density Standards Ordinance, which will reverse changes made in March 2025 and bring standards back to protect the beauty of our counties along with tourism, streams, rivers, bluffs, wildlife habitats, and the continued health and safety of our communities.

Thank you for your thoughtful consideration of steps you can take to insure a future for the next generations of inhabitants of our cherished lands.

Sincerely,  
Sonja Cook

**From:** [Lizzy Haywood](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Comment on application regarding Ordinance Section 27.8 Subd. 1 (5)  
**Date:** Saturday, February 14, 2026 10:56:34 AM

**\*\*\* HOUSTON COUNTY SECURITY NOTICE \*\*\***

This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact HelpDesk.

Dear Houston County Planning Commission,  
Thank you for making time on 2/26/26 for a hearing on an application by Burns & Hansen, P.A., regarding Ordinance Section 27.8 Subd. 1 (5) - Mine Density Standards.  
I'm writing with my strong support of this application. It requests reinstatement of the ½ mile density standard for all new mineral mines, which was removed from the ordinance in March 2025.

The density standard is critical to safeguarding our land, water and air quality in Houston County. Maintaining a 1/2 mile density standard protects this area's tourism and agriculture economies, crucial wildlife habitat, and the health of all residents.

Thank you for your work on behalf of the people of Houston County.

Sincerely,

Lizzy Haywood  
La Crescent, MN

**From:** [Joyce Roffler](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Comment in Support on Application Re: Section 27  
**Date:** Saturday, February 14, 2026 6:24:04 PM

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To Whom it May Concern,

I am writing in full support of Burns & Hansen, PA application to Amend Sect 27.8 Houston County Ordinance Mineral Extraction. The approval and acceptance of this application's request that the 1/2-mile density standard apply to not only to new industrial mineral mines but also be applied to any new construction mineral mines, is both fair and critical. Approving this application is necessary to ensure there are protections in place for both residents' welfare, and to preserve the unique beauty and landscape for future generations to come.

I believe this current application should not have even been necessary, as the previous ordinance language should have been kept in place. The ordinance had been in place for almost a decade; that made the ½ mile density standard rule applicable to any and all new mineral/sand mines. It took years and hundreds of hours of public meetings, comments and discussions to get to that place and adopted in 2016.

Then, an out-of-county company submitted an application to change that and it was approved within a few weeks without one public comment made on the record or true transparency, nor public comments invited. The Planning Commission did not know how misleading and misrepresentative that proposal was when it was originally presented at the Feb 27th, 2025 meeting.

Please understand the importance of your support of this application's request to apply ½ mile density standard to ALL new mineral mines (both Construction & Industrial). If this application is not approved, it will have everlasting negative impacts to the welfare and health of all of Houston County's residents, land owners, and business owners.

Please vote YES in your motion to approve Burns & Hansen, PA application requests.

Thank you for your time and consideration.

Joyce Roffler  
Rushford, MN  
Yucatan Township

**From:** [Buckbee, Donna](#)  
**To:** [HoCo Zoning](#)  
**Subject:** ordinance change  
**Date:** Sunday, February 15, 2026 4:36:51 PM

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I am requesting that Houston County reverse the changes they made back in March 2025 and for them to reapply ½ mile density rule to all new mineral mines both construction and industrial mineral mines.

I don't care what the sand is used for. We live in the most beautiful place on earth and we should preserve it for future generations.

We should not be subjected to the air pollution , noise, dangerous truck traffic, and loss of tourism dollars this would bring.

Donna Buckbee

**From:** [Wade Anderson](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Support for 1/2 Mile Density Standard (Public meeting February 26)  
**Date:** Monday, February 16, 2026 1:59:42 PM

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Dear *Houston County Planning and Zoning*,

I am writing in support of the application to amend the ordinance (27.8 Subd.1 (5)-Mine Density Standard) to include and uphold a 1/2 mile density standard for sand mining operations. This standard provides a reasonable and necessary buffer between industrial activity and nearby homes, helping to minimize impacts such as noise, dust, and increased traffic.

Establishing a clear 1/2 mile density requirement promotes responsible development while protecting the health, safety, and quality of life of surrounding residents. It also ensures consistency and fairness in how future applications are reviewed.

I respectfully urge you to approve the ordinance amendment supporting the 1/2 mile density standard for sand mining.

Thank you for your time and consideration.

Sincerely,

Wade Anderson



Rushford, MN 55971

**From:** [Rosie Iversen](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Public meeting/February 26, 2026  
**Date:** Monday, February 16, 2026 2:17:51 PM

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To: Environmental Services Dept.  
Re: Mine density standards public hearing

The amendment made (3/18/25) to mine density standards certainly didn't take into account important factors. The public and especially the abutting property owners should have been properly notified and included in on this important decision. Please consider our requests which we feel will provide clarity and protection in future mining applications.

I own a piece of bluff land that is being devastated by owners/businesses whose sole interest is in the money made in extracting natural resources for construction projects. This out of state company won't be around for the disruptions and gutted landscapes that local property owners and families will live with daily. Most concerning is the permanent removal of land that create the natural attributes of the blufflands.

The Erickson mine borders my property on the west. With the mining application less than 1/2 mile away and bordering my property on the east I would be sandwiched in between 2 mines. The integrity of the bluff and value of my property is significantly affected.

I have submitted documentation in the past from the MN Department of Natural Resources who did an evaluation of my property describing the blufflands subsection which my property is part of. This was done by Jaime Edwards who is a non game wildlife specialist with the DNR. Without amending the mine density standards much of this will be destroyed.

I quote from her report "The blufflands subsection has the rarest habitat types remaining in Minnesota, including prairie and oak savanna. This subsection also harbors the highest number of wildlife species that are of greatest conservation concern in Minnesota". "The Iversen property has 3 rare plant communities. Overall the property lies within a larger complex of oak barrens/savanna and oak forest. It is one of the few larger barrens complexes remaining in Minnesota. While not comprising a significant portion of the property, the plant community is rather rare in SE Mn. MCBS ranked the habitat found on the Iversen property and surrounding area as having outstanding biodiversity. Very few areas with this ranking, the highest level, remain in Minnesota." This doesn't apply just to my land but to the bluff as a whole. A drive around Houston County is hard to put into words. It's another world! Let's try to keep it that way.

Respectfully,  
Rosemary Iversen

  
Rushford, Mn 55971



Dear Planning Commission Members,

I wanted to provide a few additional comments in regards to our application to a text amendment of the Houston County Ordinance, Section 27 – Mineral Extraction. Re-establishing the ½ mile density standard is the right thing to do for the people of Houston County.

As stated on the Houston County Website, “Ordinances are adopted and enforced to protect, preserve, and promote the public health, safety and general welfare.” By definition “general welfare” refers to the overall well-being, health, safety and prosperity of the entire community (or County), rather than the specific interests of particular individuals or groups. Last March when the decision to remove county-wide density standards took place the entire county was affected in a negative way. Sand mining became unregulated, allowing construction sand mines to essentially start up next to each other with no ½ mile setback. A ½ mile setback serves as a critical buffer to reduce the likelihood of contamination and environmental degradation. It provides space to protect aquifers, private drinking wells, rivers/streams, and wildlife habitat from unintended consequences. It also protects residents and families living in Houston County.

We currently live next to an active sand mine and depended on the ½ mile density standard to protect our property values, our groundwater, our quality of life and overall general welfare. My husband and I and our two kids spend as much time as possible outdoors, enjoying the natural resources, wildlife, and everything rural living has to offer. Living next to one mine is bad enough, I can’t imagine having our property surrounded on three sides with multiple sand mines. Mining operations have significant and long-lasting impacts on surrounding property and families, including noise, dust, vibration, increased truck traffic, ground water concerns and overall changes to the beautiful scenic landscape of this area. The ½ mile density standard protects us from all of this.

Our proposed text amendment does not prohibit mining. Instead, it establishes clear and predictable boundaries that balance mining activity with the rights of residents and families. It is also a reasonable, science-based step toward ensuring that mining activity does not compromise the integrity of our water, land, and ecosystems.

I respectfully urge the Planning Commission to support our common-sense text amendment to strengthen our zoning ordinance for the benefit of the entire Houston County community.

Thank you for your time and consideration,

Cory and Jackie Baker



Yucatan Township & Money Creek Township

Dear County Commissioners/Zoning Board,

I wanted to take a few moments to outline my strong support to Grant the petition to implement ½ mile mining density standards. The previous change did not allow for public input since the notice was listed in the Argus. We live in Money Creek Township on the very west edge and we do not receive the paper as free distribution nor do we subscribe to it and spend as little time on technology as we can. The County had the responsibility to look at existing mines and locate all landowners who would be affected by removing the mine density standards. The County's GIS department could have simply buffered by ½ mile existing mines and send mail notices to all affected. The County is efficient at getting us our tax statements to the right mail address and should make the same effort when taxpayers land is affected by County decisions.

I find it odd that feedlots have density standards as well rural dwelling sites i.e. 1 dwelling per 40 acres. Removing mine density criteria exacerbates all the associated problems associated with sand/silica mining. I'm confident the County will recognize that a preponderance of the construction/ag sand will be removed and used commercially. The majority of the constituents and state agencies recognize that mining operators are using current language to skirt the real reason they are mining sand. They are exhausting studies to prove that sand mining creates noise/dust/water other degrading environmental impacts say nothing about aesthetics and traffic to the County's pristine environment!

I will close with I'm not against sand mining but am not in favor of aggregated mining activities and again encourage granting the petition for ½ mile mine density standards.

Take Care  
Dean and Kim Mierau

**From:** Luke Hatleli [REDACTED]  
**Sent:** Tuesday, February 17, 2026 11:19 AM  
**To:** Amelia Meiners <AMeiners@HoCoMN.gov>  
**Subject:** Repeal of March 2025 1/2 mile Mine Density Ordinance change

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Dear Amelia and members of the Planning Committee:

I am for the repeal of the recent changes (March 2025) made to the Houston County ordinance that pertains to the removal of the 1/2 mile mine density standard and the adding of definitions for construction and industrial sand mines.

I grew up in the Rushford area and my wife and I are strongly considering moving back to the area in the near future. As a child, I remember my dad asking me if I wanted him to build a house across from the football field in Rushford or move out to the country. Little did we know all of the benefits the land in the country would bring to our family. Spending time over the years in the woods (working, hunting, hiking) within a healthy wildlife habitat has taught me the value of what nature has to offer and we hope to pass that on to our children. This past fall, my oldest daughter and I hunted two stands literally on the Root River (very close to the proposed sand mine) for buck opener. If the mine passes, new memories will no longer be made.

My wife and I have a great amount of family in the area. Some that live directly across the entrance of the proposed sand mine. We would love to move to the area and be closer to our families, but our plans for the move will be directly influenced by the decision made by the Planning Committee on this issue since we are planning on building on property that my father owns. Our first choice is in Houston County, however, if the recent changes remain in effect, we may need to change our plans and not build on the acreage by the Root River adjoining the Olson property.

Respectfully,

Luke Hatleli

**From:** [REDACTED]  
**Sent:** Tuesday, February 17, 2026 12:42 PM  
**To:** Amelia Meiners <AMEiners@HoCoMN.gov>  
**Subject:** Fw: Public comment on sand mine density standard amendment reversal request.

