

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: October 24, 2023

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Dewey Severson, Eric Johnson, Robert Burns, Bob Schuldt, and Greg Myhre

Others Present: Interim Auditor/Treasurer Polly Heberlein, Reporter Charlene Selbee, Reporter Rose Korabek, Finance Director Carol Lapham, Board Clerk/EDA Director Allison Wagner, Environmental Services Director Martin Herrick, Deputy Auditor/Treasurer Mark Bennett, Deputy Auditor/Treasurer Amy Sylling, Financial Assistance Supervisor Karen Kohlmeyer, Public Health and Human Services Director John Pugleasa, Attorney Samuel Jandt, Recorder Mary Betz, Engineer Brian Pogodzinski, Human Resources Director Theresa Arrick-Kruger, IT Director Andrew Milde, Zoning Administrator Amelia Meiners, Sheriff Brian Swedberg, Human Resource Technician Ann Diersen, and City of Caledonia Clerk/Administrator Jake Dickson

Presiding: Chairperson Severson

Call to order.

Pledge of Allegiance.

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

Motion was made by Commissioner Johnson, seconded by Commissioner Burns, motion unanimously carried to approve the meeting minutes from October 10, 2023.

Motion was made by Commissioner Burns, seconded by Commissioner Schuldt, motion unanimously carried to approve the workgroup session minutes from October 17, 2023.

Public Comment:

None.

APPOINTMENTS

Motion was made by Commissioner Burns, seconded by Commissioner Myhre, motion unanimously carried to have a public hearing pursuant to Minnesota Statutes 394.26, to consider adopting an ordinance regulating the use of cannabis and cannabis derived products in public

places by ordinance. No public comments were made on the matter. Motion was made by Commissioner Burns moved, seconded by Commissioner Schuldt, motion unanimously carried to return to regular session.

Motion was made by Commissioner Burns, seconded by Commissioner Myhre, motion unanimously carried to have a public hearing per statute 626.7473 to discuss recommending adoption of the use of body cameras by the Houston County Sheriff's Office. No public comments were made on the matter. Commissioner Burns moved, seconded by Commissioner Schuldt, motion unanimously carried to return to regular session.

CONSENT AGENDA

Commissioner Johnson said he would like to request exit interviews be given to people resigning from the County. Human Services Director Kruger said exit interviews were offered to all staff leaving the County in their exit packets. Staff could provide written feedback and the information would be given to the Board Chair. Commissioner Burns said he agreed with Commissioner Johnson and suggested staff leaving the County be given the option to have a sit down interview with the Personal Committee if they wished. Kruger said she would add that option to the exit letter staff received. Commissioner Johnson thanked David Bauer for his 35 years of service to Houston County. He also thanked Nicole Konkell and Erin Woods for their service to the County. The Commissioners agreed. Motion by Commissioner Burns, seconded by Commissioner Severson, motion unanimously carried to approve the consent agenda.

- 1) Appoint Jennifer Slabaugh to serve on the HRA board.
- 2) Accept the resignation of Nicole Konkell, Deputy Auditor/Treasurer-License Center, effective the end of the business day 10/31/23, with thanks for her three years of service to Houston County.
- 3) Approve initiating a competitive search for a 1.0 FTE Deputy Auditor/Treasurer-License Center, (B22).
- 4) Approve the hire of Susan Wiegrefe as a probationary 0.5 FTE, Deputy Auditor/Treasurer-License Center, B22, Step 1, effective 11/14/2023 conditioned upon successful completion of background check.
- 5) Approve initiating a competitive search for a 0.8 FTE Technical Clerk I, (B21). (Kruger)
- 6) Approve the hire of Karson Betcher as a Drop Site Supervisor, 67 day casual employee at an hourly rate of \$15.95.
- 7) Accept the resignation of David Bauer, Highway Maintenance Specialist Senior, effective 10/31/2023 with thanks for his 35 years of service to Houston County. (Kruger)
- 8) Approve initiating a competitive internal search for a 1.0 FTE Highway Maintenance Specialist Senior (B24) (Pursuant to IUOE CBA).
- 9) Approve initiating a competitive search for a 1.0 FTE Highway Maintenance Specialist (B23).
- 10) Confirm the change the employment status of Staff Nurse, Nikki Klemp from probationary to regular.
- 11) Confirm the resignation of Erin Woods, Child Support Officer, effective 10/20/2023 with thanks for her 1.5 years of service to Houston County.

12) Approve initiating a competitive search for a 1.0 FTE Child Support Officer (B24).

ACTION ITEMS

File No. 1 – Commissioners discussed with Attorney Jandt and Public Health and Human Services Director Puleasa an ordinance regulating the use of cannabis and cannabis derived products in public places. Puleasa said other counties in the State had adopted similar ordinances. Commissioner Johnson read part of the ordinance relating to the use and cited it as a reason to adopt the ordinance. According to the proposed ordinance “Subd. 2. No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor.” He said an important part of the ordinance was to protect children. Commissioner Johnson moved, Commissioner Severson seconded, motion carried unanimously to approve an ordinance regulating the use of cannabis and cannabis derived products in public places.

File No. 2 – Sheriff Swedberg said the County was required to hold a public hearing regarding the use of body cameras by Houston County prior to using them. He said the new cameras would be in sync with the County’s entire system. Commissioner Burns moved, Commissioner Schuldt seconded, motion carried unanimously to approve adopt the use of body cameras by the Houston County Sheriff’s Office.

File No. 3 – Commissioner Myhre moved, Commissioner Schuldt seconded, motion carried unanimously to approve signing the food service management contract for the Houston County Jail with Cellmate Food Solutions, Inc.

File No. 4 – Commissioner Burns moved, Commissioner Severson seconded, motion carried unanimously to approve adopting Resolution No. 23-37 prioritized bridge replacement list. See resolution below.

RESOLUTION 23-37

Prioritized Bridge Replacement List

WHEREAS, Houston County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government, and
WHEREAS, Houston County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;
NOW, THEREFORE BE IT RESOLVED that the following deficient bridges are high priority and Houston County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available,

Old Bridge #	Road # or Name	Crossing	LPI	Total Project Cost	Township or State Bridge Funds Requested	Federal Funds	Local or State Aid Funds	Proposed Construction Year
L4543	Oakland Drive	Waterloo Creek	60	611,000.00	591,000.00		20,000.00	2024
7540	CSAH 10	Dry Run	68	611,000.00	209,000.00		402,000.00	2024
88431	CSAH 20	Stream	51	365,380.00	133,380.00		232,000.00	2024
L4038	Hauge Hill Road	Stream	35	250,000.00	250,000.00			2024
L9502	Pfeffer Valley Road		64	375,380.00	355,380.00		20,000.00	2025
L3968	Sylling Road	Dry Run	67	375,380.00	355,380.00		20,000.00	2025
6937	CR 249	Ditch	64	442,000.00	362,000.00		80,000.00	2025
				3,030,140.00	2,256,140.00		774,000.00	

FURTHERMORE, Houston County does hereby request authorization to replace, rehabilitate, or remove such bridges; and
FURTHERMORE, Houston County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

File No. 5 – Commissioner Burns said Caledonia’s local road improvement project for the extension of Warrior Avenue was a good project. Commissioner Burns moved, Commissioner Severson seconded, motion carried unanimously to approve adopting Resolution No. 23-38 resolution of support for, and agreement to sponsor the City of Caledonia’s pursuit of 2023 local road improvement funding for the Warrior Avenue extension project. See resolution below.

RESOLUTION NO. 23-38

RESOLUTION OF SUPPORT FOR AND AGREEMENT TO SPONSOR THE CITY OF CALEDONIA’S PURSUIT OF 2023 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING 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 \$1,500,000 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 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 2024.

NOW, THEN BE IT RESOLVED, that:

1. The County supports the City of Caledonia's pursuit of LRIP funds for the construction on N. Warrior Avenue between TH76 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 application to MnDOT.

File No. 6 – Interim Auditor/Treasurer Heberlein asked the Board for a temporary variance to License Center office hours, as the office was short staffed and they were waiting for background checks to come back from the State for new employees. It was estimated that normal hours would resume by mid-December at the latest. As soon as the background checks came back the office would return to regular hours. Heberlein said the La Crescent license center was an option for those needing to get a license while the temporary variance was in place. She also said La Crescent had kindly agreed to help train the County's new employees. She said she was also working with the State to see if a former employee who was willing to come back and help the office temporarily could do so. Commissioner Burns moved, Commissioner Myhre seconded, motion carried unanimously to approve a temporary variance of License Center office hours – changing *from* 8:00 a.m. to 4:00 p.m. *to* 8:00 a.m. to 1:00 p.m. – Monday, Tuesday, Wednesday, Friday. On Thursday the License Center would be open regular hours from 8 a.m. to 4:00 p.m. The temporary variance would begin on November 1st if needed.

File No. 7 – Commissioner Myhre moved, Commissioner Severson seconded, motion carried unanimously to adopt Resolution No. 23-39 and approving the Conveyance of Spring Grove City Parcel # 26.0201.000 to the Spring Grove, Minnesota School District via Conditional

Use Deed for the Authorized Public Use of a future Public Parking Lot. Pursuant to Minnesota Statute 282.01, Subd. 1a. and the Minnesota Delinquent Tax and Tax Forfeiture Manual page 165. See resolution below.

Resolution No. 23-39

BE IT RESOVED THAT Parcel #26.0201.000 of tax-forfeited land, located in the City of Spring Grove in Houston County be conveyed to the Spring Grove Minnesota School District via Conditional Use Deed for the Authorized Public Use of a future public parking lot, Pursuant to Minnesota Statute 282.01, Subd. 1a. and the Minnesota Delinquent Tax and Tax Forfeiture Manual page 165.

WHEREAS, Parcel ID 26.0201.000 consists of property located as follows: Lot 28 and the East 25 feet of Lot 29 of Gilbertson's Addition to Spring Grove, West End Annex, according to the plat thereof on record in the Office of the County Recorder in and for said County of Houston, the Southeast Corner of which plat is the South Quarter Corner of Section 11, in Township 101 North of Range 7 West of the Fifth Principal Meridian, Houston County, Minnesota.

File No. 8 – Commissioner Burns moved, Commissioner Schuldt seconded, motion carried unanimously to adopt Resolution No. 23-40 and authorizing Auditor/Treasurer to conduct a public sale for property located in the City of Caledonia at 916 Main Street, pursuant to M.S. 282.01; to be held at 10:00 a.m. on Wednesday, December 6, 2023, in the Commissioners Room at the Houston County Courthouse. The beginning sale price would start at \$7,400. See resolution below.

Resolution No. 23-40

BE IT RESOVED THAT Parcel #21.0417.000 of tax-forfeited land, located in the City of Caledonia in Houston County be classified as non-conservation land: that the basic sale price be set at \$7,400.00 and that authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at 10:00 a.m. on Wednesday, December 6, 2023, by the Houston County Auditor-Treasurer in the Commissioners Room at the Houston County Courthouse; the property will be sold for not less than the basic sale price; and full payment of the purchase price and the additional costs shall be due at the time of sale.

WHEREAS, Parcel ID #21.0417.000 consists of the E 60 ft of N1/2 of OUTLOT 9, Buell's OUTLOTS, City (formally Village) of Caledonia, Minnesota according to the plat thereof on file and of record in the office of the Houston County Recorder.

In the event this parcel does not sell at public auction, it may be purchased after the sale by paying the basic sale price plus other charges in the Auditor/Treasurer's office.

File No. 9 – Commissioner Johnson moved, Commissioner Severson seconded, motion carried unanimously to adopt Resolution No. 23-41 and authorizing Auditor/Treasurer to conduct a public sale for property located in the township of Money Creek, pursuant to M.S. 282.01; to be held at 10:00 a.m. on Wednesday, December 6, 2023, in the Commissioners Room at the Houston County Courthouse. See resolution below.

