

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: February 23, 2021

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

*Virtual meeting held due to Peacetime Emergency Declaration in response to COVID-19 Pandemic.

Members Present via Computer:

Dewey Severson, Eric Johnson, Robert Burns, Teresa Walter, and Greg Myhre

Others Present via Computer/Phone:

Auditor/Treasurer Donna Trehus, Reporter Craig Moorhead, Reporter Charlene Selbee, Finance Director Carol Lapham, Human Resources Director Theresa Arrick-Kruger, Public Health and Human Services Director John Pogleasa, Social Services Supervisor Bethany Moen, Financial Assistance Supervisor Karen Kohlmeyer, Engineer Brian Pogodzinski, Environmental Services Director Aaron Lacher, Recorder Susan Schwebach, Chief Deputy Recorder Mary Betz, Probationary Assessor Lucas Onstad, Board Clerk Allison Wagner, Yvonne Krogstad

Presiding: Chairperson Burns

Call to order.

Pledge of Allegiance.

Motion was made by Commissioner Walter, seconded by Commissioner Severson, motion unanimously carried to approve the agenda.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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Motion was made by Commissioner Johnson, seconded by Commissioner Severson, motion unanimously carried to approve the board meeting minutes from February 9, 2021.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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Motion was made by Commissioner Johnson, seconded by Commissioner Walter, motion unanimously carried to approve the workgroup session minutes from February 16, 2021.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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Public Comment: No public comments were made.

Public Health and Human Services Director Pugleasa provided an update on the COVID-19 pandemic and response from Public Health and Human Services. He shared with the board that 21.3% of Houston County’s population had received at least their first dose of vaccine. This included shots administered by Houston County Public Health and its partners. Public Health had administered 1,470 first doses and several hundred second doses. Pugleasa said that he was happy with the progress they had made with the doses they had been provided. He stated that more residents want the vaccine than they currently had been given to administer.

At 9:38 a.m., Commissioner Severson moved, Commissioner Walter seconded, motion unanimously carried to go into closed session pursuant to Minn. Stat. § 13D.03, Subd. 1 (b) to consider strategy for labor negotiations. All Commissioners, Auditor/Treasurer Donna Trehus, and Human Resources Director Theresa Arrick-Kruger attended the closed session.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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At 10:12 a.m., Commissioner Johnson moved, Commissioner Severson seconded, motion unanimously carried to return to the regular board session. Human Resources Director Theresa Arrick-Kruger gave a summary that in the closed session, they had discussed strategies for labor negotiations.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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CONSENT AGENDA

Board members discussed moving Consent Items No. 3, 4, and 5 from the consent agenda to the regular agenda under action items. Commissioner Walter moved, Commissioner Myhre seconded, motion unanimously carried to approve the revised consent agenda as listed below.

- 1) Approve Service Agreement with Dynamic Lifecycle Innovations. (Lacher)
- 2) Accept a citizen donation to Houston County K-9 for \$100.00. (Inglett)
- 6) Change the employment status of Myra Harris Johnson, Social Worker, from probationary to regular, effective March 1, 2021. (Kruger)

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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ACTION ITEMS

Board members discussed Item No. 3 (originally on the consent agenda) as an action item. Commissioner Walter moved, Commissioner Severson seconded, motion carried to appoint Lucas Onstad as probationary County Assessor C-53, Step 3, effective immediately conditioned on approval of the Commissioner of Revenue. The term would be from from the date of appointment, 2/22/21, for four years through December 31, 2024. Motion passed 4-1. Commissioner Johnson abstained from voting because of a distant relation to Onstad.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Abstain	Dist. 4:	Yes	Dist. 5:	Yes
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Board members discussed Item No. 4 as an action item (originally on the consent agenda). Commissioner Johnson moved, Commissioner Severson seconded, motion unanimously carried to conduct a competitive search for a Recycling Center Lead.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Abstain	Dist. 4:	Yes	Dist. 5:	Yes
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Board members discussed Item No. 5 item (originally on the consent agenda) as an action item. Commissioner Walter moved, Commissioner Severson seconded, motion carried 4-1 to conduct a competitive search for a part-time, 14-hour-per-week, clerical position B-21. Commissioner Myhre voted no.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Abstain	Dist. 4:	Yes	Dist. 5:	No
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File No. 1 – Commissioner Myhre moved, Commissioner Johnson seconded, motion unanimously carried to approve County/Caledonia City Agreement regarding the watermain loop for the new Highway Shop.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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File No. 2 - Commissioner Johnson moved, Commissioner Myhre seconded, motion unanimously carried to approve Resolutions 21-12 through 21-17 listed below.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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RESOLUTION NO. 21-12
February 23, 2021

RESOLUTION OF SUPPORT FROM SPONSORING AGENCY

RESOLUTION OF SUPPORT FOR AND AGREEMENT TO SPONSOR THE CITY OF CALEDONIA PURSUIT OF 2020 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING FROM MnDOT FOR THE WARRIOR AVENUE EXTENSION PROJECT

WHEREAS, the Warrior Avenue Extension Project (“Project”) includes North Warrior Avenue between Trunk Highway 76 (“TH 76”) and the north entrance of the Caledonia Middle School / High School Complex; and

WHEREAS, the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$1,250,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development; and

WHEREAS, the Warrior Avenue Extension project is regionally significant, results in safety improvements, addresses transportation deficiencies, and contributes to economic development for the following reasons:

- 1) By providing direct access to TH 76 for local and commercial traffic,
- 2) By reducing significant congestion at the intersection of Esch Drive and Trunk Highway 44 (“TH 44”), especially during peak school times,

- 3) By providing a paved surface with a 10-ton capacity,
- 4) By expanding pedestrian facilities,
- 5) By connecting with a planned Houston County bike route to Beaver Creek Valley State Park, and
- 6) By expanding access to commercial and industrial properties; and

WHEREAS, the project would not be financially feasible for the City without LRIP funding; and

WHEREAS, the Local Road Improvement Program (LRIP) requires a city, such as Caledonia, that is not a State Aid city, to have a county sponsor and the support of the County Board; and

WHEREAS, the proposed year for project construction is 2022.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSTON COUNTY BOARD OF COMMISSIONERS AS FOLLOWS; that

1. The County supports the City of Caledonia's pursuit of Local Road Improvement Program (LRIP) funds for the construction of North Warrior Avenue between TH 76 and the north entrance of the Caledonia Middle School / High School Complex.
2. The County agrees to sponsor the City of Caledonia's Local Road Improvement Program application to MnDOT.

RESOLUTION NO. 21-13
February 23, 2021

RESOLUTION OF SUPPORT FROM SPONSORING AGENCY

RESOLUTION OF SUPPORT FOR AND AGREEMENT TO SPONSOR THE CITY OF HOUSTON PURSUIT OF 2020 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING FROM MnDOT FOR THE WESTGATE DRIVE RECONSTRUCTION PROJECT

WHEREAS, the Westgate Drive Reconstruction project includes Westgate Drive between West Cedar Street (TH 16) and West Spruce Street (CSAH 13), and

WHEREAS, the Westgate Drive Reconstruction project is regionally significant in that it supports adjacent economic development and business retentions, provides a paved surface with a 10-ton capacity, improves drainage, connects Cedar Street (TH 16) and West Spruce Street (CSAH 13), and provides pedestrian facilities, and

WHEREAS, the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$1,250,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development, and

WHEREAS, the Local Road Improvement Program (LRIP) requires a city, such Houston, that is not a State Aid city, to have a county sponsor and the support of the County Board, and

WHEREAS, the proposed year for project construction is 2023.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSTON COUNTY BOARD OF COMMISSIONERS AS FOLLOWS; that

1. The County supports the City of Houston’s pursuit of Local Road Improvement Program (LRIP) funds for the reconstruction of Westgate Drive between Cedar Street (TH 16) and West Spruce Street (CSAH 13), and
The County agrees to sponsor the City of Houston’s Local Road Improvement Program application to MnDOT.

RESOLUTION NO. 21-14

February 23, 2021

RESOLUTION OF SUPPORT FOR THE CITY OF LA CRESCENT PURSUIT OF 2020 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING FROM MnDOT FOR THE WALNUT STREET RECONSTRUCTION PROJECT

WHEREAS, the Walnut Street Reconstruction project includes Walnut Street between South 1st Street and Walnut Place, and

WHEREAS, the Walnut Street Reconstruction project is regionally significant in that it supports adjacent economic development and business retentions, connects the City’s central business district to the new hotel and event center, and serves as the Wagon Wheel Trail trailhead, and

WHEREAS, the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$1,250,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development, and

WHEREAS, the proposed year for project construction is 2022.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSTON COUNTY BOARD OF COMMISSIONERS AS FOLLOWS; that

1. The County supports the City of La Crescent’s pursuit of Local Road Improvement Program (LRIP) funds for the reconstruction of Walnut Street between South 1st Street and Walnut Place.

RESOLUTION NO. 21-15

February 23, 2021

RESOLUTION OF SUPPORT FROM SPONSORING AGENCY

RESOLUTION OF SUPPORT FOR AND AGREEMENT TO SPONSOR MOUND PRAIRIE TOWNSHIP PURSUIT OF 2020 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING FROM MnDOT FOR THE SOUTH RIDGE ROAD RECONSTRUCTION PROJECT

WHEREAS, the South Ridge Road Reconstruction project includes South Ridge Road between Houston County State Aid Highway 25 and Winona County Road 103, and

WHEREAS, the South Ridge Road Reconstruction project is regionally significant in that it supports adjacent economic development and business retentions, provides a paved surface, improves drainage, improves safety, and connects Houston County State Aid Highway 25 and Winona County Road 103, and

WHEREAS, the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$1,250,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development, and

WHEREAS, the Local Road Improvement Program (LRIP) requires a township, such Mound Prairie to have a county sponsor and the support of the County Board, and

WHEREAS, the proposed year for project construction is 2021.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSTON COUNTY BOARD OF COMMISSIONERS AS FOLLOWS; that

1. The County supports Mound Prairie Township's pursuit of Local Road Improvement Program (LRIP) funds for the reconstruction of South Ridge Road between Houston County State Aid Highway 25 and Winona County Road 103, and
2. The County agrees to sponsor Mound Prairie Township's Local Road Improvement Program application to MnDOT and perform sponsor tasks.