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Amelia and the Houston County Planning Committee members:

When I first moved to South East Minnesota I was astonished by the large hills and pristine streams and rivers that wind through the many coulees and valleys found here. I came from flatter land speckled with lakes left from the last glacier retreat. This land was the most beautiful land that I had ever come across in the mid west. I treasure the beauty of the environment and the diversity that was unique to each river, hill and valley here.

I am like so many others that recognize and appreciate SE MN has to offer once we have taken in the beauty of the land. I understand that it is not always easy to see the value of what you have had all of your life, but for someone seeing it for the first time it is overwhelming. The love for the natural beauty that we wake up to each day can be taken for granted if that is all that we are used to. This beauty led me to return to college and learn more about the karst terrain we call home.

Without going into all that can be learned through the years of study, I want to say that our karst terrain defines SE MN. It provides many opportunities not found in most other environments found around the world. We can boast pristine trout streams that can only survive if there are the hills that can filter the rain water deep within the hills. Our Karst formations provide the springs, that feed the streams, that keep the water temperatures suitable, to sustain the trout. This is a rare and unique ecosystem that cannot be duplicated or restored.

We have the streams that feed the rivers such as the Root River which provides many adventures for our residents and for visitors to enjoy with kayaking, tubing, canoeing, fishing or simply sitting back and enjoying the relaxing times by the shoreline watching happy adventurers go by in their tubes. The recreation activities available in our hilly, karst terrain is among some of the best recreational areas in the State and should not be lightly dismissed.

We have the enjoyment of the wildlife. We have deer, wild turkeys, that provide a haven for hunters. However, the sight of bald eagles, bobcats, sand cranes, martins, beavers, and yes even a cougar on our property are the sights that can be held close to our hearts. These animals call the hills and forests their homes. Many of which would be gone if the hills were taken away.

Sure, we have a lot of hills in Houston County. That is true. So, why would we need to eliminate mine density standards? Why would we need to stack mines up one next to another?

We can't say that it is for the specific type of sand located in one particular hill or area when we are searching for cattle bedding. That doesn't fly. The sandstone and limestone left behind through the millennia provides the perfect conditions for rainwater to seep into the soil where the slightly acidic composition of the droplets began to slowly erode the bedrock below and creating the caves and cavern populating our hillsides. It also can provide direct conduits where this water can travel for miles undetected and hidden beneath the ground. I have assisted in dye traces and independent studies attempting to determine the flows of dyes and the connections between sinkholes, caves, springs, streams and yes, even wells, Karst is an extremely sensitive system. You cannot stand on top of a hill and predict where the dye will flow. These fractures and conduits created by rainwater throughout the ages can not be understood or predicted without extensive research. To allow multiple mine sites within 1/2 mile of one another, or less, is providing a free path to destroying the landscape beauty, habitat for rare species, aquifers that provide clean water to our homes and our trout streams, surface water activities such as fishing and other recreational enjoyment, to name just a few, is unforgivable and unrestorable. Once it is gone, it cannot be replaced.

Houston County claims in their ordinance to be set on protecting the residents, natural beauty, and the farmlands yet push through an ordinance change that threatens to destroy the very items that the County has stated that it holds close. They did not consider the impact that allowing multiple, back to back, sand mines in a concentrated locale would create. The guise of wanting to protect the farmland and tourism while keeping residents in a healthy environment cannot be achieved by removing mine density standards.

I am in agreement with the petition to revert the ordinance back to the wordage as it appeared in the 2014 ordinance prior to the amendment pushed through in 2025. Protect our environment for the safety of the citizens and keep the unique ecosystems that provide homes for our feathered, finned and furry creatures that call it home.

Respectfully,  
Cynthia Cresswell Hatleli  
Resident of Yucatan Township

**From:** [REDACTED]  
**Sent:** Tuesday, February 17, 2026 2:15 PM  
**To:** Amelia Meiners <AMeiners@HoCoMN.gov>  
**Subject:** public input comments from another member of this household

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Amelia and Houston County Planning Committee Members:

I would like to request that the committee and the Commissioners revert the sand mine density standards, written by G-Cubed, and approved by the planning committee, sent on for the County Commissioners approval, in March 2025, back to the original wording set in the 2014 ordinance.

In February 2024, I offered the Hoiland Estate the asking price for 195 acres along the Root River. Our offer was accepted. We then put our snowbird, dream home in Florida up for sale to finance the purchase. It was a difficult decision since we had looked forward to being able to enjoy the Florida home once we retired. The 195 acre purchase was completed. This recently purchased land adjoins the recently purchased Olson property located between highway 16 and the Root River. At the time we purchased the land from the Hoiland Estate there was no mention of the County wanting to change the mine density standard or should we say eliminating the mine density standard.

The reason that we purchased this land was for my son to build a home for his family and for all of us to enjoy the pristine surroundings the land holds as an ideal location for building a home, hunting, fishing and farming. Learning about the March 2024 amendment change has been disappointing for us all. We question whether we would like to pursue building a home on the land adjoining a sand mine site. We question whether we would still be able to find a suitable site to build where we would be avoiding the floodplain and the mine setback for homes. We question whether the originally proposed Olson sand mine with a 220 foot high face with a 50' setback from our land, would cause irreversible damage to our land due to erosion. If we decided to sell the land, due to the adjoining sand mine, would we be able to recoup our initial investment or would our value drop because of the sand mine. As we promised the Hoiland family upon making our offer, we would not allow this land to be developed with the exception of a home or two. We would see to it that it would be kept pristine. We would keep that promise to the Hoiland family in whatever the future brings. This was in line with what the estate intended since the estate had turned down an offer for more than \$100,000 over the asking price to ensure that it would not be developed or open to the public.

We care deeply about the environment. Although we have only owned this land for less than two years, we have enrolled this land in a brush management contract with a certified arborist, Paul Ahern, at a cost of \$800/acre. Paul is contracted to cut and treat the stumps of the invasive and/or unwanted species that are in the woodland. We are doing this to promote a healthier stand of hardwood. This brush management project adjoins the proposed Olson/Bruening sand mine. Our goal was to increase the health of the forest land encompassing the hillsides. We are sickened by the thought of part of the hill being torn down for cattle bedding.

I have been following the news and talking with landowners from both Fillmore and Winona Counties. What I've been hearing is that every other county in the driftless area is doing the opposite from what is being done in Houston County. They are trying to preserve the beauty of their counties. One recent case in point is the issue brought up in Dakota County. Dakota County asked for an additional environmental review of the Nelson-Mine. The contractor withdrew their request and the proposed mine was not granted a permit. Dakota County stood up to the businesses and protected their citizens from any sand mine repercussions.

I believe that Houston County needs to stand up and uphold its promise to protect the health of its residents, the beauty of the environment, and the promotion of tourism. Nowhere does the Houston County Ordinance or the Comprehensive Land Use Plan state that it is there to promote the development of mines, especially promoting them to be back to back or within 1/2 mile of one another, over the preservation of the environment and the health and well being of the citizens.

I am asking you to revert the amendment made in March 2025 concerning the mine density standards and the two sand mining definitions that were wrapped up in that one amendment.

Sincerely,

Scott Hatleli

**From:** [Deb Hoskins](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Mining density  
**Date:** Monday, March 16, 2026 7:47:48 AM

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I support the half-mile density standard for all new sand mines. Our fragile environment, the health and safety of our neighbors, and the preservation of the natural beauty of the place we live in matter to me a great deal.

Thank you for listening.

**From:** [GREGORY YAKLE](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Mining  
**Date:** Saturday, March 14, 2026 9:35:20 AM

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Greg and I both support 1/2 mile set back between sand mines. Please seriously consider this for the sake of current landowners, our fragile ecosystem and future generations. Thank you, Anne and Greg Yakle.

Get [Outlook for iOS](#)

**From:** [REDACTED]  
**To:** [HoCo Zoning](#); [REDACTED]  
**Subject:** sand mine zoning  
**Date:** Monday, March 16, 2026 10:04:55 AM

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Dear Houston County Sand Mine Zoning Boards,

In March, 2025, both boards removed the 1/2 mile sand mine density provision and changed it to 1/4 mile without adequate public notice. Increasing sand mine density within the Driftless region

will undoubtedly contribute to more environmental destruction of this very fragile region.

We worked many hours to get the 1/2 mile density in place in 2016. Winona County achieved

a moratorium in sand mine building. We were not so fortunate.

Please consider changing this rule back to 1/2 mile density for building sand mines.

Thank you for consideration in this matter.

Sincerely,

Mary M. Denzer

[REDACTED]  
Houston, MN 55943

**From:** [Liz Wanschura](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Mining in Houston County  
**Date:** Monday, March 16, 2026 10:23:26 AM

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Dear Houston County Commissioners:

I'm writing in support of the 1/2 mile density standards for all new sand mines. Our unique karst landscape is particularly sensitive to water pollution from mining, and increased mining affects the great natural beauty of our area, is environmentally destructive and detrimental to wildlife.

Please reinstate the 1/2 mile density standards for ALL sand mines.

Sincerely,

Liz Wanschura

**From:** [Jodi Hilderbrand](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Sand mines  
**Date:** Monday, March 16, 2026 10:27:34 AM

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Hello,

We would like to voice our concern as residents along the Root River to the dangers posed by sand mining. Please do not allow our land and water to be ruined forever. We support the 1/2 mile density standard.

Thank you,  
Jodi Hilderbrand and Marty Netzel

  
Sent from my iPhone

**From:** [tbal](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Mine setback request  
**Date:** Monday, March 16, 2026 10:42:56 AM

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As one of the two nearest neighbors to the proposed mine, and long time resident, I am quite disappointed that this setback was changed at all. It not only is not necessary, but disrupts an entire neighborhood for a service that is already available in very close proximity. I would like the 1/2 mile setback reinstated.

The present landowners have other property where a mine could be started without the disruption to our neighborhood, or the eco system of the proposed site.

There are just too many drawbacks...too close to an existing mine, too close to a protected trout stream, a wetland area, the river, and exposed frac sand hill on the river which is all home to many bald and golden eagles. Not to mention the wide range of wild animals in our neighborhood.

We have all invested in our homes and would really hate to see the damage done by the vibration of the blasting, construction equipment, dump trucks, etc. And the noises which will make my dogs go crazy (backup beepers).

It is my belief that over time, the vibration will cause the exposed sand wall overlooking the river to slide into the river changing the path of the water which could erode into our riverbank, and/or settle onto the river bottom. That will change canoeing, fishing, innertubing, and basically all river activity. Will it drift to change the flow of our creek?

Also, what are the effects to our water supply, air quality, aesthetics.

I think that something this life changing for so many people really needs to take precedence over what one persons' 'wants' are. It is creating nothing but animosity. Why should the current residents be overlooked to suit the desires of one?

We have all been good stewards of our properties, and I believe something born from so much need of change to our ordinances and secrecy as well as the deception/trespassing to make these things happen, does not speak well to the needs of the community as a whole.

The barriers that have to be overlooked and changed for the benefit of this endeavor are numerous, and should not be set aside as frivolous. Those barriers were in place for a reason. Please take all these things in mind when you, OUR representatives, make your final decision.

We are watching, and hope you act in the best interest of ALL.