Resolution No. 23-41

BE IT RESOVED THAT Parcel #10.0118.000 of tax-forfeited land, located in the Township of Money Creek in Houston County be classified as non-conservation land: that the basic sale price be set at \$4,200.00 and that authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at 10:00 a.m. on Wednesday, December 6, 2023, by the Houston County Auditor-Treasurer in the Commissioners Room at the Houston County Courthouse; the property will be sold for not less than the basic sale price; and full payment of the purchase price and the additional costs shall be due at the time of sale.

WHEREAS, Parcel ID #10.0118.000 consists of a tract commencing at a point 10 rods South of a point in the center line of the public highway as now located which is 40 rods West of the Northeast corner of the SE ¼, Section 12, Township 104 North, Range 7 West, running thence West 12 rods; thence South 16 and ¾ rods; thence East 12 rods; thence North 16 and ¾ rods to the place of beginning.

AND commencing about 40 Rods W of NE corner SE1/4 Section 12, Township 104, Range 7 or in the center of the Highway as now traveled (1892), thence running West 12 rods, thence South 10 rods, thence East 12 rods, thence North 10 rods to the place of beginning, Houston County, Minnesota; Being part of the NE ¼ SE1/4 of Section 12, Township 104, Range 7. In the event this parcel does not sell at public auction, it may be purchased after the sale by paying the basic sale price plus other charges in the Auditor/Treasurer's office.

File No. 10 – Engineer Pogodzinski said the Mn/Dot grant for the taxilane project was slightly less than expected as the federal funds had come in less due to a possible overpayment made years prior. The total Mn/Dot grant amount was \$22,010.61. This was \$1,404.00 less than originally expected. Pogodzinski said he had received three inquiries from pilots interested in storing their planes in hangars at the airport when the project was finished. Commissioner Johnson said it was frustrating that the grant would be less than originally expected, as the Board had approved the project based on original matching grant funds. Commissioner Burns moved, Commissioner Myhre seconded, motion carried unanimously to approve the Mn/Dot Aeronautics companion grant for the airport taxilane project and adopting Resolution No. 23-42 authorization to execute Minnesota Department of Transportation Grant Agreement for airport improvement excluding land acquisition. See resolution below.

RESOLUTION 23-42

**AUTHORIZATION TO EXECUTE MINNESOTA DEPARTMENT OF
TRANSPORTATION GRANT AGREEMENT FOR AIRPORT IMPROVEMENT
EXCLUDING LAND ACQUISITION**

It is resolved by the County of Houston as follows:

1. That the state of Minnesota Agreement No. 1055180,

"Grant Agreement for Airport Improvement Excluding Land

Acquisition," for State Project No. A2801-34 at the Houston

County Airport is accepted.

2. That the County Board Chairperson and the Interim County Auditor/Treasurer are authorized to execute this Agreement and any amendments on behalf of Houston County.

File No. 11 – Commissioner Burns moved, Commissioner Severson seconded, motion carried unanimously to approve a banding and pay rate change of IT Director Andrew Milde, from D-61 Exempt to D-62 Exempt, hourly equivalent \$55.70 effective 11/05/2023. The Commissioners voted by roll. All Commissioners voted yes.

File No. 12 – Commissioners discussed the 2024-2025 contract with Community and Economic Development Services (CEDA) for Economic Development Authority (EDA) and clerking services. Human Resources Director Kruger said she recommended moving forward with the EDA services that day, but in regards to the clerking services she said although she was not opposed to the agreement she recommended it come back to the board at a later meeting. Kruger said the Interim Auditor/Treasurer might want to take over the clerking services in the future although the office was currently short staffed. Kruger also said there were some changes she wanted to make to the clerking part of the contract. Commissioner Johnson said he thought it was imperative that the County move forward with both parts of the contract that day. He said the Interim Auditor/Treasurer's office was currently short staffed, and they would have a busy year coming up with the 2024 election. Commissioner Burns said the service from CEDA was very good. Commissioner Johnson moved, Commissioner Myhre seconded, motion carried four to one to approve the 2024-2025 contract with CEDA for EDA and clerking services. The Commissioners voted by roll. Commissioner Severson voted no. Commissioners Johnson, Burns, Schuldt, and Myhre voted yes.

File No. 13 – Commissioner Johnson moved, Commissioner Myhre seconded, motion carried unanimously to approve the 2023-2025 Snow Removal Agreement with WS Trucking & Construction, LLC.

DISCUSSION ITEMS

Commissioners discussed recent meetings they had attended and upcoming meetings including a Department Head and Wildcat meeting.

Commissioner Myhre asked if the County wanted to stay in the camping business. He said there would be updates needed at Wildcat Park that would be expensive. Finance Director Lapham said it was never the intention of the County board to be in the park business. This was why the park manager position was contracted out. It was the general consensus of the Commissioners to continue with a park manager contract and to see if the current manager was interested in a longer contract for more than one year.

Finance Director Lapham and Sheriff Swedberg discussed the County leasing vehicles with the board.

Commissioner Burns said other areas were collaborating on dispatch centers. He said Houston County should look into the idea with other counties.

Commissioner Johnson said he felt bad that the Interim Auditor/Treasurer's office was currently short staffed. He thanked Wagner for continuing to clerk the board through the CEDA contract. The Commissioners agreed.

Public Comment:

Reporter Rose Korabek said she had, had a question about a contract earlier, but she no longer needed to ask it.

There being no further business at 11:36 a.m. a motion was made by Commissioner Schuldt, seconded by Commissioner Myhre motion unanimously carried to adjourn the meeting. The next meeting would be a regular meeting on November 7, 2023.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Dewey Severson, Chairperson

Attest: _____
Polly Heberlein, Interim Auditor/Treasurer

**HOUSTON COUNTY
AGENDA REQUEST FORM
November 7, 2023**

Date Submitted: October 25, 2023

By: Polly Heberlein – Interim Auditor-Treasurer

CONSENT AGENDA REQUEST

Consider approving the Re-appointment of Managers Arlyn Pohlman and Brad Felten to the Crooked Creek Watershed District for a three (3) year term to expire on 11/30/26. Their current terms end on November 30, 2023.

<u>Reviewed by:</u>	<div style="display: flex; justify-content: space-between;"><div><div><input type="checkbox"/> HR Director</div><div><input type="checkbox"/> Finance Director</div><div><input type="checkbox"/> IS Director</div><div><input type="checkbox"/> County Attorney</div><div><input type="checkbox"/> Environmental Svcs</div></div><div><div><input type="checkbox"/> Sheriff</div><div><input type="checkbox"/> Engineer</div><div><input type="checkbox"/> PHHS</div><div><div style="display: flex; align-items: center;"><div style="margin-right: 5px;"><input checked="" type="checkbox"/> (indicate other dept)</div><div>ITD A/T</div></div></div></div></div>
<u>Recommendation:</u>	
<u>Decision:</u>	

**HOUSTON COUNTY
AGENDA REQUEST FORM
November 7, 2023**

Date Submitted: November 2, 2023

By: Tess Kruger, HRD/Facilities Mgr.

ACTION

NONE

APPOINTMENT REQUEST

NONE

HR CONSENT AGENDA REQUEST

Auditor/Treasurer

- **Approve hiring Heidi Lapham as temporary/casual (67 day) Deputy Auditor-License Center, at a payrate of \$22.90/hour through through December 2023**

Highway Dept.

- **Change the employment status of Highway Mechanic, Shane St. John, from probationary to regular, effective 11/14/2023**

Sheriff's Office

- **Change the employment status of Deputy Sheriff, Ethan Meyer, from probationary to regular, effective 11/21/2023**

<u>Reviewed by:</u>	<input checked="" type="checkbox"/> HR Director	<input checked="" type="checkbox"/> Sheriff
	<input checked="" type="checkbox"/> Finance Director	<input checked="" type="checkbox"/> Engineer
	<input type="checkbox"/> IS Director	<input type="checkbox"/> PHHS
	<input type="checkbox"/> County Attorney	<input checked="" type="checkbox"/> (indicate other dept)
	<input type="checkbox"/> Environmental Svcs	<input type="checkbox"/> A/T
<u>Recommendation:</u>		
<u>Decision:</u>		

Houston County Agenda Request Form

Date Submitted: October 26, 2023

Board Date: 7-Nov-23

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

To approve a Revised Resolution for the Mn/Dot Aeronautics companion grant for the Airport Taxilane project.

Attachments/Documentation for the Board's Review:

Copy of Resolution is attached. The words, "excluding land acquisition" were included in the original resolution by mistake.

Justification:

The County has already approved the grant, the resolution just needs to be revised so that we can get paid for the land.

Action Requested:

Pass Revised Resolution

For County Use Only

<u>Reviewed by:</u>	_____ 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.

RESOLUTION 23-42 (Revised)

**AUTHORIZATION TO EXECUTE MINNESOTA
DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT
FOR AIRPORT IMPROVEMENT**

It is resolved by the **County of Houston** as follows:

1. That the state of Minnesota Agreement No. **1055180**,

"Grant Agreement for Airport Improvement," for State Project No. **A2801-34**

at the **Houston County Airport** is accepted.
2. That **the County** Board Chairperson and the Interim County Auditor/Treasurer are authorized to execute this Agreement and any amendments on behalf of **Houston County**.

CERTIFICATION

STATE OF MINNESOTA

COUNTY OF HOUSTON

I, Polly Heberlein, do hereby certify that the above is a true and correct copy of a resolution adopted by the Houston County Board of Commissioners at an authorized meeting held, November 7, 2023 as shown by the minutes in my possession.

(SEAL)

Polly Heberlein, Interim County Auditor-Treasurer

Houston County Agenda Request Form

Date Submitted: November 2, 2023

Board Date: November 7, 2023

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

To approve a resolution requesting a variance from standard for State Aid Operation for Project SAP 028-610-021.

Attachments/Documentation for the Board's Review:

Justification:

Action Requested:

Pass Resolution attached.

For County Use Only			
<u>Reviewed by:</u>	_____ County Auditor	_____ County Attorney	_____ Zoning Administrator
	_____ Finance Director	_____ County Engineer	_____ Environmental Services
	_____ IS Director	_____ Other (indicate dept)	_____
<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.

**RESOLUTION NO. 23-43
HOUSTON COUNTY, MINNESOTA**

A resolution requesting a variance from standard for State Aid Operation for Project No. S.A.P. 028-610-021.

WHEREAS, the County of Houston is preparing plans for CSAH 10, Bridge No. L7540, located 3.5 Miles West of the Junction with TH 76 to 3.4 Miles West of the Junction with TH 76; and

WHEREAS, Minnesota Rules for State Aid Operation 8820.9920 require minimum design speed of 40 miles per hour; and

WHEREAS, the reasons for this variance requests are the constraints of the existing terrain, the close proximity of connecting waterways, and the impacts to the adjacent agricultural parcel will be greatly impacted by designing the horizontal alignment for CSAH 10 to meet a 40 miles per hour horizontal design speed.

