

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: July 23, 2024

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Dewey Severson, Eric Johnson, Robert Burns, Bob Schuldt (attended remotely via zoom), and Greg Myhre

Others Present: Interim Auditor/Treasurer Polly Heberlein, Fillmore County Journal Reporter Charlene Selbee, The Caledonia Argus Associate Editor Rose Korabek, Interim Administrator Carol Lapham, Board Clerk/EDA Director Allison Wagner, Recorder Mary Betz, Public Health and Human Services Director John Pogleasa, Public Health Supervisor Jordan Knoke, Deputy Auditor/Treasurer Mark Bennett, Deputy Auditor/Treasurer Amy Sylling, Engineer Brian Pogodzinski, Human Resources Director Theresa Arrick-Kruger, Assessor Lucas Onstad, IT Director Andrew Milde, Zoning Administrator Amelia Meiners, Shirley Johnson, Deb Wray, and Chuck Schulte

Presiding: Chairperson Johnson

Call to order.

Pledge of Allegiance.

Motion was made by Commissioner Burns, seconded by Commissioner Severson motion unanimously carried to approve the agenda. The Commissioners voted by roll. All commissioners voted yes.

Prior to the minutes being approved Commissioner Severson said he noticed the list of payments in the minutes had amounts that appeared to be off by one line. He asked that this be corrected. Motion was made by Commissioner Severson, seconded by Commissioner Myhre, motion unanimously carried to approve the meeting minutes from July 16, 2024 with the correction. The Commissioners voted by roll. All commissioners voted yes.

Public Comment:

Chuck Schulte spoke against the decision (that had been made the week prior) to increase wheelage tax in Houston County from \$10.00 to \$20.00. He said “you are looking at the wrong end of the stick”, and suggested the County should contact the State for a larger share of the cost. Schulte said he had also noticed that the Board of Commissioner meeting recordings on the website were dated, and that the last one was from June. He said the recordings should be updated in a more timely manner.

APPOINTMENTS

Houston County Historical Society President Shirley Johnson and Houston County Historical Society Vice President Deborah Wray gave a Houston County Historical Society annual presentation to the board. Johnson thanked the County board and residents for their continued support. She said projects continued, as they were working to maintain their buildings. She said a new Houston County artists art gallery would be on display at the Historical Society. Commissioner Johnson said he enjoyed seeing new displays each year at fair time. He thanked the Historical Society volunteers for their service. The Commissioners agreed.

CONSENT AGENDA

Prior to any motions being made Commissioner Myhre said he wanted to see Consent Agenda Item No. 2 be pulled from the consent agenda and moved to discussion items, as there was a possibly of combining departments, and not needing a department head solely for Environmental Services. Myhre said he was still in favor of Amelia Meiners temporarily filling the role in the interim. The Commissioners discussed the matter of advertising for an Environmental Services Director despite the fact that the department might be restructured in the future. Kruger said the position could be advertised, and the board could still decide not to fill it. It was eventually decided that the matter would stay on the Consent Agenda. Commissioner Johnson asked about the step for the Interim County Environmental Services Director. He said the step was more than a 3% increase that was typically used. He said his comment was in no way a reflection of the good work the person was doing, but that he wanted to make sure the County was being fair. Kruger agreed, but said this was an extenuating circumstance as the department was already short staffed in addition to the current Environmental Services Director leaving. She also said the Interim Director was coming into the role with previous experience in the role. Commissioner Johnson said he wanted it to be clear that this was an interim appointment, and that in the future it could be decided there was not a need for a permanent Environmental Services Director. Motion by Commissioner Severson, seconded by Commissioner Burns, motion unanimously carried to approve the consent agenda. The Commissioners voted by roll. All Commissioners voted yes. Items are listed below.

- 1) Appoint Amelia Meiners as the Interim County Environmental Services Director, D61, Step 5, effective 08/05/2024.
- 2) Initiate a competitive search for an Environmental Services Director.
- 3) Change Lynn Colsch's appointment from .75 FTE to 1.0 FTE effective 07/29/2024.
- 4) Change the employment status of Social Worker, Jennifer Curtis, from probationary to regular, effective 08/12/2024.
- 5) Initiate a competitive search for a 1.0 FTE probationary PHHS Account Clerk, B23.
- 6) Approve revising the current Public Health Nurse search to that of a PHN or Staff RN. (Staff RN hire will be required to attain the PHN status within 3 years from date of hire.)

ACTION ITEMS

File No. 1 – Commissioner Severson moved, Commissioner Myhre seconded, motion unanimously carried to approve Resolution No. 24-24 and Final Acceptance for Airport Hanger Contract Nadeau Companies, LLC. The Commissioners voted by roll. All Commissioners voted yes. Resolution is below.

RESOLUTION NO. 24-24

**FINAL ACCEPTANCE FOR AIRPORT HANGAR TAXILANE CONTRACT
NADEAU COMPANIES, LLC**

July 23, 2024

WHEREAS, The Contract for the Airport Hangar Taxilane construction has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 2 – Commissioner Burns moved, Commissioner Schuldt seconded, motion unanimously carried to approve the MN/Dot Aeronautics grant for the Fuelmaster card reader grant and adopt Resolution No. 24-25. The Commissioners voted by roll. All Commissioners voted yes. Resolution is below.

RESOLUTION NO. 24-25

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

BE IT RESOLVED by the County of Houston as follows:

1. That the State of Minnesota Agreement No. 1057508, “Grant Agreement for Airport Improvement Excluding Land Acquisition,” for State Project No. A2801-36 at the Houston County Airport is accepted.
2. That the County Board Chairperson and Interim County Auditor/Treasurer are authorized to execute this Agreement and any amendments on behalf of the County of Houston.

File No. 3 – Engineer Pogodzinski said he wanted to clarify a section of minutes that had been previously approved. Commissioner Severson moved, Commissioner Burns seconded, motion unanimously carried to clarify 7-2-24 board minutes under File No. 2 to indicate repairs to the building and not an entire new building. The Commissioners voted by roll, and all voted yes to the clarification. Minutes should have read: Commissioners discussed repairs to the

Spring Grove salt shed that had occurred due to an accident. Repairs to the shed would cost \$58,950.00. The Highway Department would also need to remove some materials from the shed. The building had a \$2,500 deductible. MCIT was willing to cover the costs and up to 30% of a replacement cover, or the cover could be repaired. Pogodzinski suggested getting a new cover as it had held up beyond it's warranty. The new cover would have a 25 year warranty. The cost to the County would be \$10,000. Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to approve spending \$10,000 towards a new hoop cover with the rest of the repairs being covered by MCIT.

File No. 4 – Commissioners discussed the possibly of applying to a Ucare grant to support building renovations at the Public Health Office with Public Health and Human Services Director Pogleasa and Public Health Supervisor Knoke. Commissioner Burns asked if the grant required a match. Pogleasa said he was not sure. Commissioner Johnson asked what specific items would be requested through the grant. Pogleasa said they did not know yet, as the grant had just recently been released. He said if grant funds were awarded the matter would come back before the board to be accepted. Commissioner Burns moved, Commissioner Severson seconded, motion carried four to one to approve Ucare grant application to support building renovations at the Public Health Office. The Commissioners voted by roll. Commissioners Severson, Burns, Schuldt, and Myhre voted yes. Commissioner Johnson voted no saying the board did not have enough information.

File No. 9 – Commissioner Severson moved, Commissioner Myhre seconded, motion unanimously carried to review and approve payments. Payment are below.

REVIEW LICENSE CENTER PAYMENTS

2024/07/17 AUDITOR WARRANTS:

VENDOR NAME	AMOUNT
HAGEN/PAUL	31,297.50
NORTHERN STATES POWER	6,452.00
SE SWCD TECHNICAL SUPPORT JPB	11,062.08
WITT/KENNETH	25,601.78
	<u>74,413.36</u>
6 VENDORS PAID LESS THAN \$2000.00	4,429.82
	<u><u>78,843.18</u></u>

2024/07/23 COMMISSIONER'S WARRANTS:

VENDOR NAME	AMOUNT
DUNN BLACKTOP COMPANY	1,336,965.43
ENTERPRISE FM	16,918.30
LIBERTY TIRE RECYCLING LLC	3,401.40
MIENERGY COOPERATIVE	4,660.57
MNCCC	12,836.62
NADEAU COMPANIES LLC	13,565.40
OFFICE OF MNIT SERVICES	2,342.15
RON WEYMILLER CONSTRUCTION	12,834.93
STREET SMART RENTALS LLC	3,010.94
TRIMIN SYSTEMS INC	20,944.00
	<u>1,427,479.74</u>
22 VENDORS PAID LESS THAN \$2000.00	<u>9,916.34</u>
	<u>1,437,396.08</u>
PUBLIC HEALTH & HUMAN SERVICES	<u>6596.58</u>
	<u><u>1,443,992.66</u></u>

Public Comment:

None.

DISCUSSION ITEMS

Commissioners discussed recent and upcoming meetings including a Department Head, Hiawatha Valley Mental Health, Wildcat, and Zoning meeting.

Commissioner Johnson said a member of the Historical Society would be attending the next workgroup session to discuss possibilities for the old historic jail.

Commissioner Myhre said he wanted the County to put out a RFP to look at health insurance options.

Commissioner Myhre said he had been visiting some townships.

There being no further business at 10:24 a.m., a motion was made by Commissioner Severson seconded by Commissioner Myhre, motion unanimously carried to adjourn the meeting. The Commissioners voted by roll. All Commissioners voted yes. The next meeting would be a regular meeting on August 6, 2024.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Eric Johnson, Chairperson

Attest: _____
Carol Lapham, Interim Administrator

HOUSTON COUNTY AGENDA REQUEST FORM

Date Submitted: 8.6.24

By: Polly Heberlein, Interim Auditor/Treasurer

ACTION ITEM:

Review Cash and Investments thru June 30, 2024

<u>Reviewed by:</u>	<input type="checkbox"/> HR Director	<input type="checkbox"/> County Sheriff	
	<input checked="" type="checkbox"/> Finance Director	<input type="checkbox"/> County Engineer	
	<input type="checkbox"/> IS Director	<input type="checkbox"/> Other	
	<input type="checkbox"/> County Attorney	<input checked="" type="checkbox"/> Other (Indicate dept)	Interim Auditor/Treasurer
	<input type="checkbox"/> Environmental Svcs		
<u>Recommendation:</u>			
<u>Decision:</u>			

Account Type	Amount		Investment Breakdown	
			Houston County ending 6/30/2024	
Eitzen Special	\$	3,269,861.61	Liquid	\$ 3,769,861.61
ICS Account-Merchants	\$	500,000.00		
Total Liquid \$	\$	3,769,861.61	1-3 years	\$ 3,823,931.01
			4-5 Years	\$ 2,567,900.48
			6+ Years	\$ 496,292.00
Certificates of Deposit & Bonds			Total	\$ 10,657,985.10
Matures 1-3 yrs	\$	3,823,931.01		
Matures 4-5 yrs	\$	2,567,900.48		
Matures 6-10 yrs	\$	496,292.00		
Total investments	\$	6,888,123.49		
Grand Total	\$	10,657,985.10	6/30/2024	

Investment Maturity

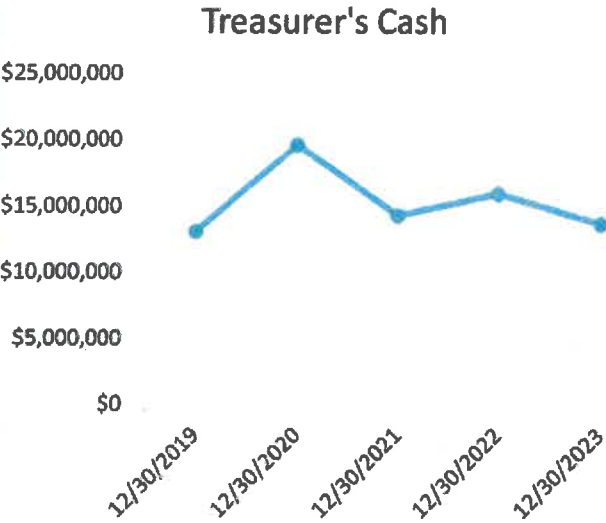
● Liquid
● 1-3 years
● 4-5 Years
● 6+ Years

	Amount	% Rate	Maturity	Broker/Bank
1-3 years	\$ 69,871.51	5.50%	7/19/2024	Raymond James
	\$ 105,000.00	0.55%	7/30/2024	Wells Fargo
	\$ 150,000.00	2.20%	7/31/2024	Multi Bank
	\$ 225,000.00	2.50%	8/13/2024	ESB
	\$ 100,000.00	2.20%	9/5/2024	ESB
	\$ 50,000.00	5%	12/22/2024	Rushford St Bk
	\$ 100,000.00	4.50%	10/21/2024	Multi Bank
	\$ 98,000.00	4.10%	3/28/2025	Multi Bank
	\$ 200,000.00	4.90%	3/29/2025	ESB
	\$ 200,000.00	5.00%	4/11/2025	ESB
	\$ 150,000.00	4.80%	4/24/2025	Multi Bank
	\$ 200,000.00	3.10%	5/20/2025	Multi Bank
	\$ 150,000.00	1%	6/19/2025	Multi Bank
	\$ 100,000.00	3.40%	8/4/2025	Multi Bank
	\$ 200,000.00	4.90%	9/27/2025	ESB
	\$ 200,000.00	4.80%	11/6/2025	Multi Bank
	\$ 90,258.28	2.84%	12/15/2025	Raymond James
	\$ 248,000.00	4.75%	3/2/2026	Multi Bank
	\$ 200,000.00	4.90%	3/16/2026	Multi Bank
	\$ 100,000.00	5%	3/16/2026	Raymond James
	\$ 100,000.00	5%	3/24/2026	Multi Bank
	\$ 200,000.00	1%	7/14/2026	Wells Fargo
	\$ 150,000.00	4.75%	4/28/2026	Rushford St Bk
	\$ 192,801.22	4.82%	7/1/2026	Raymond James
	\$ 95,000.00	1%	7/28/2026	Wells Fargo
	\$ 150,000.00	1.10%	9/28/2026	Wells Fargo
1-3 years	\$	3,823,931.01		
4-5 years	\$	150,000.00	3.20%	2/1/2027 Raymond James
	\$	150,000.00	1.60%	2/16/2027 Multi Bank
	\$	248,000.00	4.85%	6/7/2027 Multi Bank
	\$	150,000.00	1%	9/30/2027 Multi Bank
	\$	100,000.00	5%	10/20/2027 Raymond James
	\$	150,000.00	1.40%	1/14/2028 Multi Bank
	\$	150,000.00	4.35%	4/13/2028 Raymond James
	\$	150,000.00	4.75%	4/27/2028 ESB

	\$	86,900.48	4.82%	8/1/2028	Raymond James
	\$	248,000.00	5.35%	11/15/2028	Multi Bank
	\$	243,000.00	5.40%	12/12/2028	Multi Bank
	\$	248,000.00	5.50%	12/22/2028	Multi Bank
	\$	250,000.00	4%	3/27/2029	ESB
	\$	244,000.00	4.60%	5/22/2029	Multi Bank
	\$	2,567,900.48			
Total 6+ years	\$	248,000.00	1.20%	12/2/2030	Multi Bank
	\$	150,000.00	5.20%	12/15/2031	Multi Bank
	\$	98,292.00	3.876%	12/1/2034	Raymond James
	\$	496,292.00			

FINANCE PRESENTATION	CASH BOOK TOTAL 5 - YEAR PERIOD		
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12/30/2019	\$13,079,133
3/30/2020	\$11,038,126
6/30/2020	\$14,566,690
9/30/2020	\$15,858,223
12/30/2020	\$19,617,188
3/31/2021	\$17,303,395
6/30/2021	\$19,639,249
9/30/2021	\$16,432,168
12/30/2021	\$14,316,148
3/31/2022	\$11,278,501
6/30/2022	\$18,687,546
9/30/2022	\$13,835,621
12/30/2022	\$15,967,758
3/31/2023	\$12,581,749
6/30/2023	\$15,460,992
9/30/2023	\$12,509,519
12/30/2023	\$13,701,812
3/31/2024	\$14,875,428
6/30/2024	\$24,327,604



Preparing to pay settlement out

**HOUSTON COUNTY
AGENDA REQUEST
August 6, 2024**

Date Submitted: July 31, 2024

By: Tess Kruger, HRD/Facilities Mgr.