Thank you,  
Rebecca Christensen

Sent from my Galaxy

**From:** [REDACTED]  
**To:** [HoCo Zoning](#)  
**Subject:** Planning Commission Public Comments  
**Date:** Monday, March 16, 2026 11:14:37 AM

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## A Clear Imbalance in Current Zoning

Under current zoning rules:

- Only one house is allowed on forty acres, yet
- There is no limit on how many sand mines can be permitted on that same forty acres.

This means a single family home is tightly regulated, while multiple high-impact industrial uses can be layered onto the same land with no density cap. That imbalance is inconsistent with the county's responsibility to protect rural character, public health, and long-term land stewardship.

## A False Distinction Between "Construction" and "Industrial" Sand

The current ordinance separates "construction sand" from "industrial sand," but this distinction is based on **end use**, not environmental impact.

- Both can come from the same geologic formations.
- Both require the same excavation and land disturbance.
- Both create the same risks to groundwater, air quality, roads, and nearby residents.

Treating them as fundamentally different creates a false dichotomy that hides cumulative impacts and opens a loophole where a large, high-impact mine can be labeled "construction sand" to avoid spacing and size rules.

## Examples of cumulative impacts from mine clustering

- Increased groundwater contamination risk in karst terrain
- Declining air quality from dust and diesel emissions
- Intensified truck traffic and accelerated road damage
- Greater noise, vibration, and disruption to rural neighborhoods
- Loss of forest cover and soil stability

- Increased sedimentation and runoff into trout-stream watersheds

## What Responsible Regulation Looks Like

A ½-mile spacing requirement—or even a 1,000-foot spacing requirement—means **only one mine can fit on a 40-acre parcel**, because the required separation distance is larger than the parcel itself. This is a reasonable, science-based approach that prevents clustering without prohibiting mining.

John and Linda Griggs

[REDACTED]  
Houston, MN 55943

**From:** [Chris Priebe](#)  
**To:** [Amelia Meiners](#); [Amelia Meiners](#)  
**Subject:** Burns & Hansen, P.A. on behalf of Cory & Jackie Baker, Scott & Cindy Hatleli, and  
**Date:** Monday, March 16, 2026 2:05:41 PM  
**Attachments:** [Zoning Ordinance Amendment 1-16-25.pdf](#)

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Amelia,

I would like to add to the public comment for the upcoming zoning amendment hearing the attached letter which should be part of the original public record from the original zoning amendment on why the initial zoning change was proposed and unanimously amended.

We would also like to state that construction sand resource utilized in local construction projects including septic systems and dairy operations is not widely spread out within Houston County. This material is in demand and there is limited supply. The sand resource is typically found within pockets within the county. Adding a density restriction for construction materials not only raises the cost of the material it limits landowners from utilizing the resource on their land. One land owner could pull a permit for a sand quarry and utilize it for personal use and that would limit the adjacent landowner from opening a quarry to serve the public. The county does not restrict limestone or other aggregate quarries used in local construction projects and it would be inconsistent to do so with such a wide term as sand. The separate definitions of industrial sand and construction sand, as is currently written, protects the county from large scale industrial frac sand mining and that was the intent of the original ordinance.

Leaving the zoning that is currently in place "as is" would be consistent with the adjacent counties and will help keep the construction sand material available within the county at an affordable cost.

Thank you for your time,

*Chris Priebe*

Senior Vice President

G-Cubed

[www.ggg.to](#)



ENGINEERING  
SURVEYING  
PLANNING

January 16, 2025

Houston County Planning and Zoning  
Attn: Amelia Meiners  
304 S. Marshall St.  
Caledonia, MN 55921

RE: Houston County Zoning Ordinance Section 27 – Mineral Extraction

Dear Amelia,

After reviewing Winona and Fillmore Counties Zoning ordinances on Mining and Mineral extraction, we believe the easiest and cleanest way to update the Houston County ordinance would be to add the definition of Construction Minerals and Industrial Minerals under 27.3 Definitions to the Houston County Mineral Extraction ordinance. Both the Winona and the Fillmore ordinances define Construction Minerals and Industrial Minerals similarly and both call out the industrial minerals to be used in hydraulic fracturing and exempt construction minerals from industrial mineral standards.

We recommend adding two definitions to your Section 27.3 DEFINITIONS as follows:

**Subdivision 5 Construction Minerals.** The term “construction minerals” includes natural common rock, stone, aggregate, gravel and sand that is produced and used for local construction purposes, including road pavement, unpaved road gravel or cover, concrete, asphalt, building and dimension stone, railroad ballast, decorative stone, retaining walls, revetment stone, riprap, mortar sand, construction lime, agricultural lime and bedding for livestock operations, sewer and septic systems, landfills, and sand blasting. The term “construction minerals” does not include “industrial minerals” as defined below.

**Subdivision 6 Industrial Minerals.** The term “industrial minerals” includes naturally existing high quartz level stone, silica sand, quartz, graphite, diamonds, gemstones, kaolin, and other similar minerals used in industrial applications, but excluding construction minerals as defined above. Silica sand is categorized as an industrial mineral by the Minnesota Department of Natural Resources and the North American Industry Classification System under classification no. 212322. “Silica sand” has the meaning given in Minnesota Statutes, section 116C.99, subd. 1 (d): “‘Silica sand’ means well-rounded, sand-sized grains of quartz (silicon dioxide), with very little impurities in terms of other minerals. Specifically, the silica sand for the purposes of this section is commercially valuable for use in the hydraulic fracturing of shale to obtain oil and natural gas. Silica sand does not include common rock, stone, aggregate, gravel, sand with a low quartz level, or silica compounds recovered as a by-product of metallic mining.” Minn. State. Section 116C.99, subd. 1 (d) “‘Silica sand project’ has the meaning given in Minnesota Statutes, section 116C.99, subd. 1 (e): “‘Silica Sand project’ means the excavation and mining and processing of silica sand; the washing, cleaning, screening, crushing, filtering, drying, sorting, stockpiling, and storing of silica sand, either at the mining site or at any other site; hauling and transporting of silica sand; or a facility for transporting silica sand to destinations by rail, barge, truck, or other means of transportation.” Minn. Stat. Section 116C.99, subd. 1 (e).

The two county ordinances handle industrial mineral mining differently. Winona outright bans it. Fillmore only allows a certain size and quantity within the county. Your ordinance already has the density statement and a maximum acreage of 20 acres written in your language. Therefore, we suggest applying your density standards to the industrial mineral extraction and not to construction mineral extraction. To accomplish this you need to need to update Section 27.8 Sub. 1 (5) to read:

(5) Mine Density Standards. New **sand industrial mineral** mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non-conforming **sand industrial mineral** mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.

We utilized Winona County's definitions of Construction Minerals and Industrial Minerals as their ordinance was challenged at the supreme court by Minnesota Sands. The definitions and ordinance held up and they were allowed to separate requirements for the different mineral extraction definitions. I have attached pages 3 and 4 of that ruling for your reference. I have also attached portions of Winona and Fillmore Counties ordinances with pertinent definitions and areas highlighted for your use.

We feel this zoning amendment is compatible and in accordance with the Houston County Land Use plan as the plan outlines the priority of agriculture and safe transportation within the county. The zoning amendment would separate industrial mineral (Frac Sand) mining and construction mineral mining which has the end use of agriculture and construction projects (roads). Currently the cost for sand in the dairy and septic industry is hauled from out of county locations due to the limited ability to find the product within the county. The amendment would allow for shorter hauling routes with making the resource more affordable to the agriculture and construction industries operating in Houston County. .

If you have any additional questions, concerns, or need more information feel free to reach out to my office at [REDACTED]

Sincerely,



Chris Priebe,  
Senior Vice President



Geoffrey G. Griffin,  
CEO

Attachments: Winona County Zoning Ordinance – Mining and Land Alterations  
Fillmore County Zoning Ordinance – Excavation and Mining areas  
Supreme Court Ruling on Minnesota Sands Vs. Winona County

**From:** [Buckbee, Donna](#)  
**To:** [HoCo Zoning](#)  
**Subject:** density standards  
**Date:** Monday, March 16, 2026 2:12:37 PM

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I support the 1/2 mile density standards for new mines and signed the petition.

Moreover, a few weeks ago this commission denied an application by a sheep farmer for a solar panel array suggesting the panels would be unsightly. How much more unsightly would a mine be if located in the scenic Root River Valley! Once this scenic treasure is destroyed it is gone forever. Please preserve this beauty for all future generations.

Donna Buckbee  
Yucatan Township  
[REDACTED]  
Rushford MN 55971

**From:** [Annie Hoiland](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Re: Section 27.8 Mine Density Standards  
**Date:** Monday, March 16, 2026 2:40:27 PM

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Environmental Services Dept-

I wanted to write to express my support of reinstating the 1/2 mile setback.

Thank you,  
Annie Hoiland

**From:** [Iver Burd](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Sand Mine Density Concern  
**Date:** Monday, March 16, 2026 4:10:29 PM

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I believe increasing density of sand mining operations will cause cumulative harm to our environment, bluffs, roads, and communities. When mines are clustered together, the negative impacts—such as water pollution, air quality issues, traffic congestion, and disruption to daily life—are multiplied. As a Houston County resident, I request you return the 1/2 mile density standard for ALL new sand mines. I also request you transparently, and publicly, notify ALL residents of such changes before they are made.

Rebecca Burland

Spring Grove, Minnesota 55974

**From:** [Lizzy Haywood](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Support for amendment Section 27.8 Subd. 1 (5) – Mine Density Standards  
**Date:** Monday, March 16, 2026 10:14:12 PM

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Dear Houston County Planning Commission,

Thank you for making time on 3/26/26 regarding Ordinance Section 27.8 Subd. 1 (5) - Mine Density Standards.

I'm writing with my strong support of this application. The amendment is for reinstatement of the ½ mile density standard for all new mineral mines, which was removed from the ordinance in March 2025.

The density standard is critical to safeguarding our land, water and air quality in Houston County. Maintaining a 1/2 mile density standard protects this area's tourism and agriculture economies, crucial wildlife habitat, and the health of all residents.

Thank you for your work on behalf of the people of Houston County.

Sincerely,

Lizzy Haywood  
La Crescent, MN

**From:** [John Haines](#)  
**To:** [HoCo Zoning](#)  
**Subject:** 1/2 mile sand mine density Ord.  
**Date:** Tuesday, March 17, 2026 10:26:48 AM

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I hope the 1/2 mile req is restored. The claim that there is a cattle bedding shortage does not have the "ring" of truth when you consider the Corp. of engineers is giving sand away. See you on the 26th.

John Haines

[REDACTED]  
Houston, Mn 55943

Commissioners, Zoning Committee and Environmental Services:

I would like to focus your attention on the events that led to the passing of the change in mine density standards and the definition of construction and industrial mining.

I understand that it was determined by the County that the amendments were not site specific. However, it was undeniably **site intended** for the Olson mine to be approved and therefore, the neighbors surrounding the proposed mine should have been notified of the meeting being held to do so.