NOW, THEREFORE BE IT RESOLVED, that the Houston County Board of Commissioners do hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9920 Minimum Design Standards; Rural and Suburban Undivided; New or Reconstruction Projects to allow a design speed of 35 miles per hour in lieu of a design speed of 40 miles per hour;

BE IT FURTHER RESOLVED, that the Houston County Board of Commissioners hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the reconstruction of CSAH 10 in accordance with Minnesota Rules 8820.9920 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

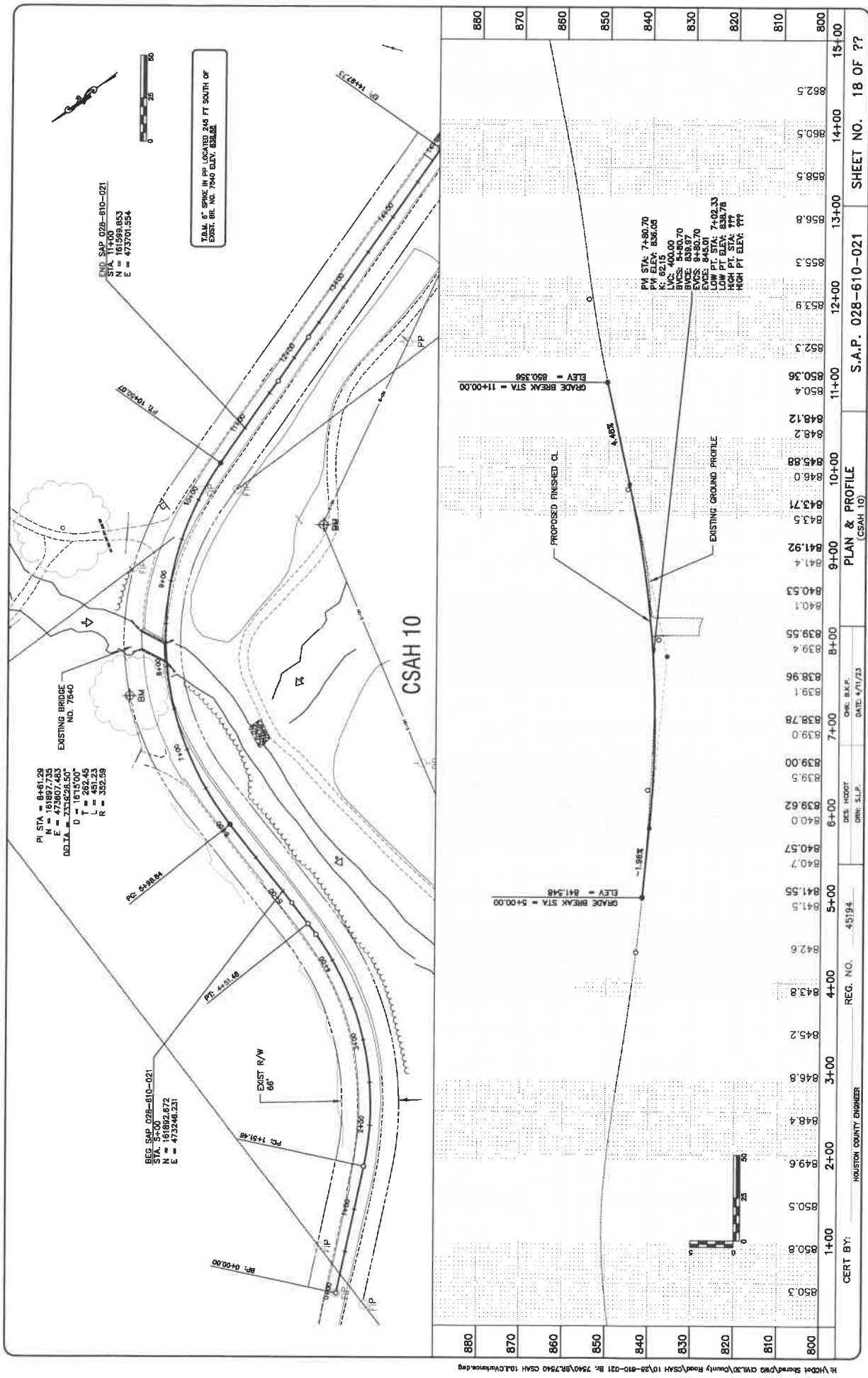
*****CERTIFICATION*****

STATE OF MINNESOTA
COUNTY OF HOUSTON

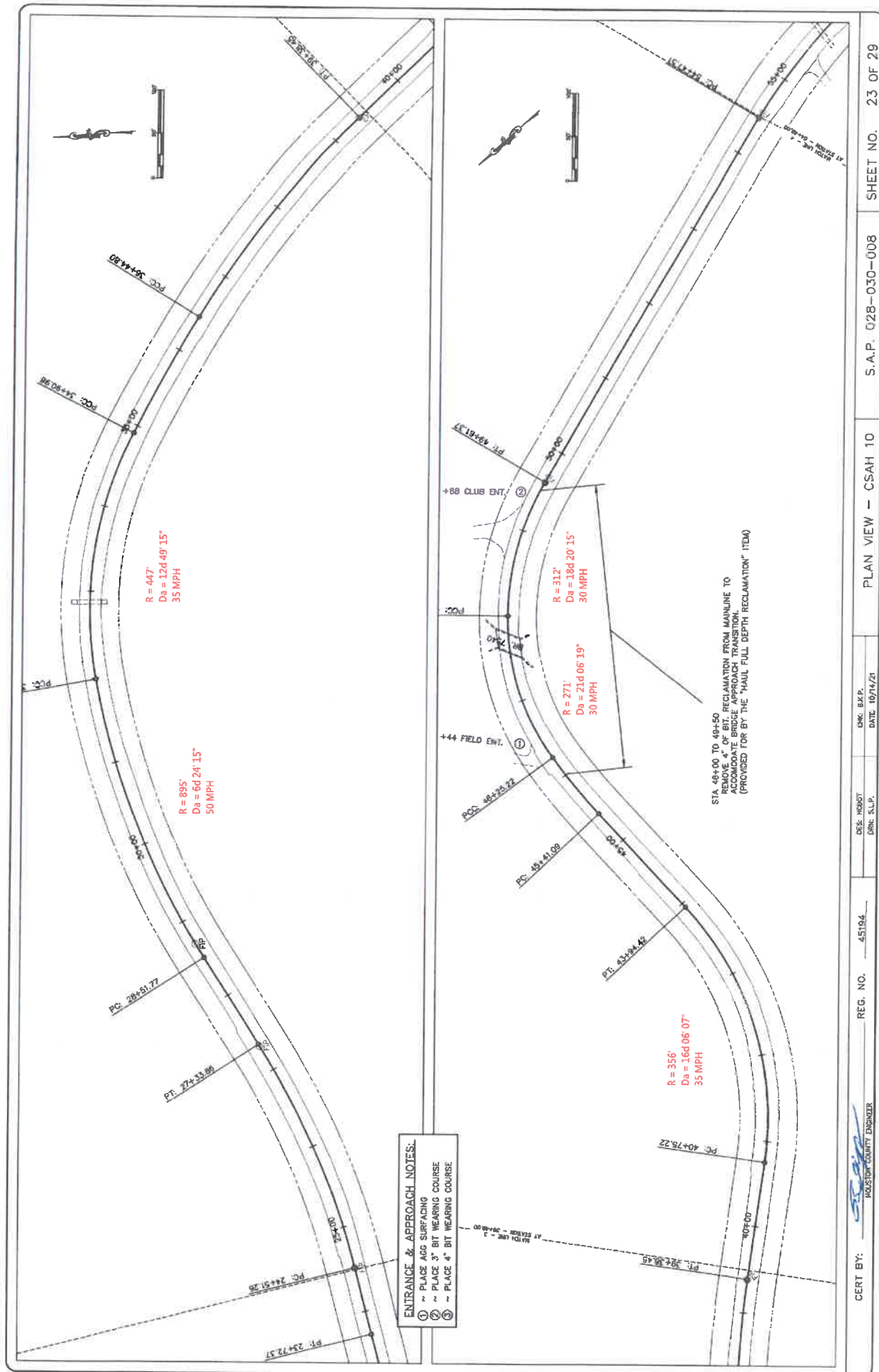
I, Polly Heberlein, Interim County Auditor/Treasurer do certify that the above is a true and correct copy of a resolution adopted by the Houston County Board of Commissioners at the session dated November 7, 2023.

WITNESS my hand and the seal of my office this 7th day of November 2023.

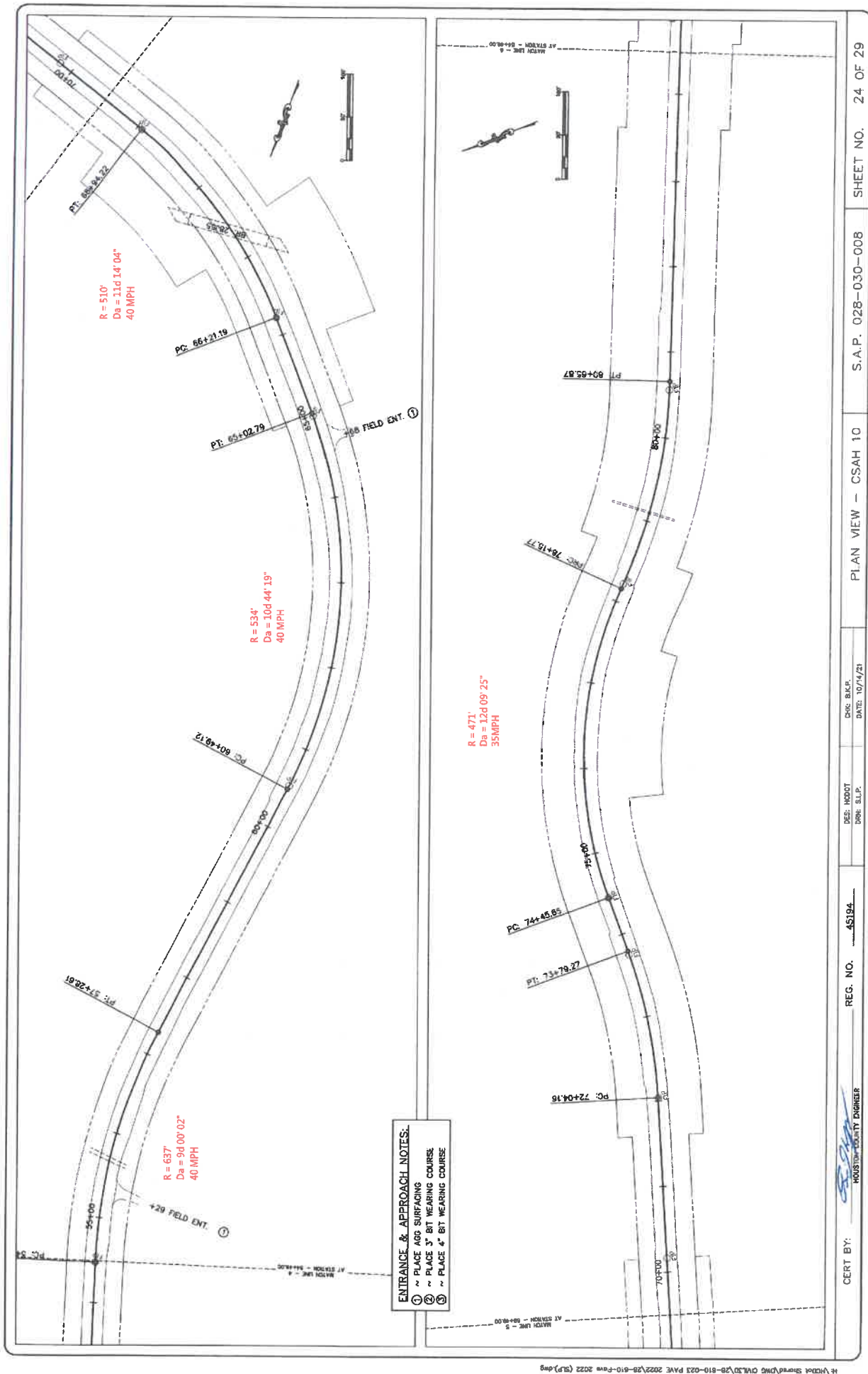
Signed by _____
Interim Houston County Auditor - Treasurer



PLAN & PROFILE (CSAH 10)		S.A.P. 028-610-021		SHEET NO. 18 OF ??	
CERT BY:	REG. NO.	DES. HOOT	DATE: 5/11/23	ONE B.K.P.	DATE: 5/11/23
HOUSTON COUNTY ENGINEER	45194	DRN: S.L.P.			
1+00	850.8	2+00	849.6	3+00	848.4
4+00	843.8	5+00	842.6	6+00	840.7
7+00	839.0	8+00	839.5	9+00	840.1
10+00	843.5	11+00	850.4	12+00	853.9
13+00	856.8	14+00	860.5	15+00	862.5



ENTRANCE & APPROACH NOTES:
 ① PLACE AGG SURFACING
 ② PLACE 3" BIT WEARING COURSE
 ③ PLACE 4" BIT WEARING COURSE



ENTRANCE & APPROACH NOTES.
 ① ~ PLACE AGG SURFACING
 ② ~ PLACE 3" BIT WEARING COURSE
 ③ ~ PLACE 4" BIT WEARING COURSE

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: 31-Oct-23

Person requesting appointment with County Board: Martin Herrick

Issue:

CUP Approval/Denial: 1) Thomas and Judy Vix- CUP for solar energy system in the flood plain district of the agriculture protection district in Houston Township. (PC meeting was on 10-26-2023.)