RESOLUTION NO. 21-16
February 23, 2021

RESOLUTION OF SUPPORT FROM SPONSORING AGENCY

RESOLUTION OF SUPPORT FOR AND AGREEMENT TO SPONSOR WILMINGTON TOWNSHIP PURSUIT OF 2020 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING FROM MnDOT FOR THE NINE OAKS SUBDIVISION REHABILITATION PROJECT

WHEREAS, the Nine Oaks Subdivision Rehabilitation project includes that portion of Nine Oaks Road within Wilmington Township, and

WHEREAS, the Nine Oaks Subdivision Rehabilitation project is significant in that it resurfaces the existing pavement in poor condition and creates better drainage, and

WHEREAS, the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$1,250,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development, and

WHEREAS, the Local Road Improvement Program (LRIP) requires a township, such as Wilmington Township to have a county sponsor and the support of the County Board, and

WHEREAS, the proposed year for project construction is 2021-2022.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSTON COUNTY BOARD OF COMMISSIONERS AS FOLLOWS; that

1. The County supports Wilmington Township’s pursuit of Local Road Improvement Program (LRIP) funds for the reconstruction of the Nine Oaks Subdivision Rehabilitation, and
2. The County agrees to sponsor Wilmington Township’s Local Road Improvement Program application to MnDOT and perform sponsor tasks.

File No. 3 – Commissioner Walter moved, Commissioner Myhre seconded, motion unanimously carried to approve budget amendment.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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File No. 4 - Commissioner Johnson moved, Commissioner Myhre seconded, motion unanimously carried to approve purchasing a New Holland C332 Compact Tractor Loader from Caledonia Implement for \$38,000.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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File No. 5 - Commissioner Walter moved, Commissioner Severson seconded, motion unanimously carried to approve SP 28-606-024 final acceptance and Resolution 21-18 below.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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RESOLUTION NO. 21-18
 Final Acceptance of Contract #304 – Mathy Construction.
 February 23, 2021

WHEREAS, Contract #304 completes SP 028-606-024 at a total cost of \$2,376,849.82.

WHEREAS, Contract No. 304 has in all things been completed, and the County Board being fully advised in the premises;

NOW THEREFORE, BE IT RESOLVED, the Houston County Board of Commissioners accepts said completed project

File No. 6 - Commissioner Myhre moved, Commissioner Johnson seconded, motion unanimously carried to approve SP 28-628-022 final acceptance and Resolution 21-19 below.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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RESOLUTION NO. 21-19
Final Acceptance of Contract #306 – Mathy Construction.
February 23, 2021

WHEREAS, Contract #306 completes SAP 028-625-022 at a total cost of \$2,554,118.46.

WHEREAS, Contract No. 306 has in all things been completed, and the County Board being fully advised in the premises;

NOW THEREFORE, BE IT RESOLVED, the Houston County Board of Commissioners accepts said completed project

File No. 7 - Commissioner Walter moved, Commissioner Johnson seconded, motion unanimously carried to approve 2021-2023 Law Enforcement Labor Services, Inc. Local #415 (Licensed Lieutenants Unit) and the County of Houston.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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File No. 8 - Commissioner Myhre moved, Commissioner Walter seconded, motion unanimously carried to approve Adult Children’s Mobile Crisis Grant Agreement.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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File No. 9 - Commissioner Walter moved, Commissioner Severson seconded, motion unanimously carried to approve MFIP/DWP contract with Workforce Development Inc. for required employment training services.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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File No. 10 - Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to 2021 Semcac contract for transportation services.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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File No. 11 - Commissioner Johnson moved, Commissioner Severson seconded, motion unanimously carried to approve Houston County State Business Relief grant awards for Round 1 of the Houston county State Business Relief Grant: 41 businesses would be awarded a total of \$302,195.00 in grant funds.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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File No. 12 - Commissioner Johnson moved, Commissioner Walter seconded, motion unanimously carried to approve the plan for Round 2 of the Houston County State Business Relief Grant. The second round would open on February 26th for businesses negatively affected by an executive order related to the pandemic. \$1,000 would be the maximum grant award businesses could request and the funds would be first come, first served.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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DISCUSSION ITEMS

Commissioners discussed recent meetings they had attended.

There being no further business at 11:47 a.m., a motion was made by Commissioner Myhre, seconded by Commissioner Walter, unanimously carried to adjourn the meeting. The next meeting will be a regular board meeting on March 2, 2021.

Dist. 1:	Yes	Dist. 2:	Yes	Dist. 3:	Yes	Dist. 4:	Yes	Dist. 5:	Yes
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BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Robert Burns, Chairperson

Attest: _____
Donna Trehus, Auditor/Treasurer

Houston County Agenda Request Form

This form is not intended for the general public. It is intended for use by county department heads, representatives of other governmental units or vendors/agencies who contract with Houston County. Members of the public may address the Board during the Public Comment Period. (See Policy for Public Comment Period).

Date Submitted: 2/19/2021 (For March 2, 2021 Board)

Person requesting appointment with County Board: Aaron Lacher

Issue:

2021-2023 Xcel MN CFL Recycling Contracts with Houston County.

Justification:

Action Requested:

Final Approval by the County Board.

For County Use Only			
Reviewed by:	_____ County Auditor	_____ County Attorney	_____ Zoning Administrator
	_____ Finance Director	_____ County Engineer	_____ Environmental Services
	_____ IS Director	_____ Other (indicate dept)	_____
Recommendation:			
Decision:			

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.

Agreement for Collections of Lamps

Issued To

Houston County Solid Waste & Recycling

Lamp Recycling

Effective as of January 1, 2021

**AGREEMENT FOR COLLECTIONS
OF FLUORESCENT AND HIGH INTENSITY DISCHARGE LAMPS
BETWEEN
SLIPSTREAM GROUP, INC.
AND HOUSTON COUNTY SOLID WASTE & RECYCLING**

THIS AGREEMENT (“Agreement”) is between Slipstream Group, Inc. (“Slipstream”) and Houston County Solid Waste & Recycling (the “Recycler”), a COUNTY of the State of Minnesota.

WHEREAS, Slipstream has contracted with Xcel Energy Services Inc. (“Xcel Energy”) to administer a lamp recycling program; and

WHEREAS, the Minnesota Legislature has enacted Minn. Stat. § 115A.932, which prohibits the disposal of fluorescent and high intensity discharge (HID) lamps in solid waste, and Minn. Stat. § 216B.241, subd. 5(b), requires Xcel Energy, as a public utility that provides electric service to 200,000 or more customers, to establish, either directly or by contracting with another, a system to collect and recycle lamps from its residential customers and its small business customers that generate an average of fewer than ten spent lamps per year; and

WHEREAS, the Recycler has established and currently operates a program for the collection and management of household hazardous waste (HHW program), including the collection of fluorescent and HID lamps from Xcel Energy’s residential household customers located in the Recycler’s area; and

WHEREAS, Recycler’s area consists of Houston County; and

WHEREAS, Slipstream and the Recycler desire to enter into an Agreement whereby Slipstream will pay costs incurred by the Recycler for the collection and recycling of fluorescent and HID lamps (lamps) from Xcel Energy’s residential customers as part of Xcel Energy’s system to meet its statutory obligations.

NOW, THEREFORE, in consideration of the terms and conditions stated in the Agreement, Slipstream and the Recycler agree as follows:

1. Lamp collection and recycling. On behalf of Slipstream and Xcel Energy and as part of the Recycler’s HHW program, the Recycler shall collect and recycle lamps in the Recycler’s area. Collection and recycling services will be provided at no cost to Xcel Energy residential customers generating an average of fewer than ten spent lamps per year. The Recycler shall offer lamp collection services to such Xcel Energy customers at Recycler’s household hazardous waste collection site(s), and may arrange with local units of government to provide additional sites for collecting lamps. The Recycler shall be responsible for:

- a. Providing to Slipstream on a monthly basis throughout the program year a description and schedule of lamp collection events in the Recycler’s area for the program year and updated schedule information throughout the year;
- b. Operating and maintaining HHW collection sites;
- c. Arranging collection, storage, transportation, and recycling of lamps; and

- d. Completion and prompt submittal to Slipstream on at least a quarterly basis of a CFL Recycling Report, an example of which is attached hereto as Exhibit A.

2. Reimbursement Request for Lamp Collection Activities. At the same time that the Recycler submits its CFL Recycling Report, the Recycler shall also provide on at least a quarterly basis and in a form acceptable to Slipstream (Exhibit B – Lamp Recycling Reporting Invoice) the following documentation regarding the Recycler's lamp collection and recycling activities:

- a. A description of the number and types of lamps collected;
- b. Costs of administration, labor, supplies, storage, transportation, and recycling of lamps from residential households;
- c. Proof that collected lamps were recycled;
- d. The percentage of the Recycler's lamp collection and reimbursement costs that Slipstream will pay is 34%.
- e. The total amount to be reimbursed to the Recycler.

This documentation shall be provided to the Slipstream designated representative on at least a quarterly basis, or as available.

Slipstream shall pay to the Recycler the costs incurred by the Recycler for the collection and recycling of lamps from residents at the percentage defined in 2d.

Slipstream shall pay to the Recycler the costs incurred by the Recycler for the collecting and recycling of the following type of lamps: fluorescent tubes, circular, u-bend, compact fluorescents and high intensity discharge. Ballasts that are not attached to the bulb will not be reimbursed.

- f. The Recycler shall be responsible for its own expenses, including but not limited to operation and maintenance of collection site(s), and promotional expenses above and beyond Slipstream's planned and coordinated promotions.
- g. This Agreement is expressly contingent upon Minnesota Department of Commerce's (DOC) approval of Xcel Energy's request to implement the Program in Xcel Energy's Minnesota service area as a Conservation Improvement Program (CIP). If such approval is not given initially, or is subsequently withdrawn, or recovery of program costs through electrical rates is disallowed by the Minnesota Public Utilities Commission (MPUC), this Agreement shall be null and void upon notification to the Recycler. Slipstream shall make no further payments to the Recycler, except that Slipstream shall make such payments for which services have been rendered through the date of the notification.

Prior year invoices shall be submitted on or before April 1, following each year of this Agreement. Invoices received after this date will not be eligible for reimbursement.

3. Reimbursement Payments by Slipstream. Slipstream shall reimburse the Recycler for costs associated with the collection and recycling of lamps as follows:

- a. Within thirty (30) days following receipt of complete, timely and accurate documentation listed in Section 2 of this Agreement, Slipstream shall reimburse the Recycler the percentage of the costs incurred by the Recycler for the collection and recycling of lamps as calculated by Section 2 of this Agreement. For lamps from residential customers, this shall include reimbursement for costs including administration, labor, supplies, storage, transportation, and recycling of lamps and costs associated with the Recycler coordination with local units of government for establishment of additional lamp collection events in the Recycler's area.
- b. Slipstream shall not reimburse the Recycler for promotional expense above and beyond Slipstream's planned and coordinated promotions.
- c. To be considered for reimbursement, all prior year invoices must be submitted on or before April 1, following each year of this Agreement. Invoices received after this date will not be eligible for reimbursement.