The timeline of events leading up to the meeting:

1. In September 2023, Clair, Patricia and Jarad Olson purchased land from the Hoiland Estate.
2. November 2023, Bruening Rock Products (BRP) notified Houston County Zoning that G-Cubed had been retained to represent BRP for purposes of zoning and development matters before the County.
3. January 20, 2024, The Olsons signed a lease with BRP. In that lease, under miscellaneous provision, and I quote "Lessor may purchase, for their own use, sand from the real estate for the price of \$7.50/ton and trucking of same for \$4 for the haul."
4. January 16, 2025, G-Cubed applied to amend two sections of the Zoning Ordinance. These were on mineral extraction and mine density standards, Sections 27.3 and 27.8 1 (5). It took one year of working with Martin, Zoning Department, and the staff to come up with new wording to ensure that Bruening would be able to mine the quarry.
5. February 12, 2025, County Zoning notified the public of a meeting via one ad in the Caledonia Argus. The Argus is not readily available to the west end of the County residents. The proposed Olson mine is in the west end of the County.
6. February 27, 2025, G-Cubed presented the proposed amendment changes, that were written by G-Cubed for the sole purpose of getting the Olson mine approved, to the County.
7. March 18, 2025, The County Board of Commissioners approved G-Cubed's application to amend the ordinance with no public comment.
8. June 26, 2025, Olson mine application was submitted to Zoning.
9. August 14, 2025, Neighboring property owners were notified of the public hearing for the application made by G-Cubed on behalf of BRP.
10. August 19, 2025, Public comments were due in the Zoning Office.

11. August 20, 2025, A notice was sent to all that had submitted a comment, stating that the applicants had decided to withdraw their application for the August public hearing due to the applicant requesting more time to gather supplemental information.
12. August 20, 2025, The Zoning office was asked if the public comments were shared with the mining group and were told that they were shared verbally.

This timeline indicates that the amendments 27.3 and 27.8 1 (5) were written by G-Cubed and approved for the proposed Olson mine. There was a need to change the mine density standard since the Erickson mine fell within the ½ mile mine density standard that was currently in place. Without the mine density standard change, the proposed Olsen mine would not be possible.

Since the amendments were made specifically for the Olson mine, the neighbors of the proposed mine should have been made aware of the proposed changes in writing. Since this was not the case, we are requesting that the amendments regarding mine density standards and the definition changes be reverted to how the ordinance read when it was adopted in 2014.

To amend this ordinance without the proper notification to the proposed mine neighbors knowing that the changes were made to ensure the Olson mine could be approved could be considered a dereliction of duties somewhere within the system and was hidden under the guise of “not being site specific”.

All involved knew then, as they know now, it was undisputedly **site intended**.

Side note: The ordinance was adopted in 2014, after many hours of back-and-forth conversations, to reach a compromise between the mining companies and the public. It was a restraint for some mining but was not meant to stop mining. The changes made in 2025 were not a compromise and were a change made to benefit one family at the risk of the constituents of the County.

I ask that you right this wrong and revert both changes back to the original wording prior to the changes made in March 2025.

Respectfully,

Cynthia Cresswell Hatleli

Zoning Department, County Commissioner's, and Planning Committee:

Houston County needs to reverse the amendments that G-Cubed wrote for the Zoning Department, making it easier to mine sand in Houston County.

This amendment may never have happened if there had been public input. The public has been against issuing CUP permits for sand mining since as far back as 2014 when the Erickson mine was being discussed.

When I was gathering signatures for the petition that we have submitted to the County, I repeatedly heard from the taxpayers that it doesn't really matter what the sand is going to be used for the result is the same. We will all be looking at an ugly quarry site, subject to health issues, safety issues due to increased traffic, the environment will be destroyed which can include many endangered or rare species, and tourism along the Root River will decrease whether you call the sand industrial or construction sand.

Houston County has no shortage of sand. There is no reason to reduce or eliminate the mine density standards or to have definitions for industrial or construction sands. A rose of any other name is still a rose.

I was told by Amelia from Zoning that there was a shortage of sand for construction. My first thoughts were during my 38 years of working for Acentek, formerly Ace, I worked alongside the construction crew many times. I saw that there is no shortage of sand in Houston County. Because there is sand everywhere in Houston County, we don't need to place sand mines within ½ mile of each other and certainly not between a Historical Scenic Highway and the tourist attracting Root River. There are plenty of other options available.

In Brownsville there are tall hills of sand with no place to go. The Army Corp of Engineers has a Facebook page asking people to take the sand without charge. The sand can be taken once the Army Corp is contacted and permission is granted. Weiser Septic and Excavating told us, when asked, that they use it a lot for septic and construction purposes.

The dredging will become more prevalent as time goes on and it is a never-ending battle on the Mississippi River. **The Mississippi River needs to be kept open to barges for the transportation of grain and fertilizer shipped into our predominately agricultural county.** The dredge piles are growing and the need to utilize this sand is increasing. We can work on both the need for sand as well as the usage of dredged sand by reverting to the ½ mile sand density standard and encouraging the use of the dredged sand hills for septic and construction purposes.

Our neighboring counties within the Driftless area are working towards protecting our natural resources. The most recent example would be the Dakota County response to a proposed sand mine expansion. They recently rejected the request for the expansion.

I urge you to repeal the amendments made in March 2025 and return the ordinance to the original intent for sand mine density standards along with the changes in the definitions of construction or industrial sand usages. The 266 signatures and counting on our petition need to be recognized. The citizens of the County should be put ahead of the wants of one family within the County, and the natural beauty of the area should be protected.

Respectfully,

Scott Hatleli

**From:** [REDACTED]  
**To:** [HoCo Zoning](#)  
**Subject:** 1/2 mile standard  
**Date:** Tuesday, March 17, 2026 2:34:40 PM

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Hi,

I would like to add my voice to the issue that I support the 1/2 mile density standard for all new sand mines. Please let reason prevail.

Thank you,

Roberta Schmidt, Gunsmith Road, Houston

Dear Planning Commission,

I wanted to share some research regarding the potential impact of silica sand mining on nearby property values. Multiple economic studies have found that proximity to a sand mine can result in measurable decreases in property values, with the level of impact largely depending on distance from the operation. (Sources listed below)

- For properties located very close to a mine (within about half a mile), studies have estimated value reductions of up to approximately 20 percent.
- Homes located between roughly 0.5 and 1 mile away have shown decreases in the range of about 10 to 15 percent.
- The impact continues to lessen with distance, with properties 1 to 2 miles away seeing estimated reductions of around 8 to 10 percent, and those up to 3 miles away experiencing smaller effects in the range of about 5 percent.
- Some broader analyses have also found an average reduction of around 19 percent for properties located within approximately 1.2 miles of a sand mining operation.

This is very important information for Houston County to consider as property values determines the tax base. When property values become lower due to mine presence, the tax base would be lower and this would cause the tax burden to shift onto the remaining parcels in both the affected township and the entire county. Simply stated, the real estate taxes would be lower for the nearby residents but would increase for the remaining properties in the township and would also increase the real estate taxes on the entire county. I searched property values in our neighborhood here in Yucatan Township and there is approximately 18 million dollars' worth of property located less than 1/2 mile from an existing sand mine. Legally, the County Assessor's Office must appraise property according to market research and sales every five years and then reviewed extensively by the Department of Revenue. They should not hide the fact that mines are now allowed to cluster together, and therefore must reduce property value. Allowing mine density standards to be removed places an unnecessary additional real estate burden on property owners in Houston County that could be avoided. The public is already concerned about rising real estate taxes. In the above scenario, a 20% reduction in 18 million dollars' worth of property is a large drop in value that ultimately raises taxes on others, and this scenario could replicate throughout the entire county for years to come without mine density standards.

Your support of the 1/2 mile mine density standards will show the people of this county you are making a fiscally smart decision for Houston County and the tax paying citizens.

Sincerely

Cory and Jackie Baker

Yucatan and Money Creek Townships

Sources:

- Iowa Initiative for Sustainable Communities. (University of Iowa).
- Environmental Working Group (EWG). Sandstorm

February 20, 2026

Houston County Planning and Zoning Office  
Attn. Amelia Meiners, Zoning Administrator  
304 S. Marshall St.  
Caledonia, MN 55921

**Re: Petition to Amend Houston County Zoning Ordinance Section 27 – Mineral Extraction**

Dear Ms. Meiners,

Petitioners Cory and Jackie Baker, Rose Mary Iversen, and Scott and Cindy Hatleli (collectively “Petitioners” respectfully submit this Petition to Amend Houston County Zoning Ordinance Section 27 – Mineral Extraction (“the Petition”) for the Houston County Planning Commission’s review and recommendation to the Board of County Commissioners for approval. The above-named Petitioners are all directly affected by a March 18, 2025, amendment to the Houston County Zoning Ordinance which removed mining density standards because all Petitioners currently live or own property near an existing sand mine in Yucatan Township, Houston County.

**I. Exhibit.**

The following exhibit is attached to, and submitted in connection with, this Petition:

1. Exhibit 1 – Approved Text Amendments to Zoning Ordinance for Mineral Extraction – Approved 3/18/25

**II. Background.**

In or around 2014 through 2016, the Houston County Board of County Commissioners considered an ordinance for mineral extraction and mining. When the mineral extraction ordinance was initially considered, there was significant community input and intense debate. In fact, many members of the public supported an outright ban on certain types of sand mining in Houston County. Other members of the public, as an alternative to an outright ban, supported regulation of such sand mining in the county. Ultimately, a mine density standard was adopted, requiring ALL sand mining permits be limited to sites located no closer than ½ mile from existing permitted or legal non-conforming sand mines. Realistically, this density standard was adopted for the simple reason that the community did not support unregulated sand mining operations in Houston County. Nonetheless, since then, the ordinance was amended to reduce regulations. This time, without public input.

On or about January 16, 2025, G-Cubed Development, Inc. (“G-Cubed”), a Minnesota business corporation, submitted a petition to amend the text of Sections 27.3 and 27.8 of the Houston County Zoning Ordinance (the “Ordinance”). On February 27, 2025, the Planning Commission held a Zoning Amendment Hearing regarding G-Cubed’s petition. No members of the public testified at the hearing. In fact, Houston County Planning Commission member Franklin Hahn

even suggested that the county should get public comments on the proposed amendments. Ultimately, and upon information and belief, no public comments were received. Petitioners respectfully submit this in no small part due to the fact that the public received minimal notice, and in the case of some, including Petitioners, no notice.

The notice of the public hearing ran only once, on February 12, 2025, in the Caledonia Argus. Importantly, the Caledonia Argus is not distributed to the entirety of Houston County, including the far west side of the county where each of the Petitioners reside or own property. Nonetheless, on March 18, 2025, the Board of County Commissioners approved G-Cubed's proposed text amendments to Sections 27.3 and 27.8 of the Ordinance.

Petitioners bring this Petition in light of these text amendments which, in effect, eliminated minimum mine density standards for sand mines. Petitioners are directly impacted by the removal of the density standards as Petitioners reside or own property near an existing sand mine.

With respect to the text amendments at issue, the change to Section 27.3 of the Ordinance added definitions for two terms: "construction minerals" and "industrial minerals." Pursuant to this amendment, "construction minerals" is defined to include "sand that is produced and used for local construction purposes." (Exhibit 1.) The term "industrial minerals" includes "silica sand" as that term is defined by Minn. Stat. § 116C.99, subd. 1(d). (*Id.*) Under statute, "silica sand:"

[m]eans well-rounded, sand-sized grains of quartz (silicon dioxide), with very little impurities in terms of other minerals. Specifically, the silica sand for the purposes of this section is commercially valuable for use in the hydraulic fracturing of shale to obtain oil and natural gas. **Silica sand does not include** common rock, stone, aggregate, gravel, **sand with a low quartz level**, or silica compounds recovered as a by-product of metallic mining.