Justification:

Action Requested:

Final Approval by the County Board. (Agenda, Hearing Notice, Findings and Staff Report is attached.)

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.

**HOUSTON COUNTY
BOARD OF ADJUSTMENT AND
PLANNING COMMISSION
Thursday, October 26, 2023**

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 September 28, 2023

VARIANCE HEARING:

- 5:00 pm ***Steven & Diane Klinski – Mayville Township***
Variance to reduce side yard setback requirements for an existing building (Section 14 - 14.8 Subdivision 1).
- 5:20 pm ***Al's Concrete Products Inc. – La Crescent Township***
Variance to reduce side yard setback requirements for a proposed building addition (Section 19 - 19.8 Subdivision 2).

PLANNING COMMISSION

Approve Minutes for September 28, 2023

CONDITIONAL USE HEARING:

- 5:50 pm ***Thomas & Judy Vix – Houston Township***
Conditional Use Permit to have a solar structure within the flood plain (Section 14 -14.3 Subdivision 1, Subsection 22; Section 21 – 21.6 Subdivision 3; and Section 29 - 29.8 Subdivision 1).
- 6:10 pm ***Josh Dahl – Yucatan Township***
Conditional Use Permit to expand a feedlot from 342 animal units (au) to 534 au (Section 14 - 14.3 Subdivision 1, Subsection 3).

OTHER BUSINESS:

General discussion regarding Section 14 – 14.3 Subdivision 1, Subsection 10 pertaining to Class I-III soils.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE:

That an application has been made by Thomas & Judy Vix, 18568 State 16, Houston, MN 55943, for a Conditional Use Permit to have a solar array within the overlay flood plain district (Section 14.3, Subd. 1, Subsection 22, Section 21.6 subd. 3 Flood Fringe Conditional Uses and Section 29.8 Subd. 1 Solar Energy Systems and Solar Structures) in Houston Township on the following premises, to-wit:

PT WESTERLY PT SW1/4 LYING N of HWY#16, Section 32, Township 104, Range 6, Houston County, Minnesota. (Parcel 06.0216.000)

Said applicant standing and making application is as fee owner of said described lands.

A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 5:50 p.m. on Thursday, October 26, 2023.

All persons having an interest in the matter will be given the opportunity to submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street, Caledonia, MN 55921, or emailed to martin.herrick@co.houston.mn.us, and must be received by Wednesday, October 18, 2023.

Comments in regard to the petition received by this date will be part of the public record and will be made available for review by the Planning Commission prior to the meeting.

HOUSTON COUNTY PLANNING COMMISSION

By Martin Herrick
Zoning Administrator

ADV: October 16, 2023

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: ***Thomas and Judy Vix*** DATE: ***October 26, 2023***

C.U.P. REQUESTED: ***Solar energy system in the flood plain district of the agriculture protection district.***

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

FINDINGS OF FACT

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

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

Staff Analysis: Goal 2.13 of the Comprehensive Land Use Plan encourages options for alternative energy systems in the County. The solar energy system is an alternative energy system.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: Clean energy and self-sufficiency are protective of the environment.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: With re-establishment of the disturbed vegetation, the water quality will not be impacted by the solar energy system.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The quantity of water runoff will not increase with the installation of the solar energy system.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The on-site soils are adequate to support the solar energy system.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The disturbed soil will be vegetated to prevent erosion and decrease runoff.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: Any connections for the solar energy system are the responsibility of the applicant.

Board agreed to the finding by a unanimous vote.

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: NA

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

Staff Analysis: NA

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: With vegetation reestablished and good surface water routing, the parcel will have minimal to no impact on surrounding properties.

Board agreed to the finding by a unanimous vote.

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: The solar energy system is not anticipated to cause any problems with development in the area.

Board agreed to the finding by a unanimous vote.

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: NA

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: NA

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: NA

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: Public health, safety, morals, and general welfare are not anticipated to be impacted

Board agreed to the finding by a unanimous vote.

Jim Wieser made a motion to accept the findings as presented. Commissioner Myhre seconded. Roll call vote was taken. All were in favor. Motion carried.

Jim Wieser made the motion to recommend the Houston County Board approve a conditional use permit for a solar energy system in the flood plain district of the agriculture protection district in Houston Township with the following conditions:

1. The Permittee shall comply with all federal, state, and local laws and regulations.
2. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. Documentation of the final elevation of the respective components including the base elevation, minimum panel elevation and the watertight connections for the systems shall be submitted to the Houston County Zoning Office within 90 days of installation.
4. Houston County and the Planning Commission are not responsible for disposal of any equipment associated with this decision in the case of a natural disaster.

Commissioner Myhre seconded. Roll call vote was taken. All were in favor. 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

10/18/2023

Application Date: 9/15/2023
Hearing Date: 10/26/2023
Petitioner: Judy and Thomas Vix
Reviewer: Martin Herrick
Zoning: Agriculture Protection
Address: 18568 State Hwy 16
Township: Houston
Parcel Number: 06.0216.000
Submitted Materials: CUP Application

OVERVIEW

REQUEST

The petitioners are requesting a Conditional Use Permit for a solar energy system within the floodplain area of the agriculture protection district of Houston Township.



Figure 1. Parcel 06.0216.000

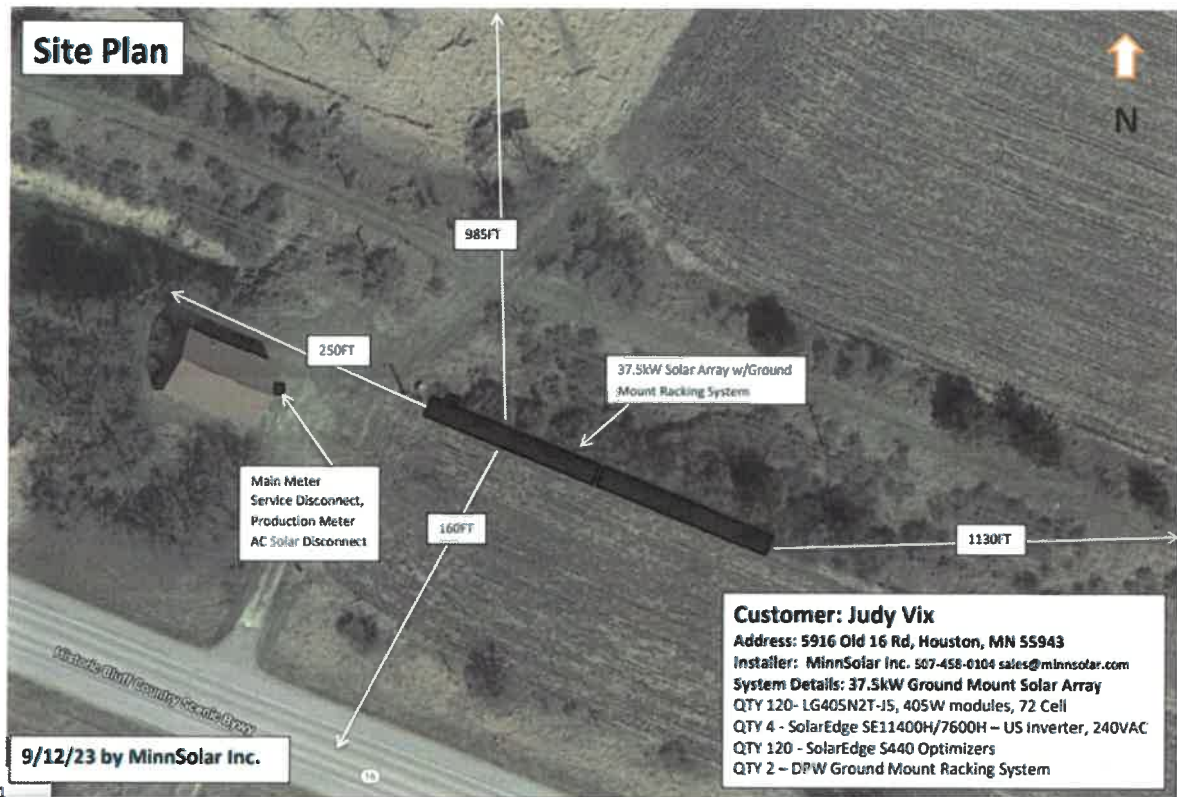


Figure 2. Solar Energy System



Figure 3. Floodplain extent on Parcel 06.0216.000



Figure 4. Existing Conditions for PID 06.0216.000 (10/16/2023)

SUMMARY OF NOTEWORTHY TOPICS

The applicant is proposing a 37.5 KW ground mounted solar array. The approximate dimensions are 12 ft. by 205 ft. The energy will be used by the applicant with excess used to generate income.

The applicable ordinances and permitting for this activity are cross referenced between Section 14 - Agricultural Protection District, Section 21 - Flood Plain District and Section 29 – General Provisions. The following Ordinance is applicable:

SECTION 14 - AGRICULTURAL PROTECTION DISTRICT

14.3 CONDITIONAL USES

Subdivision 1. Conditional Uses. *In the Agricultural Protection District, the following uses may be allowed only after obtaining a Conditional Use Permit in accordance with the provision of this Ordinance.*

(22) Solar Energy Systems. Solar energy systems and solar structures.

SECTION 21 - FLOOD PLAIN DISTRICT

21.6 FLOOD FRINGE DISTRICT (FF)

Subdivision 3. Conditional Uses: The following uses may be allowed as conditional uses following the standards and procedures set forth in Section 21.11 subd. 4 of this ordinance and further subject to the standards set forth in Section 21.6 subd. 4, if otherwise allowed in the underlying zoning district(s).

(3) The use of methods other than fill to elevate structures above the regulatory flood protection elevation. This includes the use of: stilts, pilings, filled stem walls, or above-grade, internally flooded enclosed areas such as crawl spaces or tuck under garages, meeting the standards in Section 21.6 subd. 4 (4).

SECTION 29 - GENERAL PROVISIONS

29.8 SOLAR ENERGY SYSTEMS AND SOLAR STRUCTURES

Subdivision 1. Permitted by District. *Solar energy systems and solar structures shall be a permitted use in all districts except the flood plain districts provided the system is in compliance with minimum lot requirements and setbacks. Within the flood plain district, solar structures shall be a conditional use.*

Correspondence with Nicole Lehman, Minnesota DNR's hydrologist, on this proposal, is included as an attachment.

TOWNSHIP AND NEIGHBORHOOD COMMENTS

Notice was sent to Houston Township and the ten closest property owners. To date no comments have been received.

SITE CHARACTERISTICS

The view shed of the array will be minimal from the public's access. The parcel is 27.5 acres and is located within the floodplain as shown in Figure 3. The posts will be driven 9 ft into the ground which will provide enough shear strength to prevent uplift and prevent frost heaving.

The solar array will be located in the floodplain, but this is allowed with conditions to protect the system from flooding. The conditional use permit will require survey control and functional equipment be above the base flood elevation (BFE).

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: Goal 2.13 of the Comprehensive Land Use Plan encourages options for alternative energy systems in the County. The solar energy system is an alternative energy system.

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

Staff Analysis: Clean energy and self-sufficiency are protective of the environment.

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

Staff Analysis: With re-establishment of the disturbed vegetation, the water quality will not be impacted by the solar energy system.

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

Staff Analysis: The quantity of water runoff will not increase with the installation of the solar energy system.

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

Staff Analysis: The on-site soils are adequate to support the solar energy system.

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

Staff Analysis: The disturbed soil will be vegetated to prevent erosion and decrease runoff.

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

Staff Analysis: Any connections for the solar energy system are the responsibility of the applicant.