ACTION

- **Approve the Stipulation between MAPE and LELS, for Chief Deputy position unit representation to be LELS.**

APPOINTMENT REQUEST

NONE

HR CONSENT AGENDA REQUEST

Environmental Services

- **Initiate a competitive search for a probationary 1.0 FTE Environmental Services Technical Clerk, B-21 (Note, this position will also provide general office support to the Assessor's Office)**

Highway

- **Hire Harley Thompson as a probationary 1.0 FTE, Highway Maintenance Specialist, B23, Step 2, effective 08/19/2024 conditioned upon successful completion of background check**

Public Health & Human Services

- **Hire Celia Rose as a probationary 1.0 FTE, Adult Services Social Worker, C41, Step 1, effective 08/26/2024 conditioned upon successful completion of background check**

CC:

<input type="checkbox"/>	HR Director	<input type="checkbox"/>	Sheriff
<input checked="" type="checkbox"/>	Finance Director	<input checked="" type="checkbox"/>	Engineer
<input type="checkbox"/>	IS Director	<input checked="" type="checkbox"/>	PHHS
<input type="checkbox"/>	County Attorney	<input type="checkbox"/>	(indicate
<input checked="" type="checkbox"/>	Environmental Svcs	<input type="checkbox"/>	other dept)

STATE OF MINNESOTA
BUREAU OF MEDIATION SERVICES

IN THE MATTER OF A PETITION FOR
CLARIFICATION OR AMENDMENT OF
APPROPRIATE UNIT

BMS Case No.

Law Enforcement Labor Services, Inc.

JOINT STIPULATION

and

Houston County, Minnesota

RECITALS

WHEREAS, pursuant to the Certification of Exclusive Representative order dated August 23, 2011, and issued in BMS Case No. 11-PCE-0827, the bargaining unit, certified to Minnesota Association of Professional Employees (hereinafter MAPE Unit) was determined to be as follows:

All professional supervisory employees employed by the County of Houston, Caledonia, Minnesota, who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding confidential employees.

WHEREAS, the job classification of Chief Deputy with the Houston County Sheriff's Office requires a peace officers license issued by the State of Minnesota and is a supervisory classification.

WHEREAS, the job classification of Chief Deputy is included in the MAPE Unit pursuant to the Certification of Exclusive Representative Order dated August 23, 2011.

WHEREAS, the job classification of Chief Deputy is the only licensed peace officer job classification included in the MAPE Unit.

WHEREAS, the parties to this Joint Stipulation understand that the employees included in the MAPE Unit want to divide the MAPE Unit into two separate units pursuant to Minn. Stat. § 179A.09, subd. 3: one for licensed peace officers and the other for other essential employees within the MAPE Unit.

WHEREAS MAPE disclaims any interest in representing the licensed peace officers.

NOW, THEREFORE, MAPE, LELS and Houston County agree to the following:

1. MAPE, LELS and Houston County agree it is appropriate to divide the MAPE Unit into peace officer licensed and non-licensed groups and to clarify and amend unit certifications as follows:

Unit 1: All professional supervisory employees employed by the County of Houston, Caledonia, Minnesota, excluding licensed peace officers who are public employees within the meaning of Minn. Stat. § 179A.03, subd. 14, excluding confidential employees.

Unit 2: All essential licensed employees of the Houston County Sheriff's Office, Caledonia, Minnesota in the job classification of Chief Deputy, who are public employees within the meaning of Minn. Stat. § 179A.03, subd. 14, excluding confidential employees within the meaning of Minn. Stat. § 179A.03, subd. 4, and all other employees.

- B. Since MAPE disclaims any interest in representing Unit 2, MAPE, LELS and Houston County further agree that MAPE shall remain as the certified representative for Unit 1 and that LELS shall be certified as the representative for Unit 2.

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AN INDEPENDENT EVALUATION OF THE

James A. McArthur

Representative of L.B. Egle and Partners, Inc. Services, Inc.

MINNESOTA ASSN. OF PROFESSIONAL
EMPLOYEES.

Utkom Kamp

3

**HOUSTON COUNTY
AGENDA REQUEST FORM**

Date Submitted: 7/30/2024
By: Polly Heberlein

CONSENT AGENDA REQUEST:

ACTION ITEM:

Select two members of the county board to be appointed to the County Canvassing Board for the State Primary Election to be held on August 13, 2024. Board members appointed to the canvassing board cannot be candidates at the election per *MN 204C.31. subd 1*. The canvassing meeting will be scheduled for August 15th at 2:00 p.m. in the Commissioner’s room.

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

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: **7/31/2024**

Person requesting appointment with County Board: Amelia Meiners

Issue:

CUP Approvals/Denials: 1) CUP for Mensink/Bartsch to place a dwelling on less than 40 acres in Houston Twp. (PC recommended approval). 2) CUP for Ladsten to place a dwelling on less than 40 acres in Spring Grove Twp. (PC recommended approval). 3) CUP for Wurm for accessory building in a residential district in Caledonia Twp. (PC recommended approval).

Justification:

Action Requested:

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

For County Use Only			
Reviewed by:	<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)	
<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.

**HOUSTON COUNTY
PLANNING COMMISSION AND BOARD OF ADJUSTMENT
Thursday, July 25, 2024**

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

PLANNING COMMISSION

Approve Minutes for May 23, 2024.

CONDITIONAL USE HEARINGS:

- 5:00 pm ***Dale & Sally Mensink and Scott & Tina Bartsch – Houston Township***
Conditional Use Permit to place a dwelling in the Agricultural Protection District
(Section 14 – 14.3 Subdivision 1, Subsection 10).
- 5:20 pm ***Tyler Ladsten – Spring Grove Township***
Conditional Use Permit to place a dwelling in the Agricultural Protection District
(Section 14 – 14.3 Subdivision 1, Subsection 10).
- 5:40 pm ***Augedahl & Moenck Builders, LLC for Nathan & Jennifer Wurm – Caledonia Township***
Conditional Use Permit for an accessory building in a Residential District
(Section 29 – 29.14, Subdivision 1, Subsection 4 and Section 15 – 15.3, Subdivision 1, Subsection 11).

BOARD OF ADJUSTMENT

Approve Minutes for June 27, 2024.

VARIANCE HEARING:

- 6:00 pm ***Augedahl & Moenck Builders, LLC for Nathan & Jennifer Wurm – Caledonia Township***
Variance to allow an accessory building to exceed the height of the principal building.
(Section 29 – 29.14, Subdivision 1 (3)).

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE:

That an application has been made by Scott & Tina Bartsch and Dale & Sally Mensink, 14889 Paradise Drive, Houston, MN 55943, for a Conditional Use Permit to have a dwelling in an agricultural district (Section 14 – 14.3 Conditional Uses, Subdivision 1, Subsection 10) in Houston Township on the following premises, to-wit:

PT SE1/4 SE1/4 LY S OF TWP RD, Section 21, Township 104, Range 6, Houston County, Minnesota (Parcel 06.0108.001)

Said applicants are standing and making application as fee owner of said described lands.

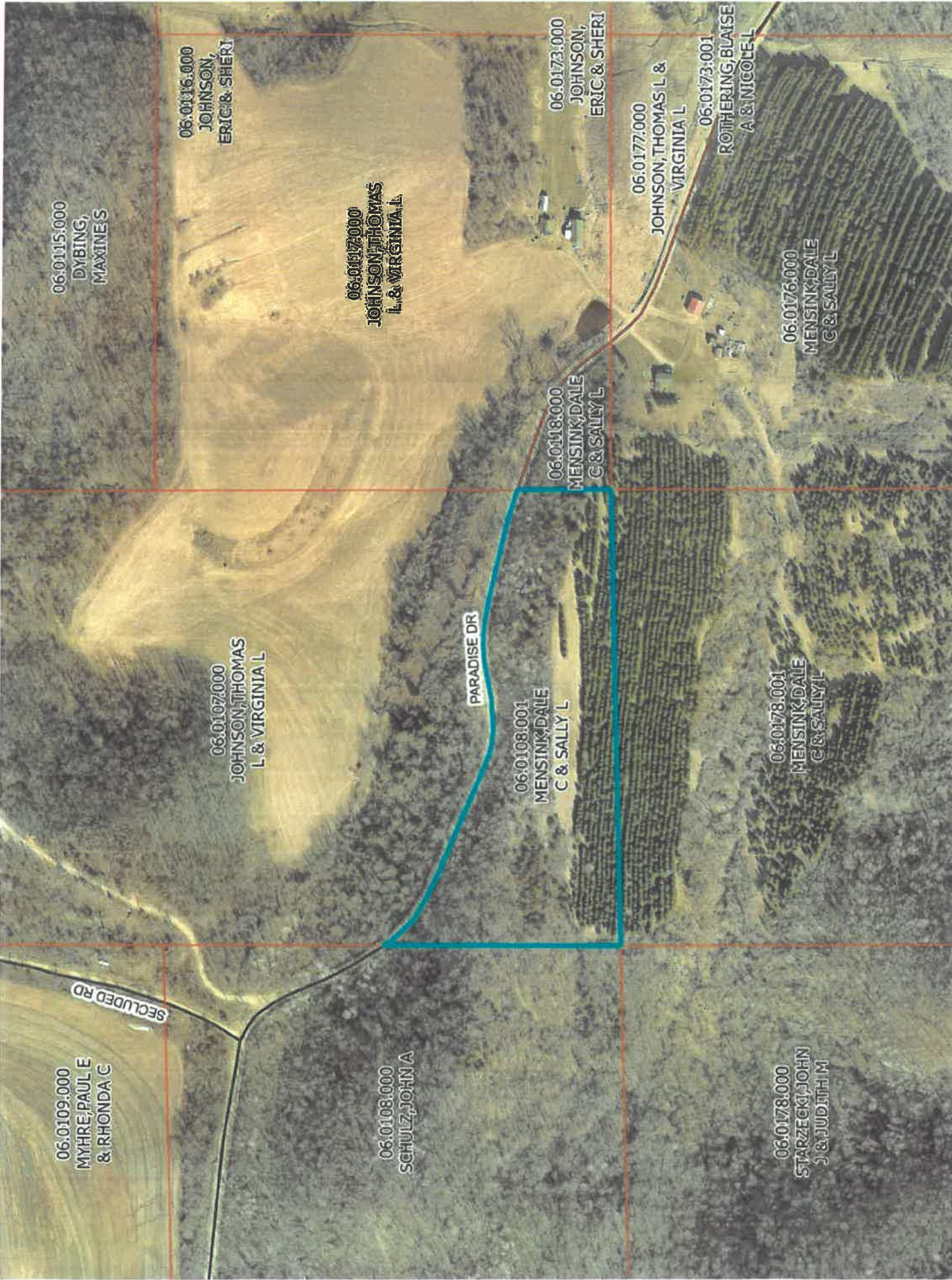
A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 5:00 p.m. on Thursday, July 25, 2024.

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 Tuesday, July 16, 2024. 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: July 10, 2024



06:0115:000
DYBING,
MAXINE S

06:0116:000
JOHNSON,
ERIC & SHERI

06:0117:000
JOHNSON, THOMAS
L & VIRGINIA L

06:0173:000
JOHNSON,
ERIC & SHERI

06:0177:000
JOHNSON, THOMAS L &
VIRGINIA L

06:0173:001
ROTHERING, BLAISE
A & NICOLE L

06:0176:000
MENSINK, DALE
C & SALLY L

06:0118:000
MENSINK, DALE
C & SALLY L

06:0107:000
JOHNSON, THOMAS
L & VIRGINIA L

PARADISE DR

06:0108:001
MENSINK, DALE
C & SALLY L

06:0178:001
MENSINK, DALE
C & SALLY L

06:0109:000
MYHRE, PAUL E
& RHONDA C

06:0108:000
SCHULZ, JOHN A

06:0178:000
STARZECKI, JOHN
J & JUDITH M

SECLUDED RD

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: **Dale and Sally Mensink & Scott and Tina Bartsch** DATE: **July 25, 2024**
C.U.P. REQUESTED: **Build a dwelling in an agricultural 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: Single family non-farm dwellings are conditionally allowed in the Agriculture Protection District. This protects agricultural interests, which is a primary goal of the Comprehensive Land Use Plan.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The applicant indicates the dwelling is a single-family non-farm dwelling. Housing is a needed use.

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: The new dwelling with proper erosion control and septic treatment will have minimal impact on the local water quality.

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: Measures, such as the erosion control plan, will be in place for the construction of the new dwelling to minimize the water runoff.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The soil conditions will not be a concern other than locating a second absorption area in an undisturbed location. Soil conditions are adequate for the proposed use.

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: There are no anticipated pollution hazards.

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: The owner will be responsible for all utilities on the parcel as it is a new site and the township will have to approve driveway access to Paradise Drive.

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: The new dwelling will have a low-profile view shed and the closest neighbor is located 820 ft away, which is a family member. The addition of a dwelling is not anticipated to negatively affect the use of neighboring 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 predominant land use is agriculture and the continuation of which will be minimally impacted by the new dwelling. The area continues to be primarily agricultural, and the dwelling should not impact neighboring landowners' ability to utilize their properties for existing uses.

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. Johnathon Glasspoole seconded. Roll call vote was taken. All were in favor. Motion carried.

	Yes	No	SA	Comment
Josh Gran				
Jim Wieser	X			
Johnathon Glasspoole	X			
Larry Gaustad	X			
Wayne Feldmeier				
Cindy Wright	X			
Greg Myhre	X			

Greg Myhre made a motion to recommend the Houston County Board approve a conditional use permit for a dwelling in an agricultural 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 complying with the conditions and all other applicable statutes, rules, and ordinances.

Johnathon Glasspoole seconded. Roll call vote was taken. All were in favor. Motion carried.

	Yes	No	SA	Comment
Josh Gran				
Jim Wieser	X			
Johnathon Glasspoole	X			
Larry Gaustad	X			
Wayne Feldmeier				
Cindy Wright	X			
Greg Myhre	X			

The Findings will be submitted to the Houston County Board of Commissioners for their review.

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



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

7/15/2024

Application Date: 7/02/24
 Hearing Date: 7/25/2024
 Petitioner: Dale Mensink
 Reviewer: Martin Herrick
 Zoning: Ag Protection
 Address: 14889 Paradise Drive
 Township: Houston
 Parcel Number: 06.0108.001
 Submitted Materials: CUP Application

OVERVIEW

REQUEST

The petitioner is requesting a Conditional Use Permit to place a single-family non-farm dwelling in the agricultural protection district of Houston Township.

SUMMARY OF NOTEWORTHY TOPICS

The proposed location is silvicultural land with no existing structures on the parcel. The Houston County Zoning Ordinance provides the following requirements for single-family non-farm dwellings in the agriculture 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.