Minn. Stat. §116C.99, subd. 1(d)(emphasis added).

While the addition of these two new defined terms is not necessarily problematic in and of itself, the interplay with the amendment to Section 27.8 of the Ordinance, titled "Operational Performance Standards," is troubling.

The text amendment to Section 27.8 of the Ordinance specifically modified subdivision 1(5), which is titled "Mine Density Standards." The text of the mine density standards was amended as follows:

New ~~sand~~ industrial mineral mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non-conforming ~~sand~~ industrial mineral mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.

The effect of this amendment is clear: sand not included in the definition of "industrial minerals" is not limited by the text of 27.8, subdivision 1(5). The original language regulated ALL sand

mining operations. Now there is a carve out for sand mining operations unrelated to “industrial minerals.”

This change to the mine density standards, and the complete lack of regulation for mining of sand will inevitably result in the concentration of multiple sand mines within a smaller area, worsening the impact on natural resources, increasing strain on infrastructure, and multiplying nuisance and health hazards in the area. This is of particular concern to Petitioners because their respective properties are located near an existing sand mine. Furthermore, as will be discussed in more depth below, the absence of mining regulations for sand has additional numerous and far-reaching consequences.

### **III. Petitioner’s Request: Re-Establish Minimum Mine Density Standards for All Sand Mining Operations because the Absence of Such Minimum Standards Negatively Impacts Houston County.**

Petitioners request that the Ordinance re-establishes minimum mine density standards for all sand mining operations. Specifically, Petitioners requests Section 27.8, subdivision 1(5) of the Ordinance be amended back to the original density standard for new sand mines as follows:

**(5) Mine Density Standards.** New sand mining permits shall be limited to sites located no closer than 1/2 mile from all existing permitted or legal non-conforming sand mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.

Petitioners bring this request on the basis that the negative impacts to Houston County given the absence of a minimum density standard for sand mining operations are numerous and far-reaching. Without a minimum density standard for sand mining operations, sand mines can be located in close proximity to residential areas and agricultural lands. This will naturally lead to diminished property values and reduced attractiveness for prospective buyers. Increased mining near residential areas also exposes Houston County residents to increased levels of noise, air pollutants, and traffic, which in turn negatively impacts the community’s quality of life. Unregulated sand mining operations also threatens Houston County’s environment, as concentrated sand mining operations will strain natural resources and increase pollution. Re-establishing a minimum mine density standard for all sand mining operations is therefore *essential* to protecting the quality of life in Houston County, the health and safety of the county’s residences, and the preservation of Houston County’s environment.

Community feedback reflected in the Land Use Plan (pages 3-4) makes clear that residents deeply value Houston County’s natural beauty, peaceful rural character, clean environment and diverse habitats. People express a desire to protect the Driftless landscape, safeguard rare species, and prevent poor land-use decisions that could permanently alter the county’s character and degrade natural resources. “Natural Resource Protection/Environment Quality” is top priority among community members (page 4). Re-establishing the mine density standard directly supports these priorities by preventing overconcentration of sand mining activity, protecting air and water quality and preserving scenic and ecological resources.

Numerous goals and policies outlined in Houston County's 2040 Comprehensive Land Use Plan stress the importance of protecting the county's natural resources, the Karst landscape, water supply and surface water management. According to one of the values guiding the Land Use Plan, Houston County is committed to balancing access to materials with the protection of natural resources; the 1/2 mile sand mine density standard certainly plays a critical role in achieving that balance.

**IV. Petitioners' Proposed Text Amendment Provides the Public an Opportunity to be Heard.**

Also compelling is the fact that the public did not testify or submit comments regarding G-Cubed's amendment which in effect eliminated the density standards for a certain type of sand mining. When Ordinance was initially adopted in or around 2016, there was significant community input and intense debate regarding the issues involved. Specifically, the public raised many concerns regarding sand mining operations in Houston County, and ultimately, the decision was made to regulate ALL sand mining operations with a minimum density requirement. By virtue of the amendments proposed by G-Cubed and approved by the Board of County Commissioners, that decision was walked back without any input from the public. The public should have a meaningful opportunity to provide input. Petitioners' proposed amendment invites an opportunity for such input, discussion, and debate.

**V. Petitioners' Proposed Text Amendment Is Necessary to Carry Out Houston County's 2040 Comprehensive Land Use Plan.**

Petitioners submit that the request to re-establish minimum mine density standards for all sand mining operations is necessary to carry out Houston County's Comprehensive Land Use Plan ("Land Use Plan") and will not otherwise affect the Ordinance generally.

One of Houston County's goals as articulated in the Land Use Plan is to "promote agriculture as a viable, permanent land use and as a significant economic activity in the County." ( Goal 2.2.) A second goal is to "protect and enhance air, water, and land resources in the County as a vital part of the quality of life." *Id.*, Goal 2.3. The Land Use Plan makes clear through its stated goals, and related policies, that Houston County prioritizes supporting agriculture and protecting natural resources, among other things.

Petitioners' proposed amendment serves these priorities. Re-establishing a minimum density requirement for sand mining operations would ensure sand mining operations are prohibited from operating in close proximity to agricultural land. This certainly preserves the viability of agricultural land, as sand mining operations in close proximity to agricultural land are inherently damaging to agricultural operations. For example, air pollution and dust from nearby sand mine operations can negatively affect crop viability. Moreover, fuel and other chemicals used in the process of sand mining operations can leach into the water table, negatively impacting water sources used for irrigating crops, local rivers, tributaries and private wells.

With respect to the environment more generally, as noted above, the absence of a minimum mine density standard for sand mining operations will strain local natural resources, and increase

pollution in the community. In addition, the following notable priorities are included in the Land Use Plan; Goal 1.2 “protect the major natural resource areas of the County including floodplains, wetlands, steep bluffs and hardwood forests, so they will serve as a basis for recreation and logging in the County”, protecting the Karst terrain (page 23), protect the County’s drinking water supply that is acquired primarily from ground water sources (pages 44-45, Goal 3.3 Policy 1 & 2), surface water management (pages 46-48, Goal 3.4). As such, re-establishing a 1/2 mile minimum mine density standard for all sand mines is certainly compatible with the Land Use Plan’s goal of protecting natural resources. Moreover, the density standard serves as a key regulatory safeguard in achieving an appropriate balance between material access and natural resource protection.

## **VI. Conclusion.**

The public deserves a meaningful opportunity for input regarding amendments to the Ordinance. The public did not have such an opportunity when the minimum in density standard for certain sand mining operations was eliminated in March of 2025. This Petition, at a minimum, provides that opportunity. Substantively, re-establishing a minimum mine density standard for all sand mining operations will protect residences’ quality of life, promote agriculture, and better preserve Houston County’s natural resources. The density standard serves as a critical safeguard for our air, water and natural resources, preventing overconcentration of sand mining activity, while permitting reasonable access to materials. Preserving this balance is fundamental to honoring the commitments outlined in the Land Use Plan. For all these reasons, Petitioners respectfully request the Houston County Planning Commission review and recommend Petitioners’ proposed text amendment to Section 27.8 of the Ordinance and that the Board of County Commissioners approves the same.

Should the Planning Commission have any questions or requests for additional information, please do not hesitate to reach out the Petitioners’ attorney at:

Burns and Hansen, P.A.  
8401 Wayzata Boulevard, Suite 300  
Minneapolis, Minnesota 55426  
[REDACTED]

Thank you for your time and consideration.

Sincerely,

/s/ Cory Baker

Address: 22848 State Hwy 16  
Rushford, MN 55971

/s/ Jackie Baker

Address: 22848 State Hwy 16  
Rushford, MN 55971

/s/ Rose Mary Iversen

Address: 2835 Casco Point Rd  
Wayzata, MN 55391

/s/ Scott Hatleli

Address: 23263 Hateleli Dr.  
Rushford, MN 55971

/s/ Cindy Hatleli

Address: 23263 Hateleli Dr.  
Rushford, MN 55971

## Exhibit 1

## Section 27.3 – Mineral Extraction Definitions

- a. Add definition of construction minerals as follows: The term “construction minerals” includes natural common rock, stone, aggregate, gravel and sand that is produced and used for local construction purposes, including road pavement, unpaved road gravel or cover, concrete, asphalt, building and dimension stone, railroad ballast, decorative stone, retaining walls, revetment stone, riprap, mortar sand, construction lime, agricultural lime and bedding for livestock operations, sewer and septic systems, landfills, and sand blasting. The term “construction minerals” does not include “industrial minerals” as defined below.
- b. Add definition of industrial minerals as follows: The term “industrial minerals” includes naturally existing high quartz level stone, silica sand, quartz, graphite, diamonds, gemstones, kaolin, and other similar minerals used in industrial applications, but excluding construction minerals as defined above. Silica sand is categorized as an industrial mineral by the Minnesota Department of Natural Resources and the North American Industry Classification System under classification no. 212322. “Silica sand” has the meaning given in Minnesota Statutes, Section 116C.99, subd. 1 (d): “Silica sand’ means well-rounded, sand sized grains of quartz (silicon dioxide), with very little impurities in terms of other minerals. Specifically, the silica sand for the purposes of this section is commercially valuable for use in the hydraulic fracturing of shale to obtain oil and natural gas. Silica sand does not include common rock, stone, aggregate, gravel, sand with low quartz level, or silica compounds recovered as a by-product of metallic mining.” Minn. State Section 116C.99, subd. 1 (d) “Silica sand project” has the meaning given in Minnesota Statutes, Section 116C.99 , subd. 1 (e): “Silica Sand project’ means the excavation and mining and processing of silica sand; the washing, cleaning, screening, crushing, filtering, drying, sorting, stockpiling, and storing of silica sand, either at the mining site or at any other site; hauling and transporting of silica sand; or a facility for transporting silica sand to destinations by rail, barge, truck, or other means of transportation.” Minn. State. Section 116C.99, subd. 1 (e).
- c. General formatting

## Section 27.8 Subd. 1 (5) – Mine Density Standards

- d. Modify language as follows: New ~~sand~~-industrial mineral mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non-conforming ~~sand~~-industrial mineral mines. Measurements shall be taken from the proposed boundary of the new site to the approved boundary of the existing site.

Not included in original packet.

**From:** [Joyce Roffler](#)  
**To:** [HoCo Zoning](#)  
**Cc:** [Amelia Meiners](#)  
**Subject:** Public comment in SUPPORT of Burns & Hansen application (1/2 mile )  
**Date:** Tuesday, March 17, 2026 10:40:06 PM

\*\*\* HOUSTON COUNTY SECURITY NOTICE \*\*\*

This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact HelpDesk.

Hello,

I am writing in support of the application submitted by Burns and Hansens, PA asking to reinstate Sect 27 .8 Sub 1 (5) Mine Density Standards: **New sand mining permits shall be limited to sites located no closer than ½ mile from all existing permitted or legal non - conforming sand mines.** Note : That this rule had been in place for 9 years before it was removed last March 2025. Please help protect the unique beauty and our wide open spaces that we are blessed to call our home.