4. Auditing. Within sixty (60) days of receipt of documentation listed in Section 2, Slipstream shall have the right to audit said documentation and request additional information. Further, the Recycler shall maintain adequate supporting records for verification of actual costs paid by the Recycler. The records shall be in a form that is consistent with generally accepted accounting principles, consistently applied. During the term of this Agreement and six (6) years following final payment hereunder, the Recycler shall preserve such records and allow access to them, by Slipstream auditors, during normal business hours. The Slipstream and Xcel Energy records and documents that are relevant to this Agreement or transaction shall be subject to examination by Slipstream, the legislative auditor or the State auditor, during the term of this Agreement and for a period of at least six years following termination or cancellation of this Agreement, pursuant to the requirements of Minn. Stat. Section 16C.05 Subd. 5, as it may be amended.

5. Reserved.

6. Recycler's Obligation Defined by Agreement. Slipstream and the Recycler acknowledge and agree that the Recycler's obligations to collect and recycle lamps are solely defined by this Agreement and any applicable law.

Recycler will conduct all lamp collection activities under the Agreement in an economically, socially and environmentally responsible manner. Recycler further agrees to ensure that its employees, agents and representatives perform the lamp collection activities in accordance with Xcel Energy's Code of Conduct, as in effect from time-to-time, which is available upon request.

7. Term. The term of this Agreement is from January 1, 2021, until December 31, 2023, regardless of the date of signatures. At the option of Slipstream and the Recycler, this Agreement may be renewed on an annual or biannual basis concurrent with Xcel Energy's statutory obligation to establish a system to collect and recycle lamps from residential and small business customers or otherwise.

8. Termination. Notwithstanding the terms of this Agreement, Slipstream may, at its option, terminate the Agreement in whole or in part, upon thirty (30) days prior notification to Recycler, unless Xcel terminates the program with less than 30 days' notice, in which case Slipstream would be able to terminate with immediate

effect, whether or not Recycler is in default. Recycler may terminate this Agreement, in whole or in part, upon sixty (60) days prior notification to Slipstream.

9. Notice. All information shall be sent by United States mail, postage prepaid, to the following representatives of Slipstream and Recycler, or may be submitted by email:

To Slipstream

Becky Jones
Slipstream
431 Charmany Drive
Madison, WI 53719

To the Recycler:

Aaron Lacher
Houston County Solid Waste & Recycling
Houston County Courthouse
304 S Marshall Street, Room 202
Caledonia, MN 55921

10. Indemnification. Each party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. The liability of the Recycler shall be governed by the provisions of Minnesota Statutes, Chapter 466 and other applicable law.

11. Compliance with Laws. The parties agree to abide by all applicable Federal, State or local laws, statutes, ordinances, rules and regulations now in effect of hereafter adopted pertaining to this Agreement or the facilities, programs and staff for which each party is responsible. This Agreement shall be governed by and construed in accordance with the substantive and procedural laws of the State of Minnesota, without giving effect to the principles of conflict of laws. All proceedings related to this Agreement shall be venued in courts located within the State of Minnesota.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

ACCEPTED:

ACCEPTED:

RECYCLER

Slipstream

Houston County Solid Waste & Recycling

By: _____

By _____

Name: _____

Name: Frank Greb

Title: _____

Title: COO

Date: _____

Date: _____

Exhibit "A"

Report

County Name:

County
Address:

County
Contact:

to be paid by Xcel Energy per 2015

ID	Other	Broken (lbs)	Total Bulbs	Admin	Labor	Storage/ Transportation	Supplies	Disposal	Business Bulb Costs	Total Costs	Xcel Energy Reimbursement Total
			-	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
			-							\$ -	\$ -
			-							\$ -	\$ -
			-							\$ -	\$ -
	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

long with an actual INVOICE from your county

Exhibit "B"

Houston County Lamp Recycling
Invoice

Invoice date:
Invoice #:
Recycle Time Date/Period:

To: Slipstream
Attn: Becky Jones
431 Charmany Drive
Madison WI 53719

DISPOSAL COSTS:	Quantity	Price each	Total Cost
4 ft or less Fluorescent Lamps			\$
Over 4 ft Fluorescent Lamps			
CFLs			
Circular			
U-Bent Fluorescent Lamps			
HID			
Other			
Broken			
Total Disposal Costs			\$
OTHER COSTS:			
Administration			
Labor			
Storage			
Supplies			
Total Expenses			\$
Amount due (%)			\$

Remit Payment to: Houston County Solid Waste & Recycling
Attn: Aaron Lacher
Houston County Courthouse
304 S Marshall Street, Room 202
Caledonia, MN 55921

**HOUSTON COUNTY
AGENDA REQUEST FORM
March 2, 2021**

Date Submitted: 03.02.2021

By: Tess Kruger, HRD/Facilities Mgr.

APPOINTMENT REQUEST

- None

ACTION ITEM

- None

HR CONSENT AGENDA REQUEST

Assessor's Office

- Reassign Kelly Petersen from Assessor's Office Tech Clerk I, to probationary Appraiser Trainee, B22, Step 5, effective March 3, 2021
- Approve initiating a competitive search for a Tech Clerk I

Environmental Services

- Hire Gary Massman, as a temporary employee B23, Step 5, effective March 3, 2021

Public Health & Human Services

- Accept the retirement of Deborah Hartley, PHHS Collections Officer, effective the end of the working day April 30, 2021. We thank Deb for her nearly 17 years of service to the residents of Houston County.
- Approve initiating a competitive search for a Collections Officer, B23
- Change the employment status of Helen Olson, Case Aide from probationary to regular, effective March 9, 2021.

Sheriff's Office

- Change the employment status of Patricia Goetzinger Krall, Jailer/Dispatcher from probationary to regular, effective March 16, 2021.

Reviewed by:	<input checked="" type="checkbox"/> HR Director	<input checked="" type="checkbox"/> County Sheriff	_____
	<input checked="" type="checkbox"/> Finance Director	_____ County Engineer	_____
	_____ IS Director	<input checked="" type="checkbox"/> PHHS	_____

<u> </u>	<u> </u>	<u> </u>
	Other	
	(indicate	
<u> </u> County Attorney	<u> X </u> dept)	<u> </u> Assessor
<u> X </u> Environmental Svcs		

Recommendation:

Decision:

Houston County Agenda Request Form

Date Submitted: February 22, 2021 Board Date: March 2, 2021

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

Board approval needed to award the low bid for SAP 028-030-007 to Dunn Blacktop Company in the amount of \$2,212,728.10. This project includes the paving for CSAH 8, CSAH 11, and CSAH 33

Attachments/Documentation for the Board's Review:

Abstract for SAP 028-030-007 is attached.

Reminder: Unit prices are not public until after the award.

Justification:

Action Requested:

Board approval to accept lowest responsible Bidder.

For County Use Only			
<u>Reviewed by:</u>	<input type="checkbox"/> County Auditor	<input type="checkbox"/> County Attorney	<input type="checkbox"/> Zoning Administrator
	<input type="checkbox"/> Finance Director	<input type="checkbox"/> County Engineer	<input type="checkbox"/> Environmental Services
	<input type="checkbox"/> IS Director	<input type="checkbox"/> Other (indicate dept)	<input type="checkbox"/>
<u>Recommendation:</u>			
<u>Decision:</u>			

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.

WHEREAS, _____ County is responsible for providing essential government services such as transportation infrastructure and solid waste management that promote a vibrant community;

WHEREAS _____ County works tirelessly to be good stewards of our tax dollars and provide these programs in a cost-effective and efficient manner;

WHEREAS, the Minnesota Pollution Control Agency (MPCA) is in the process of adopting California’s Low-Emission Vehicle (LEV) and Zero-Emission Vehicle (ZEV) mandates, which are expected to phase-out the sale of fuel-powered passenger vehicles by 2035;

WHEREAS, the adoption of these rules is being conducted by rulemaking, which limits the scope of the discussion to a narrow set of issues, precluding a broader policy debate on the economic development, transportation, energy, and waste disposal impacts of the policy. The proposed rule and process for adopting it also fail to address many of the Minnesota-specific concerns related to our county’s demographics and climate.

WHEREAS, the MPCA’s own documents show that the plan to mandate California’s LEV and ZEV standards is likely to increase the cost of all light- and medium-duty vehicles sold in Minnesota by an average of \$1,139; [increasing our fleet procurement budget by xx%];

WHEREAS, the MPCA estimates the rule will displace 674 million gallons of fuel by 2034, before the phasing out of fuel-powered vehicles, but the MPCA’s documents do not address the long-term consequences on our county’s transportation revenues [or the impacts on our local ethanol plant/biofuels industry];

WHEREAS, batteries in electric vehicles weigh ten-times as much as batteries in vehicles with internal combustion engines and include more toxic elements, exposing our county to increased disposal costs and liabilities;

THEREFORE BE IT RESOLVED that _____ County opposes the MPCA’s attempt to adopt California’s mandates through rulemaking without consulting the Legislature; and

BE IT FURTHER RESOLVED that _____ County encourages the Walz administration to withdraw its proposed rulemaking and bring a proposal to the Legislature where a more comprehensive policy can be considered; and

BE IT FURTHER RESOLVED that _____ County stands ready to advise the Governor, his administration, and our regional Legislators on proactive methods to achieve the goals raised by Governor Walz without adversely impacting our ability to provide public services; and

BE IT FINALLY RESOLVED that _____ County will advocate against this rulemaking to ensure that our concerns about increased costs, lost transportation revenues, and battery waste are contemplated and mitigated.



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

Application Date: 1/4/2021
Hearing Date: 2/25/2020
Petitioner: Blaine Benzing
Reviewer: Jim Gardner
Zoning: Ag Protection
Address: ##### County 2
Township: Jefferson
Parcel Number: 70232000
Submitted Materials: CUP Application, Site Plan

OVERVIEW

REQUEST

The Conditional Use Permit for a cabin is requested.

SUMMARY OF NOTEWORTHY TOPICS

The applicant is requesting to construct a 400 square foot primitive cabin. The proposed location of this cabin is shown in the image below.