(10) *Dwellings.* Single-family non-farm dwellings subject to the following:

- (a) No more than one (1) dwelling per quarter-quarter section.
- (b) Non-farm dwellings built after the adoption of this Ordinance shall be setback at least one-fourth, (1/4), mile from all feedlots, except as otherwise provided in this Ordinance.
- (c) Non-farm dwelling units shall not be permitted on land which is of soil classifications of Class I-III soils rated in the Soil Survey - Houston County by the U. S. D. A. Natural Resource Conservation Service, except in cases where the land has not been used for the production of

field crops or enrolled in a government program whereby compensation is received in exchange for the removal of an area from production, for a period of ten years or more.

- (d) Non-farm dwelling units shall only be permitted on sites considered Buildable Lots as defined by this Ordinance, and shall not be permitted in areas classified wetlands, flood plain, peat and muck areas and other areas of poor drainage. Non-farm dwelling units shall not be permitted on land which has a slope of twenty-four (24) percent or greater. All non-farm dwellings must have an erosion control plan as required by Section 24.*
- (e) Non-farm dwelling units shall be required to be located on lots having ownership of at least thirty-three (33) feet of road frontage on a public roadway or a legally recorded perpetual access at least thirty-three (33) feet wide from an existing public roadway and a minimum lot area of one (1) acre.*

Figures 1. and 2. shown below identify the parcel location with road access to Paradise Drive and the proposed location for the new dwelling. The proposed dwelling has total dimensions of approximately 40 ft X 80 ft.



Figure 1. Parcel Location and Road Access.



Figure 2. Proposed Location for New Dwelling

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 site is non-prime agricultural land which has been replanted in trees. Figure 2 above shows the proposed location of the new dwelling. To date only the proposed footprint of the dwelling has been submitted. The number of bedrooms has not been disclosed.

The proposed dwelling's location is used for silviculture. The site's soil is the La Farge Silt Loam (605D2) with a land capability classification of IVE, which is not a prime soil designation. Slopes for the parcel range from 8% to 14% and are not considered to be bluff land. The site is not in the floodplain and no wetlands are present in the proposed building area. The site is accessed from Paradise Drive through the neighboring parcel and the 12% slope requirement can be met. An easement will be required if the proposed dwelling is not under the same ownership as the parcel directly accessing Paradise Drive.

The closest dwelling is approximately 820 ft from the proposed location, which is a family member. The closest mine exceeds the 1000 ft setback and the nearest feedlot is greater than a mile away.

The proposed site's setback will exceed 40 ft to any slopes meeting the definition of a bluff.

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: Single family non-farm dwellings are conditionally allowed in the Agriculture Protection District. This protects agricultural interests, which is a primary goal of the Comprehensive Land Use Plan.

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

Staff Analysis: The applicant indicates the dwelling is a single-family non-farm dwelling. Housing is a needed use.

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

Staff Analysis: The new dwelling with proper erosion control and septic treatment will have minimal impact on the local water quality.

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

Staff Analysis: Measures, such as the erosion control plan, will be in place for the construction of the new dwelling to minimize the water runoff.

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

Staff Analysis: The soil conditions will not be a concern other than locating a second absorption area in an undisturbed location. Soil conditions are adequate for the proposed use.

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

Staff Analysis: There are no anticipated pollution hazards.

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

Staff Analysis: The owner will be responsible for all utilities on the parcel as it is a new site and the township will have to approve driveway access to Paradise Drive.

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: The new dwelling will have a low-profile view shed and the closest neighbor is located 820 ft away, which is a family member. The addition of a dwelling is not anticipated to negatively affect the use of neighboring 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 predominant land use is agriculture and the continuation of which will be minimally impacted by the new dwelling. The area continues to be primarily agricultural, and the dwelling should not impact neighboring landowners' ability to utilize their properties for existing uses.

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 complying with the conditions and all other applicable statutes, rules, and ordinances.

Proposed motion: To recommend approval of a conditional use permit for a dwelling in the agricultural protection district.

Conditional Use Request
2024-CUP-265187

Amount Paid
\$746.00

Applicant
Dale Mensink

Created
May 29, 2024

Number
2024-CUP-265187

Dale C. & Sally L. Mensink & Scott R. and Tina N. Bartsch | 060108001 | Houston
Submitted by dsmensink on 5/29/2024



Applicant

Dale Mensink

5074587645

smensink@acegroup.cc

Search Parcel Data Completed On Wednesday, May 29, 2024 at 8:46 AM CDT by dsmensink

ParcelID	Address	City	OwnerName	Acres
060108001			MENSINK,DALE C & SALLY L	5.000

CONDITIONAL USE INTRO Completed On Wednesday, May 29, 2024 at 8:46 AM CDT by dsmensink

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 Wednesday, May 29, 2024 at 8:48 AM CDT by dsmensink

Applicant Name

Dale C. & Sally L. Mensink & Scott R. and Tina N. Bartsch

Parcel Tax ID

060108001

Telephone Number

2282391812

Address

14889 Paradise Dr

City

Houston

Zip

55943

Legal Description

PT SE1/4 SE1/4 LY S OF TWP RD

Section-Township-Range

21-104-006

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 Wednesday, May 29, 2024 at 8:53 AM CDT by dsmensink

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

Describe in detail your request.

single family home

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

Accordance with 14.3 Subdl. (10) a-e

Requested Dimension:

40ft X 80ft

Please upload any supporting documents:

CONDITIONAL USE FINDING OF FACTS Completed On Wednesday, June 5, 2024 at 10:44 AM CDT by dsmensink

[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:

Single family dwellings are allowed under the Houston County Comprehensive Land Use Plan

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

Yes

Comments:

Housing is needed in the agricultural protection district

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

Yes

Comments:

With proper erosion control measures and a compliant septic system the dwelling will have minimal impact on the water quality.

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

Yes

Comments:

With proper erosion control measures surface water will be managed properly

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

Yes

Comments:

The site's soils can accommodate the dwelling and associated systems.

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

Yes

Comments:

The dwelling will not create pollution hazards with proper erosion control and septage systems

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

Yes

Comments:

The utilities are the responsibility of the applicant, and the roadway can meet the minimum design standards.

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:

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

N/A

Comments:

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

Comments:

The dwelling will not infringe on other activities 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.

Yes

Comments:

The dwelling will not impact development in the primarily agricultural 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:

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

Yes

Comments:

The addition of the dwelling will not impact the density or any other uses the area.

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:

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

Comments:

The proposed dwelling will not impact public health, safety, morals or general welfare.

SITE PLAN INFORMATION Completed On Wednesday, June 5, 2024 at 10:51 AM CDT by dsmensink

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

Upload Site Plan

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 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

Single family dwelling

APPLICATION SUBMITTAL Completed On Wednesday, June 5, 2024 at 10:52 AM CDT by dsmensink

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

[Handwritten Signature]

Date Signed:

6/5/2024

Check this box if Staff Signature on behalf of Applicant.

No

Email APPLICATION SUBMITTAL Completed On Wednesday, June 5, 2024 at 10:52 AM CDT by dsmensink

RESEND EMAIL

Delivered on Wednesday, June 5, 2024 at 10:52 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
amelia.melners@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
smensink@acegroup.cc

Subject: Parcel 060108001 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: 2024-CUP-265187

Workflow: Conditional Use Request

Description: Dale C. & Sally L. Mensink & Scott R. and Tina N. Bartsch | 060108001 | Houston

Created On: 5/29/2024

[View Application](#)

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE:

That an application has been made by Gerald Ladsten and Tyler Ladsten, 21691 Honey Drive, Spring Grove, MN 55974, for a Conditional Use Permit to have a dwelling in an agricultural district (Section 14 – 14.3 Conditional Uses, Subdivision 1, Subsection 10) in Spring Grove Township on the following premises, to-wit:

N1/2 NW1/4 & NE1/4 SE1/4 NW1/4, Section 21, Township 101, Range 7, Houston County, Minnesota (Parcel 13.0273.000)

Said applicants are standing and making application as fee owner of said described lands.

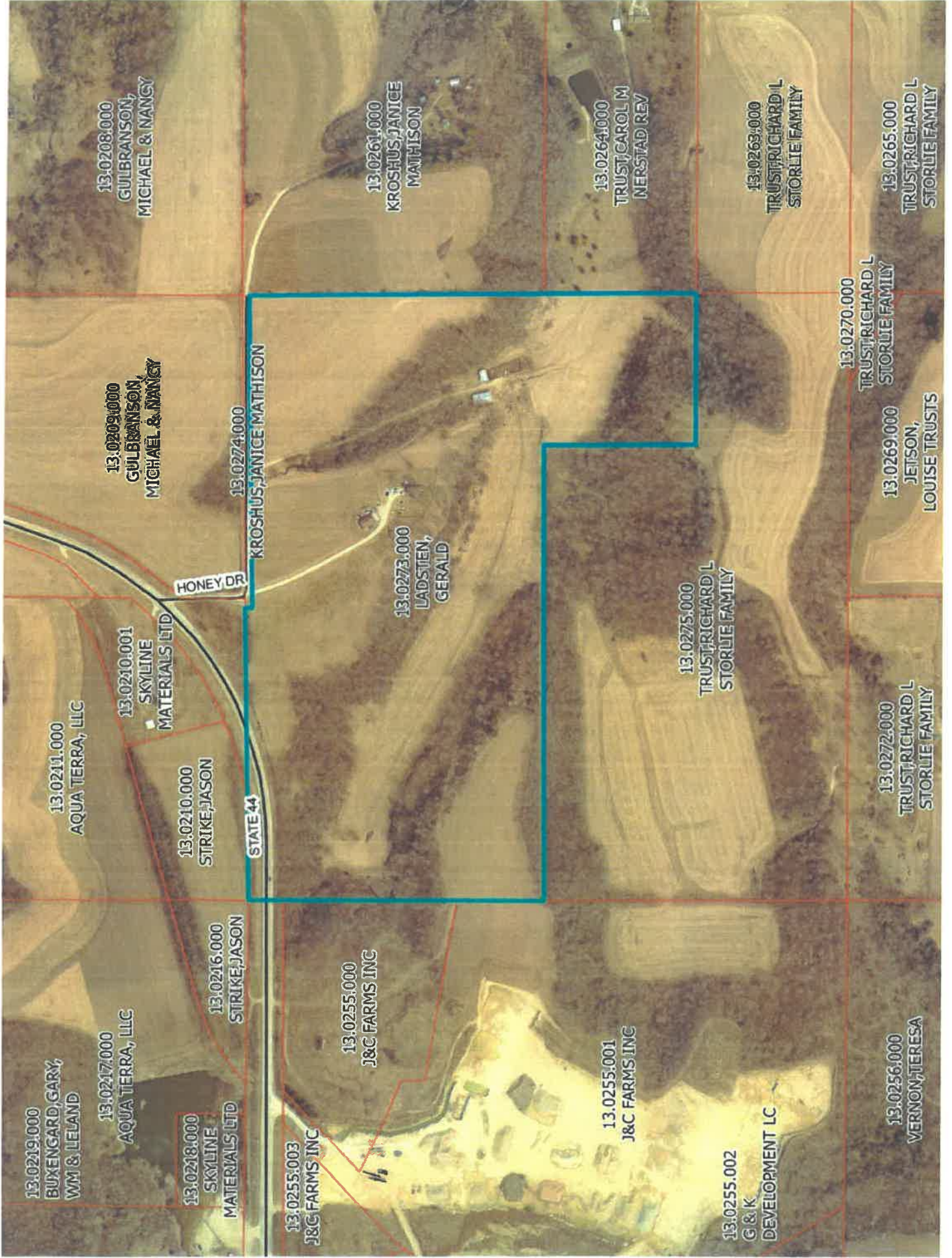
A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 5:20 p.m. on Thursday, July 25, 2024.

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 Tuesday, July 16, 2024. 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: July 10, 2024



13.0219.000
BUXENGARD, GARY,
WM & LELAND

13.0217.000
AQUA TERRA, LLC

13.0218.000
SKYLINE
MATERIALS LTD

13.0216.000
STRIKE, JASON

13.0211.000
AQUA TERRA, LLC

13.0210.001
SKYLINE
MATERIALS LTD

13.0210.000
STRIKE, JASON

13.0274.000
KROSHUS, JANICE MATHISON

HONEY DR.

STATE 44

13.0255.003
J&C FARMS INC

13.0255.000
J&C FARMS INC

13.0255.001
J&C FARMS INC

13.0255.002
G&K
DEVELOPMENT LC

13.0256.000
VERNON, TERESA

13.0273.000
LADSTEN,
GERALD

13.0275.000
TRUST, RICHARD L
STORLIE FAMILY

13.0272.000
TRUST, RICHARD L
STORLIE FAMILY

13.0270.000
TRUST, RICHARD L
STORLIE FAMILY

13.0269.000
JETSON,
LOUISE TRUSTS

13.0265.000
TRUST, RICHARD L
STORLIE FAMILY

13.0263.000

TRUST, RICHARD L
STORLIE FAMILY

13.0264.000

TRUST, CAROL M
NERSTAD REV

13.0261.000
KROSHUS, JANICE
MATHISON

13.0208.000

GULBRANSON,
MICHAEL & NANCY

13.0209.000

GULBRANSON,
MICHAEL & NANCY

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: Gerald Ladsten and Tyler Ladsten DATE: July 25, 2024
C.U.P. REQUESTED: Build a dwelling in an agricultural 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: Single family non-farm dwellings are conditionally allowed in the Agriculture Protection District. This protects agricultural interests, which is a primary goal of the Comprehensive Land Use Plan.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The applicant indicates the dwelling is a single-family non-farm dwelling. Housing is a needed use.

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: The new dwelling with proper erosion control and septic treatment will have minimal impact on the local water quality.

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: Measures, such as the erosion control plan, will be in place for the construction of the new dwelling to minimize the water runoff.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The soil conditions will not be a concern and are adequate for the proposed use.

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: There are no anticipated pollution hazards.

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: The owner will be responsible for all utilities on the parcel as it is a new site, and the driveway will be connected to an existing driveway using an easement.

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: The new dwelling will have a low-profile view shed with the existing structures and the closest neighbor is located 820 ft away, which is also a family member. The addition of a dwelling is not anticipated to negatively affect the use of neighboring 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 predominant land use is agriculture and the continuation of which will be minimally impacted by the new dwelling. The area continues to be primarily agricultural, and the dwelling should not impact neighboring landowners' ability to utilize their properties for existing uses.

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. Greg Myhre seconded. Roll call vote was taken. All were in favor. Motion carried.

	Yes	No	SA	Comment
Josh Gran				
Jim Wieser	X			
Johnathon Glasspoole	X			
Larry Gaustad	X			
Wayne Feldmeier				
Cindy Wright	X			
Greg Myhre	X			

Jim Wieser made a motion to recommend the Houston County Board approve a conditional use permit for a dwelling in an agricultural protection district in Spring Grove 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 complying with the conditions and all other applicable statutes, rules, and ordinances.

Johnathon Glasspoole seconded. Roll call vote was taken. All were in favor. Motion carried.

	Yes	No	SA	Comment
Josh Gran				
Jim Wieser	X			
Johnathon Glasspoole	X			
Larry Gaustad	X			
Wayne Feldmeier				
Cindy Wright	X			
Greg Myhre	X			

The Findings will be submitted to the Houston County Board of Commissioners for their review.

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



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

7/16/2024

Application Date: 7/02/24
Hearing Date: 7/25/2024
Petitioner: Tyler Ladsten
Reviewer: Martin Herrick
Zoning: Ag Protection
Address: 21691 Honey Drive
Township: Spring Grove
Parcel Number: 13.0273.000
Submitted Materials: CUP Application

OVERVIEW

REQUEST

The petitioner is requesting a Conditional Use Permit to place a single-family non-farm dwelling in the agricultural protection district of Spring Grove Township.