**"The unregulated density of sand mining operations will cause cumulative harm to our environment, blufflands, roads, and communities. When mines are clustered together, the negative impacts—such as water pollution, air quality issues, traffic congestion, and disruption to daily life—are multiplied."**

Here are some additional things that will be at risk and impacted - if there is no established density standard required between sand mines :

- Alteration of groundwater flow regime;
- Physical disturbance, especially the removal of confining layers that afford some geologic protection to aquifers used for water supply (causing increased vulnerability to groundwater contamination);
- Change in recharge patterns;
- Alteration of surface water flow.
- Paleozoic Plateau
- Major change to landscape
- Loss of forest and prairie habitat
- Loss of open space
- Increase in water pollution
- Loss of landscape aesthetics
- Reduction in recreational use and enjoyment
- Hydrologic changes including functionality of edge effect
- Degradation of trout habitat
- Loss of Species of Greatest Conservation Needs
- Loss of habitat corridors provided by steep slopes and tops of bluffs
- Increased vulnerability to invasive species
- Cultural resources such as burial mounds, rock shelters and caves, rock art, cultural landscapes, and traditional cultural properties/sacred sites

- Air pollutants, noise, light, visual, vibration and stormwater
- Impacts to users of streets, roads, and highways
- Incursions into the road structure
- Impacts to intrinsic qualities of parkways, scenic byways, and designated trails
- Safety threats to established recreational and non-motorized road uses by implementation of heavy haul routes on certain road segments.
- Increased risk to health and life of culturally distinct community members in the southeast
- Economic damage to the area due to degradation of tourism and recreational uses
- General safety risks and conflicts for all road users on designated routes
- Degradation of fish and wildlife habitat
- Impacts to state protected species
- Impacts on existing groundwater pollution plumes
- Well interference complaints
- Water use conflicts
- Floodwater contamination
- Groundwater contamination
- Alteration of surface water flow
- Rerouting of the stream
- Loss of wetland buffer
- Accelerated erosion
- Loss of berm or bank
- Loss of vegetative buffer
- Increased sedimentation
- Effect on historic properties
- Loss of property values

Thank you for your time and consideration.

Sincerely,  
Joyce Roffler  
Rushford, MN  
Yucatan Township

**Proposed Findings:**

1. Community members and their values are at the core of Houston County's Comprehensive Land Use Plan (the "Plan").
2. Protecting Houston County's natural resources and the quality of the environment was the top priority among community members who participated in the feedback process regarding the Plan. The plan's summary of public engagement highlights "Houston County is a beautiful place," and that the plan needs to "Balance needs of agricultural community and the environment."
3. Community feedback regarding this proposed amendment to reestablish the ½ mile density standard makes clear that the community deeply values protecting Houston County's exceptional natural beauty, safeguarding the environment from pollution, and promoting the health, safety, and quality of life of residents.
4. The County adopted a ½ mile density restriction on sand mining following a contentious community process in 2014 to 2016. The ½ mile restriction was a compromise reached after significant debate.
5. In or around March of 2025, Houston County amended the zoning ordinance to eliminate the ½ mile density standard regarding "construction" sand mining operations. The public participation in this amendment process was minimal.
6. While there are end-use differences between the mining of "industrial" sand and "construction" sand, the differences in production are not significant, and does not justify removing the density restriction on "construction" sand mining. A 20 acre "construction" sand mine has the same negative impacts as a 20 acre "industrial" sand mine when considering the environment, natural resources, property value, and residents.
7. The health risk from airborne silica particles created by sand mining is substantially different from the risks posed by rock and aggregate production, and require a different regulatory approach.
8. The proposed amendment to reestablish the ½ mile density standard serves as a safeguard against the overconcentration of sand mining activities.
9. The overconcentration of sand mining activities negatively impacts the quality of Houston County's environment, its natural resources, and the quality of life for community members.
10. Goal 1.2 of the Plan is to "protect the major natural resource areas of the County including the floodplains, wetlands, trout streams, steep bluffs, and hardwood forests, so they will serve as a basis for recreation and logging in the County." The proposed amendment serves this goal by protecting against the negative impacts of overconcentrated sand mining activities.
11. Goal 2.3 of the Plan is to "protect and enhance air, water, and land resources in the County as a vital part of the quality of life." Again, the proposed amendment serves this goal by protecting against the negative impacts of overconcentrated sand mining activities.



# HOUSTON COUNTY

## BOARD OF COMMISSIONER MEETING

### AGENDA REQUEST FORM

Historic Courthouse  
304 S Marshall Street  
Caledonia, MN 55921

**Board Meeting Date:** April 21, 2026  
**Date Request Submitted:** April 16, 2026  
**Submitted By (Name and Title):** Brian Pogodzinski, County Engineer

**Please fill in item(s) requested for agenda in correct category below. Add numbers as needed.**

Appointment Request:

Consent Agenda Request:

1)

Action Item Request

- Board to consider awarding project SAP 028-613-013 for the urban paving on CSAH 13 in the City of Houston, to BKC Construction in the amount of \$2,347,102.33. Four bids were received.

BKC Construction LLC	\$ 2,347,102.33
Griffin Construction Co	\$ 2,444,581.28
A-1 Excavating LLC	\$ 2,518,365.00
Alcon Excavating Inc	\$ 2,526,708.95

- Board to consider 3 flooring quotes by Hiller Commercial Floors for the following areas:
  - North Stairwell of HCH \$21,903.81
  - CCS Lobby \$ 8,000.00
  - East Stairwell of HCH (Noted South on Hiller Bid)
    - LVT \$18,201.68 recommended
    - Carpet \$ 7,239.71
- Board to consider approval of updated ADA Transition plan
- Board to consider approving an updated Procurement Policy for Federal Grants.

Discussion Item:

1)

Background/additional information can be typed below and/or included with request:

Note: Please submit all agenda request forms and supporting documentation to the BOC email at **BOC@HoCoMN.gov** by noon the Thursday before each BOC meeting to be included on the agenda. If your department needs a resolution number, please ask for the number ahead of time via the BOC email. Resolutions should be emailed in word format so they can be easily copied and pasted into the meeting minutes. Departments are responsible for scheduling their own public hearings, but please email the BOC to verify a date and time is available prior to advertising the hearing to ensure we do not double book times. Questions regarding agenda requests and board meetings can be sent to the BOC email. Thank you!



2909 South Broadway  
 Rochester, MN 55904  
 P: 888-724-1766  
 F: 507-288-8877

**Flooring Proposal for Houston County**  
 North stair tower  
 Per SE MN service co-op contract 25.12 flooring

210 ft Nora treads @ \$34.95/ft	\$ 7,150.50
Step fix tape 2 rolls @ \$350.00/roll	\$ 700.00
270 sf LVT @ \$4.70/sf	\$ 1,269.00
Adhesive 1 pail @ \$200.00	\$ 200.00
1 roll vinyl base 120' @ \$1.75/ft	\$ 210.00
3 rolls stringer @ \$7.05/ft	\$ 1,057.50
Reducer 2 sticks 24' @ \$9.10/ft	<u>\$ 218.40</u>
	\$ 10,805.40
Tax 6.88%	<u>\$ 743.41</u>
	\$ 11,548.81
Freight	<u>\$ 135.00</u>
	\$ 11,683.81
Take-up old treads/risers/VCT @ \$1.00/sf 743 sf	\$ 743.00
Take-up haul old carpet @ \$.75/sf 108 sf	\$ 81.00
Remove old glue @ \$1.00/sf 743 sf	\$ 743.00
Install 210 lf treads @ \$22.00/ft	\$ 4,620.00
Install 210 lf risers @ \$5.00/ft	\$ 1,050.00
Install 270 sf LVT @ \$2.75/sf	\$ 742.50
Install stringer 108 ft @ \$15.00/ft	\$ 1,620.00
Install vinyl base 90 ft @ \$2.25/ft	\$ 202.50
Install reducer 8 ft @ \$6.00/ft	\$ 48.00
2 bags floor fill @ \$60.00 each	\$ 120.00
2 hr prep @ \$125.00	<u>\$ 250.00</u>
Labor	\$ 10,220.00
Total labor & materials	\$ 21,903.81

Submitted By:

*Dave Bahr*

Dave Bahr

Hiller Commercial Floors

March 30, 2026

DB/lh



2909 South Broadway  
 Rochester, MN 55904  
 P: 888-724-1766  
 F: 507-288-8877

### Flooring Proposal for Houston County

611 Vista Blvd.  
 Lobby/main office

#### I. Material

720 sf Midwest Slate @ \$2.95/sf	\$ 2,124.00
176' vinyl base 4" @ \$1.75/ft	\$ 308.00
Adhesive @ \$200.00/pail	\$ 200.00
Underlayment @ \$2.00/sf	\$ 1,440.00
Reducer 24 lf @ \$6.00/ft	<u>\$ 144.00</u>
	\$ 4,216.00

#### II. Installation

Install LVT @ \$2.75/sf	\$ 1,980.00
Install base @ \$1.75/lf	\$ 308.00
Install reducer @ \$4.00/ft	\$ 56.00
Install subfloor @ \$2.00/sf	\$ 1,440.00
Move & reset desk, files 4 hr allowance @ \$125.00	<u>by owner</u>
	\$ 3,784.00

Total \$8,000.00

Submitted By:

*Dave Bahr*  
 DB

Dave Bahr

Hiller Commercial Floors

April 8, 2026

DB/lh



2909 South Broadway  
 Rochester, MN 55904  
 P: 888-724-1766  
 F: 507-288-8877

**Flooring Proposal for Houston County Courthouse**  
 South stairs  
**Cost per Southeast MN service co-op contract 25.12 flooring**

	Nora treads	Nora risers	Step fix tape	LVT	Adhesive	Vinyl base	Stringer	Take-up & haul old carpet	Remove old glue	Floor fill	Stair nose	
Material	\$34.95/ft	included	\$350.00/roll	\$4.70/sf	\$200.00/pail	\$1.75/ft	\$7.05/ft	-----	----	\$60.00/bag	\$9.24/ft	
Installation	<u>\$22.00/ft</u>	<u>\$5.00/ft</u>	-----	<u>\$2.75/sf</u>	-----	<u>\$2.25/ft</u>	<u>\$15.00/ft</u>	<u>\$.75/sf</u>	<u>\$1.00/sf</u>	<u>\$125.00/hr</u>	<u>\$8.00/ft</u>	
Total	\$56.95/ft	\$5.00/ft	\$350.00/roll	\$7.45/sf	\$200.00	\$4.00/ft	\$22.05/ft	\$.75/sf	\$1.00/sf	\$185.00/bag	\$17.24/ft	
<b>I. rubber treads</b>												
To 2 <sup>nd</sup> floor 144/200	\$8,200.80	\$720.00	\$700.00	\$1,490.00	\$200.00	\$112.00	-----	\$312.00	\$416.00	\$370.00	-----	Total
To lower level 60/135	\$2,097.00	\$300.00	\$350.00	\$1,005.75	-----	\$40.00	\$1,102.50	\$168.75	\$225.00	\$185.00	\$206.88	\$ 12,520.80
												\$ 5,680.88
												\$ 18,201.68
<b>II. carpet – roll type</b>												
	Mohawk New basics	Stair installation	Adhesive	Vinyl base	Stringer	Take-up & haul old carpet	Remove old glue	Floor fill		Stair nose		
Material	\$1.70/sf	-----	\$100.00/pail	\$1.75/ft	\$7.05/ft	-----	-----	\$60.00/bag		\$9.24/ft		
Installation	<u>\$1.15/sf</u>	<u>\$6.25/ft</u>	-----	<u>\$2.25/ft</u>	<u>\$15.00/ft</u>	<u>\$.75/sf</u>	<u>\$1.00/sf</u>	<u>\$125.00/hr</u>		<u>\$8.00/ft</u>		
Total	\$2.85/sf	\$6.25/ft	\$100.00/pail	\$4.00/ft	\$22.05/ft	\$.75/sf	\$1.00/sf	\$185.00/hr		\$17.24/ft		
Area	Sf											Total
Stairs to 2 <sup>nd</sup> level	540	\$1,539.00	\$862.50	\$300.00	\$112.00	-----	\$312.00	\$416.00	\$370.00	\$206.88	\$ 4,118.38	
Stairs to lower level	252	\$718.20	\$375.00	\$100.00	\$40.00	\$1,102.50	\$168.75	\$225.00	\$185.00	\$206.88	\$ 3,121.33	
												\$ 7,239.71

Submitted By:

*Dave Bahr*  
 DB

Dave Bahr  
 Hiller Commercial Floors  
 April 1, 2026  
 DB/lh



## Houston County Department of Transportation

### Americans with Disabilities Act Transition Plan

## Introduction

### Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, Houston County must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#))

As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150](#), Houston County has conducted a self-evaluation of its facilities within public rights of way and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals.

### ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

## Agency Requirements

Under Title II, Houston County must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability ([28 C.F.R. Sec. 35.130 \(a\)](#)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result ([28 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective ([28 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others ([29 C.F.R. Sec. 35.160\(a\)](#)).
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [[28 CFR Sec. 104.8\(a\)](#)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts

related to ADA compliance before they escalate to litigation and/or the federal complaint process.

**This document has been created to specifically cover accessibility within the public rights of way and does not include information on County programs, practices, or building facilities not related to public rights of way.**

## Self-Evaluation

### Overview

Houston County is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the County implements these policies. The goal of the self-evaluation is to verify that, in implementing the County's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also examines the condition of the County's Pedestrian Circulation Route/Pedestrian Access Route) (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and transit facilities that are located within the County rights of way. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

### Summary

In 2016-2018, Houston County conducted an inventory and evaluation of pedestrian facilities within its public right of way. The system at the time of this writing consisted of the following facilities:

- 6.7 miles of sidewalks
- 194 curb ramps
- 3.7 miles of on-road bicycle lanes
- 2 traffic control signals
- 1 Rectangular Rapid Flash Beacon (RRFB)
- 1 bus stop
- 3.0 miles of shared bicycle/parking lanes

Houston County developed an inventory of pedestrian facilities within its public right of way consisting of the evaluation including sidewalks, curb ramps and trails. Other features such as transit locations are not currently constructed within County right of way, and when so constructed will to the extent determined feasible by the County be so constructed as to meet the necessary accessibility standards. Physical obstacles in these facilities that limit accessibility will be identified in the self-evaluation and the methods that will be used to make the facilities accessible.

A detailed evaluation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.

## Policies and Practices

### Previous Practices

Since the adoption of the ADA, Houston County has striven to provide accessible pedestrian features as part of the County's Capital Improvement Program. As additional information was made available as to the methods of providing accessible pedestrian features, the County updated their procedures to accommodate these methods. Below is a list of all County managed construction projects within the urbanized portion of Houston County since 1990, and the ADA improvements associated with the project. Roadway and pedestrian facility maintenance projects are not listed below.

<b>CSAH 2</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 028-602-013	2019	Eitzen – CSAH 2 from TH 76 to east City Limits	Sidewalk and Pedestrian Curb Ramp Replacement (9 ramps)
<b>CSAH 3</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 028-603-09	1989-90	Caledonia - Winnebago Street to the East City Limits	Sidewalk and Pedestrian Curb Ramp Replacement
SAP 028-603-14	1999-2000	Caledonia - TH 44 to Winnebago Street	Sidewalk and Pedestrian Curb Ramp Replacement, Crosswalk Pavement Markings, Street Lighting, Traffic Control Signal improvements (Pedestrian push button and sign/signal indicators)
City Project	2018	Caledonia – Intersection of CSAH 3 (Main St.) and Kingston St.	2 Curb Ramp Replacements
SAP 028-603-026	2019	Caledonia – CSAH 3 from TH 44 to east City Limits	Sidewalk and Pedestrian Curb Ramp Replacement, Crosswalk Pavement Markings (55 ramps)
<b>CSAH 5</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 028-605-018	2014	Caledonia - 48 Ft North to 1,377 Ft South of CR 249	Sidewalk Replacement, Pavement Markings, Street Lighting
<b>CSAH 6</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 028-606-20	2006-07	La Crescent - Elm Street to TH 16/14	Sidewalk and Pedestrian Curb Ramp Replacement, Crosswalk Pavement Markings and Signage, Street Lighting, Traffic Control Signals

CP 2017-14 (Joint w/ City)	2017	La Crescent – Intersection of CSAH 6 (S. 3 <sup>rd</sup> St) and Oak St.	RRFB crossing installation
SAP 236-114-001 (City Project)	2018	La Crescent – Intersection of CSAH 6 (S. 3 <sup>rd</sup> St) and Elm St.	2 Curb Ramp Replacements
SAP 236-080-001 (City Project)	2018	La Crescent – Intersection of CSAH 6 (S. 7 <sup>th</sup> St) and Larch Ave	1 Curb Ramp Replacement
City Project	2019	La Crescent – Intersection of CSAH 6 (S. 7 <sup>th</sup> St) and Spruce Dr	Pedestrian Curb Ramp Replacement (2 ramps) and RRFB installation
City Project	2025	La Crescent – Intersection of CSAH 6 (S. Elm St) and S. 6 <sup>th</sup> St.	Pedestrian Curb Ramp Replacement (4 ramps)
<b>CSAH 16</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 028-616-02	1999-2000	Spring Grove – 508' South of City Limits to TH 44	Sidewalk and Pedestrian Curb Ramp Replacement, Crosswalk Pavement Markings
<b>CSAH 25</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 236-080-003 (City Project)	2018	La Crescent – Intersection of CSAH 25 and Skunk Hollow Rd.	Sidewalk and Pedestrian Curb Ramp Installation
<b>CSAH 27</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 028-627-010	2018	Spring Grove - City Limits to TH 44	Sidewalk and Pedestrian Curb Ramp Replacement
<b>CSAH 29</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 028-629-05	2005-06	La Crescent - N. 2nd St. to North County Line	Sidewalk and Pedestrian Curb Ramp Replacement, Bike Lane and Crosswalk Pavement Markings
SAP 028-629-008	2019	La Crescent – CSAH 29 from CSAH 6 to N 3 <sup>rd</sup> St	Sidewalk and Pedestrian Curb Ramp Replacement, Crosswalk Pavement Markings (21 ramps)
<b>MULTIPLE</b>	<b>YEAR BUILT</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>
SAP 028-606-17	1995	Cities of Brownsville, Houston, and La Crescent	122 Pedestrian Curb Ramp Replacements

## Policy

Houston County's goal is to continue to provide accessible pedestrian design features as part of the County capital improvement projects. The County has established ADA design standards and procedures as listed in Appendix F. These standards and procedures will be kept up to date with nationwide and local best management practices.

The County will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The County will coordinate with external agencies to ensure that all

new or altered pedestrian facilities within the County jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public right of way will continue to follow the policies set forth by the County .

Requests for accessibility improvements can be submitted to the Houston County Highway Engineer. Contact information for Houston County Highway Engineer is located in Appendix E.

## **Improvement Schedule**

### **Priority Areas**

Houston County will utilize two methods for upgrading pedestrian facilities to the current ADA standards to the extent feasible. The first method is the scheduled road (or Highway Office building) improvement projects of construction and/or alteration impacting pedestrian facilities. The second method is the stand alone sidewalk and ADA accessibility improvement projects. These projects will be incorporated into the Road and Bridge Improvement Program (or for Office building inclusion in County's Capital Improvement Program - CIP) on a case by case basis as determined by Houston County and as resources (funding) are available to plan and construct. The County's Road and Bridge Improvement Plan or CIP includes a schedule and estimated budget for specific improvements, and can be obtained from Houston County. Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with.

During implementation of the above methods, Houston County will give priority to pedestrian facility improvements for locations selected due to their proximity to specific land uses such as schools, transportation facilities, government offices, medical facilities or other places of public accommodation, and employers, as well as from the receipt of public comments. Accessibility improvements requested by the public will be evaluated by County staff. A brief engineering study may be performed. If a curb ramp is not damaged and met the ADA specifications at the time of original construction, the ramp may remain. Evaluation criteria will include pedestrian volumes, traffic volumes, condition of existing infrastructure, impacts to future projects, and public safety.

Houston County has set the following schedule for improving the accessibility of its pedestrian facilities within the County Highway Department's jurisdiction:

- accessibility features impacted by, or adjacent to, the County's Road and Bridge Improvement Plan or County's CIP will be upgraded to be ADA compliant to the extent feasible as improvement projects are constructed. If a ramp is not damaged and met the ADA specifications at the time of original construction, the ramp may remain.

## External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of the Houston County rights of way. The County will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

## Schedule

Houston County has set the following schedule goals for improving the accessibility of its pedestrian facilities within the County rights of way jurisdiction:

- After 5 years, 80% of accessibility features will be ADA compliant and 80% of accessibility features that were constructed after January 26, 1991, would be ADA compliant or substantially compliant.
- After 10 years, 80% of accessibility features within the priority areas identified by County staff would be ADA compliant or substantially compliant.
- After 20 years, 80% of accessibility features within the rights of way under the jurisdiction of Houston County would be ADA compliant.

## ADA Coordinator

In accordance with 28 CFR 35.107(a), Houston County has identified an ADA Title II Coordinator to oversee the County policies and procedures. Contact information for this individual is located in Appendix E.

## Implementation Schedule

### Methodology

Houston County will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded, to the greatest extent reasonable, to current ADA accessibility standards. If a ramp is not damaged and met the ADA specifications at the time of original construction, the ramp may remain. The second method is the stand alone sidewalk and ADA accessibility

improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by Houston County staff. The County CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

## Public Outreach

Houston County recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of Houston County.

Public outreach for the creation of this document consisted of the following activities:

- Joint staff meetings with the City of Eitzen, City of Caledonia, and City of La Crescent to discuss and gather input on ADA improvements to be made as part of the 2019 Capital Improvement Program.
- Posting of Draft Transition Plan for public comment on Houston County's website.
- Advertising the posting of the Draft Transition Plan and inviting public comment in the official county newspaper. Posting of Draft Transition Plan occurred from approximately January 2019 through February 2019.
- An invitation for public comment at a public meeting held at the Houston County Board of Commissioners meeting on February 12, 2019.

A summary of comments received and detailed information regarding the public outreach activities are located in Appendix C.

## Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix D. If users of Houston County facilities and services believe the County has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), the County has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix D.

## Monitor the Progress

This document will continue to be updated as conditions within the County evolve.

## Effective Date

This policy shall take effect on February 26, 2019.