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: NA

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

Staff Analysis: NA

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: With vegetation reestablished and good surface water routing, the parcel will have minimal to no impact on surrounding properties.

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: The solar energy system is not anticipated to cause any problems with development in the area.

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: NA

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: NA

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: NA

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.

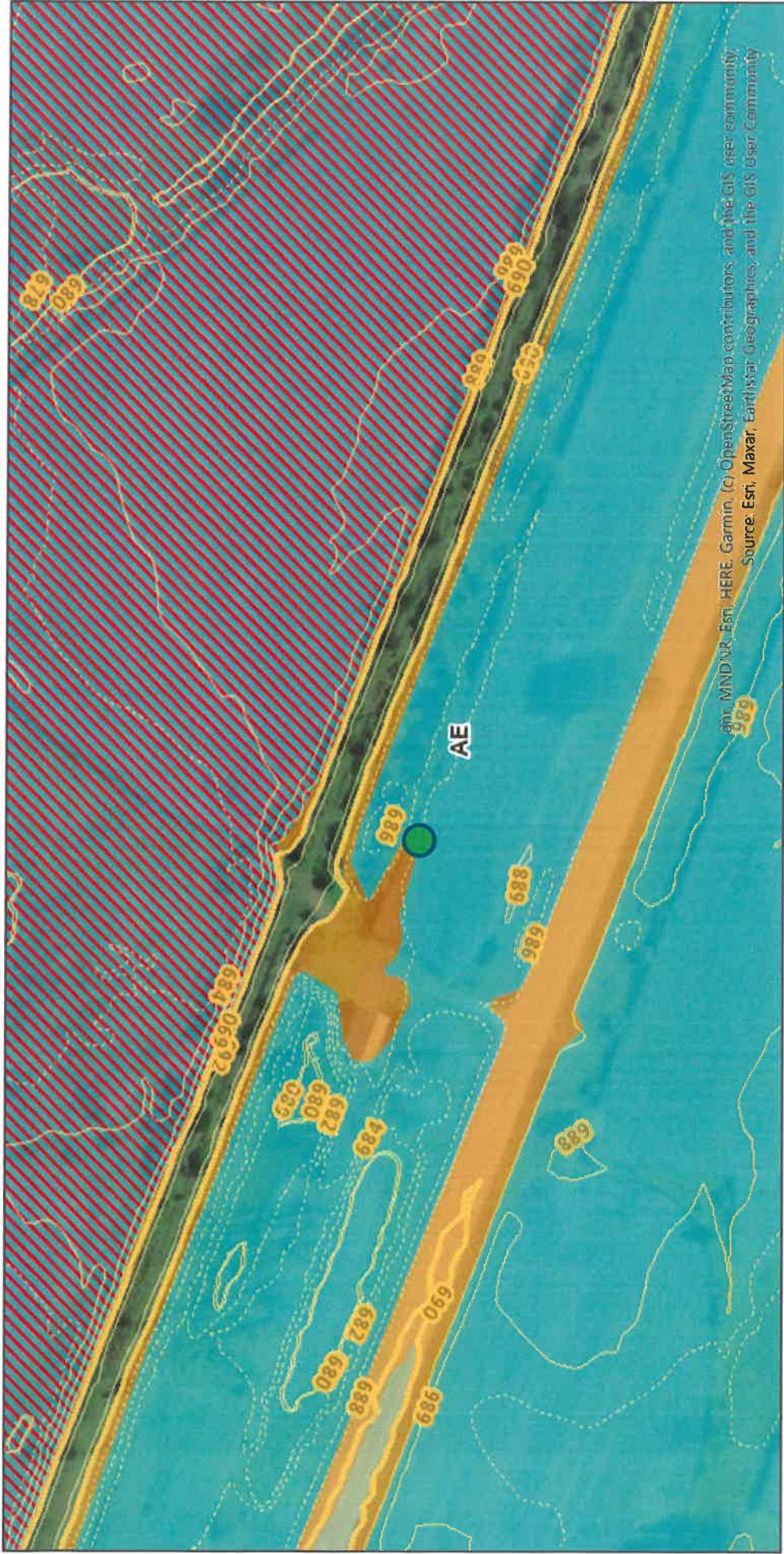
Staff Analysis: Public health, safety, morals, and general welfare are not anticipated to be impacted.

RECOMMENDATION

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

1. The Permittee shall comply with all federal, state, and local laws and regulations.
2. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. Documentation of the final elevation of the respective components including the base elevation, minimum panel elevation and the watertight connections for the systems shall be submitted to the Houston County Zoning Office within 90 days of installation.

Proposed motion: To recommend approval of a conditional use permit for a solar energy system in the flood plain district of the agriculture protection district in Houston Township with three conditions.



Date: Wed Sep 13 2023 08:20:07

Comments: PID 06.0216.000

Sources:
-MNDNR contours from MnTOPO
-FEMA National Flood Hazard Layer
See LFEO FAQ for data source details:
http://files-intranet.dnr.state.mn.us/user_files/3687/lfeo-faq.pdf

Datums for LIDAR contours:
Vertical NAV88 | Horizontal NAD83

Disclaimer: The State of Minnesota, Department of Natural Resources, Ecological and Water Resources Division assumes no responsibility for and disclaims all liability for any typographical or other errors on this site. The DNR may make changes to the lake floodplain elevations at any time and without notice.

Conditional Use Request
2023-CUP-171887

Fees Paid
\$746.00

Applicant
Minnsolar

Created
September 15,
2023

Number
2023-CUP-
171887

VIX,THOMAS C & JUDY A |
060216000 |
Submitted by Minnsolar on
9/15/2023



Applicant

Minnsolar

sales@minnsolar.com

Search Parcel Data Completed On 9/15/2023 10:06 AM EST by Minnsolar

ParcelID	Address	City	OwnerName	Acres
060216000			VIX,THOMAS C & JUDY A	41.460

CONDITIONAL USE INTRO Completed On 9/15/2023 10:06 AM EST by Minnsolar

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.

Application Fee:

Conditional Use Application Fee

\$700.00

Recording Fee:

Recording Fee

\$46.00

Application Type:

Conditional Use

APPLICANT INFORMATION Completed On 9/15/2023 10:08 AM EST by Minnsolar

Applicant Name

VIX,THOMAS C & JUDY A

Parcel Tax ID

060216000

Telephone Number

507-458-1706

Address

18568 State 16

City

Houston

Zip

55943

Legal Description

PT W'LY PT SW1/4 LY N OF HWY #16; DOC 265622

2

Section-Township-Range

32-104-006

Do you own additional adjacent parcels

Yes

Township of:

Houston

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

TOWNSHIP	NAME	PHONE
Black Hammer	Clayton Johnson	507-450-6384
Brownsville	Christine Novak	507-459-0636
Caledonia	Judith Massman	507-458-3294
Crooked Creek	David Winnes	507-542-4515
Hokah	Delayne Vogel	608-397-6516
Houston	John Beckman	507-896-3106
Jefferson	Anne Falken	320-493-8629
La Crescent	Jason Wieser	507-429-0133
Mayville	Erin Hammell	608-225-1830
Money Creek	Adam Florin	608-797-2515
Mound Prairie	Colleen Tracy	507-459-3573
Sheldon	Wayne Runningen	507-450-0065
Spring Grove	Mike Wiste	507-450-4638
Union	Craig Frederick	608-769-9541

Wilmington	Melissa Schroeder	608-780-3998
Winnebago	Luke King	507-725-8816
Winnebago	Joyce Staggemeyer	507-542-4637
Yucatan	Deb Dewey	507-896-3566

CONDITIONAL USE REQUEST Completed On 9/15/2023 12:57 PM EST by Minnsolar

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

Describe in detail your request.

37.5kW AC ground mount Solar array

Citation of Ordinance Section from which the Conditional Use is requested:

29.8 Subdivision 1

Requested Dimension:

12'x205'

Please upload any supporting documents:

[Site Plan - County.pdf](#)

CONDITIONAL USE FINDING OF FACTS Completed On 9/15/2023 1:13 PM EST by Minnsolar

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

Findings Required:

The Planning Commission shall not recommend a Conditional Use Permit unless they find that the requirements below are satisfied. As the applicant, it is your responsibility to demonstrate that your proposal satisfies these requirements. For each of the 15 criteria, please select the appropriate response and provide a detailed explanation.

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

Yes

Comments:

The Solar array will be within the property line setbacks

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

Yes

Comments:

Mark & Suzanne Runkel are installing the solar array to eliminate their solar usage and generate additional income

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

No

Comments:

There will be no impact to the water quality, as the highest quality of solar panels and steel beams are used for the ground mount solar array.

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

Yes

Comments:

The Solar array is positioned at 30' angle, so water runoff will be the same.

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

Yes

Comments:

There is a detailed study that delineates the area as flood fringe & the ground mount posts are pounded 9' deep.

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

N/A

Comments:

There are no pollution hazards with the Solar array

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

Yes

Comments:

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

N/A

Comments:

There will be no need for off-street parking or loading space

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

N/A

Comments:

There will be no traffic congestion or traffic hazard

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.

No

Comments:

The Solar array is tucked in an open area between the trees, so it will not be visible other than from within the property.

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.

No

Comments:

The Solar array will not impede development of the surrounding area

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.

N/A

Comments:

There is no odor, fumes, dust, noise, vibration or lights from the solar panel.

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

N/A

Comments:

There is no residential development planned

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.

N/A

Comments:

There is no commercial development planned

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.

N/A

Comments:

The solar array will not affect the public's health, safety, morals, and general welfare

SITE PLAN INFORMATION Completed On 9/15/2023 2:14 PM EST by Minnsolar

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

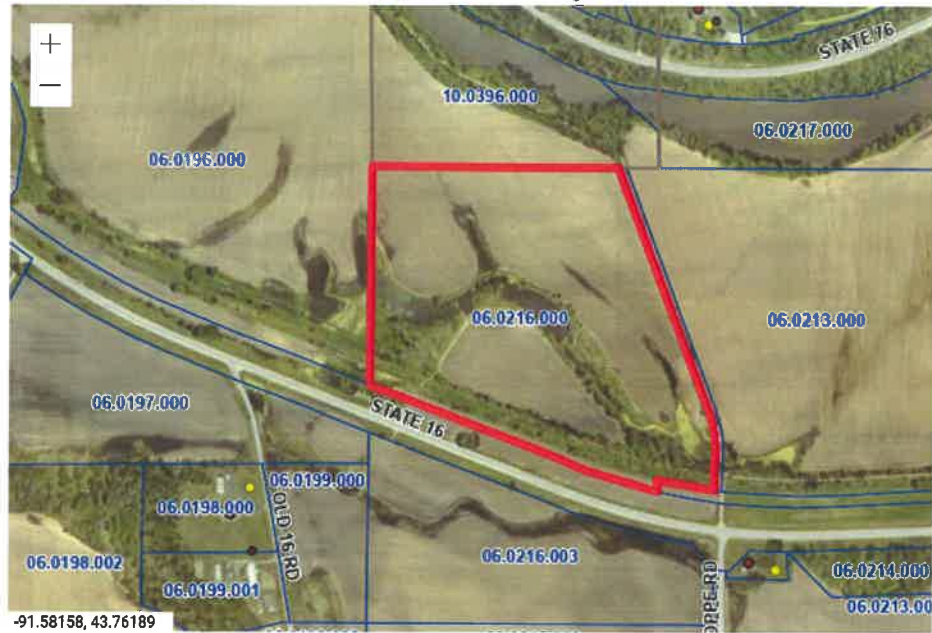
Upload Site Plan

[Site Plan - County.pdf](#)

Submitted by Minnsolar

Use the Interactive Map to Create a Site Plan. Map tools: Click the plus and minus buttons in the upper left of the map window, to zoom in/out. Navigation Mode - Scroll up to zoom in, scroll down to zoom out. Click and hold to pan around map. Text Mode - To place text on the map, click on the "Add Text" tool, click the place on the map where you would like the text to be displayed, then enter the text in the box that appears at the top of the screen, click ok to display the text on the map. Draw a point - Click once on the map where you would like the point to be. Draw a Line - Click once on map to start drawing a line, double click to stop drawing line. Draw a Polyline - Click once on map to start drawing a polygon, click map at each vertex and double click to finish polygon drawing. Draw a Rectangle - Click once on the map where you would like the rectangle to be. The rectangle will appear on the map. Click on the Select tool and click on the rectangle to resize (click an outside square and drag to resize), rotate (click, hold and drag the circle on top of the rectangle to rotate) or delete (click the rectangle and hit the delete button). Measure - Click once on map to start draw a line with a measurement, click map at each vertex and double click to finish drawing. If you double click near starting point area measurement will also be calculated. Undo Last Edit - Click tool to undo last drawing edit. Undo All Edits - Click tool to undo all drawing edits.