SUMMARY OF NOTEWORTHY TOPICS

The proposed location is pastureland with no existing structures on the parcel. The Houston County Zoning Ordinance provides the following requirements for single-family non-farm dwellings in the agriculture 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.

(10) *Dwellings. Single-family non-farm dwellings subject to the following:*

- (a) *No more than one (1) dwelling per quarter-quarter section.*
- (b) *Non-farm dwellings built after the adoption of this Ordinance shall be setback at least one-fourth, (1/4), mile from all feedlots, except as otherwise provided in this Ordinance.*
- (c) *Non-farm dwelling units shall not be permitted on land which is of soil classifications of Class I-III soils rated in the Soil Survey - Houston County by the U. S. D. A. Natural Resource Conservation Service, except in cases where the land has not been used for the production of*

field crops or enrolled in a government program whereby compensation is received in exchange for the removal of an area from production, for a period of ten years or more.

- (d) Non-farm dwelling units shall only be permitted on sites considered Buildable Lots as defined by this Ordinance, and shall not be permitted in areas classified wetlands, flood plain, peat and muck areas and other areas of poor drainage. Non-farm dwelling units shall not be permitted on land which has a slope of twenty-four (24) percent or greater. All non-farm dwellings must have an erosion control plan as required by Section 24.*
- (e) Non-farm dwelling units shall be required to be located on lots having ownership of at least thirty-three (33) feet of road frontage on a public roadway or a legally recorded perpetual access at least thirty-three (33) feet wide from an existing public roadway and a minimum lot area of one (1) acre.*

Figures 1. and 2. shown below identify the parcel location with road access to Honey Drive and the proposed location for the new dwelling. The proposed dwelling has total dimensions of 36 ft X 72 ft.



Figure 1. Parcel Location and Road Access.

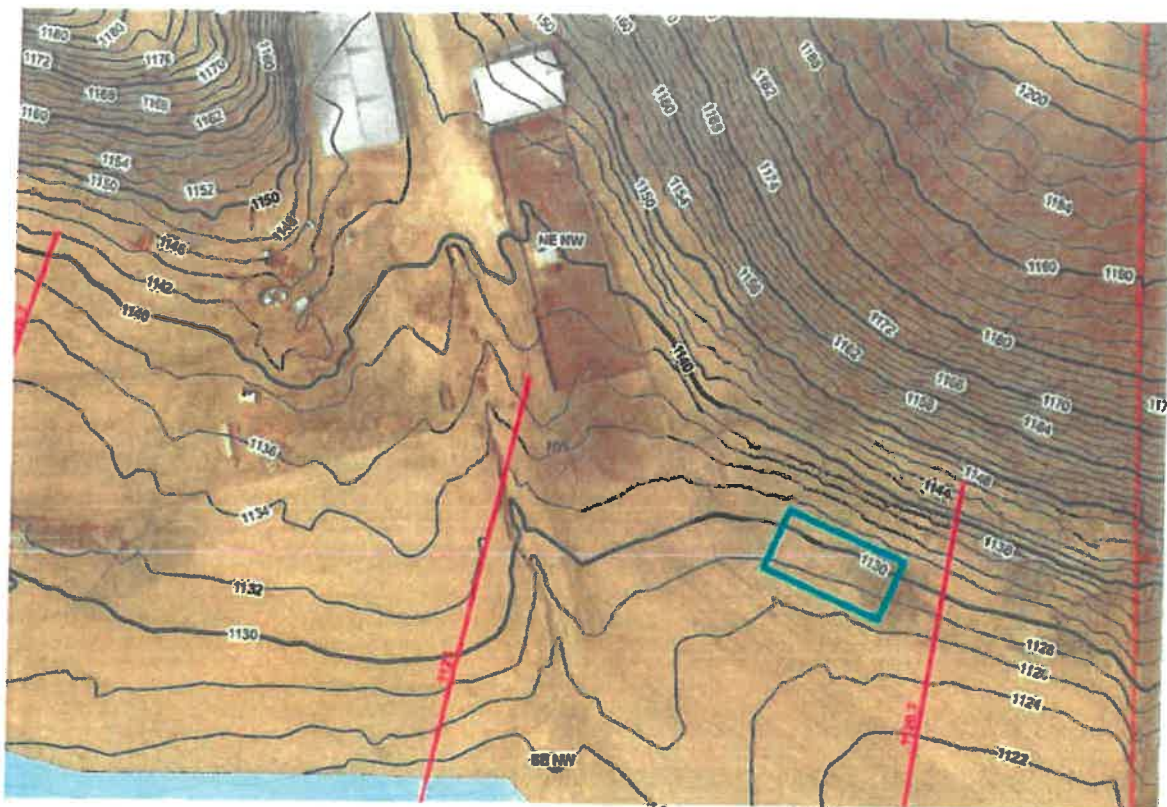


Figure 2. Proposed Location for New Dwelling

TOWNSHIP AND NEIGHBORHOOD COMMENTS

Notice was sent to Spring Grove Township and the ten closest property owners. One question from Richard Storlie was received regarding the location of the proposed dwelling.

SITE CHARACTERISTICS

The site is prime agricultural land but as noted above it has not been cropped for the last 10 years. Figure 2 above shows the proposed location of the new dwelling. A three-bedroom house is being proposed.

The proposed dwelling location is used for pasture. The site's soil is the Lindstrom silt loam (301C) with a land capability classification of IIIe, which is a prime soil designation. Based on Beacon's pictometry, the location has not been cropped for any of the last 10 consecutive years exempting it from the prime ag soil restriction under Section 14.3 Subd. 1 (10)(c). Slopes for the proposed site range from 16% to 18% and are not considered to be bluff land. The site is not in the floodplain and no wetlands are present in the proposed building area. The site is accessed from Honey Drive through the neighboring parcel and the 12% slope requirement can be met. An easement to Honey Drive is included in the parcel description.

The closest dwelling, which is a family member, is approximately 820 ft from the proposed location. The closest edge of the mine property is 2400 ft to the west of the proposed dwelling and the nearest feedlot is greater than 2300 ft away from the site.

The proposed dwelling's location will exceed the 40 ft setback to any slopes meeting the definition of a bluff.

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: Single family non-farm dwellings are conditionally allowed in the Agriculture Protection District. This protects agricultural interests, which is a primary goal of the Comprehensive Land Use Plan.

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

Staff Analysis: The applicant indicates the dwelling is a single-family non-farm dwelling. Housing is a needed use.

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

Staff Analysis: The new dwelling with proper erosion control and septic treatment will have minimal impact on the local water quality.

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

Staff Analysis: Measures, such as the erosion control plan, will be in place for the construction of the new dwelling to minimize the water runoff.

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

Staff Analysis: The soil conditions will not be a concern and are adequate for the proposed use.

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

Staff Analysis: There are no anticipated pollution hazards.

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

Staff Analysis: The owner will be responsible for all utilities on the parcel as it is a new site, and the driveway will be connected to an existing driveway using an easement.

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: The new dwelling will have a low-profile view shed with the existing structures and the closest neighbor is located 820 ft away, which is also a family member. The addition of a dwelling is not anticipated to negatively affect the use of neighboring 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 predominant land use is agriculture and the continuation of which will be minimally impacted by the new dwelling. The area continues to be primarily agricultural, and the dwelling should not impact neighboring landowners' ability to utilize their properties for existing uses.

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 complying with the conditions and all other applicable statutes, rules, and ordinances.

Proposed motion: To recommend approval of a conditional use permit for a dwelling in the agricultural protection district.

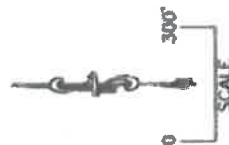
T. 101 N., R. 7 W.

Section 21: thence on an assumed bearing of South 072°11' East, along the east line of said Northwest Quarter of the Northwest Quarter, 1315.85 feet to the northeast corner of said Northwest Quarter of the Southeast Quarter of the Northwest Quarter and to the point of beginning thence continuing South 072°11' East, along the east line of said Northwest Quarter of the Southeast Quarter of the Northwest Quarter, 531.93 feet to the southeast corner of said Northwest Quarter of the Southeast Quarter of the Northwest Quarter; thence South 89°49'11" West, along the south line of said Northwest Quarter of the Southeast Quarter of the Northwest Quarter, 257.53 feet to the southeast corner of said Northwest Quarter of the Southeast Quarter of the Northwest Quarter; thence North 07°19'23" West, along the east line of said Northwest Quarter of the Southeast Quarter of the Northwest Quarter, 656.98 feet to the northeast corner of said Northwest Quarter of the Southeast Quarter of the Northwest Quarter; thence North 79°29'42" East 151.85 feet; thence North 121°16' West 326.77 feet; thence North 65°10' East 233.73 feet; thence South 37°07'08" East 550.07 feet to the northeast corner of said Northwest Quarter of the Northwest Quarter and to the point of beginning.

The above described parcel contains 1
acres, more or less, and is situated in the
County of ... State of ...

WATERBURY MONUMENT.
A perpetual monument by barrens, spruce, and utility purposes over, under, and across that part of the Northwest Quarter of Section 21, Township 101 North, Range 3 West, T101S, R3W, 14.50 feet parallel, adjacent, and contiguous to the following described centerline:
Commencing at the northeast corner of said Northwest Quarter of the Northwest Quarter of Section 21; thence on an assumed bearing of South 102°21'11" East, along the east line of said Northwest Quarter of the Northwest Quarter, 1715.06 feet to the northeast corner of said Northwest Quarter of the Southwest Quarter of the Southwest Quarter, thence continuing South 00°27'11" East, along the east line of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter, 527.33 feet to the southeast corner of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter, thence South 89°49'11" West, along the south line of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter, 879.53 feet to the southeast corner of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter, thence North 09°19'22" West, along the west line of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter, 858.98 feet to the northeast corner of said Northwest Quarter of the Southwest Quarter of the Southwest Quarter, thence North 70°29'42" East 491.63 feet; thence North 127°10'22" West 308.77 feet; thence North 65°01'07" East 121.35 feet to the centerline to be described; thence North 15°31'35" West 123.08 feet; thence North 12°12'35" West 30.57 feet; thence North 19°54'49" West 200.75 feet; thence North 18°25'02" West 26.55 feet; thence North 17°02'49" West 115.22 feet; thence North 15°42'10" West 80.65 feet; thence North 21°02'25" West 100.24 feet; thence North 22°54'55" West 88.08 feet to the centerline of the boundary road and thence thence thence.

The south end of said easement shall be prolonged or shortened to begin on a line that bears North 65°04'07" East / South 65°01'07" West from the point of beginning. The north end of said easement shall be prolonged or shortened to terminate on the centerline of 9th township road, continuing to the township road into town of Armstrong.



LINE TABLE		
	LINE	REMARK
	L1	123.08' N15°N1'38"W
	L2	167.28' N29°06'38"W
	L3	260.79' N25°03'38"W
	L4	56.65' N16°35'02"W
	L5	115.22' N19°34'48"W
	L6	58.85' N19°42'18"W
	L7	160.34' N21°00'38"W
	L8	66.06' N25°00'55"W

5803408-W 1315.77
IRON PIPE WITH PLASTIC CAP
STAMPED LS 21940 SET

● **FOUND MONUMENT**

[illegible]

G-Cubed

14070 Hwy 52 S.E.
Durham, MN 55823

Conditional Use Request	Amount Paid
2024-CUP-279275	\$0.00
Applicant	Created
Tyler ladsten	June 28, 2024

Number
2024-CUP-
279275

LADSTEN,GERALD 130273000
Spring Grove
Submitted by Tyler ladsten on
6/28/2024



Applicant

Tyler ladsten

Ladsten1@gmail.com

Search Parcel Data Completed On Friday, June 28, 2024 at 3:37 PM CDT by Tyler ladsten

ParcelID	Address	City	OwnerName	Acres
130273000	21691 HONEY DR	SPRING GROVE	LADSTEN,GERALD	89.000

CONDITIONAL USE INTRO Completed On Friday, June 28, 2024 at 3:38 PM CDT by Tyler ladsten

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 Friday, June 28, 2024 at 3:42 PM CDT by Tyler ladsten

Applicant Name

LADSTEN,GERALD

Parcel Tax ID

130273000

Telephone Number

507-450-6158

Address

21691 HONEY DR

City

SPRING GROVE

Zip

55974

Legal Description

N1/2 NW1/4 & NE1/4 SE1/4 NW1/4 EX APPROX 1A TO KROSHUS DOC #186349; DOC 259741 3

Section-Township-Range

21-101-007

Do you own additional adjacent parcels

No

Township of:

Spring Grove

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 Friday, June 28, 2024 at 3:50 PM CDT by Tyler Iadsten
[Click here to view the Houston County Zoning Ordinance](#)

Describe in detail your request.

We want to buy 13.36 acres and build home on.

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

14.3 Subdivision 1 (10)

Requested Dimension:

36' x 72'

Please upload any supporting documents:

CONDITIONAL USE FINDING OF FACTS Completed On Friday, June 28, 2024 at 4:08 PM CDT by Tyler Iadsten
[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:

We would like to build a single family dwelling.

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

Yes

Comments:

We would like to buy this 13.36 acres and build our home.

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

Yes

Comments:

Our proposed use will not degrade the water quality of the County as we will not be subjecting the ground water to any contaminants.

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

Yes

Comments:

Our proposed use will not increase the water runoff- we've had it surveyed, all appropriate benchmarks are set.

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

Yes

Comments:

Our soil conditions are adequate to accommodate our proposed use of building a home- soil has been tested and septic location has been verified.

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

N/A

Comments:

Not applicable for our requested use.

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

Yes

Comments:

The well and access road are already existing. The drainage and septic will be provided by Coyote Hill Septic and Excavating. Utilities will be provided by Mi Energy.

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:

Not applicable for our request.

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

N/A

Comments:

Not applicable for our request.

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.

N/A

Comments:

Not applicable for our request.

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.

N/A

Comments:

Not applicable for our request- it would just be a home in the country.

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:

Not applicable for our request- it would just be a home in the country.

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:

Not applicable for our request- it would just be a single family dwelling.

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:

Not applicable for our request.

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:

Not applicable for our request.

SITE PLAN INFORMATION Completed On Friday, June 28, 2024 at 4:12 PM CDT by Tyler Iadsten

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

[Upload Site Plan](#)

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

In this general area- surveyor has been out and put in benchmarks, Coyote Hill Septic and Excavating has been out, and Amelia from Houston County has also been out. Any other questions, feel free to call me.

APPLICATION SUBMITTAL Completed On Friday, June 28, 2024 at 4:14 PM CDT by Tyler Iadsten

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:

6/28/2024

Check this box if Staff Signature on behalf of Applicant.

No

Email APPLICATION SUBMITTAL Completed On Friday, June 28, 2024 at 4:14 PM CDT by Tyler Iadsten

RESEND EMAIL

Delivered on Friday, June 28, 2024 at 4:14 PM 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

emelia.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

iadsten1@gmail.com

Subject: Parcel 130273000 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: 2024-CUP-279275
Workflow: Conditional Use Request
Description: LADSTEN,GERALD | 130273000 | Spring Grove
Created On: 6/28/2024

[View Application](#)

External Notes

Documents

Internal Notes

Documents

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE:

That an application has been made by Augedahl & Moenck Builders, LLC on behalf of Nathan and Jennifer Wurm, 12759 Phillip Drive, Caledonia, MN 55921, for a Conditional Use Permit for an Accessory Building in a Residential District (Section 29 – 29.14 Accessory Buildings and Structures in Residential Districts, Subdivision 1), in Caledonia Township on following premises, to-wit:

Green Acres Third Addition, Lots 11 & 12, Block 1, Section 24, Township 102, Range 6, Houston County, Minnesota. (Parcel #03.0465.000)

Said applicants standing and making application are 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 5:20 p.m. on Thursday, July 25, 2024.