Cabins are subject to the following:

- (a) Not more than one (1) cabin per quarter of a quarter section shall be allowed.
- (b) A cabin shall not have a permanent foundation or basement, or otherwise be permanently attached to the ground.
- (c) A cabin shall be for transient use only and shall not be used as a permanent, year-around dwelling.
- (d) No cabin shall have a gross floor area exceeding 400 square feet.
- (e) Cabins shall not be connected to modern utilities, including electricity, telephone service, and septic.

TOWNSHIP AND NEIGHBORHOOD COMMENTS

There have been no comments from the township or neighboring property owners. Comments were received from MNDOT and HoustonDOT. MNDOT indicated no objections to the application (Enclosed). HoustonDOT indicated concern over the extent of the right-of-way in the area and the related setbacks – all structures must be setback 100' from the centerline of County Highways, or 20' beyond the ROW, whichever is greater. The County Surveyor reviewed the application and ROW documents, and determined that the proposal satisfies these requirements (enclosed).

SITE CHARACTERISTICS

Parcel 07.0232.000 is 1.60 acres and is not under agricultural crop production, located ½ mile from the Iowa boarder, and accessed from County Road 2. The images below show the approximate location of the cabin and the applicable setbacks. There are no bluffs in the immediate vicinity. The proposal will meet all of the required setbacks (50' from the property line and 100' from the county road). There is a dwelling directly across the County Road, approximately 500' from the proposed location; three additional dwellings are located within a ½ mile. The property adjoins approximately 500 acres of state forest land.





EVALUATION

Section 11.05 of the Houston County Zoning Ordinance requires the following:

Subdivision 1. Findings. The Planning Commission shall not recommend a conditional use permit unless they find the following:

1. That the proposed use conforms to the County Land Use Plan.

Staff Analysis: Yes. 0100.0507 Subd. 2. Policy 1 states: *Promote land management practices that protect the natural resources in the County including wetlands and sloughs, bluffs, woodlands, and prime agricultural areas.* Allowing this cabin would give the applicant a place to stay on his land and would make it easier for he and his family to improve and manage this property.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: Yes. The applicant would like to have a place to stay on his property so he and his family can utilize, manage, and maintain the property more easily.

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: Yes. Constructing this cabin would have a very minimal impact, if any, on water quality.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: Yes, very little soil disturbance would take place during construction.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: Yes. The soils on this site can accommodate the construction of a simple cabin.

6. That potential pollution hazards have been addressed and that standards have been met.

Staff Analysis: N/A

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: This cabin will not require any utilities. There is an existing driveway on this property that the applicant will use.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: N/A

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: N/A

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: Constructing a primitive log cabin should have minimal impact, if any, on the use and enjoyment of other properties in the immediate vicinity.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: N/A

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: N/A

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: Houston County Zoning Ordinance states that no more than one cabin per quarter-quarter is allowed. There are no other known cabins in this quarter-quarter section.

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: N/A

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: Yes. No impacts to the public's health, safety, morals, and general welfare are anticipated.

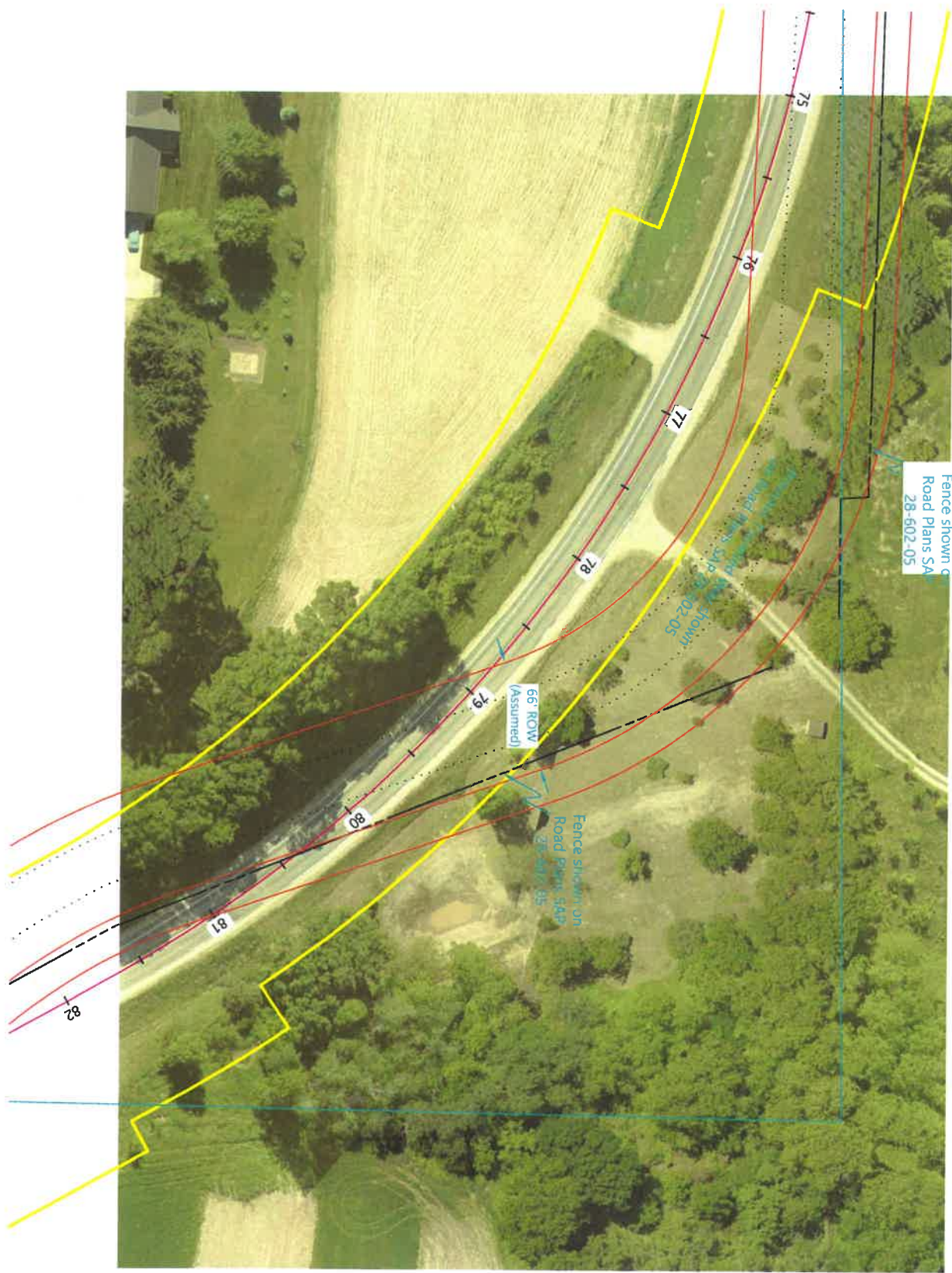
RECOMMENDATION

The Planning Commission must consider the criteria above. Should the permit be granted, staff recommend requiring the following condition:

1. The Permittee shall comply with all federal, state, and local laws and regulations;

Proposed motion: Motion to recommend approval of a conditional use permit to locate a cabin in an Agricultural Protection District, with one condition.

CSAH 2 ROW Exhibit



Wieser Law

No delinquent taxes and transfer entered, Certificate of Real Estate Value filed () not required.
 Certificate of Real Estate Value No. 1078013.
April 3rd, 2020
Donna Trehus
 County Auditor
 By Mary Sullivan
 Deputy

Doc: A297595
 OFFICE OF COUNTY RECORDER
 HOUSTON COUNTY, MINNESOTA
 Pages: 6
 Certified, Filed, and/or Recorded: Fee: \$46.00
 April 03, 2020 2:32 PM Well Certificate: [] Rec'd
 Susan K. Schwebach, County Recorder
 By: [Signature]
 Returned To:
 WIESER LAW OFFICE
 33 S WALNUT SUITE 200
 LA CRESCENT, MN 55947
 Received from:
 WIESER LAW OFFICE

eCRV No. 1078013

STATE DEED TAX DUE HEREON: \$ 16.50

Date: March 27, 2020

**WARRANTY DEED
INDIVIDUALS TO INDIVIDUAL**

FOR VALUABLE CONSIDERATION, Joaquin Peter Love, a single person, Donald Alfred Love, a single person, Mariana Love-Miller and Brian Miller, spouses married to each other, and Jose Antonio Love, a single person, Grantors, hereby convey and warrant to Blaine L. Benzing, Grantee, real property in Houston County, Minnesota, described as follows:

All that part of the Northwest Quarter of the Southwest Quarter of Section 32, Township 101 North of Range 4 West of the Fifth Principal Meridian, lying North and East of the public highway as it now crosses the Northeast Corner of said tract, containing in all 1.6 acres, more or less.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Deed tax hereon of \$ 16.50 paid
 Treasurer's Receipt No 35242
Donna Trehus
 Houston County Treasurer

Check box if applicable:

- The Seller certifies that the seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described herein and certify that the status and number of wells on the described real property have not changed since the last previously filed well certificate.

07.0232.000

Joaquin Peter Love

Joaquin Peter Love

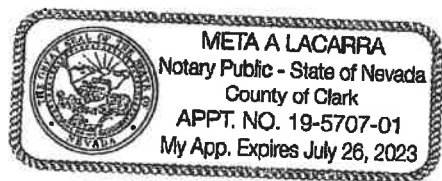
[Handwritten Signature]

STATE OF Nevada

ss.

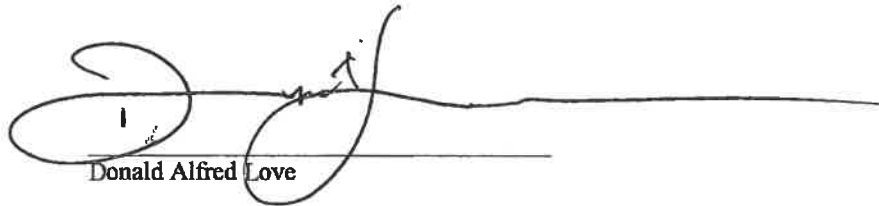
COUNTY OF Clark

The foregoing instrument was acknowledged before me this 25 day of March, 2020, by ^{my} ~~Joaquin Peter~~ Love, a single person.



[Handwritten Signature]

Signature of Person Taking Acknowledgment


Donald Alfred Love

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
ss.
COUNTY OF LOS ANGELES

The foregoing instrument was acknowledged before me this 25th day of March, 2020, by Donald Alfred Love, a single person.