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### AUTHENTICATED BY:

\_\_\_\_\_  
Greg Myhre, Chairperson  
Houston County Board of Commissioners

\_\_\_\_\_  
Date

Initial Date of Adoption: February 26, 2019  
Date(s) of Revision: April 7, 2026

## **Appendices**

**A. Self-Evaluation Results**

**B. Schedule / Budget Information**

**C. Public Outreach**

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## Appendix A – Self-Evaluation Results

This initial self-evaluation of pedestrian facilities yielded the following results:

- 47% of curb ramps met full compliance with current (2026) accessibility criteria
  - To be compliant, curb ramps must include
    - Presence of a landing
    - Landing slope – no more than 2% in any direction
    - Ramp running slope – 5%-8%
    - Cross slope – no more than 2%
    - Presence of detectable warnings
- 18% intersections did not have any curb ramps
- 50% of traffic control signals have push buttons that are accessible
- 0% of traffic control signals have APS
- 0% of bus stops met accessibility criteria
- 0% of bus stops had amenities that met accessibility criteria

Detailed, site-specific self-evaluation results are kept on file at the Houston County Highway Department office.

## Appendix B – Schedule / Budget Information

### Cost Information

#### Unit Prices

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative 2026 costs for some typical accessibility improvements based on if the improvements are included as part of a retrofit type project, or as part of a larger comprehensive capital improvement project.

Intersection corner ADA improvement retrofit: +/- \$14,000 per corner

Intersection corner ADA improvement as part of adjacent capital project: +/- \$8,000 per corner

Traffic control signal APS upgrade retrofit: +/- \$ 30,000

Traffic control signal APS upgrade as part of full traffic control signal installation: +/- \$20,000

Sidewalk / Trail ADA improvement retrofit: +/- \$16.00 per SF

Sidewalk / Trail ADA improvement as part of adjacent capital project: +/- \$9.00 per SF

Bus Stop ADA improvement retrofit: +/- \$750 per stop

Bus Stop ADA improvement as part of adjacent capital project: +/- \$500 per stop

#### Priority Areas

Based on the results of the self-evaluation, the estimate costs associated with eliminating accessibility barriers within the targeted priority areas is as follows:

- ADA Curb Ramps – 90 curb ramps within public right-of-ways are greater than 20 years old and are not in substantial compliance with current ADA guidelines. The estimated cost for bringing these ramps into compliance is \$918,000 (57 adjacent to capital improvement projects and 33 as retrofit)

#### Entire Jurisdiction

Based on the results of the self-evaluation, the estimate costs associated with providing ADA accessibility within the entire jurisdiction is \$918,000. This amount signifies a significant investment that Houston County is committed to making in the upcoming years. A systematic approach to providing accessibility will be taken in order to absorb the cost into the Houston County budget for improvements to the public right of way.

Projects in the 5-year Capital Improvement Program (CIP) that contain ADA improvements include:

<b>2026</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>	<b>ADA BUDGET</b>
SAP 028-618-009	Brownsville (CSAH 18) – Intersections of CSAH 3 and Adams St.	Pedestrian Curb Ramp Replacement (5 ramps)	\$35,000
SAP 028-613-013	Houston – CSAH 13 from TH 76 to west City Limits	Sidewalk and Pedestrian Curb Ramp Replacement (18 ramps)	\$150,000
<b>2027-2028</b>	<b>LOCATION</b>	<b>ADA IMPROVEMENTS</b>	<b>ADA BUDGET</b>
SAP 28-605-020	Caledonia – CSAH 5 from CR 249 to CSAH 3	Sidewalk and Pedestrian Curb Ramp Project (24 ramps)	\$200,000

\*ADA Improvement project is a component of a larger roadway improvement project

## Appendix C – Public Outreach

Public outreach for the creation of this document consisted of the following activities:

- Posting of Draft Transition Plan for public comment on Houston County’s website. Posting of Draft Transition Plan occurred from approximately January 14, 2019 through February 20, 2019. <http://co.houston.mn.us/Highway.aspx>
- Advertising the posting of the Draft Transition Plan and inviting public comment in the official papers including:
  - Spring Grove Herald on January 23, 2019 & January 30, 2019
  - Caledonia Argus on January 23, 2019 and January 30, 2019
  - Houston County News on January 18, 2019 and January 25, 2019

A copy of the public meeting notice is located in Appendix C

- Advertising the posting of the Draft Transition Plan and inviting public comment at the east and west entrance to the Houston County Courthouse, located at 304 South Marshall Street in Caledonia.
- An invitation for public comment at a public meeting held during the Houston County Board of Commissioners meeting on February 12, 2019 at 10:00 a.m.

One public comment/question was received during creation of this document. This was a verbal comment received during the public meeting that took place on February 12, 2019 from 10:00am to 10:39am. The comment pertained to the traffic control signals at the intersection of County Highway 3 (Main St) and Kingston St. in the City of Caledonia. The signals are maintained and under the jurisdiction of the City, but falls within the County right-of-way. The question centered around if the City needs to be upgrading the signals for a push button activated pedestrian crossing and/or if they should have a plan in place for the future. The response was that yes, the City should have a plan in place for future improvements but that they are not required to upgrade the signals at this time.

# ADA Transition Plan Public Meeting Notice

Houston County is requesting the public to review and provide comments upon a draft American with Disabilities Act (ADA) Transition Plan for Public Rights of Way. The plan evaluates existing sidewalks, pedestrian facilities, and curb ramps located within Houston County Right of Way. A public comment period will be held from January 11, 2019 to February 19, 2019. A copy of the draft document is available for review at the Houston County Highway Department office, and the County website at: <http://co.houston.mn.us/Highway.aspx>

## **Public Meeting**

A public meeting for the transition plan will be held of February 12, 2019 at the Houston County Courthouse, located at 304 S. Marshall St, Caledonia, MN 55921, at 10:00 a.m. in the Commissioners Room 222.

## **Accommodations**

Persons with a disability who wish to request accommodation to participate in the Public Meeting should notify Jeff Babinski at least seven (7) business days prior to the Meeting at (507) 725-5827 or email your request to [jeff.babinski@co.houston.mn.us](mailto:jeff.babinski@co.houston.mn.us) to discuss accommodations. Every reasonable effort will be made to meet your need.

## **Comments and Plan Recommendations**

Please submit comments or specific recommendations for modification to:  
Houston County Highway Department  
Attn: Brian Pogodzinski, County Engineer  
1124 E. Washington St.  
Caledonia, MN 55921

## Appendix D – Grievance Procedure

As part of the ADA requirements the County has posted the following notice outlining its ADA requirements:

### Public Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, Houston County will not discriminate against qualified individuals with disabilities on the basis of disability in Houston County's services, programs, or activities.

**Employment:** The County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

**Effective Communication:** The County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** The County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all County programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a County program, service, or activity, should contact the office of ADA Title II Coordinator, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## **Houston County Grievance Procedure under the Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Houston County. The County's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. A Discrimination Complaint Form template is included at the end of this section. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

### **PUBLIC RIGHT OF WAYS**

**County Highway Engineer  
1124 E. Washington St,  
Caledonia, MN 55921  
Office: (507) 725-3925**

### **ALL OTHER ADA ITEMS**

**County Coordinator  
Houston County, Room 206  
304 South Marshall St.  
Caledonia, MN 55921  
Office: 507-725-5822**

Within 15 calendar days after receipt of the complaint, **ADA Title II Coordinator**, or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **ADA Title II Coordinator** or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Houston County and offer options for substantive resolution of the complaint.

If the response by **ADA Title II Coordinator** or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **County ADA Committee**.

Within 15 calendar days after receipt of the appeal, the **County ADA Committee** will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the **County Board of Commissioner** will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **ADA Title II Coordinator** or his/her designee, appeals to the **County ADA Committee**, and responses will be retained by Houston County for at least three years.

**Title II of the Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1973  
Discrimination Complaint Form**

Instructions: Please fill out this form completely, in black ink or type. Sign and return to the address on page 3.

Complainant: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Home: \_\_\_\_\_

Business: \_\_\_\_\_

Person Discriminated Against (if other than the complainant): \_\_\_\_\_

Address: \_\_\_\_\_

City, State, and Zip Code: \_\_\_\_\_

Telephone:     Home: \_\_\_\_\_ Business: \_\_\_\_\_

Government, or organization, or institution which you believe has discriminated:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

County: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

When did the discrimination occur? \_\_\_\_\_ Date: \_\_\_\_\_

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated (use space on page 3 if necessary):

Have efforts been made to resolve this complaint through the internal grievance procedure of the government, organization, or institution?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes: what is the status of the grievance?

Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes:

Agency or Court: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, and Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Do you intend to file with another agency or court?

Yes \_\_\_\_\_ No \_\_\_\_\_

Agency or Court: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Additional space for answers:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Return to:

**PUBLIC RIGHT OF WAYS**  
**County Highway Engineer**  
**1124 E. Washington St,**  
**Caledonia, MN 55921**  
**Office: (507) 725-3925**

**ALL OTHER ADA ITEMS**  
**County Coordinator**  
**Houston County, Room 206**  
**304 South Marshall St.**  
**Caledonia, MN 55921**  
**Office: 507-725-5822**

## **Appendix E – Contact Information**

### **ADA Title II Coordinator**

Position: County Coordinator  
Address: Houston County, Room 206  
304 South Marshall St.  
Caledonia, MN 55921  
  
Phone: (507) 725-5822

### **Public Right of Ways ADA Implementation Coordinator**

Position: County Highway Engineer  
Address: Houston County DOT  
1124 E. Washington St  
Caledonia, MN 55921  
  
Phone: (507) 725-3925  
Fax: (507) 725-5417

## **Appendix F – Agency ADA Design Standards and Procedures**

### **Design Procedures**

#### **Intersection Corners**

Curb ramps or blended transitions will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of any project. Those limitations will be noted and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each intersection corner shall be made as compliant as possible in accordance with the judgment of County staff.

#### **Sidewalks / Trails**

Sidewalks and trails will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, every sidewalk or trail shall be made as compliant as possible in accordance with the judgment of County staff.

#### **Traffic Control Signals**

Traffic control signals will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of County staff.

#### **Bus Stops**

Bus stops will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual bus stop locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future

work. Regardless on if full compliance can be achieved or not, each bus stop location shall be made as compliant as possible in accordance with the judgment of County staff.

### **Other Transit Facilities**

No additional transit facilities are present within the limits of Houston County. Houston County will work with future transit providers to ensure that those facilities meet all appropriate accessibility standards.

### **Other policies, practices and programs**

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

### **Design Standards**

Houston County follows Public Rights-of-Way Accessibility Guidelines (PROWAG), as adopted by the Minnesota Department of Transportation (MnDOT), as its design standard.

## Appendix G – Glossary of Terms

**ABA:** See Architectural Barriers Act.

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** Houston County’s transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Capital Improvement Program (CIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

**ADAAG:** See Americans with Disabilities Act Accessibility Guidelines.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibrotactile formats.

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

**APS:** See Accessible Pedestrian Signal.

**Architectural Barriers Act (ABA):** Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Capital Improvement Program (CIP):** The CIP for the Transportation Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county’s transportation system.

**Detectable Warning:** A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

**DOJ:** See United States Department of Justice

**Federal Highway Administration (FHWA):** A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

**FHWA:** See Federal Highway Administration

**Pedestrian Access Route (PAR):** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Pedestrian Circulation Route (PCR):** A prepared exterior or interior way of passage provided for pedestrian travel.

**PROWAG:** An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

**Right of Way:** A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

**Section 504:** The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

**Uniform Accessibility Standards (UFAS):** Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

**United States Access Board:** An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

**United States Department of Justice (DOJ):** The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.