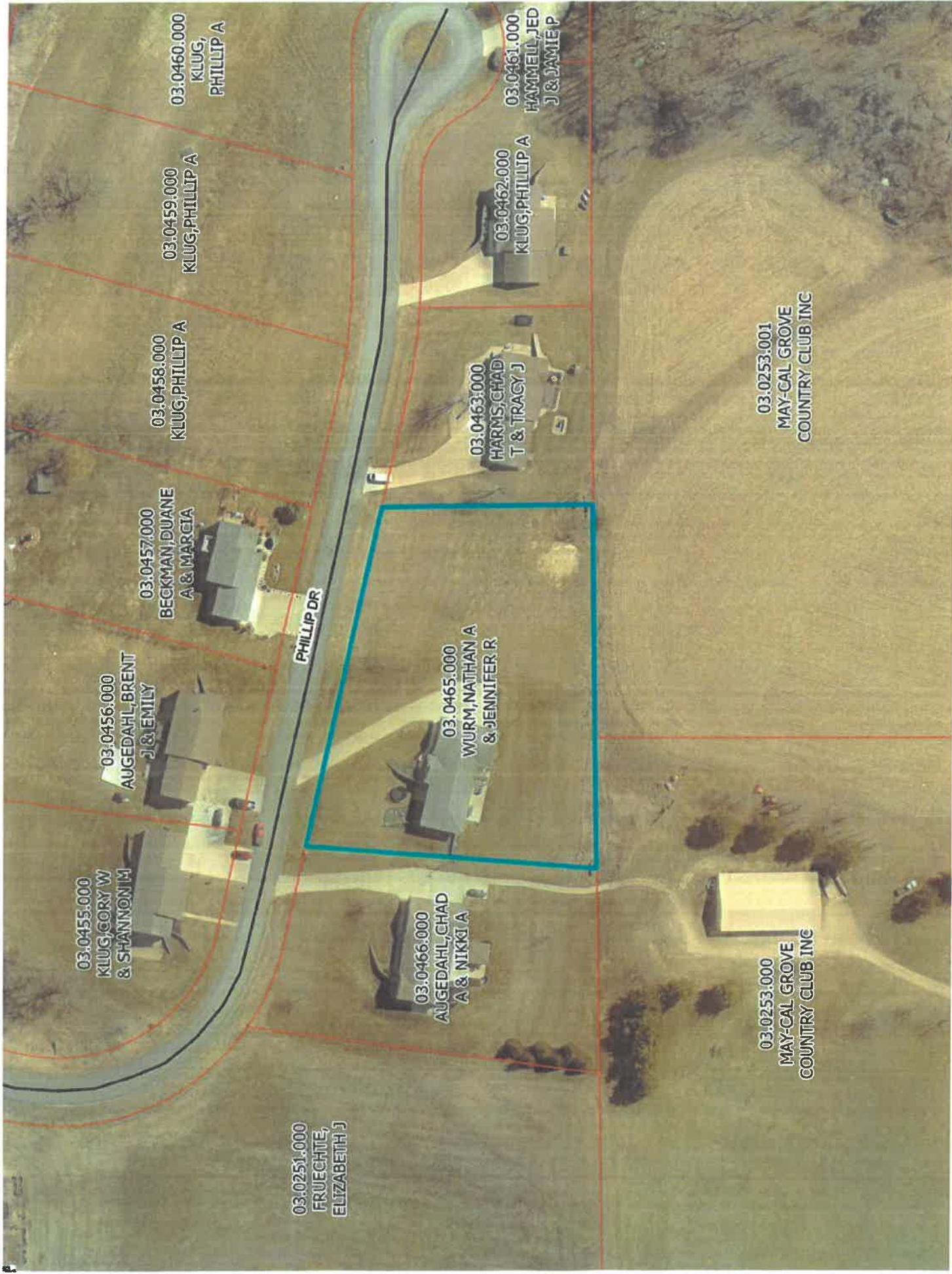
All persons having an interest in the matter will be given the opportunity to submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street, Caledonia, MN 55921, or emailed to martin.herrick@co.houston.mn.us, and must be received by Tuesday, July 16, 2024.

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: July 10, 2024



03.0455.000
KLUG, GORY W
& SHANNON M

03.0456.000
AUGEDAHL, BRENT
J & EMILY

03.0457.000
BECKMAN, DUANE
A & MARGIA

03.0458.000
KLUG, PHILLIP A

03.0459.000
KLUG, PHILLIP A

03.0460.000
KLUG,
PHILLIP A

03.0251.000
FRUECHTE,
ELIZABETH J

PHILLIP DR

03.0466.000
AUGEDAHL, CHAD
A & NIKKI A

03.0465.000
WURM, NATHAN A
& JENNIFER R

03.0463.000
HARMS, CHAD
T & TRACY J

03.0462.000
KLUG, PHILLIP A

03.0461.000
HAMMILL, JED
J & JAMIE P

03.0253.000
MAY-CAL GROVE
COUNTRY CLUB INC

03.0253.001
MAY-CAL GROVE
COUNTRY CLUB INC

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: Nathan and Jennifer Wurm DATE: July 25, 2024

C.U.P. REQUESTED: Accessory building in a Residential 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: Accessory structures are conditionally allowed in the residential district. This protects agricultural interests, which is a primary goal of the Comprehensive Land Use Plan.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The applicant indicates the structure's use is recreational for the permitted dwelling. Housing and associated activities are a needed use.

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: The new dwelling with proper erosion control and septic treatment will have minimal impact on the local water quality.

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: Measures, such as the erosion control plan, will be in place for the construction of the structure to minimize the water runoff.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The soil conditions will not be a concern and are adequate for the proposed use.

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: There are no anticipated pollution hazards.

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: The owner will be responsible for all utilities on the parcel and the driveway will be connected to Phillip Drive.

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: The accessory structure will not be injurious to others in the area. The addition of an accessory structure is not anticipated to negatively affect the use of neighboring 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 land use is residential and the continuation of which will be minimally impacted by the new structure. The structure should not impact neighboring landowners' ability to utilize their properties for existing uses.

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.

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

	Yes	No	SA	Comment
Josh Gran				
Jim Wieser	X			
Johnathon Glasspoole	X			
Larry Gaustad	X			
Wayne Feldmeier				
Cindy Wright	X			
Greg Myhre	X			

Greg Myhre made a motion to recommend the Houston County Board approve a conditional use permit, pending BOA approval, for an accessory structure in the residential district of Caledonia 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 complying with the conditions and all other applicable statutes, rules, and ordinances.
3. The permittee shall complete an erosion control plan including surface water management.

Cindy Wright commented that this is not setting precedent as similar proposals will require site specific reviews.

Johnathon Glasspoole seconded. Roll call vote was taken. All were in favor. Motion carried.

	Yes	No	SA	Comment
Josh Gran				
Jim Wieser	X			
Johnathon Glasspoole	X			
Larry Gaustad	X			
Wayne Feldmeier				
Cindy Wright	X			
Greg Myhre	X			

The Findings will be submitted to the Houston County Board of Commissioners for their review.

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



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

7/17/2024

Application Date: 7/02/24
 Hearing Date: 7/25/2024
 Petitioner: Nathan & Jennifer Wurm
 Reviewer: Martin Herrick
 Zoning: Residential
 Address: 12759 Phillip Drive
 Township: Caledonia
 Parcel Number: 03.0465.000
 Submitted Materials: CUP Application

OVERVIEW

REQUEST

The petitioner is requesting a Conditional Use Permit to place an accessory structure in the Green Acres residential district of Caledonia Township.

SUMMARY OF NOTEWORTHY TOPICS

The Houston County Zoning Ordinance provides the following applicable requirements for the proposed accessory use in the residential district:

15.4 ACCESSORY USES *Subdivision 1. Incidental to Principal Use. Structures and uses customarily incidental to any of the permitted or conditional uses listed above and when located on the same property.*

15.12 GENERAL STANDARDS *Additional requirements for parking, signs, sewage systems, and are set forth in Section 29 and 30.*

29.14 ACCESSORY BUILDINGS AND STRUCTURES

Subdivision 1. Accessory Buildings and Structures in Residential Districts

(3) No accessory building shall exceed the height of the principal building.

(4) Accessory buildings, 200 square feet in area or less that are portable and not attached to any foundation, and which meet all other requirements of this ordinance, are permitted uses and do not require a building permit. All other accessory structures in the Residential District, except as provided in paragraph 5 below shall require a conditional use permit.

The proposed accessory building is a gymnasium with an elevated ceiling for a basketball court. While the proposed structure fits into the site's contours as much as possible its height will exceed the principal building elevation by approximately 8 ft. The local topography varies with numerous two-story dwellings that have walk out basements, so the viewshed is not extreme for the area. The building's exterior materials will blend in with the principal building and any exterior lighting will be minimized for access purposes only.

A profile of the proposed structure is shown in Figure 1 below. The location is in the Green Acres Sub Development of Caledonia Township. Figure 2 below shows the proposed location for the accessory structure on Phillip Drive. Note that Houston County cannot enforce the covenants for the Green Acres Subdivision, which are included in the Appendix.

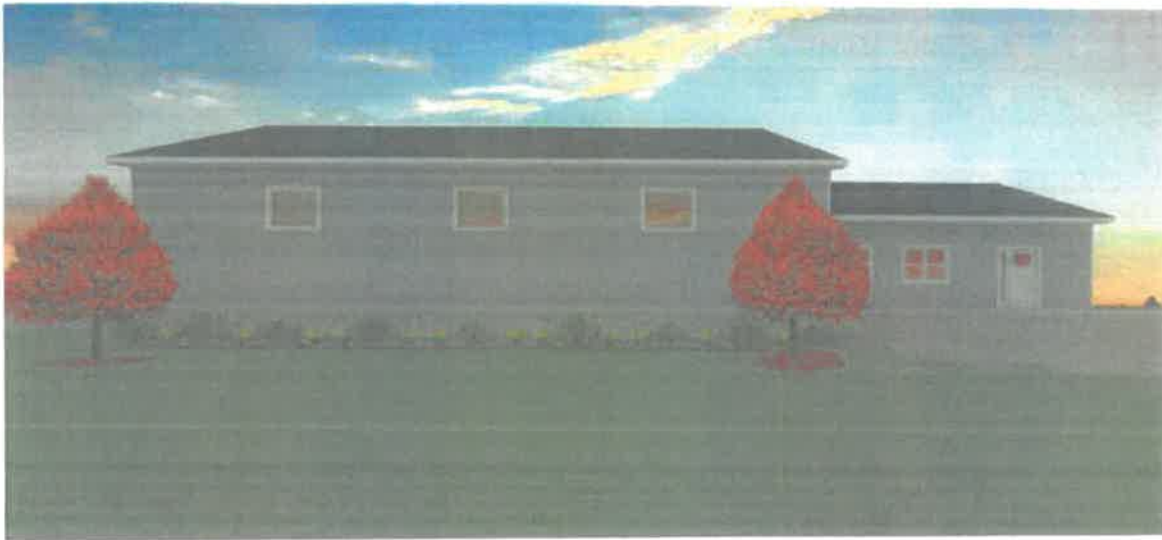


Figure 1. Profile View of Accessory Building



Figure 2. Plan view of Accessory Building

TOWNSHIP AND NEIGHBORHOOD COMMENTS

Caledonia Township and the ten closest property owners were notified. To date, comments only have been from the Township and are included in the Appendix.

SITE CHARACTERISTICS

The property consists of 1.58 acres in the Green Acres residential development. No road modifications will be required. The proposed septic system will be a holding tank dedicated to this building that will require an approved design and a permit. There will be no commercial activity related to this and no external signs will be installed. The proposed dimensions are 50 ft X 104 ft with part of the building approximately 6 ft below grade. The estimated height will be 8 feet above the height of the house for a total height of approximately 24 feet.

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: Accessory structures are conditionally allowed in the residential district. This protects agricultural interests, which is a primary goal of the Comprehensive Land Use Plan.

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

Staff Analysis: The applicant indicates the structure's use is recreational for the permitted dwelling. Housing and associated activities are a needed use.

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

Staff Analysis: The new dwelling with proper erosion control and septic treatment will have minimal impact on the local water quality.

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

Staff Analysis: Measures, such as the erosion control plan, will be in place for the construction of the structure to minimize the water runoff.

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

Staff Analysis: The soil conditions will not be a concern and are adequate for the proposed use.

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

Staff Analysis: There are no anticipated pollution hazards.

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

Staff Analysis: The owner will be responsible for all utilities on the parcel and the driveway will be connected to Phillip Drive.

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: The accessory structure will not be injurious to others in the area. The addition of an accessory structure is not anticipated to negatively affect the use of neighboring 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 land use is residential and the continuation of which will be minimally impacted by the new structure. The structure should not impact neighboring landowners' ability to utilize their properties for existing uses.

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 complying with the conditions and all other applicable statutes, rules, and ordinances.
3. The permittee shall complete an erosion control plan including surface water management.

Proposed motion: To recommend approval of a conditional use permit for an accessory structure in the residential district of Caledonia Township.

Appendix

Application

Comments

Covenant

W.A.M.

NUM
SCAN
TRACT
VERIFY

Document No. 227507

Office of County Recorder
Houston County, Minnesota

I hereby certify that the within
instrument was recorded on

September 10, 2003
at 1:00 P.M.

Beverly J. Bauer

County Recorder

by Geraldine K. Klug
Deputy

227507

**DECLARATION OF RESTRICTIVE COVENANTS AND
MUTUAL EASEMENTS FOR GREEN ACRES THIRD
ADDITION, A SUBDIVISION TO THE TOWN OF CALEDONIA, MINNESOTA**

The undersigned, Arnold E. Fruechte and Elizabeth J. Fruechte, husband and wife, as owners of Lots Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Ten (10), Eleven (11), Twelve (12), and Thirteen (13) of Block One (1); and as Vendors in an unrecorded Contract for Deed for Lots Eight (8) and Nine (9) of Block One (1); and Jed Hammell, a single person, as the Vendee in the unrecorded Contract for Deed for Lots Eight (8) and Nine (9) of Block One (1), all being a part of Green Acres Third Addition to the Town of Caledonia, do hereby declare and establish these Articles of Trust.

The declarations herein shall be covenants running with the land, as provided by law, and shall be binding on all parties and all persons claiming under them; these declarations of restrictions are designed for the purpose of keeping the development an area which is desirable, uniform, and suitable in architectural design and use as specified herein.

**I.
RESIDENTIAL LAND USE**

The use of all lots shall be restricted to single family dwellings. Any such structure built shall not exceed two (2) stories in height, excluding the basement level.

The ground floor area of the main structure, exclusive of any open porches and garages, shall not be less than thirteen hundred (1300) square feet for one (1) story dwelling, nor less than nine hundred (900) square feet for a dwelling of more than one (1) story.

II.

ENVIRONMENTAL AND ARCHITECTURAL CONTROL

No building shall be erected, placed or altered on any parcel of land unless a set of building plans has been first submitted to the Developers, or the duly selected agent of the Developers, not less than 30 days prior to the start of construction.

All buildings must be in harmony with the external design and building size of existing structures and as to location, with respect to topography, finish grade elevations and exterior building locations. It is the intention of this provision to preserve the natural grade and terrain and general appearance of the area insofar as possible, and to eliminate any excessive cut or fill, in order to perpetuate and exemplify the natural beauty of the area for the benefit of owners of parcels of land.