Signature of Person Taking Acknowledgment


S. BASSET
COMM. #2204968
Notary Public - California
Los Angeles County
My Comm. Expires July 14, 2021

Mariana Love Miller

Mariana Love-Miller

Brian Miller

Brian Miller

STATE OF TN
COUNTY OF Montgomery

The foregoing instrument was acknowledged before me on this 21st day of March 2020, by Mariana Love-Miller and Brian Miller, spouses married to each other.

STATE OF TN
COUNTY OF Montgomery

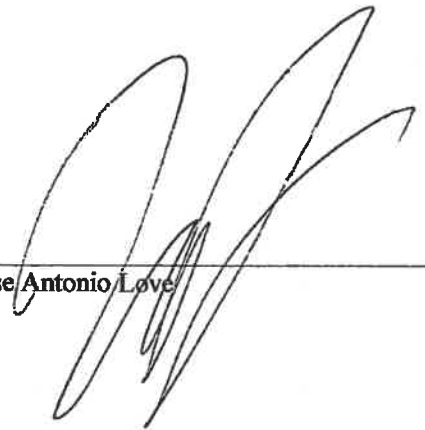
The foregoing instrument was acknowledged before me this 24th day of MARCH 2020, by Mariana Love-Miller & Brian Miller

Kaytlyn Reed
Notary Public's Signature

Kaytlyn Reed
Notary Name

Personally Known _____ OR
Type of Identification Produced TN DL





Jose Antonio Love

STATE OF California
 COUNTY OF Los Angeles ^{ss.}

The foregoing instrument was acknowledged before me this 24th day of March, 2020, by Jose Antonio Love, a single person.

SEE ATTACHMENT FOR NOTARY PUBLIC

 Signature of Person Taking Acknowledgment

This instrument was drafted by:
 Michael A. Murphy
 Murphy Law Office, PLLP
 110 East Main
 Caledonia MN 55921

Tax Statements for the property described
 herein should be sent to:
 Blaine L. ~~and~~ ^{XXXXXXXXXX} Andrea Benzing
 124 Hackney Drive
 Caledonia, MN 55921

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles
On 03/24/2020 before me, Yangsoo Rhee, Notary public,
Date Here Insert Name and Title of the Officer
personally appeared Jose Antonio Love
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above


OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Warranty Deed Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)
Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

<p>Number 2020-CUP-433</p>	<p>BENZING, BLAINE L 070232000 Conditional Use Request Submitted by blbenzing1 on 12/1/2020</p> 
---------------------------------------	--

CONDITIONAL USE INTRO [Edit] Last updated: 12/1/2020 1:16:27 AM and saved by: blbenzing1

A Conditional Use is a land use or development that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that specific criteria are met, as outlined in Section 6.5 of the ordinance.

When submitting an application, the information requested in this form is required. You may be asked to provide additional information as deemed necessary by the Zoning Office, the Planning Commission, or the County Board.

A non-refundable application fee and recording fee are required before an application is considered complete.

Prior to completing this form, a pre-application

meeting with County Zoning is strongly recommended.

Conditional Use Application Fee **\$700.00**

Recording Fee **\$46.00**

Application Type:
Conditional Use

APPLICANT INFORMATION [Edit] Last updated: 12/1/2020 1:18:58 AM and saved by: bibenzing1

Applicant Name **BENZING, BLAINE L**

Telephone Number **612-916-4134**

Address **124 Hackney Drive**

City **Caledonia**

Zip **55921**

Parcel Tax ID **070232000**

Legal Description **PT NE COR NW1/4 SW1/4 LY N & EOF HWY**

Section-Township-Range **32/101/004**

Do you own additional adjacent parcels **No**

Township of:

Applicants are required to inform township boards of their application.

Please reference the table below and contact the official for your township.

I understand I am required to inform my township of my application. **Yes**

Township Contacts

CONDITIONAL USE REQUEST [Edit] Last updated: 12/1/2020 1:21:56 AM and saved by: blbenzing1

[Click here to view the Houston County Zoning Ordinance](#)

Describe in detail your request. **I would like to construct a small cabin < 400 square feet.**

Citation of Ordinance **14.3 conditional use**

Section from which the Conditional Use is requested:

Requested Dimension:

There are no attached documents. Submitted by Applicant

Please upload any supporting documents:

CONDITIONAL USE FINDING OF FACTS [Edit] Last updated: 12/1/2020 1:30:24 AM and saved by: bibenzng1

[Click here to view the Houston County Zoning Ordinance](#)

Findings Required:

Yes

1. That the proposed use conforms to the County Land Use Plan.

Comments:

The land is classified as rural vacant waste land and is not prime agricultural land and no environmental sensitive land would be impacted.

Yes

2. That the applicant demonstrates a need for the proposed use.

Comments:

I bought the property for camping and would like to build a cabin for family and friends to use.

Yes

3. That the proposed use will not degrade the water quality of the County.

Comments:

No impact of water quality expected with the small cabin build.

Yes

4. That the proposed use will not adversely increase the quantity of water runoff.

Comments:

No increase in water runoff is expected with the build.

Yes

5. That soil conditions are adequate to accommodate the proposed use.

Comments:

My personal assessment of the soil is small amount of top soil followed by mostly clay.

Yes

6. That potential pollution hazards have been addressed and standards have been met.

Comments:

No pollution hazards are expected.

Yes

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Comments:

Driveway is already there, electric and phone service run through the property.

Yes

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Comments:

There is already parking on the property. No additional parking space needed.

Yes

9. That adequate facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Comments:

No traffic congestion or hazards expected. This is for personal use only.

Yes

10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Comments:

None foreseen, state land to the north and west. Crop land to the east and County road 2 to the south.

Yes

11. That the establishment of the Conditional Use will not

impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Comments:

No vacant property, only state forest land and farm land around the property.

Yes

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Comments:

No lighted signs or dust or noise. Only the occasional camp fire in a fire pit.

Yes

13. That the density of any proposed residential development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district

Comments:

This will not impede any development that I see.

Yes

14. That the density of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.

Comments:

This is not a commercial or industrial development, only a small cabin for personal use.

Yes

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Comments:

This cabin should not impact anyone's health, safety, morals or welfare in any negative way.

SITE PLAN INFORMATION [Edit] Last updated: 12/1/2020 1:41:46 AM and saved by: blbenzing1

A site plan MUST accompany all Applications. You may either upload a drawing or use the interactive map below.

There are no attached documents.
Submitted by Applicant

Upload Site Plan

Use Interactive Map to Create Site Plan

The image shows an interactive map interface. The main map area displays an aerial view of a rural property with several parcels outlined in blue. Parcel numbers are visible: 07.0231.000 (containing a house and a well) and 07.0232.000 (containing a red 'Cabin' icon). A road labeled 'COUNTY 2' runs through the parcels. To the right of the map is a 'Layer List' panel with the following items:

- NG911 Address Points
- Wells_MWI_Jan_2018
- Contours
- Septic Permit
- Septic Permits
- Corporate Limits
- Political Townships
- Subdivisions
- Blocks
- Lot Boundaries
- Parcels
- Roads
- Streams
- Floodplain (Effective 12/7/2018)
- 2017 Imagery

Use the space below to include site plan comments, if necessary

The cabin I wish to build would be a dovetail notched log cabin and look similar to cabins built in the 1800's. I am planning on chinking the joints. It would be a one story cabin similar to the log cabin at the Houston County fair grounds minus the second floor.

APPLICATION SUBMITTAL [Edit] Last updated: 12/1/2020 1:43:11 AM and saved by: bibenzing1

Yes

By checking this box, I grant Houston County access to my property for the purpose of evaluating this application.

Yes

By checking this box, I certified that I have notified my town board of my application.

Yes

By checking this box, I certify that the information provided in this application is true and accurate to the best of my knowledge.

Signature

Rebecca Longmy

Date Signed:
12/01/2020

No

Check this box if Staff Signature on behalf of Applicant.

APP SUBMITTED / PAYMENT SELECTION Last updated: 1/4/2021 10:23:57 AM and saved by: Amelia M

Fee amount paid: **\$746**

JEFFERSON TOWNSHIP REVIEW [Edit] Last updated: 1/4/2021 10:24:10 AM and saved by: Amelia M

Notice to Township

Date email sent:
01/04/2021

APPLICATION DATE [\[Edit\]](#) Last updated: 1/8/2021 5:11:07 PM and saved by: Alacher

What Stage is the Application At?

Application reviewed and determined complete.

Application Date (Complete Application)

1/4/2021

Date of Notice of Incomplete Application

check received 1/4/21. 60 days is march 5th. BOC has work session 3/2, deadline will need to be extended if they cannot approve there.

There are no attached documents.

Please upload any supporting documents:

DATES [\[Edit\]](#) Last updated: 2/3/2021 1:17:34 PM and saved by: Holly Felten

Advertising Date

2/10/2021

Planning Commission Meeting Date

2/25/2021

7:00 PM

Meeting Time

Comments

UPLOAD BOARD PACKET [Edit] Last updated: 2/3/2021 1:18:45 PM and saved by: Holly Felten

Upload Board Packet

There are no attached documents.

Aaron Lacher

From: Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>
Sent: Friday, February 5, 2021 10:10 AM
To: Aaron Lacher
Cc: Lukes, Heather A (DOT); Schnell, Tracy (DOT)
Subject: 2020-CUP-70647

***** 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.

This proposal appears to have no significant impact on MnDOT roadways and is acceptable to MnDOT.

Applicant: BENZING, BLAINE L:
Parcel ID: 070232000

The purpose of the hearing is to consider a request for: I would like to construct a small cabin 400 square feet.

Thanks,

Tracy Schnell
Senior Planner | District 6

Minnesota Department of Transportation
2900 48th Street NW
Rochester, MN 55901
C: 507-259-3852
mndot.gov/



Aaron Lacher

From: Brian Pogodzinski
Sent: Wednesday, February 3, 2021 1:57 PM
To: Aaron Lacher
Cc: Eric Schmitt
Subject: RE: Conditional Use Notice for Public Hearing
Attachments: Sheet 005 of 29.PDF; Sheet 001 of 29.PDF; HIGHWAY EASEMENT GORDON.pdf; HIGHWAY EASEMENT WATERS.pdf

Aaron,

It appears that the location where the cabin is being proposed may be within the old CSAH 2 right of way (north side of CSAH 2 near station 77+00). More research needs to be conducted to determine if the right of way has formally been vacated and if the cabin is within the old right of way. Based on what I typically find, any old right of way has probably not been vacated. Attached are some documents that may be of some use.