- ☒ Sketch Layer
- ☐ Reference Layer
- ☒ Mapproxy



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

APPLICATION SUBMITTAL Completed On 9/22/2023 11:58 AM EST by Minnsolar

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.

Yes

Signature

Date Signed:

9/22/2023

Check this box if Staff Signature on behalf of Applicant.

Submitted by Applicant

Email APPLICATION SUBMITTAL Completed On 9/22/2023 11:58 AM EST by Minnsolar

Delivered on Friday, September 22, 2023 at 11:58 AM CDT

Options

Send to the applicant? Yes

Send to members of the following roles:

Zoning

County Board

Recipients

To:

holly.felten@co.houston.mn.us
amy.sylling@co.houston.mn.us
amelia.meiners@co.houston.mn.us
martin.herrick@co.houston.mn.us
robert.burns@co.houston.mn.us
eric.johnson@co.houston.mn.us
robert.schuldt@co.houston.mn.us
dewey.severson@co.houston.mn.us
sales@minnsolar.com

Subject: Parcel 060216000 Conditional Use Application Received

The information provided in your Conditional Use application has been received by the County. An application fee of \$700.00 payable to the Houston County Treasurer and a recording fee of \$46.00 payable to the Houston County Recorder are necessary to complete your application and are required before the application will be reviewed. Please send a separate check for each.

Houston County Planning and Zoning
304 S. Marshall Street, Room 209
Caledonia, MN 55921

Once payment is received your application will be reviewed and you will be contacted by staff.

Please call 507-725-5800 or email martin.herrick@co.houston.mn.us with any questions or concerns.

Number: 2023-CUP-171887

Workflow: Conditional Use Request

Description: VIX,THOMAS C & JUDY A | 060216000 |

Created On: 9/15/2023

[View Application](#)

External Notes

Documents

Internal Notes

Documents

Site Plan

Submitted by Applicant



N

985FT

250FT

160FT

1130FT

37.5kW Solar Array w/Ground Mount Racking System

Main Meter
Service Disconnect,
Production Meter
AC Solar Disconnect

Customer: Judy Vix

Address: 5916 Old 16 Rd, Houston, MN 55943

Installer: MinnSolar Inc. 507-458-0104 sales@minnsolar.com

System Details: 37.5kW Ground Mount Solar Array

QTY 120- LG405N2T-J5, 405W modules, 72 Cell

QTY 4 - SolarEdge SE11400H/7600H - US Inverter, 240VAC

QTY 120 - SolarEdge S440 Optimizers

QTY 2 - DPW Ground Mount Racking System

Historic Bluff Country Scenic Byway

9/12/23 by MinnSolar Inc.

Submitted for Public Comment

From: Lehman, Nicole (DNR)
To: Amelia Meiners
Cc: Strauss, Collin (DNR); Martin Herrick
Subject: PID 06.0216.000 Solar in Floodplain - 2023-CUP-171887 - Houston County (DNR Comments)
Date: Wednesday, October 18, 2023 2:17:10 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
RF Vix permit.mxd
2023-10-18PID 06.0216.000 Review.pdf
2023-CUP-171887 PID060216000 Vix Solar Panel CUPApplication.pdf

*** 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.

Hi Amelia,

It looks like the solar panels are proposed to be installed 36" (3-ft) off the ground to the bottom of any electrical equipment (per the attached email "Vix Permit"). I assumed this was from natural ground and no filling is proposed.

Upon closer review (see attached) of the existing topographic data (from MnTOPO) it appears most of the panels can be elevated so the electrical is above the RFPE. However, one of the natural ground shots (689.52-ft) is close to the RFPE (689.5-ft). The accuracy of LiDAR is 0.4 m (horizontal, or 1.31-ft) and 0.134 m (vertical, or 0.44-ft); see attached.

In this case since it's close to the accuracy of LiDAR, the DNR recommends a current elevation survey of the site is completed to verify if placement on natural ground will meet the county's floodplain regulations for elevation to the RFPE or higher. Then based upon the survey it is possible fill may be required to properly elevate the panels so the electrical is at or above the RFPE.

In addition, the DNR recommends:

- A post construction elevation survey is completed to verify the electrical equipment for the solar panels were elevated above the RFPE as proposed.
- All structures within the floodplain should be anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; and recommend the posts are constructed with materials and utility equipment resistant to flood damage.
- Recommend native vegetation is planted around them to provide habitat.
- Recommend they do coordination with US FWS for endangered species such as the Northern Long Eared Bat and consult with the [Minnesota Conservation Explorer](#) (this replaced the Natural Heritage Information System – NHIS) to ensure they follow state laws for threatened or endangered species and avoid a takings.
- Here is a [factsheet](#) for some considerations for siting in shoreland and floodplain areas.

Thank you for the opportunity to comment. Please let me know if you have any questions.

Nicole E. Lehman

Area Hydrologist – Fillmore, Houston & Olmsted Counties
Ecological and Water Resources Division

Minnesota Department of Natural Resources

2118 Campus Dr. SE, Suite 100
Rochester, Minnesota 55904
Phone: 507-206-2854
Email: nicole.lehman@state.mn.us
mndnr.gov



From: noreply@schneidergis.com noreply@schneidergis.com

Sent: Monday, October 16, 2023 1:20 PM

To: samuel.jandt@co.houston.mn.us; brian.pogodzinski@co.houston.mn.us; Schnell, Tracy (DOT) tracy.schnell@state.mn.us; Lehman, Nicole (DNR) nicole.lehman@state.mn.us; david.a.studenski@usace.army.mil; goosey10@hotmail.com; Green, Valiree S (DNR) valiree.green@state.mn.us; caledoniaclerk@acegroup.cc; swetterlin@cityoflacscent.mn.gov; bwaller@cityoflacscent.mn.gov; cityclerk@acegroup.cc; brownsvi@acegroup.cc; citizen@acegroup.cc; Michelle Quinn mquinn@houstonmn.us; ryan.hytrv@usda.gov; Hills, Marna (MPCA) marna.hills@state.mn.us; cityhall@springgrovemn.com; amelia.meiners@co.houston.mn.us; sheldon.township@gmail.com; joes@acegroup.cc; btownship@goacenter.net; liztostenon1@gmail.com; dwinnes@multistack.com; noldenerin@gmail.com; adamflorin@me.com; blackhammer49@hotmail.com; caledonia.township.clerk@gmail.com; mibuttell@gmail.com; dewdrop@acegroup.cc; lukeking81@yahoo.com; mptclerk@gmail.com; hammell@acegroup.cc

Subject: Conditional Use Notice for Public Hearing

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Notice of Public Hearing. A hearing on a Conditional Use request will be held at 5:50PM on 10/26/2023 at the Houston County Courthouse.

Applicant: VIX, THOMAS C & JUDY A:

Parcel ID: 060216000

The purpose of the hearing is to consider a request for: 37.5kW AC ground mount Solar array

If you have questions or wish to provide comments regarding this request, please email them to martin.herrick@co.houston.mn.us.

Martin Herrick

Submitted for Public Comment

Number: 2023-CUP-171887
Workflow: Conditional Use Request
Description: VIX, THOMAS C & JUDY A | 060216000 |
Created On: 9/15/2023

[View Application](#)

From: Amelia Meiners <amelia.meiners@co.houston.mn.us>
Sent: Wednesday, October 18, 2023 10:39 AM
To: Lehman, Nicole (DNR) <nicole.lehman@state.mn.us>
Cc: Strauss, Ceil C (DNR) <ceil.strauss@state.mn.us>; Martin Herrick <Martin.Herrick@co.houston.mn.us>
Subject: RE: Solar in floodplain; PID 06.0360.000 & 06.0216.000 Houston County

Nicole,

PID 06.0216.000 has a public hearing next week for a CUP for solar in floodplain. Would you like to provide further comment on that or shall I just include the email below? If so, we will need comments by tomorrow morning to make the prehearing packet. Attached is some additional information from the contractor.

Amelia Meiners

Environmental Specialist

Houston County Environmental Services

304 S. Marshall St., Room 209

Caledonia, MN 55921

(507) 725-5800 (office)

(507) 500-1909 (cell)

From: Lehman, Nicole (DNR) <nicole.lehman@state.mn.us>
Sent: Tuesday, September 26, 2023 7:22 AM
To: Amelia Meiners <amelia.meiners@co.houston.mn.us>
Cc: Strauss, Ceil C (DNR) <ceil.strauss@state.mn.us>; Martin Herrick <Martin.Herrick@co.houston.mn.us>
Subject: RE: Solar in floodplain; PID 06.0360.000 & 06.0216.000 Houston County

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

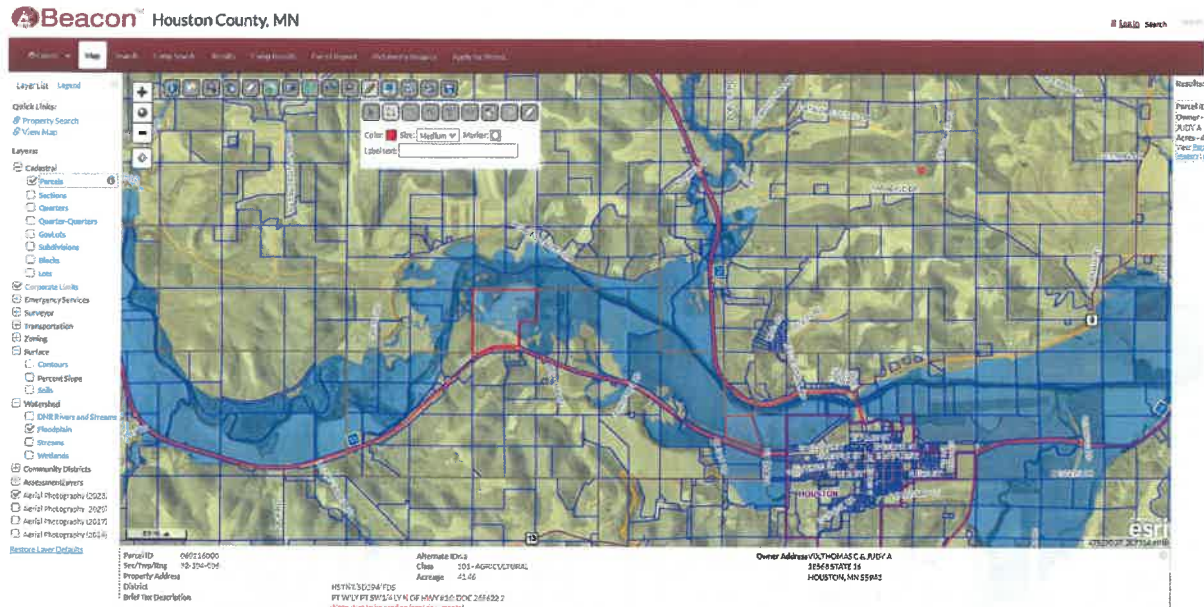
Hi Amelia,

I'd require all electrical and the bottom of panels to be elevated above the RFPE. If the panels flooded, they would likely be ruined.