The Developers shall have 30 days to approve or reject the building plans submitted pursuant to this paragraph. Building plans not formally approved or rejected in 30 days shall be deemed approved unless enjoined by a court of competent jurisdiction.

III.

UTILITY EASEMENTS

Utility easements shall be as shown on the plat of Green Acres Third Addition, a Subdivision to the Town of Caledonia, Minnesota.

IV.

ADVERTISING SIGNS

No sign of any kind shall be displayed to the public view on any parcel of land, except one sign not more than seven feet square advertising the property for sale, or used by a builder to advertise the property during the construction and sales period.

V.

PREVIOUSLY ERECTED BUILDINGS

No building previously erected elsewhere on a permanent foundation shall be moved on to any parcel of land.

VI.
CONSTRUCTION PERIOD

Any building erected on any parcel of land shall be completed with twelve (12) months from date of commencement, and no building shall be allowed to remain with tar paper, building paper sheathing, or similar covering, for a period longer than four (4) months.

VII.
ENVIRONMENTAL AND ARCHITECTURAL CONTROL SUCCESSION

While the Developers retain ownership of one or more lots in the subject real estate, the Committee shall consist of three (3) members appointed by the Developers. A majority of the Committee may designate a representative to act for them. In the event of the death or resignation of any member of the Committee, the Developers shall have full authority to designate a successor. When the Developers cease to own any lot, the present owners of record of the lots shall have one (1) vote per lot and shall elect the three (3) members to the Committee by majority vote.

The committee's approval or disapproval as required in these restrictions shall be in writing. However, in the event the Committee or its designated representative fails to approve or disapprove within thirty (30) days after the plans and specifications have been submitted to it, such plans and specifications shall be deemed to have complied with these restrictions.

VIII.
FENCES

Any fences which are constructed on any parcel of land must be built with architectural grade P.V.C. fencing material or other such materials as approved by the Architectural and Environmental Control Committee.

IX.
VACANT LOTS

Vacant lots shall not be used for the storage of any materials, vehicles, boats, firewood and the like. Weeds shall be controlled in conformity with local ordinances.

X.
DRIVEWAY CONSTRUCTION

All driveways are to be constructed with concrete or blacktop. The driveways shall be completed no later than one (1) year after the first occupancy of the premises.

XI.
DRAINAGE

Run off shall not be altered in any such a way as to cause increased drainage upon any adjoining lot in the development.

Drainage from each lot shall be directed in such a way as to direct flow to the lot lines and not directly, or indirectly, to any structure located elsewhere in this or adjacent Subdivisions.

XII.
STORAGE OR OUT BUILDINGS

Storage or out buildings are not allowed unless built of similar materials as the dwelling.

XIII.
CLOTHESLINE POLES

No permanent clothesline poles are allowed. Umbrella or retractable type clotheslines are permissible.

XIV.
SATELLITE DISHES AND ANTENNAS

Satellite dishes, antennas, or other electronic devices for intercepting satellite or cable transmission signals shall only be permitted, provided that no more than one (1) such device shall be permitted for each lot. Such one (1) device shall not be larger than two (2) feet in length or diameter.

XV.
GENERAL PROVISIONS

TERM: These covenants are to run with the parcels of land and shall be binding on all parties and all persons claiming under them for a period of thirty (30) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then homeowners of the land parcels has been recorded, agreeing to change said covenants in whole or part.

ENFORCEMENT: In the event any owner fails to comply with the provisions of this Declaration, such failure will give rise to a cause of action on the part of developer

and/or property owners for the recovery of damages or for injunctive relief, or both. Enforcement of these covenants and restrictions may be by any proceeding at law or in equity. The offending party will pay all court costs and legal fees of the developer or Architectural Control Committee.

SEVERABILITY: Invalidity of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

AMENDMENT PROCEDURE: These covenants may be amended by a majority vote of the lot owners of Lots 2 through 13, Block One (1), of Green Acres Third Addition, a Subdivision to the Town of Caledonia, Minnesota; provided however, the Developers may amend these Covenants at any time provided the Developers own at least three (3) lots of said lots. The owner(s) of each lot shall be entitled to one (1) vote for each lot owned.

HOLD HARMLESS: The Developers are hereby held harmless for any non-compliance with any of the provisions provided in this Declaration of Restrictive Covenants and Mutual Easements and also are hereby held harmless for any claims resulting from the compliance and enforcement of the provisions herein.

IDENTIFICATION OF DEVELOPERS: For the purpose of the Declarations of Restrictive Covenants and Mutual Easements, the Developers are Arnold E. Fruechte and Elizabeth J. Fruechte

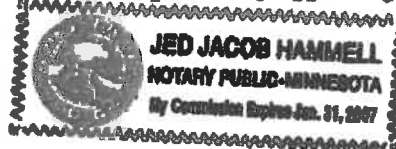
DATE: September 8, 2003

Arnold E. Fruechte
Arnold E. Fruechte
Elizabeth J. Fruechte
Elizabeth J. Fruechte
Jed Hammell
Jed Hammell

STATE OF MINNESOTA)
)
COUNTY OF HOUSTON)

Acknowledged this 8th day of September, 2002, by Arnold E. Fruechte and Elizabeth J. Fruechte, husband and wife, personally appearing.

Jed Hammell
Notary Public



STATE OF MINNESOTA)
)
COUNTY OF HOUSTON)

Acknowledged this 8 day of Sept., 2003, by Jed Hammell, a
single person, personally appearing.

Terril LaJeune
Notary Public



Document Drafted By:

Al Wieser, Jr.
Attorney at Law
33 S. Walnut - Suite 200
La Crescent, MN 55947

Front 7-8-24.png

13



From: [Donise Becker](#)
To: [Martin Herrick](#)
Subject: Wurm variance
Date: Tuesday, July 16, 2024 2:20:22 PM

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

Good afternoon,

I writing to you to express my concerns with the variance Nathan and Jennifer Wurm have applied for. As a Township Supervisor I am concerned about the amount of run off a building of nearly 5000 square feet on a hillside will produce and the amount of dirt that will be eroded before a good sod base is established.

Another issue, besides the height variance, according to the covenant regarding Green Acres third addition, all lots shall be limited to single family dwellings.

In addition, I have heard from several residents in Green Acres with concerns about this building.

Sincerely,
Donise Becker

Conditional Use
Request
2024-CUP-273955
Applicant
brent auggedahl
Amount Paid
\$0.00
Created
June 17, 2024

Number
2024-CUP-
273955

WURM,NATHAN A & JENNIFER
R | 030465000 | Caledonia
Submitted by brent auggedahl on
6/17/2024



Applicant

brent auggedahl

brentaugedahl@gmail.com

Search Parcel Data Completed On Monday, June 17, 2024 at 8:11 PM CDT by brent auggedahl

ParcelID	Address	City	OwnerName	Acres
030465000	12759 PHILLIP DR	CALEDONIA	WURM,NATHAN A & JENNIFER R	0.000

CONDITIONAL USE INTRO Completed On Monday, June 17, 2024 at 8:11 PM CDT by brent auggedahl

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 Monday, June 17, 2024 at 8:12 PM CDT by brent auggedahl

Applicant Name

WURM,NATHAN A & JENNIFER R

Parcel Tax ID

030465000

Telephone Number

5074293216

Address

12759 PHILLIP DR

City

CALEDONIA

Zip

55921

Legal Description

DOC #224026; DOC 259004 DOC 278581

Section-Township-Range

24-102-006

Do you own additional adjacent parcels

No

Township of:

Caledonia

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 Monday, June 17, 2024 at 8:14 PM CDT by brent auggedahl
[Click here to view the Houston County Zoning Ordinance](#)

Describe in detail your request.

building an accessory building to be used as recreational

Citation of Ordinance Section from which the Conditional Use is requested:
12555

Requested Dimension:
50' by 104'

Please upload any supporting documents:

CONDITIONAL USE FINDING OF FACTS Completed On Monday, June 17, 2024 at 8:28 PM CDT by brent auggedahl
[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:

will make building match existing house

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

Yes

Comments:

want for area for workout and recreational sports

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

Yes

Comments:

no activity will affect water quality

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

Yes

Comments:

water runoff will be maintained as usual

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

Yes

Comments:

same as building a new house

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

Yes

Comments:

no pollution hazards at all

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.

Yes

Comments:

wont need off street parking

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

Yes

Comments:

no traffic congestion will happen

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

Comments:

will not cause any enjoyment issues at all

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

Comments:

will not impede any such property in negative way

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

Comments:

none of these elements will be present on site

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

Yes

Comments:

structure will be very compatible with all its neighbors

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.

Yes

Comments:

structure will blend in

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

Comments:

all conditions will be met

SITE PLAN INFORMATION Completed On Monday, June 17, 2024 at 8:28 PM CDT by brent auggedahl

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

Upload Site Plan

[Site Plan - Wurm.pdf](#)

Submitted by Applicant

20

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 Monday, June 17, 2024 at 8:29 PM CDT by brent auggedahl

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:

6/18/2024

Check this box if Staff Signature on behalf of Applicant.

Email APPLICATION SUBMITTAL Completed On Monday, June 17, 2024 at 8:29 PM CDT by brent augedahl

DELIVERED

Delivered on Monday, June 17, 2024 at 8:29 PM 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

amella.melners@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

brentaugedahl@gmail.com

Subject: Parcel 030465000 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: 2024-CUP-273955

Workflow: Conditional Use Request

Description: WURM,NATHAN A & JENNIFER R | 030465000 | Caledonia

Created On: 6/18/2024

[View Application](#)

External Notes

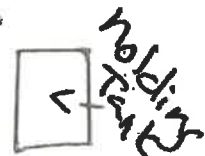
Documents

Internal Notes

Documents

Current Drive way

Philip Drive



133' to center line

90'

6' x 6'

Rec
over

Rec
over
111

← 34' →

9'

34'

34'

← 26' to →
Property
Line

50' Line

38' to Property Line

Neate & Son Murn

Houston County Agenda Request Form

Date Submitted: July 25, 2024

Board Date: August 6, 2024

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

Project # CP 2024-04 with Fahrner Asphalt Sealers, LLC, for Crackfill repair is complete and ready for final payment.

Attachments/Documentation for the Board's Review:

Final Contract Voucher (5 need to be signed)

(1-County Claim, 1 Contractor, 1-Auditor's office, and 2-Highway Dept)

Justification:

Action Requested:

Resolution for Final Acceptance needed for contract.

Language for Minutes:

Commissioner _____ moved, Commissioner _____ seconded, unanimously carried to approve Resolution **24-26** Final Acceptance for CP 2024-04, Contract #067 with Fahrner Asphalt Sealers, LLP for Crackfill repair. Total cost was \$57,287.16.

WHEREAS, Contract for the Contract No. 067 has in all things been completed, and the County Board being fully advised in the premises; and

THEREFORE, BE IT RESOLVED, the Houston County Board of Commissioners accepts said completed project for and on behalf of the Houston County and authorize final payment as specified herein.

For County Use Only			
Reviewed by:	_____ 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 Allison Wagner at BOC@co.houston.mn.us by 12:00 p.m. on Thursday 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. 24-26

**FINAL ACCEPTANCE FOR CP 2024-04 CRACKFILL
CONTRACT # 067**

FAHRNER ASPHALT SEALERS, LLC

AUGUST 6, 2024

WHEREAS, Contract No. 067 has in all things been completed, and the County Board
being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for
and in behalf of the County of Houston and authorize final payment as specified herein.

*****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 August 6, 2024.

WITNESS my hand and the seal of my office this 6th day of August 2024.

Signed by _____

Interim Houston County Auditor - Treasurer

Houston County Highway Department

1124 E Washington St, Caledonia, MN 55921
CP 2024-04 Crackfill
Final Payment No. 2

Contractor: Fahmer Asphalt Sealers, LLC - Eau Claire
6615 US Hwy 12 W
Eau Claire

Contract No. 067 CP 2024-04 Crackfill
Vendor Number: 5820
Up To Date: 7/11/2024
Warrant # _____ **Date** _____

Contract Amount

Original Contract	\$57,280.00
Contract Changes	\$0.00
Revised Contract	\$57,280.00

Funds Encumbered

Original	\$57,280.00
Additional	N/A
Total	\$57,280.00

Work Certified To Date

Base Bid Items	\$57,287.16
Contract Changes	\$
Material On Hand	\$0.00
Total	\$57,287.16

Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
\$0.00	\$57,287.16	\$0.00	\$54,422.80	\$2,864.36	\$57,287.16
Percent: Retained: 0%			Percent Complete: 100.01%		
Amount Paid This Final Payment				\$2,864.36	

This is to certify that the items of work shown in this certificate of Pay Estimate have been actually furnished for the work comprising the above-mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By

Approved By Fahmer Asphalt Sealers, LLC - Eau Claire

County Engineer

Date

Contractor

Date

7/23/2024

Certificate of Final Contract Acceptance

Final Voucher Number: number

This is to certify that to the best of my knowledge, the items of work shown in the Statement of Work Certified herein have actually furnished in accordance with the Plans and Specifications. This Project has been completed in accordance with the Laws, Standards and Procedures of as they apply to projects in this category, and if applicable, approved by the Federal Highway Administration.

Dated 7/31/2024 Signature [Signature] County/City/Project Engineer

The undersigned Contractor hereby certifies that the work described has been performed in accordance with the terms of the Contract, and agrees that the Final Value of Work Certified on this Contract is \$57,287.16 and agrees to the amount of \$2,864.36 as Final Payment on this Contract in accordance with this Final Voucher.

Contractor: Fahrner Asphalt Sealers, LLC - Eau Claire

By

And _____ Signature _____ And [Signature] Signature _____ State of WI,

On This 23 Day July, 2024, Before me appeared Jeff Sheehan To me known to

(Individual Acknowledgment)

be the person who executed the foregoing Acceptance and Acknowledged that he/she executed the same as _____ free to act and deed
his/her

(Corporate Acknowledgment)

Jeff Sheehan And _____, to me personally known, who, being each by me duly sworn

each did say that they are respectively the Vice President and _____ of the **NO SEAL ADOPTED**
Fahrner Asphalt Sealers Corporation named in the foregoing instrument, and that the seal affixed to said instrument is the Corporate Seal of said Corporation, and the said instrument was signed and sealed in behalf of said Corporation by authority of its

Officer and said Jeff Sheehan and _____

acknowledged said instrument to be the free act and deed of said Corporation.

Notarial My Commission as Notary Public in Eau Claire County

Seal Expires 10/11/24 Signature [Signature]

hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with the terms of the Contract is as shown in this Final Voucher.

This Contract is hereby accepted in accordance with the Specification 1516. Final acceptance of the Contract will be effective upon full Execution, by the Contractor and the Department, of the "Certificate of Final Acceptance" included with the Final Voucher.

Dated _____ Signature _____ District Engineer

**Houston County Highway Department
Certificate of Final Acceptance
Board Acknowledgment**

Contract Number: 067 CP 2024-04 Crackfill
Contractor: Fahrner Asphalt Sealers, LLC - Eau Claire
Date Certified: 7/11/2024
Payment Number: 2

Whereas; Contract No.067 CP 2024-04 Crackfill has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and in behalf of Houston County Highway Department a and authorize final payment as specified herein.

State of Minnesota

I, Polly Heberlein, Houston County Interim Auditor-Treasurer, within and for said county do hereby certify that the foregoing resolution is a true and correct copy of the resolution on file in my office.

Dated this _____ day of _____, 20____

At Caledonia, Minnesota

Signed By _____

(SEAL)

Houston County Highway Department
1124 E Washington St, Caledonia, MN 55921
CP 2024-04 Crackfill
Final Payment No. 2

Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	6/27/2024	\$57,287.16	\$2,864.36	\$54,422.80
2	7/11/2024	\$0.00	(\$2,864.36)	\$2,864.36

Funding Category Name	Funding Category Number	Work Certified to Date	Less Amount Retained	Less Previous Payments	Amount Paid this Request	Total Amount Paid to Date
CP 2024-04 Crackfilling		\$57,287.16	\$0.00	\$54,422.80	\$2,864.36	\$57,287.16

Accounting Number	Funding Source	Amount Paid this Request	Revised Contract Amount	Funds Encumbered to Date	Paid Contractor to Date
CP 2024-04	County Levy	\$2,864.36	\$57,280.00	\$57,280.00	\$57,287.16

Contract Item Status								
Base/Alt	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Base Bid	1	2331.608 ROUT & SEAL BITUMINOUS PAVEMENT CRACKS (POUND)	3.580	16,000.00	0.00	\$0.00	16,002.00	\$57,287.16
Base Bid Totals:						\$0.00		\$57,287.16

Project Category Totals			
Project	Category	Amount This Request	Amount To Date
CP 2024-04	CP 2023-04	\$0.00	\$57,287.16

Contract Change Item Status										
Project	CC	CC#	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Contract Change Totals:								\$		\$

Contract Total	\$57,287.16
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Contract Change Totals			
Number	Description	Amount This Request	Amount To Date

Material On Hand Additions					
Line	Item	Description	Date	Added	Comments

Material On Hand Balance						
Line	Item	Description	Date	Added	Used	Remaining

Contract Item Status by Funding Breakdown								
Funding Cat	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
CP 2024-04 Crackfilling	1	2331.608 ROUT & SEAL BITUMINOUS PAVEMENT CRACKS (POUND)	3.580	16,000.00	0.00	\$0.00	16,002.00	\$57,287.16
Totals:						\$0.00		\$57,287.16



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	0-223-981-408
Submitted Date and Time:	29-Jul-2024 2:47:20 PM
Legal Name:	FAHRNER ASPHALT SEALERS LLC
Federal Employer ID:	11-3804531
User Who Submitted:	8753003
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	2076102656
Minnesota ID:	8753003
Project Owner:	HOUSTON COUNTY HIGHWAY DEPARTMENT
Project Number:	CP 2024-04
Project Begin Date:	10-Jun-2024
Project End Date:	19-Jun-2024
Project Location:	HOUSTON COUNTY
Project Amount:	\$57,287.16
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.

Houston County Agenda Request Form

Date Submitted: July 25, 2024

Board Date: August 6, 2024

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

Project # CP 2024-01 with Bruening Rock Products, Inc, for Shouldering repair is complete and ready for final payment.

Attachments/Documentation for the Board's Review:

Final Contract Voucher (5 need to be signed)

(1-County Claim, 1 Contractor, 1-Auditor's office, and 2-Highway Dept)

Justification:

Action Requested:

Resolution for Final Acceptance needed for contract.

Language for Minutes:

Commissioner _____ moved, Commissioner _____ seconded, unanimously carried to approve Resolution **24-27** Final Acceptance for CP 2024-01, Contract #064 with Bruening Rock Products, Inc for Shouldering repair. Total cost was \$300,946.32.

WHEREAS, Contract for the Contract No. 064 has in all things been completed, and the County Board being fully advised in the premises; and

THEREFORE, BE IT RESOLVED, the Houston County Board of Commissioners accepts said completed project for and on behalf of the Houston County and authorize final payment as specified herein.

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 Allison Wagner at BOC@co.houston.mn.us by 12:00 p.m. on Thursday 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. 24-27

**FINAL ACCEPTANCE FOR CP 2024-01 SHOULDERING
CONTRACT # 064**

BRUENING ROCK PRODUCTS, INC

AUGUST 6, 2024

WHEREAS, Contract No. 064 has in all things been completed, and the County Board
being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for
and in behalf of the County of Houston and authorize final payment as specified herein.

*******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 August 6, 2024.

WITNESS my hand and the seal of my office this 6th day of August 2024.

Signed by _____

Interim Houston County Auditor - Treasurer

Houston County Highway Department

1124 E Washington St, Caledonia, MN 55921

CP 2024-01 Shouldering

Final Payment No. 2

Contractor: Bruening Rock Products Inc.
900 Montgomery St.

Decorah

Contract No. 064 CP 2024-01 Shouldering
Vendor Number: 5937
Up To Date: 7/11/2024

Warrant # _____ **Date** _____

Contract Amount

Original Contract	\$303,190.22
Contract Changes	\$0.00
Revised Contract	\$303,190.22

Funds Encumbered

Original	\$303,190.22
Additional	N/A
Total	\$303,190.22

Work Certified To Date

Base Bid Items	\$300,946.32
Contract Changes	\$
Material On Hand	\$0.00
Total	\$300,946.32

Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
\$0.00	\$300,946.32	\$0.00	\$285,899.00	\$15,047.32	\$300,946.32
Percent: Retained: 0%			Percent Complete: 99.26%		
Amount Paid This Final Payment				\$15,047.32	

This is to certify that the items of work shown in this certificate of Pay Estimate have been actually furnished for the work comprising the above-mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By

Approved By Bruening Rock Products Inc.

County Engineer

Date 7/11/2024

Contractor

Date

Controller

Certificate of Final Contract Acceptance
Final Voucher Number: number

This is to certify that to the best of my knowledge, the items of work shown in the Statement of Work Certified herein have actually furnished in accordance with the Plans and Specifications. This Project has been completed in accordance with the Laws, Standards and Procedures of as they apply to projects in this category, and if applicable, approved by the Federal Highway Administration.

Dated 7/31/2024 Signature [Signature] County/City/Project Engineer

The undersigned Contractor hereby certifies that the work described has been performed in accordance with the terms of the Contract, and agrees that the Final Value of Work Certified on this Contract is \$300,946.32 and agrees to the amount of \$15,047.32 as Final Payment on this Contract in accordance with this Final Voucher.

Contractor: Bruening Rock Products Inc.

By [Signature]
Signature

And [Signature] And [Signature] State of IA,
Signature Signature

On This 25th Day July, 2024, Before me appeared Jesse Delaney To me known to

~~(Individual Acknowledgment)~~

~~be the person who executed the foregoing Acceptance and Acknowledged that he/she executed the same as
his/her free to act and deed~~

(Corporate Acknowledgment)

Jesse Delaney And Staci Snitker, to me personally known, who, being each by me duly sworn

each did say that they are respectively the Project Manager and Project Manager's Assistant of the

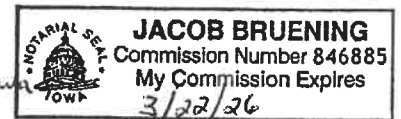
Said Corporation named in the foregoing instrument, and that the seal affixed to said instrument is the Corporate Seal of said Corporation, and the said instrument was signed and sealed in behalf of said Corporation by authority of its

President and said Jesse Delaney and Staci Snitker

acknowledged said instrument to be the free act and deed of said Corporation.

Notarial My Commission as Notary Public in Winnebago County, Iowa

Seal Expires 3/22/26 Signature [Signature]



I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with, the terms of the Contract is as shown in this Final Voucher.

This Contract is hereby accepted in accordance with the Specification 1516. Final acceptance of the Contract will be effective upon full Execution, by the Contractor and the Department, of the "Certificate of Final Acceptance" included with the Final Voucher.

Dated _____ Signature _____ District Engineer

**Houston County Highway Department
Certificate of Final Acceptance
Board Acknowledgment**

Contract Number: 064 CP 2024-01 Shouldering
Contractor: Bruening Rock Products Inc.
Date Certified: 7/11/2024
Payment Number: 2

Whereas; Contract No.064 CP 2024-01 Shouldering has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and in behalf of Houston County Highway Department a and authorize final payment as specified herein.

State of Minnesota

I, Polly Heberlein, Houston County Interim Auditor-Treasurer, within and for said county do hereby certify that the foregoing resolution is a true and correct copy of the resolution on file in my office.

Dated this _____ day of _____, 20____

At Caledonia, Minnesota

Signed By _____

(SEAL)

Houston County Highway Department
1124 E Washington St, Caledonia, MN 55921
CP 2024-01 Shouldering
Final Payment No. 2

Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	7/2/2024	\$300,946.32	\$15,047.32	\$285,899.00
2	7/11/2024	\$0.00	(\$15,047.32)	\$15,047.32

Funding Category Name	Funding Category Number	Work Certified to Date	Less Amount Retained	Less Previous Payments	Amount Paid this Request	Total Amount Paid to Date
CP 2024-01 Shouldering		\$300,946.32	\$0.00	\$285,899.00	\$15,047.32	\$300,946.32

Accounting Number	Funding Source	Amount Paid this Request	Revised Contract Amount	Funds Encumbered to Date	Paid Contractor to Date
County Levy	County Levy	\$15,047.32	\$303,190.22	\$303,190.22	\$300,946.32

Contract Item Status								
Base/Alt	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Base Bid	1	2221.509 SHOULDER BASE AGGREGATE CLASS 1 (TON)	21.999	13,782.00	0.00	\$0.00	13,680.00	\$300,946.32
Base Bid Totals:						\$0.00		\$300,946.32

Project Category Totals			
Project	Category	Amount This Request	Amount To Date
CP 2024-01	CP 2024-01	\$0.00	\$300,946.32

Contract Change Item Status										
Project	CC	CC#	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Contract Change Totals:								\$		\$

Contract Total	\$300,946.32
-----------------------	---------------------

Contract Change Totals			
Number	Description	Amount This Request	Amount To Date

Material On Hand Additions					
Line	Item	Description	Date	Added	Comments

Material On Hand Balance						
Line	Item	Description	Date	Added	Used	Remaining

Contract Item Status by Funding Breakdown								
Funding Cat	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
CP 2024-01 Shouldering	1	2221.509 SHOULDER BASE AGGREGATE CLASS 1 (TON)	21.999	13,782.00	0.00	\$0.00	13,680.00	\$300,946.32
Totals:						\$0.00		\$300,946.32



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-167-183-712
Submitted Date and Time:	25-Jul-2024 4:24:21 PM
Legal Name:	BRUENING ROCK PRODUCTS INC
Federal Employer ID:	42-0632195
User Who Submitted:	Bruening Rock
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1939787776
Minnesota ID:	6488964
Project Owner:	COUNTY OF HOUSTON, MN
Project Number:	CP 2024-01
Project Begin Date:	14-Jun-2024
Project End Date:	27-Jun-2024
Project Location:	VARIOUS COUNTY HIGHWAYS
Project Amount:	\$300,946.32
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.

Houston County Agenda Request Form

Date Submitted: July 25, 2024

Board Date: August 6, 2024

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

Project # CP 2024-10 with Bruening Rock Products, Inc, for Maintenance Rock is complete and ready for final payment.

Attachments/Documentation for the Board's Review:

Final Contract Voucher (5 need to be signed)

(1-County Claim, 1 Contractor, 1-Auditor's office, and 2-Highway Dept)

Justification:

Action Requested:

Resolution for Final Acceptance needed for contract.

Language for Minutes:

Commissioner _____ moved, Commissioner _____ seconded, unanimously carried to approve

Resolution **24-28** Final Acceptance for CP 2024-10, Contract #073 with Bruening Rock Products, Inc for Maintenance Rock. Total cost was \$109,841.99.

WHEREAS, Contract for the Contract No. 073 has in all things been completed, and the County Board being fully advised in the premises; and

THEREFORE, BE IT RESOLVED, the Houston County Board of Commissioners accepts said completed project for and on behalf of the Houston County and authorize final payment as specified herein.

For County Use Only

Reviewed by:

County Auditor

Finance Director

IS Director

County Attorney

County Engineer

Other (Indicate dept)

Zoning Administrator

Environmental Services

Recommendation:

Decision:

All agenda request forms must be submitted to Allison Wagner at BOC@co.houston.mn.us by 12:00 p.m. on Thursday 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. 24-28

**FINAL ACCEPTANCE FOR CP 2024-10 MAINTENANCE ROCK
CONTRACT # 073**

BRUENING ROCK PRODUCTS, INC

AUGUST 6, 2024

WHEREAS, Contract No. 073 has in all things been completed, and the County Board
being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for
and in behalf of the County of Houston and authorize final payment as specified herein.

*******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 August 6, 2024.

WITNESS my hand and the seal of my office this 6th day of August 2024.

Signed by _____

Interim Houston County Auditor - Treasurer

Houston County Highway Department

1124 E Washington St, Caledonia, MN 55921
CP 2024-10 Maintenance Rock
Final Payment No. 2

Contractor: Bruening Rock Products Inc.
900 Montgomery St.
Decorah, IA 52101

Contract No. 073 CP 2024-10 Maintenance Rock
Vendor Number: 5937
Up To Date: 7/11/2024
Warrant # _____ **Date** _____

Contract Amount

Original Contract	\$112,714.61
Contract Changes	\$0.00
Revised Contract	\$112,714.61

Funds Encumbered

Original	\$112,714.61
Additional	N/A
Total	\$112,714.61

Work Certified To Date

Base Bid Items	\$109,841.99
Contract Changes	\$
Material On Hand	\$0.00
Total	\$109,841.99

Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
\$0.00	\$109,841.99	\$0.00	\$104,349.89	\$5,492.10	\$109,841.99
Percent: Retained: 0%			Percent Complete: 97.45%		
Amount Paid This Partial Payment				\$5,492.10	

This is to certify that the items of work shown in this certificate of Pay Estimate have been actually furnished for the work comprising the above-mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By

Approved By Bruening Rock Products Inc.

County Engineer

Date 7/31/2024

Contractor

Date

Certificate of Final Contract Acceptance
Final Voucher Number: number

This is to certify that to the best of my knowledge, the items of work shown in the Statement of Work Certified herein have actually furnished in accordance with the Plans and Specifications. This Project has been completed in accordance with the Laws, Standards and Procedures of as they apply to projects in this category, and if applicable, approved by the Federal Highway Administration.

Dated 7/31/2024 Signature [Signature] County/City/Project Engineer

The undersigned Contractor hereby certifies that the work described has been performed in accordance with the terms of the Contract, and agrees that the Final Value of Work Certified on this Contract is \$109,841.99 and agrees to the amount of \$5,492.10 as Final Payment on this Contract in accordance with this Final Voucher.

Contractor: Bruening Rock Products Inc.

By [Signature]
Signature

And [Signature] And [Signature] State of IA
Signature Signature

On This 25th Day July, 2024, Before me appeared Jesse Delaney To me known to

(Individual Acknowledgment)

~~be~~ the person who executed the foregoing Acceptance and Acknowledged that he/she executed the same as
free to act and deed

(Corporate Acknowledgment)

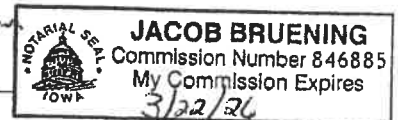
Jesse Delaney And Staci Snitker, to me personally known, who, being each by me duly sworn

each did say that they are respectively the Project Manager and Project Manager's Assistant of the
Said Corporation named in the foregoing instrument, and that the seal affixed to said instrument is the Corporate Seal of said Corporation, and the said instrument was signed and sealed in behalf of said Corporation by authority of its

President and said Jesse Delaney and Staci Snitker
acknowledged said instrument to be the free act and deed of said Corporation.