Brian K. Pogodzinski, P.E.
Houston County Engineer

From: aaron.lacher@co.houston.mn.us <aaron.lacher@co.houston.mn.us>
Sent: Wednesday, February 3, 2021 12:18 PM
To: Brian Pogodzinski <Brian.Pogodzinski@co.houston.mn.us>
Subject: Conditional Use Notice for Public Hearing

***** 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.

Notice of Public Hearing. A hearing on a Conditional Use request will be held at 7:00 PM on 2/25/2021 at the Houston County Courthouse.

Applicant: BENZING, BLAINE L:
Parcel ID: 070232000

The purpose of the hearing is to consider a request for: I would like to construct a small cabin < 400 square feet.

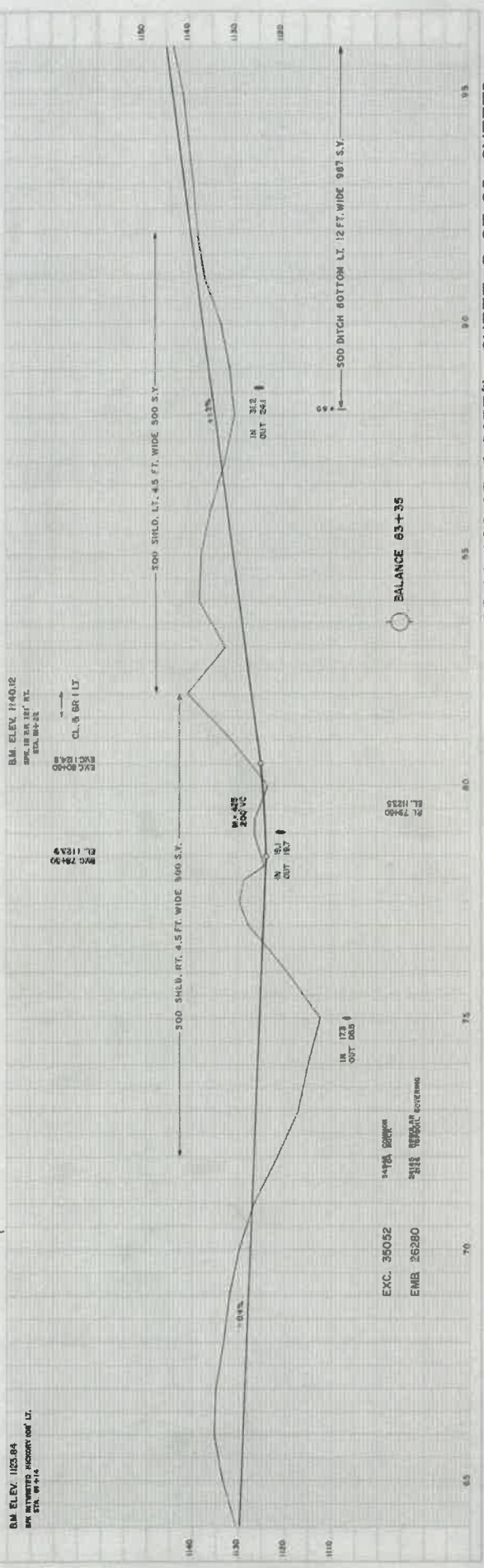
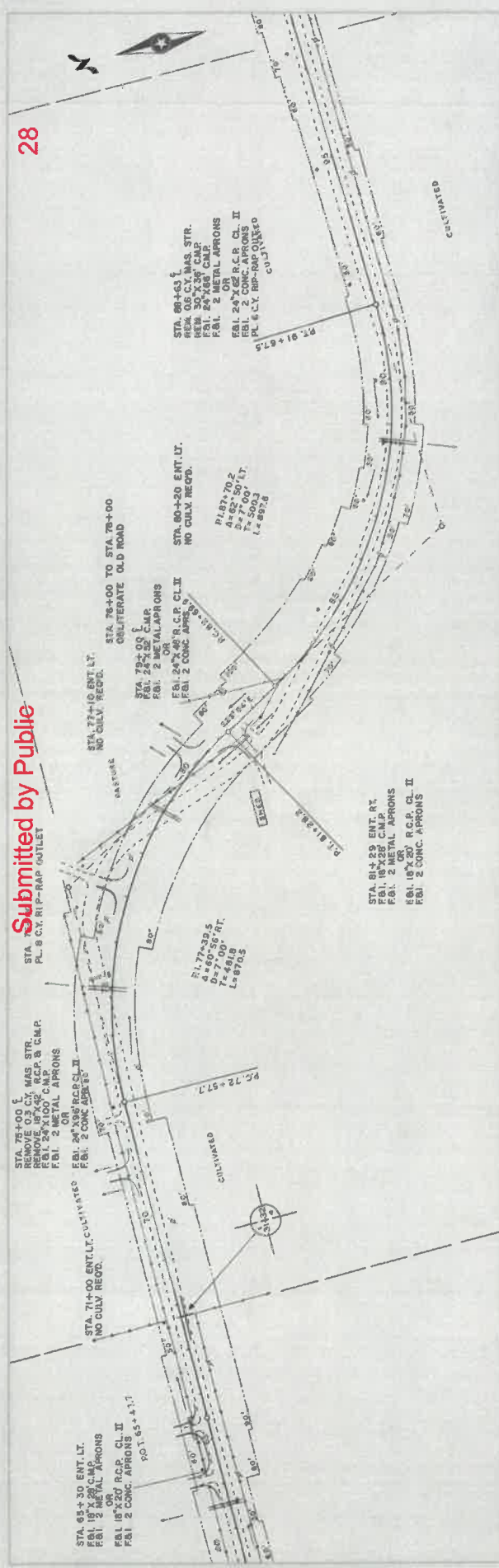
If you have questions or wish to provide comments regarding this request, please respond to this email.

Aaron Lacher

Number: [2020-CUP-70647](#)
Project: Conditional Use Request
Description: BENZING, BLAINE L | 070232000 |
Created On: 12/1/2020

[View this application](#)

Submitted by Publie



CONVENTIONAL SIGNS

1. ADVANCE WARNING OF HAZARDOUS CURVES... 2. ADVANCE WARNING OF ROAD NARROWING... 3. ADVANCE WARNING OF ROAD WORK... 4. ADVANCE WARNING OF GRADE CHANGES... 5. ADVANCE WARNING OF BRIDGE STRUCTURES... 6. ADVANCE WARNING OF TRUCK RESTRICTIONS... 7. ADVANCE WARNING OF TRUCK RESTRICTIONS... 8. ADVANCE WARNING OF TRUCK RESTRICTIONS... 9. ADVANCE WARNING OF TRUCK RESTRICTIONS... 10. ADVANCE WARNING OF TRUCK RESTRICTIONS...

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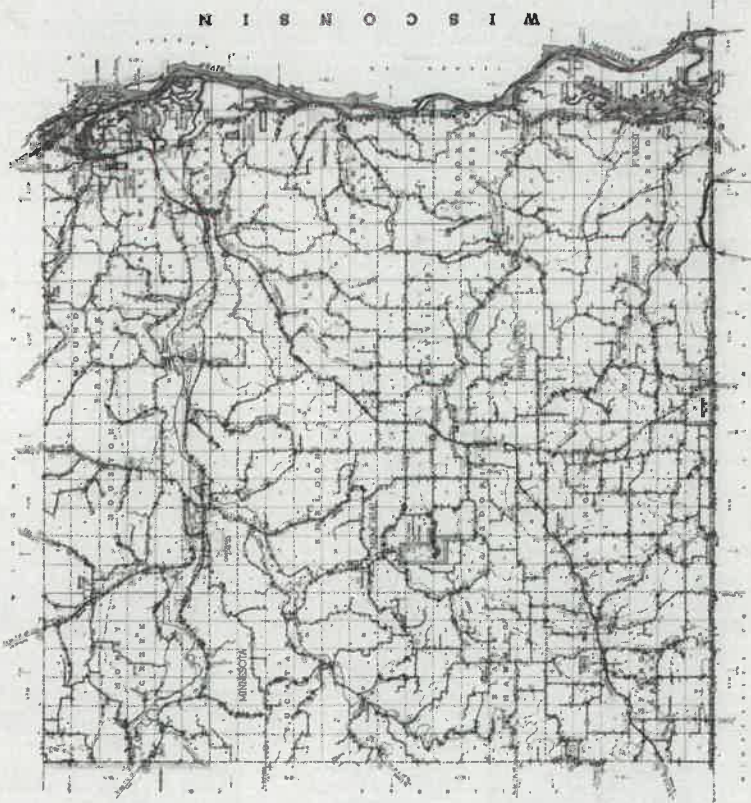
Submitted by Public

29

STATE OF MINNESOTA
DEPARTMENT OF HIGHWAYS
CONSTRUCTION PLAN FOR GRADING & CR. ROCK SURFACING
County State Aid Highway No. 2
Between 3.3 MILE EAST OF CITZEN AND 1.000 FT. COUNTY LINE
FROM 31/2 FT. WEST OF SE. COR. SEC. 28-05-3 TO 3266 FT. EAST OF E.W. COR. SEC. 28-05-3

ROADS UNDER 1/2 MILE...
ROADS UNDER 1/2 MILE...
ROADS UNDER 1/2 MILE...
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SCALE OF SHEETS
Sheet No. 1 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 2 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 3 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 4 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 5 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 6 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 7 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 8 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 9 1/4" x 1/4" (1/4" x 1/4")
Sheet No. 10 1/4" x 1/4" (1/4" x 1/4")



END. S.P. 28-602-05 - \$6857.00
STA. 102+34.6

BEGIN S.P. 28-602-05 S 6257.00
STA. 0+00

DESIGN DESIGNATION
ADT (COMPUTED YEAR) 1988
ADT (ESTIMATED YEAR) 2000
T 5
S 5
Ton Design
Design Speed 50 MPH
Design Speed not achieved at:
S/A 10 STA. 100+00 MPH
S/A 20 STA. 100+00 MPH

SPECIFICATIONS
THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, DATED JAN. 1, 1988 SHALL GOVERN

APPROVED FOR THE STATE OF MINNESOTA...
APPROVED FOR THE COUNTY OF HOUSTON...
COUNTY ENGINEER
HOUSTON

DATE 3-1-88
PROJECT NO. 7071
RECOMMENDED FOR APPROVAL...
RECOMMENDED FOR APPROVAL...
APPROVED BY...
APPROVED BY...
APPROVED BY...