It also looks like PID 06.0216.000 (the site closer to the city of Houston) is located within the floodway of a FEMA Special Flood Hazard Area Zone AE, or do I have the wrong location? Structures are prohibited in the floodway per your ordinance language. PID 03.0360.000 appears to be in the

Here is a [factsheet](#) for some considerations for siting in shoreland and floodplain areas. Here are a few things to consider:

- Will they need to do grading? Ensure the limits don't extend into the floodway and require a No Rise.
- Will it require tree clearing or a substantial land alteration?
- For the structures in the A Zone, has the FW/FF determination been completed to ensure they will be placed outside the floodway?
- All structures within the floodplain should be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; and recommend the posts are constructed with materials and utility equipment resistant to flood damage.
- Recommend the structures meet the structure setback and are not within the Shore Impact Zone.
- Condition the CUP for maintenance and intensive vegetation clearing within shoreland.
- Keep solar facilities off slopes steeper than 12%.
- Recommend native vegetation is planted around them to provide habitat.
- Follow MPCA guidance for erosion and sediment control and consider the stormwater run off does not exceed 25% impervious surface if within the shoreland district.
- Recommend they do coordination with US FWS for endangered species such as the Northern Long Eared Bat and consult with the [Minnesota Conservation Explorer](#) (this replaced the Natural Heritage Information System – NHIS) to ensure they follow state laws for threatened or endangered species and avoid a takings.



Hope that helps.

Thank you,

Nicole E. Lehman

Area Hydrologist | Ecological and Water Resources Division

Minnesota Department of Natural Resources

2118 Campus Dr. SE, Suite 100

Rochester, Minnesota 55904

Phone: 507-206-2854

Email: nicole.lehman@state.mn.us

mndnr.gov



From: Amelia Meiners <amelia.meiners@co.houston.mn.us>

Sent: Tuesday, September 12, 2023 11:28 AM

To: Lehman, Nicole (DNR) <nicole.lehman@state.mn.us>

Cc: Strauss, Ceil C (DNR) <ceil.strauss@state.mn.us>; Martin Herrick <Martin.Herrick@co.houston.mn.us>

Subject: Solar in floodplain; PID 06.0360.000 & 06.0216.000

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Nicole or Ceil,

I have a couple 37.5 kW solar array applications in now – one is adjacent to FEMA A zone and the other is in a detailed study area as flood fringe. All I can find in our ordinance is that solar arrays in floodplain require a CUP. That looks like a local requirement rather than DNR, but aside from the CUP and the requirement for utilities to be elevated are there any other special requirements I need to be aware of from a floodplain perspective? Since there's not technically a finished floor height should I require the bottom of panels be elevated above RFPE or are they considered "floodproofed" because they don't necessarily prohibit water movement like a structure would?

Thanks!

Amelia Meiners

Environmental Specialist

Houston County Environmental Services

304 S. Marshall St., Room 209

Caledonia, MN 55921

(507) 725-5800 (office)

(507) 500-1909 (cell)

Conditional Use Request
2023-CUP-171887

Fees Paid
\$746.00

Applicant
Minnsolar

Created
September 15, 2023

Number
2023-CUP-
171887

VIX,THOMAS C & JUDY A |
060216000 |
Submitted by Minnsolar on
9/15/2023



Applicant

Minnsolar

sales@minnsolar.com

Search Parcel Data Completed On 9/15/2023 10:06 AM EST by Minnsolar

ParcelID	Address	City	OwnerName	Acres
060216000			VIX,THOMAS C & JUDY A	41.460

CONDITIONAL USE INTRO Completed On 9/15/2023 10:06 AM EST by Minnsolar

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.

Application Fee:

Conditional Use Application Fee

\$700.00

Recording Fee:

Recording Fee

\$46.00

Application Type:

Conditional Use

APPLICANT INFORMATION Completed On 9/15/2023 10:08 AM EST by Minnsolar

Applicant Name

VIX,THOMAS C & JUDY A

Parcel Tax ID

060216000

Telephone Number

507-458-1706

Address

18568 State 16

City

Houston

Zip

55943

Legal Description

PT W'LY PT SW1/4 LY N OF HWY #16; DOC 265622

2

Section-Township-Range

32-104-006

Do you own additional adjacent parcels

Yes

Township of:

Houston

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

TOWNSHIP	NAME	PHONE
Black Hammer	Clayton Johnson	507-450-6384
Brownsville	Christine Novak	507-459-0636
Caledonia	Judith Massman	507-458-3294
Crooked Creek	David Winnes	507-542-4515
Hokah	Delayne Vogel	608-397-6516
Houston	John Beckman	507-896-3106
Jefferson	Anne Falken	320-493-8629
La Crescent	Jason Wieser	507-429-0133
Mayville	Erin Hammell	608-225-1830
Money Creek	Adam Florin	608-797-2515
Mound Prairie	Colleen Tracy	507-459-3573
Sheldon	Wayne Runningen	507-450-0065
Spring Grove	Mike Wiste	507-450-4638
Union	Craig Frederick	608-769-9541

Wilmington	Melissa Schroeder	608-780-3998
Winnebago	Luke King	507-725-8816
Winnebago	Joyce Staggemeyer	507-542-4637
Yucatan	Deb Dewey	507-896-3566

Submitted for Public Comment

CONDITIONAL USE REQUEST Completed On 9/15/2023 12:57 PM EST by Minnsolar[Click here to view the Houston County Zoning Ordinance](#)**Describe in detail your request.**

37.5kW AC ground mount Solar array

Citation of Ordinance Section from which the Conditional Use is requested:

29.8 Subdivision 1

Requested Dimension:

12'x205'

Please upload any supporting documents:[Site Plan - County.pdf](#)**CONDITIONAL USE FINDING OF FACTS** Completed On 9/15/2023 1:13 PM EST by Minnsolar[Click here to view the Houston County Zoning Ordinance](#)

Findings Required:

The Planning Commission shall not recommend a Conditional Use Permit unless they find that the requirements below are satisfied. As the applicant, it is your responsibility to demonstrate that your proposal satisfies these requirements. For each of the 15 criteria, please select the appropriate response and provide a detailed explanation.

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

Yes

Comments:

The Solar array will be within the property line setbacks

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

Yes

Comments:

Mark & Suzanne Runkel are installing the solar array to eliminate their solar usage and generate additional income

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

No

Comments:

There will be no impact to the water quality, as the highest quality of solar panels and steel beams are used for the ground mount solar array.

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

Yes

Comments:

The Solar array is positioned at 30' angle, so water runoff will be the same.

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

Yes

Comments:

There is a detailed study that delineates the area as flood fringe & the ground mount posts are pounded 9' deep.

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

N/A

Comments:

There are no pollution hazards with the Solar array

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

Yes

Comments:

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

N/A

Comments:

There will be no need for off-street parking or loading space

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

N/A

Comments:

There will be no traffic congestion or traffic hazard

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.

No

Comments:

The Solar array is tucked in an open area between the trees, so it will not be visible other than from within the property.

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.

No

Comments:

The Solar array will not impede development of the surrounding area

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.

N/A

Comments:

There is no odor, fumes, dust, noise, vibration or lights from the solar panel.

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

N/A

Comments:

There is no residential development planned

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.

N/A

Comments:

There is no commercial development planned

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.

N/A

Comments:

The solar array will not affect the public's health, safety, morals, and general welfare

SITE PLAN INFORMATION Completed On 9/15/2023 2:14 PM EST by Minnsolar

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

Upload Site Plan

[Site Plan - County.pdf](#)

Use the Interactive Map to Create a Site Plan. Map tools: Click the plus and minus buttons in the upper left of the map window, to zoom in/out. Navigation Mode - Scroll up to zoom in, scroll down to zoom out. Click and hold to pan around map. Text Mode - To place text on the map, click on the "Add Text" tool, click the place on the map where you would like the text to be displayed, then enter the text in the box that appears at the top of the screen, click ok to display the text on the map. Draw a point - Click once on the map where you would like the point to be. Draw a Line - Click once on map to start drawing a line, double click to stop drawing line. Draw a Polyline - Click once on map to start drawing a polygon, click map at each vertex and double click to finish polygon drawing. Draw a Rectangle - Click once on the map where you would like the rectangle to be. The rectangle will appear on the map. Click on the Select tool and click on the rectangle to resize (click an outside square and drag to resize), rotate (click, hold and drag the circle on top of the rectangle to rotate) or delete (click the rectangle and hit the delete button). Measure - Click once on map to start draw a line with a measurement, click map at each vertex and double click to finish drawing. If you double click near starting point area measurement will also be calculated. Undo Last Edit - Click tool to undo last drawing edit. Undo All Edits - Click tool to undo all drawing edits.

☐ Sketch Layer

☐ Reference Layer

☒ Mapproxy



Powered by Esri

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

APPLICATION SUBMITTAL Completed On 9/22/2023 11:58 AM EST by Minnsolar

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.

Yes

Signature

Date Signed:

9/22/2023

Check this box if Staff Signature on behalf of Applicant.

Submitted for Public Comment

APP SUBMITTED/PAYMENT SELECTION Completed On 10/16/2023 1:18 PM EST by AmeliaM

Fee Summary

Conditional Use Application Fee	\$700.00
Recording Fee	\$46.00
Total Fees	\$746.00
Total Due	\$0.00

Payments Made

Payment Method	Paid On	Confirmation Number	Amount	
Check	October 16, 2023 1:18 PM	5382	\$746.00	VIEW RECEIPT
Total Paid: \$746.00				

HOUSTON TOWNSHIP REVIEW Completed On 10/16/2023 1:18 PM EST by AmeliaM

Notice to Township

An email notification of information provided in the application will now be sent to Houston Township for review. Townships have seven days to provide comments on this application.

Date email sent:

10/16/2023

APPLICATION DATE Completed On 10/16/2023 1:19 PM EST by AmeliaM

What Stage is the Application At?

Application reviewed and determined complete.

Application Date (Complete Application)

09/27/2023

Date of Notice of Incomplete Application

Comments

Please upload any supporting documents:

DATES Completed On 10/16/2023 1:19 PM EST by AmeliaM

Advertising Date

10/16/2023

Planning Commission Meeting Date

10/26/2023

Meeting Time

5:50PM

Comments**Email DATES** Completed On 10/16/2023 1:19 PM EST by AmeliaM**Delivered** on Monday, October 16, 2023 at 1:19 PM CDT**Options**

Send to the applicant? No

Send to members of the following roles:

Township Hearing Notice

Recipients

To:

samuel.jandt@co.houston.mn.us
brian.pogodzinski@co.houston.mn.us
tracy.schnell@state.mn.us
nicole.lehman@state.mn.us
david.a.studenski@usace.army.mil
goosey10@hotmail.com
valiree.green@state.mn.us
caledoniaclerk@acegroup.cc
swetterlin@cityofiacrescent-mn.gov
bwaller@cityofiacrescent-mn.gov
cityclerk@acegroup.cc
brownsvi@acegroup.cc
eitzen@acegroup.cc
mquinn@houstonmn.us
ryan.hytry@usda.gov
marna.hills@state.mn.us
cityhall@springgrovemn.com
amelia.meiners@co.houston.mn.us
sheldon.township@gmail.com
joes@acegroup.cc
btownship@goacentek.net
liztostenson1@gmail.com

dwinnes@multistack.com
noldenerin@gmail.com
adamflorin@me.com
blackhammer49@hotmail.com
caledonia.township.clerk@gmail.com
mjbuttell@gmail.com
dewdrop@acegroup.cc
lukeking81@yahoo.com
mptclerk@gmail.com
hammell@acegroup.cc

Subject: Conditional Use Notice for Public Hearing

Notice of Public Hearing. A hearing on a Conditional Use request will be held at 5:50PM on 10/26/2023 at the Houston County Courthouse.

Applicant: VIX, THOMAS C & JUDY A:

Parcel ID: 060216000

The purpose of the hearing is to consider a request for: 37.5kW AC ground mount Solar array

If you have questions or wish to provide comments regarding this request, please email them to martin.herrick@co.houston.mn.us.