Notarial My Commission as Notary Public in Winneshiek County, Iowa

Seal Expires 3/22/26 Signature [Signature]



I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with, the terms of the Contract is as shown in this Final Voucher.

This Contract is hereby accepted in accordance with the Specification 1516. Final acceptance of the Contract will be effective upon full Execution, by the Contractor and the Department, of the "Certificate of Final Acceptance" included with the Final Voucher.

Dated _____ Signature _____ District Engineer

**Houston County Highway Department
Certificate of Final Acceptance
Board Acknowledgment**

Contract Number: 073 CP 2024-10 Maintenance Rock
Contractor: Bruening Rock Products Inc.
Date Certified: 7/11/2024
Payment Number: 2

Whereas; Contract No.073 CP 2024-10 Maintenance Rock has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and in behalf of Houston County Highway Department a and authorize final payment as specified herein.

State of

I, Donna Trehus, Houston County Auditor-Treasurer, within and for said county do hereby certify that the foregoing resolution is a true and correct copy of the resolution on file in my office.

Dated this _____ day of _____, 20____

At Caledonia, Minnesota

Signed By _____

(SEAL)

Houston County Highway Department
1124 E Washington St, Caledonia, MN 55921
CP 2024-10 Maintenance Rock
Final Payment No. 2

Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	7/2/2024	\$109,841.99	\$5,492.10	\$104,349.89
2	7/11/2024	\$0.00	(\$5,492.10)	\$5,492.10

Funding Category Name	Funding Category Number	Work Certified to Date	Less Amount Retained	Less Previous Payments	Amount Paid this Request	Total Amount Paid to Date
CP 2024-10 Maintenance Rock		\$109,841.99	\$0.00	\$104,349.89	\$5,492.10	\$109,841.99

Accounting Number	Funding Source	Amount Paid this Request	Revised Contract Amount	Funds Encumbered to Date	Paid Contractor to Date
073 CP 2024-010 Maintenance Rock	County Levy	\$5,492.10	\$112,714.61	\$112,714.61	\$109,841.99

Contract Item Status								
Base/Alt	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Base Bid	1	2211.509/001 STOCKPILE AGGREGATE, CLASS 5 (DELIVERED) (TONS)	\$10.54	3,680.00	0.00	\$0.00	3,712.7	\$39,128.15
Base Bid	2	2211.509/001 STOCKPILE AGGREGATE, CLASS 5 (DELIVERED) (TONS)	\$10.54	3,565.00	0.00	\$0.00	3,348.91	\$35,294.16
Base Bid	3	2211.509/001 STOCKPILE AGGREGATE, CLASS 5 (DELIVERED) (TONS)	\$10.54	3,450.00	0.00	\$0.00	3,360.82	\$35,419.68
Base Bid Totals:						\$0.00		\$109,841.99

Project Category Totals			
Project	Category	Amount This Request	Amount To Date
CP 2024-010 Maintenance Rock	CSAH 5B	\$0.00	\$35,294.16
CP 2024-010 Maintenance Rock	CSAH 5A	\$0.00	\$39,128.15
CP 2024-010 Maintenance Rock	CSAH 20	\$0.00	\$35,419.68

[illegible]

Houston County Highway Department
1124 E Washington St, Caledonia, MN 55921
CP 2024-10 Maintenance Rock
Final Payment No. 2

Contract Change Item Status									
Project	CC	CC#	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Amount To Date
Contract Change Totals:								\$	\$

Contract Total	\$109,841.99
----------------	--------------

Contract Change Totals			
Number	Description	Amount This Request	Amount To Date

Material On Hand Additions					
Line	Item	Description	Date	Added	Comments

Material On Hand Balance						
Line	Item	Description	Date	Added	Used	Remaining

Contract Item Status by Funding Breakdown									
Funding Cat	Line	Item	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date	
CP 2024-10 Maintenance Rock	1	2211.509/001 STOCKPILE AGGREGATE, CLASS 5 (DELIVERED) (TONS)	\$10.54	3,680.00	0.00	\$0.00	3,712.70	\$39,128.15	
CP 2024-10 Maintenance Rock	2	2211.509/001 STOCKPILE AGGREGATE, CLASS 5 (DELIVERED) (TONS)	\$10.54	3,565.00	0.00	\$0.00	3,348.91	\$35,294.16	
CP 2024-10 Maintenance Rock	3	2211.509/001 STOCKPILE AGGREGATE, CLASS 5 (DELIVERED) (TONS)	\$10.54	3,450.00	0.00	\$0.00	3,360.82	\$35,419.68	
Totals:						\$0.00		\$109,841.99	



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-502-728-032
Submitted Date and Time:	25-Jul-2024 4:20:01 PM
Legal Name:	BRUENING ROCK PRODUCTS INC
Federal Employer ID:	42-0632195
User Who Submitted:	Bruening Rock
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	910282752
Minnesota ID:	6488964
Project Owner:	COUNTY OF HOUSTON, MN
Project Number:	CP 2024-10
Project Begin Date:	20-Jun-2024
Project End Date:	27-Jun-2024
Project Location:	CSAH 5 AND CSAH 20
Project Amount:	\$109,841.99
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.

Houston County Agenda Request Form

Date Submitted: August 1, 2024

Board Date: August 6, 2024

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

MnDot is providing access to a pavement management software called GRIT - Geographic Roadway Inventory Tool. They are also providing reimbursement of up to \$1,000 for costs associated with this.

Attachments/Documentation for the Board's Review:

Service Agreement from North Dakota State University, through its Upper Great Plains Transportation Institute.

Justification:

This software will assist staff with tracking pavement conditions on Houston County roadways.

Action Requested:

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 Allison Wagner at BOC@co.houston.mn.us by 12:00 p.m. on Thursday 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.

SERVICE AGREEMENT

This Service Agreement (hereinafter "Agreement") is effective as of the date of the last signature below (hereinafter "Effective Date") and entered into between North Dakota State University, through its Upper Great Plains Transportation Institute, a public educational institution of the State of North Dakota (hereinafter "Provider") and Houston County, a public agency existing under the laws of Minnesota (hereinafter "Recipient").

WHEREAS, the Provider, through its faculty, staff and students, has developed an asset management tool named the Geographic Roadway Inventory Tool (GRIT) (hereinafter "GRIT") which includes data server storage services and geographic reporting tools; and

WHEREAS, the Provider continues to develop and enhance GRIT, the GRIT view-only applications and its associated data services;

WHEREAS, the Provider provides GRIT data editing capabilities and data storage services to North Dakota local governmental agencies and provides view-only access to the public sector. Provider has now expanded the GRIT data editing and data storage services to local governmental agencies of neighboring states;

WHEREAS, the Recipient has evaluated GRIT and has expressed interest in using this system and wishes to engage the Provider to perform various maintenance services, training, and data storage and processing services in connection with GRIT;

NOW THEREFORE, in consideration of the mutual promises and agreements set forth in this Agreement, Provider and Recipient agree as follows:

1. Maintenance/Support Services

The Provider will furnish the following services:

PROVIDER will set up and provide the Recipient with a username and password to access GRIT and record, edit and maintain its GRIT data.

PROVIDER will host said data on a secure SQL server and provide standard data hosting and backup services.

PROVIDER will maintain and periodically update the GRIT application. There will be no specific user customization for any individual Recipient.

PROVIDER will provide web-based map services to display and analyze GRIT data which will be provided free for public use and research purposes.

PROVIDER will import and process publicly available traffic and pavement performance data if available in pre-defined format from State Department of Transportation.

PROVIDER will from time to time solicit feedback from Recipient and other GRIT users to utilize in proposed updates and/or enhancements.

PROVIDER will provide support and technical assistance via telephone or e-mail which will be available generally during Provider's regular business hours (8 a.m. to 4:30 p.m. Monday-Friday CST).

PROVIDER may provide training for GRIT by one or several of the following methods:

- (a) Webinars and video conferencing sessions.
- (b) Conference and district meeting presentations.
- (c) Help videos available through application and home page
- (d) One on one sessions in person or via telephone on a limited basis as time allows.

2. Maintenance/Support Fee and Expenses

Recipient will pay the Provider for a 1 Year Term of maintenance and support in the amount of \$950.00 (nine hundred fifty dollars) payable within forty-five (45) days of the Effective Date.

3. Term and Termination

(a) **Term.** The services provided under this Agreement shall commence on the first day of the quarter immediately following the Effective Date and continue for a one year period from that date (hereinafter "Expiration Date"). This Agreement shall thereafter renew for successive 1 year periods until such time as Recipient provides written notice of its intent to terminate this Agreement at least thirty(30) days prior to the Expiration Date. All terms and conditions of this Agreement shall apply during each renewal term, except that the fees payable under Provision 2 shall be set at the Provider's current rates. Provider's rates shall not increase by more than ten percent (10%) annually without prior notice.

(b) **Termination.** This Agreement may be terminated by Recipient as set forth in Provision 3(a). Provider may terminate this Agreement should Recipient breach this Agreement and not cure such breach within thirty (30) days of notice of such breach. The Recipient acknowledges that legislative action may require the curtailment or termination of some or all of Provider's research and educational programs and that Provider is obligated to respond to such legislative action, such response which may

include Provider's inability to continue its performance under this Agreement. The Parties agree that Provider's termination or failure to perform terms and conditions of this Agreement in response to legislative action will not be deemed a breach of this Agreement.

In the event of termination all Recipient data on the Provider servers will continue to be serviced and made available to the Recipient and the public in view mode only for a minimum period of 5 years after which it will be at the Providers discretion.

4. Recipient Support

The level of technical support that the Provider can provide to Recipient is dependent upon the cooperation of Recipient and the quality/quantity of information that Recipient can provide.

If the Provider cannot reproduce a reported problem or if the Recipient cannot successfully gather adequate troubleshooting information, the Provider may need temporary login access on the Recipient's system to identify and address any reported problem.

5. Recipient Responsibility

The Recipient may not distribute or permit any third party access to GRIT. The Recipient may not make any modifications to GRIT.

6. Right to Work Product

All error corrections, enhancements, new releases, and any other work product created by the Provider in connection with the support services provided under this Agreement ("Updates") are and shall remain the exclusive property of the Provider or the Provider creator(s), regardless of whether the Recipient, its employees, or agents may have contributed to the conception, joined in its development, or provided any funding for the development of the Updates.

7. Warranties, Indemnity and Liability

Provider in no way guarantees the services performed pursuant to this Agreement and **MAKES NO WARRANTIES, EXPRESS OR IMPLIED, REGARDING THE RESULTS OF THE SERVICES OR THE QUALITY OF PRODUCT PRODUCED UNDER THIS AGREEMENT.** Recipient agrees to indemnify and hold harmless NDSU against any claims and costs arising out of Recipient's use, sale or distribution of any data, products or processes, or its use or reliance upon the data, reports or other deliverables. Each party shall be responsible for its negligent acts or omissions and the negligent acts or omissions of its employees, officers, or directors, to the extent allowed by law.

8. General

- (a) Each party acknowledges that this Agreement is the complete and exclusive statement of the agreement between the parties, which supersedes and merges all prior proposals, understandings and all other agreement, oral and written, between the parties relating to this Agreement. This Agreement may not be modified or altered except by a written instrument duly executed by both parties.
- (b) This Agreement and performance hereunder shall be governed by and construed in accordance with the laws of the State of North Dakota without regard to its conflict of laws rules.
- (c) If any provision of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall in no way be affected or impaired thereby.
- (d) The waiver or failure of either party to exercise in any respect any right provided for herein shall not be deemed a waiver of any further right hereunder.

Recipient

WHEREFORE, the parties have caused this Agreement to be executed by their duly authorized representatives.

HOUSTON COUNTY

NORTH DAKOTA STATE UNIVERSITY

Recipient Name

By:

By:

Title:

Title:

Date:

Date:

Houston County Agenda Request Form

Date Submitted: July 31 2024

Person requesting appointment with County Board: John Pogleasa, Director Public Health & Human Services

Will you be doing a power point or video presentation: ☐ Yes ☒ NO

Issue:

Approve use of available ARPA funds for one time project costs and data conversion for CaseWorks document/case mangement system for PH/SS Social Services Division. Cost Estimate: \$80,000 project cost and \$15,000 data conversion. We will return with contracts for final approval.

Attachments/Documentation for the Board's Review:

Justification:

Action Requested:

Approve as submitted.

For County Use Only			
<u>Reviewed by:</u>	<input type="checkbox"/> County Auditor	<input type="checkbox"/> County Attorney	<input type="checkbox"/> Zoning/Environmental Service
	<input type="checkbox"/> Finance Director	<input type="checkbox"/> County Engineer	<input type="checkbox"/> HR/Personnel
	<input type="checkbox"/> IS Director	<input type="checkbox"/> 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 schedule appointments as appropriate.

Houston County Agenda Request Form

Date Submitted: July 31 2024

Person requesting appointment with County Board: John Pogleasa, Director Public Health & Human Services

Will you be doing a power point or video presentation: Yes X NO

Issue:

Approve use of MA unwind grant from DHS for CaseWorks one time project costs for PH/HS Accounting Division. Estimated project costs - \$58,000. We will return with contract for final approval.

Attachments/Documentation for the Board's Review:

Justification:

Action Requested:

Approve as submitted.

For County Use Only			
<u>Reviewed by:</u>	<u> </u> County Auditor	<u> </u> County Attorney	<u> </u> Zoning/Environmental Service
	<u> </u> Finance Director	<u> </u> County Engineer	<u> </u> HR/Personnel
	<u> </u> IS Director	<u> </u> Other (indicate dept)	<u> </u>
<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 schedule appointments as appropriate.

Auditor Warrants 2024/07/25

Lynn Colsch

Thu 8/1/2024 11:34 AM

To: Houston County BOC <BOC@co.houston.mn.us>;

REVIEW LICENSE CENTER PAYMENTS

2024/07/25 AUDITOR WARRANTS:

VENDORNAMEATPAYMENT	AMOUNT
CEDA	7,107.69
LEWISTON AUTO	32,126.94
WILDCAT CREEK MANAGEMENT LLC	8,348.14
	<u>47,582.77</u>

Lynn Colsch
Finance Clerk
Houston County
304 South Marshall Street
Caledonia MN 55921

Phone 507-725-5825

Commissioner Warrants 2024/08/06

Lynn Colsch

Thu 8/1/2024 11:38 AM

To:Houston County BOC <BOC@co.houston.mn.us>;
Cc:Carol Lapham <Carol.Lapham@co.houston.mn.us>; Susan Tostenson <Susan.Tostenson@co.houston.mn.us>;

REQUEST APPROVAL FOR PAYMENT

2024/08/06 COMMISSIONER'S WARRANTS:

AVFUEL CORPORATION	14,554.95
BRUENING ROCK PRODUCTS INC	21,286.78
BRYAN SPIER & TRACEY KNUTSON	30,000.00
CEDA	7,107.69
COMMISSIONER OF TRANSPORTATION	92,761.63
DELTA DENTAL	6,034.16
FAHRNER ASPHALT SEALERS LLC	41,361.30
IUOE LOCAL 49 FRINGE BENEFIT FUNDS	25,075.00
MEDICA	192,082.40
MN LIFE INSURANCE COMPANY	2,505.58
VERIZON WIRELESS	3,394.37
VISA	7,087.59
ZENKE INC	70,786.65
	<u>514,038.10</u>
34 VENDORS PAID LESS THAN \$2000.00	15,578.83
	<u>529,616.93</u>
PUBLIC HEALTH & HUMAN SERVICES	17,989.83
	<u><u>547,606.76</u></u>

Lynn Colsch
Finance Clerk
Houston County
304 South Marshall Street
Caledonia MN 55921

Phone 507-725-5825