MICRO-FILMED

Minn. Proj. No. S 6257.00 County Proj. No.
State Proj. No. 28-602-05 S.A.P.
County, Minnesota Plan No. Houston Sheet 1 of 29 Sheets

Submitted by Public

Prepared by..... 30

HIGHWAY EASEMENT

Neg #6. W. E. Gordon, also known as,
William E. Gordon and Esther Gordon, his wife,
Grantor W. E. Gordon, of Houston County,

Checked by.....

....., Minnesota, for and in consideration of
* * * Two Hundred Twenty-Four and no/100 * * * Dollars (\$ 224.00)
receipt of which is hereby acknowledged.

Hand No 5275

hereby convey.....and warrant.....to the..... County of Houston
grantee, for highway purposes, together with the unrestricted right to improve the same, free and clear of all incumbrances, the following described real estate in the County of..... Houston.....in the State of Minnesota:

A strip of land located in the southwest one quarter of the northwest one quarter of Section 32, Township 101 north Range 4 west of the Fifth Principal Meridian, lying between the attached described centerline and lines parallel thereto and 50 feet notherly therefrom; together with a strip 20 feet in width commencing at opposite engineer's station 72+00 and ending opposite engineer's station 76+00; together with a strip 10 feet in width commencing opposite engineer's station 73+00 and ending opposite engineer's station 76+00, containing 0.49 acres more or less in addition to present old road right of way.

Grantor further agrees that all permanent fence lines and public utilities shall be located not less than 50 feet left of the above described centerline after the highway has been constructed and also grants an additional five feet of right of way for over hang of cross arms of said public utilities.

Grantor further agrees to remove all fences from said right of way, payment for same being included in this agreement.

And the said grantor....., for themselves, their heirs, executors and assigns, do.....covenant never to cut, damage, destroy or remove any tree or shrub or other natural growth upon the hereinbefore described premises for the continuance of this easement, and does hereby grant and convey to the..... County of Houston..... all grasses, shrubs, trees and natural growth now existing on said lands or that may be hereafter planted or grown hereon.

And the said grantor....., for themselves, their heirs, executors and assigns do.....hereby release the.....
County of Houston
its successors and assigns, from all claims for any and all damages resulting to the lands through and across which the parcel of land hereby conveyed is located by reason of the location, grading, construction, maintenance, and use of a public highway over and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the..... County of Houston..... shall have the right to use and remove all earth and other materials lying within the parcel of land hereby conveyed and the right to construct and maintain, upon the lands adjoining the parcel hereby conveyed, such portable snow fences during such months as weather conditions make necessary.

And the said grantor....., for themselves, their heirs, executors and assigns do.....further covenant never to construct, erect, or maintain or allow or suffer any other person to construct, erect or maintain any sign or bill board or other advertising device upon the lands adjoining the parcel hereby conveyed, closer than one hundred (100) feet from the said premises unless a permit therefor in writing shall have first been obtained from the..... Highway Engineer.....

Dated this 6th day of January, 19 49

In presence of:

Witness Harold J. Leary
Witness Albert F. Peters

W E Gordon
Esther Gordon
W E Gordon

State of Minnesota,

County of Houston } ss.

On this 6th day of January, 1969, before me personally appeared

W. E. Gordon, also known as William E. Gordon, whose wife is Esther Gordon,

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Dolores Hauge, Houston County Auditor

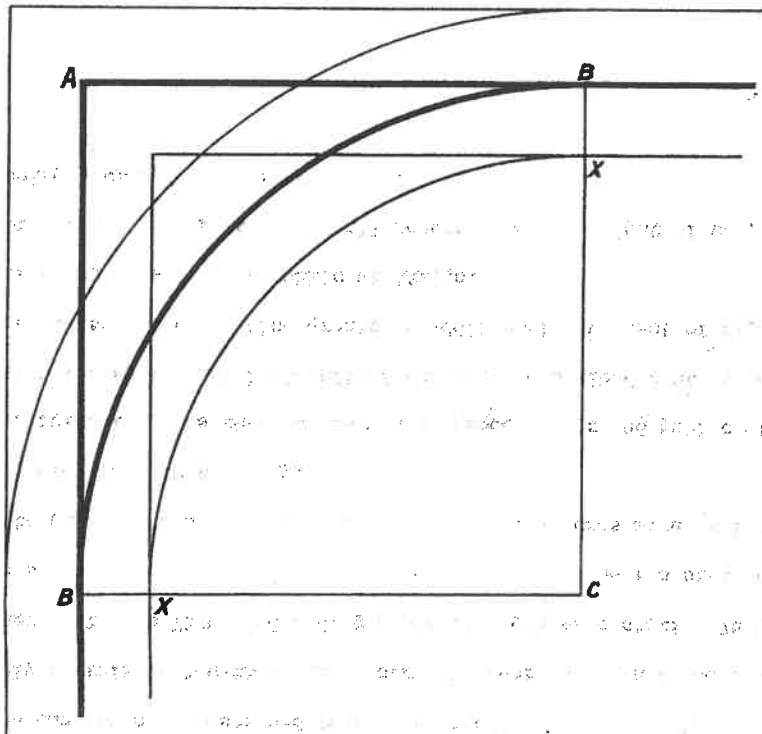
I hereby certify that the within easement will convey to the County of Houston

for highway purposes a good title to the land therein described, free and clear of all incumbrances.

I further approve said easement as to form and execution.

May 14, 1969

William W. Donohue (County Attorney)



A-B = Ft.
B-C = Ft.
C-X = Ft.
Degree Curve
Acres of land required

DEPARTMENT OF HIGHWAYS (HIGHWAY EASEMENT)

to

State of Minnesota, County of

Office of Register of Deeds,

I hereby certify that the within instrument was filed for record in this

Office on the 30 day of June 1969, at o'clock M., and that the same was duly recorded in Book 230 of Min on pages 75

Register of Deeds.

By Deputy.

REGISTER

Submitted by Public

Prepared by..... 32

HIGHWAY EASEMENT

Neg. #7

Checked by.....

Robert J. Waters, Single

~~Bernard G. Hayes, Life Estate~~

Grantor, of Houston County, Minnesota, for and in consideration of

* * * Eight Hundred Sixty-Nine and no/100 * * * Dollars (\$ 869.00)

receipt of which is hereby acknowledged,

Plan No 5-68

hereby convey..... and warrant..... to the County of Houston grantee, for highway purposes, together with the unrestricted right to improve the same, free and clear of all incumbrances, the following described real estate in the County of Houston in the State of Minnesota:

A strip of land located in the northwest one quarter of the southwest one quarter of Section 33, Township 101 north, Range 4 west of the Fifth Principal Meridian, lying between the attached described centerline and lines parallel there to and 50 feet northeasterly and westerly therefrom; together with a strip 30 feet in width adjoining and northeasterly of the above described strip commencing opposite engineer's station 81+00 and ending at the east property line; together with a strip 30 feet in width adjoining and southwesterly of the above described strip commencing opposite engineer's station 67+72 and ending opposite engineer's station 72+00, commencing again opposite engineer's station 76+00 and ending opposite engineer's station 83+00; together with a strip 10 feet in width commencing opposite engineer's station 67+72 and ending opposite engineer's station 70+00 containing 2.08 acres more or less in addition to present old road right of way.

Grantor further agrees that all permanent fence lines and public utilities shall be located not less than 50 feet left and right of the above described centerline after the highway has been constructed and also grants an additional five feet of right of way for over hang of cross arms of said public utilities.

Grantor further agrees to remove all fences from said right of way, payment for same being included in this agreement.

And the said grantor..... himself, his heirs, executors and assigns, do hereby covenant never to cut, damage, destroy or remove any tree or shrub or other natural growth upon the hereinbefore described premises for the continuance of this easement, and does hereby grant and convey to the County of Houston all grasses, shrubs, trees and natural growth now existing on said lands or that may be hereafter planted or grown hereon.

And the said grantor..... himself, his heirs, executors and assigns do hereby release the County of Houston its successors and assigns, from all claims for any and all damages resulting to the lands through and across which the parcel of land hereby conveyed is located by reason of the location, grading, construction, maintenance, and use of a public highway over and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the County of Houston shall have the right to use and remove all earth and other materials lying within the parcel of land hereby conveyed and the right to construct and maintain, upon the lands adjoining the parcel hereby conveyed, such portable snow fences during such months as weather conditions make necessary.

And the said grantor..... himself, his heirs, executors and assigns do hereby further covenant never to construct, erect, or maintain or allow or suffer any other person to construct, erect or maintain any sign or bill board or other advertising device upon the lands adjoining the parcel hereby conveyed, closer than one hundred (100) feet from the said premises unless a permit therefor in writing shall have first been obtained from the Highway Engineer.

Dated this 6th day of January, 1960

In presence of:

Witness

Witness

x *Robert J. Waters*

Hugh Fay
Hugh Jones

State of Minnesota, }
County of Houston } ss.

On this 5th day of January, 1969, before me personally appeared

Robert J. Waters, Single,

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Dolores Haug
Dolores Haug, Houston County Auditor

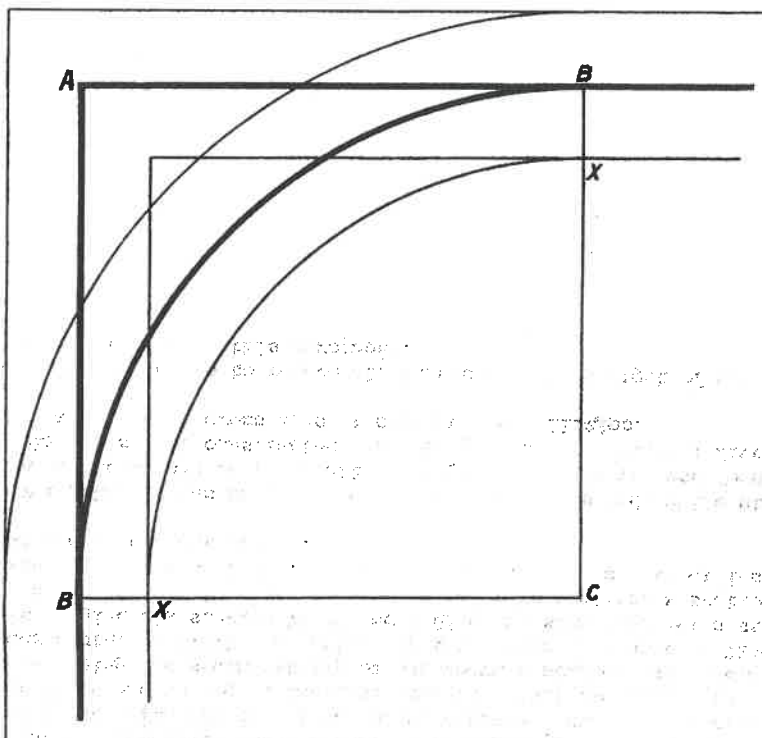
I hereby certify that the within easement will convey to the County of Houston

for highway purposes a good title to the land therein described, free and clear of all incumbrances.

I further approve said easement as to form and execution.

May 14, 1969

William Umfry
(County Attorney)



A-B = Ft.
B-C = Ft.
C-X = Ft.
..... Degree Curve

Acres of land required

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

State of Minnesota, }
County of } ss.

Office of Register of Deeds,
I hereby certify that the within instrument was filed for record in this

place on the day of M., and that the same was duly recorded in Book 230 of Misc on pages 84

Register of Deeds.

By Deputy.

Aaron Lacher

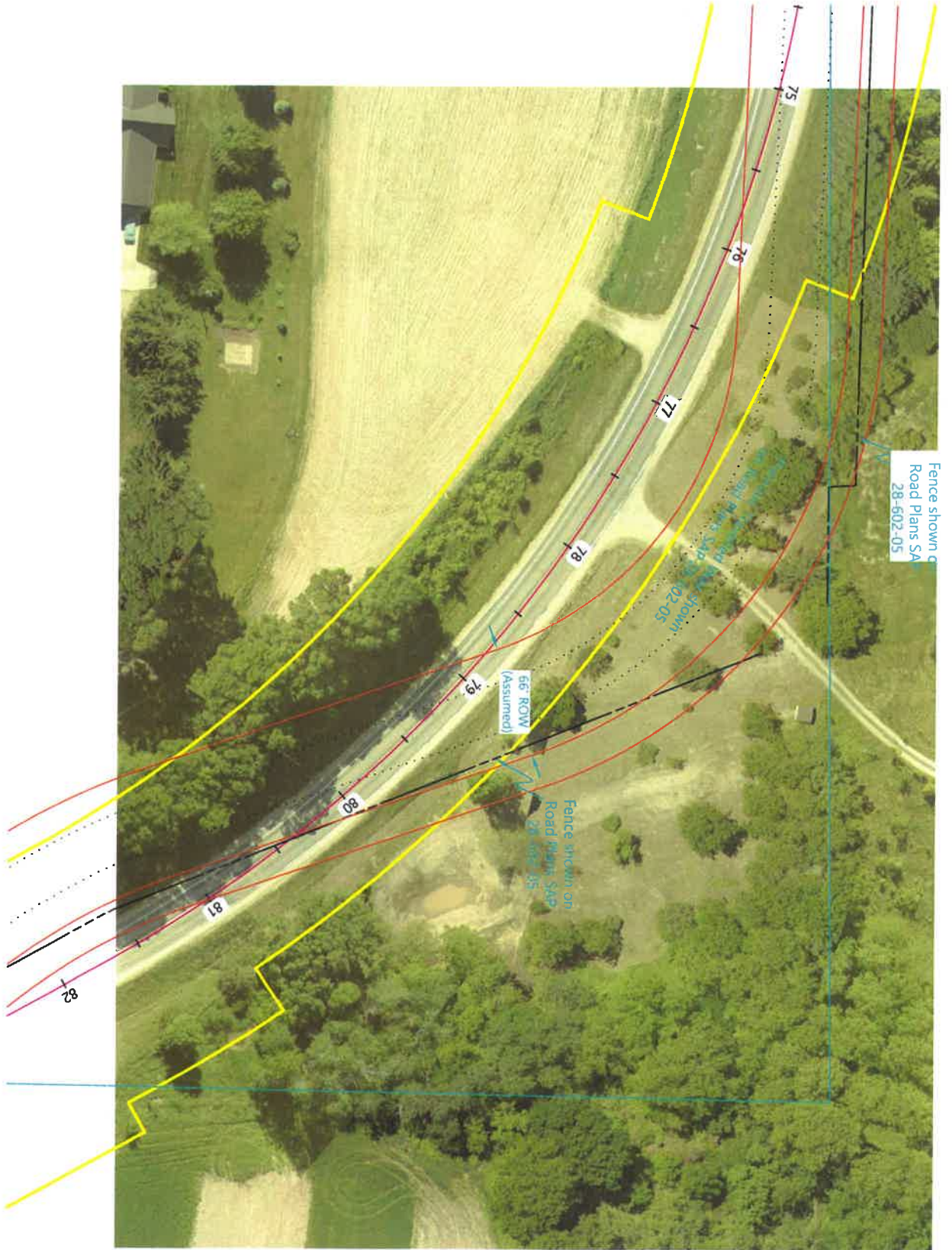
From: Eric Schmitt
Sent: Friday, February 5, 2021 4:12 PM
To: Aaron Lacher; Brian Pogodzinski
Subject: RE: Conditional Use Notice for Public Hearing
Attachments: Drawing1 Exhibit (1).pdf

Please see attached map. I didn't go the distance in prettying it up, but I think that the most aggressive determination of where the ROW is would still leave enough room for the cabin, provided its location favors the east end of the parcel.

For reference, the orange depicts a 66' corridor centered on the old roadway, and the third orange line is a 20' offset from that. Fences in the immediate area are close to the 33' line to add credibility to that location.

Eric

CSAH 2 ROW Exhibit



Findings of Fact Approved Conditions
Conditional Use Permit Application

Following a public hearing held on the date listed above, the Houston County Planning Commission approved the following findings of fact, and conditions.

NA #s 6, 8, 9, 11, 12, and 14.

Staff Analysis includes proposed findings contained in staff report

1. That the proposed use conforms to the County Land Use Plan.

	Yes	No	Staff Analysis	Comments
Greg	x			
Wayne	x			
Larry	x		x	
Edward	x		x	already improved area
Richard				
James	x			
Robert	x		x	

2. That the applicant demonstrates a need for the proposed use.

	Yes	No	Staff Analysis	Comments
Greg	x		x	
Wayne	x			
Larry	x		x	makes sense to accommodate him to care for property
Edward	x		x	
Richard				
James	x			
Robert	x		x	

3. That the proposed use will not degrade the water quality of the County.

	Yes	No	Staff Analysis	Comments

Findings of Fact Approved Conditions
Conditional Use Permit Application

Greg	Myhre	x			x	
Wayne	Feldmeier	x			x	
Larry	Hafner	x			x	
Edward	Hammell	x			x	
Richard	Schild					
James	Wieser	x			x	
Robert	Conway	x			x	

4. That the proposed use will not adversely increase the quantity of water runoff.

		Yes	No	Staff Analysis	Comments
Greg	Myhre	x		x	
Wayne	Feldmeier	x		x	
Larry	Hafner	x		x	
Edward	Hammell	x		x	
Richard	Schild				
James	Wieser	x		x	
Robert	Conway	x		x	

5. That soil conditions are adequate to accommodate the proposed use.

		Yes	No	Staff Analysis	Comments
Greg	Myhre	x			agrees with jim
Wayne	Feldmeier	x		x	
Larry	Hafner	x		x	
Edward	Hammell	x		x	
Richard	Schild				
James	Wieser	x		x	will have minimal impact on soils
Robert	Conway	x			agrees with jim

6. That potential pollution hazards have been addressed and that standards have been met.

	Yes	No	Staff Analysis	Comments

Findings of Fact Approved Conditions
Conditional Use Permit Application

Greg	Myhre					
Wayne	Feldmeier					
Larry	Hafner					
Edward	Hammell					
Richard	Schild					
James	Wieser					
Robert	Conway					

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

		Yes	No	Staff Analysis	Comments
Greg	Myhre	x		x	
Wayne	Feldmeier	x		x	
Larry	Hafner	x		x	
Edward	Hammell	x		x	
Richard	Schild				
James	Wieser	x		x	
Robert	Conway	x		x	

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

		Yes	No	Staff Analysis	Comments
Greg	Myhre				
Wayne	Feldmeier				
Larry	Hafner				
Edward	Hammell				
Richard	Schild				
James	Wieser				
Robert	Conway				

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

	Yes	No	Staff Analysis	Comments

Findings of Fact Approved Conditions
Conditional Use Permit Application

Greg	Myhre						
Wayne	Feldmeier						
Larry	Hafner						
Edward	Hammell						
Richard	Schild						
James	Wieser						
Robert	Conway						

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

		Yes	No	Staff Analysis	Comments
Greg	Myhre	x			
Wayne	Feldmeier	x			
Larry	Hafner	x		x	
Edward	Hammell	x		x	cabin as described will be an asset to area
Richard	Schild	x		x	cabin as described will be an asset to area
James	Wieser	x			
Robert	Conway	x			cabin as described will be an asset to area

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area

		Yes	No	Staff Analysis	Comments
Greg	Myhre				
Wayne	Feldmeier				
Larry	Hafner				
Edward	Hammell				
Richard	Schild				
James	Wieser				
Robert	Conway				

Findings of Fact Approved Conditions
Conditional Use Permit Application

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

	Yes	No	Staff Analysis	Comments
Greg Myhre				
Wayne Feldmeier				
Larry Hafner				
Edward Hammell				
Richard Schild				
James Wieser				
Robert Conway				

13. That the density of any proposed recamsidential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

	Yes	No	Staff Analysis	Comments
Greg Myhre	x		x	
Wayne Feldmeier	x		x	
Larry Hafner	x		x	
Edward Hammell	x		x	
Richard Schild	x		x	
James Wieser	x		x	
Robert Conway	x		x	

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

	Yes	No	Staff Analysis	Comments
Greg Myhre				
Wayne Feldmeier				
Larry Hafner				
Edward Hammell				

Findings of Fact Approved Conditions
Conditional Use Permit Application

Richard	Schild				
James	Wieser				
Robert	Conway				

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

		Yes	No	Staff Analysis	Comments
Greg	Myhre	x		x	
Wayne	Feldmeier	x		x	
Larry	Hafner	x		x	
Edward	Hammell	x		x	
Richard	Schild	x		x	
James	Wieser	x		x	
Robert	Conway	x		x	

Motion: Larry , Second: Rich

		Yes	No	Staff Analysis	Comments
Greg	Myhre	x			
Wayne	Feldmeier	x			
Larry	Hafner	x			
Edward	Hammell	x			
Richard	Schild	x			
James	Wieser	x			
Robert	Conway	x			
Motion:	Greg, Rich				

Approved Conditions:

- 1 The Permittee shall comply with all federal, state, and local laws and regulations;

Findings of Fact Approved Conditions
Conditional Use Permit Application