Martin Herrick

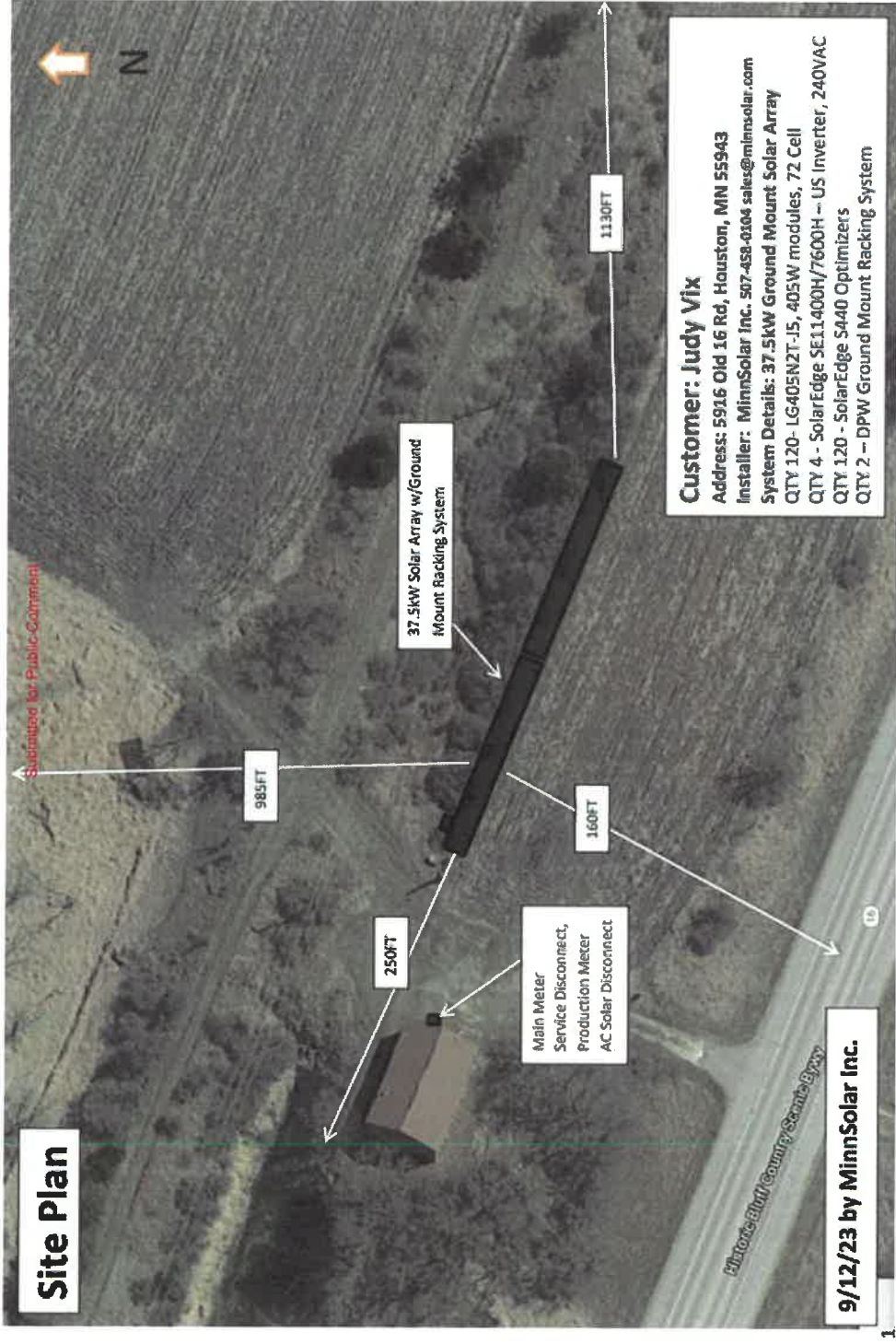
Number: 2023-CUP-171887
Workflow: Conditional Use Request
Description: VIX, THOMAS C & JUDY A | 060216000 |
Created On: 9/15/2023

[View Application](#)

External Notes

Documents

Site Plan



Customer: Judy Vix
Address: 5916 Old 16 Rd, Houston, MN 55943
Installer: MinnSolar Inc. 507-458-0104 sales@mindsolar.com
System Details: 37.5kW Ground Mount Solar Array
QTY 120 - LG405N2T-J5, 405W modules, 72 Cell
QTY 4 - SolarEdge SE11400H/7600H - US Inverter, 240VAC
QTY 120 - SolarEdge S440 Optimizers
QTY 2 - DPW Ground Mount Racking System

9/12/23 by MinnSolar Inc.

BFE = 688-ft (NGVD88)

RFPE = BFE + 1.5 ft **689.5-ft**

The panels will be elevated 36" (or 3-ft) above ground for electrical equipment. Based on natural ground from MnTOPO it appears the electrical equipment will be elevated above the RFPE.



Natural ground

MnTOPO Elevation Profile

Submitted for Public Comment

Beacon™

Houston County, MN

Map

Search

Copy Search

Results

Group Results

Parcel Report

History/Map

Apply for Permits

Layer List

Legend

Quick Links

Property Search

View Map

Layers

☒ Parcel

☐ Easements

☐ Quarters

☐ Quarter-Quarters

☐ Corridors

☐ Subdivisions

☐ Blocks

☐ Lots

☒ Corporate Limits

☒ Emergency Services

☒ Surveyor

☒ Transportation

☒ Zoning

☒ Surface

☐ Contours

☐ Percent Slope

☐ Salt

☒ Watershed

☐ DNR Rivers and Streams

☒ Floodplain

☐ Streams

☐ Wetlands

☒ Community Districts

☒ Assessment Layers

☒ Aerial Photography (2023)

☐ Aerial Photography (2020)

☐ Aerial Photography (2017)

☐ Aerial Photography (2014)

Basemap Layer Defaults

Results

Parcel ID: 040216000

Owner: VICKTHOMAS C & JUDY A

Acres: 41.46

View: [Parcel Report](#) | [Document](#) | [Map](#)

esri

040216000

Owner Address: VICKTHOMAS C & JUDY A
1856 STATE LG
HOUSTON, MN 55943

Alternate ID's:
Class: 101-AGE/CULTURAL
Acres: 41.46
HSTN135D2847G5
PT 1/4LY PT 5/4LY N OF HWY #16, DOC 2656223
Please: Not to be used on legal documents!

Parcel ID: 040216000
Sec/Twp/Rng: 32-194-006
Property Address:
District:
Brief Tax Description:

ParcelMapWithFloodplain

BFE = 688-ft (NGVD88)

RFPE = BFE + 1.5 ft **689.5-ft**

Submitted for Public Comment

- ☒ FEMA Floodplain and Floodway
- ☒ Base Flood Elevations
- ☒ Estimated 1% Water Surface Elevations
- ☒ Cross Sections
- ☐ dfirm_lomr
- ☒ Floodway
- ☒ FLOODWAY: ADMINISTRATIVE FLOODWAY
- ☒ 100 Year Floodplain
- ☒ FLD_ZONE
- ☐ A
- ☐ AE
- ☐ AH
- ☐ AO
- ☐ 500 Year Floodplain
- ☐ ZONE SUBTY
- ☐ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- ☐ AREA WITH REDUCED FLOOD RISK DUE TO
- ☐ DFRM Panels
- ☐ HYDRO FEATURES MISC
- ☐ DOT Bridge and Culvert Inventory
- ☐ Bridges
- ☐ Culverts
- ☐ WETLANDS
- ☐ FILLMORE DATA
- ☐ OLIMSTED DATA
- ☐ BEDROCK-SOILS
- ☐ MPADS
- ☐ Calc. Fens, Springs, Karst, Mussels
- ☐ LIDAR-Hillshade
- ☐ elevation/mindm_lidar_contours_2ft_utm
- ☐ LIDAR Based 2' Contours
- ☐ HPI Layer
- ☐ Best Available Resolution Hillshade (Image Ser
- ☐ MxGeo WMS service (aerial photography)
- ☐ Hillshade (LIDAR)
- ☐ Olimsted dem01hs
- ☐ Fillmore dem01hs





0 0.15 0.3 0.6 Miles

Datums for LIDAR contours:
Vertical NAV88 | Horizontal NAD83

Sources:
-MNDNR contours from MnTOPO
-FEMA National Flood Hazard Layer
See LFEQ FAQ for data source details:
http://files-intranet.dnr.state.mn.us/user_files/3687/lfeo-faq.pdf

Date: Tue Sep 26 2023 07:12:49

Comments: PID #06.0216.000

Disclaimer: The State of Minnesota, Department of Natural Resources, Ecological and Water Resources Division assumes no responsibility for and disclaims all liability for any typographical or other errors on this site. The DNR may make changes to the lake floodplain elevations at any time and without notice.



Saint Paul, MN 55155

22 October 2012

Eric Ratcliffe
STARR MT-1 Project Manager
Atkins Global
3901 Calverton Boulevard, Suite 400
Calverton, MD, 20705

RE: Certification of Minnesota LiDAR Quality

Dear Mr. Ratcliffe:

Attached you will find a signed and sealed Certification Statement for LiDAR that was collected by the Minnesota Department of Natural Resources and its numerous partners. Due to the size of the State, a regional approach was selected. As part of the project planning process, we wanted to engage the county governments to be partners in this project. A decision was made to report accuracy on the county level as part of that engagement.

If you have any additional questions concerning the testing process, please contact me at 651.366.3457.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter W. Jenkins".

Peter W. Jenkins, PLS, CFedS
Photogrammetric Unit Supervisor

Enclosures:
Certification Letter

cc:

S. Jiwani
T. Loesch

An Equal Opportunity Employer



Certification of Minnesota LiDAR Data Quality

Project Area: SE Minnesota

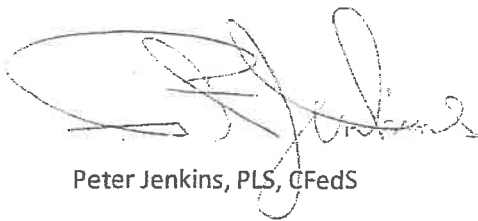
Counties covered: Dodge, Fillmore, Freeborn, Houston, Mower, Olmsted, Steele, Wabasha, and Winona

Date of acquisition: November 18-24, 2008

Horizontal Positional Accuracy: All these data products were acquired at 2400 meters above mean terrain (AMT) and have a horizontal accuracy of 0.40 meters, with a nominal point spacing of 1.0 meters.

Vertical Positional Accuracy: Accuracy of the dataset was verified by a second set of ground control points provided and tested by the State of Minnesota. The Consolidated Vertical Accuracy (CVA) of the TIN as tested by the State of Minnesota achieved 0.287 meters at a 95% confidence level of all land cover categories. 1009 test points covering the 5 land classes as defined by ASPRS and NDEP were used in this evaluation. The vertical RMSE and sample count per county as tested by the State of Minnesota is as follows: Dodge 0.129m, 121; Fillmore 0.155m, 128; Freeborn 0.144m, 126; Houston 0.134m, 110; Mower 0.161m, 115; Olmsted 0.117m, 125; Steele 0.125m, 137; Wabasha 0.106m, 97; Winona 0.161m, 176.

This is to certify that the work summarized above was completed in accordance with sound and accepted surveying practices and meets the accuracy requirements in the USGS's Lidar Guidelines and Base Specifications.



Peter Jenkins, PLS, CFedS

MN PLS # 22683

Photogrammetric Unit Supervisor

Minnesota Department of Transportation



**HOUSTON COUNTY
AGENDA REQUEST FORM
November 7, 2023**

Date Submitted: 11/1/2023

By: Brian Swedberg, Sheriff

ACTION REQUEST:

Request to approve budgeting the Houston County Jail for 2024 and then review the jail budget/operations at the July 2024 BOC meeting.

CONSENT AGENDA REQUEST:

Reviewed by:

___ **HR Director**

___ **x**

**County
Sheriff**

___ **Finance Director**

**County
Engineer**

___ **IS Director**

PHHS

___ **County Attorney**

**Other
(indicate
dept)**

___ **Environmental Svcs**

Recommendation:

Decision: