

## PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: October 28, 2025

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

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

Others Present: Interim Auditor/Treasurer Polly Heberlein, Fillmore County Journal Reporter Charlene Selbee, Interim Administrator Carol Lapham, Human Resource Officer Brent Parker, Board Clerk/EDA Director Allison Wagner, Public Health and Human Services Director John Pugleasa, Financial Assistance Supervisor Karen Kohlmeyer, Feedlot Officer/Ag Inspector Jeremy Burt, Linda Griggs, Steve Hartwick, Yvonne Krogstad, and Joyce Diam

Presiding: Chairperson Johnson

Call to order.

Pledge of Allegiance.

Wagner said Action Item No. 2 should be removed from the agenda, and would be considered at a future meeting. Motion was made by Commissioner Schuldt, seconded by Commissioner Zehnder, motion unanimously carried to approve the agenda with the change.

Motion was made by Commissioner Myhre, seconded by Commissioner Wright, motion carried unanimously to approve the meeting minutes from October 21, 2025.

Public Comment:

None.

### APPOINTMENTS

Motion was made Commissioner Schuldt, seconded by Commissioner Zehnder, motion carried unanimously to open a Public Hearing, pursuant to Minnesota Statutes § 375A.1205, Subdivision 1. The purpose of the hearing was to consider making the positions of Auditor / Treasurer and Recorder positions appointed.

Steve Hartwick from Money Creek Township said he had a problem with appointing instead of electing the positions. He said it “becomes a consolidation of power”. He said he thought the voters were capable of deciding who should be in the positions, and that he liked to err on the side of democracy.

Linda Griggs from Yucatan Township said she had concerns about democratic accountability. She said direct voter control ensures officials answer to the public and not the board. She said she had concerns about cronyism. She said she liked precedent and tradition.

No official decisions were made on the matter and there would be another public hearing the evening of Wednesday, November 12<sup>th</sup> on the matter.

Motion was made Commissioner Schuldt, seconded by Commissioner Zehnder, motion carried unanimously to close the public hearing and go back in to regular session.

#### CONSENT AGENDA

Commissioner Myhre moved, Commissioner Wright seconded, motion unanimously carried to approve the consent agenda. The Commissioners thanked John Pugleasa, Public Health and Human Services Director for his years of service to Houston County. Approved item is below.

- 1) Accept the resignation/retirement of John Pugleasa, Public Health and Human Services Director, effective December 19<sup>th</sup>, 2025, with thanks for his 9 years of service to the residents of Houston County.

#### ACTION ITEMS

File No. 1 – Commissioner Zehnder moved, Commissioner Wright seconded, motion carried unanimously to approve a County Ag Inspector Grant draft. Commissioner Myhre moved, Commissioner Schuldt seconded, motion carried unanimously to approve the request to DocuSign the grant on behalf of the County.

File No. 2 – This item was removed from the agenda.

File No. 3 – Commissioner Myhre moved, Commissioner Zehnder seconded, motion unanimously carried to approve the Re-appointment of Manager Paul Fruechte to the Crooked Creek Watershed District for a three (3) year term to expire on 11/30/28. His current term would end on November 30, 2025.

File No. 4 – The Commissioners discussed the possibility of initiating a competitive search for Public Health and Human Services Director. The Commissions were in agreement that the position should be evaluated and accessed before moving forward with any decisions.

File No. 5 – Commissioner Zehnder moved, Commissioner Myhre seconded, motion unanimously carried to review and approve payments. Payments are below.

**REVIEW LICENSE CENTER PAYMENTS**

**2025/10/17 AUDITOR WARRANTS:**

<b>VENDOR NAME</b>	<b>AMOUNT</b>
HOUSTON COUNTY TREASURER	67,405.07
MIENERGY COOPERATIVE	3,244.57
VISA	7,543.28
	<hr/>
	78,192.92
3 VENDORS PAID LESS THAN \$2000.00	148.73
	<hr/>
	78,341.65
	<hr/>

**REVIEW LICENSE CENTER  
PAYMENTS**

**2025/10/22 AUDITOR WARRANTS:**

<b>VENDOR NAME</b>	<b>AMOUNT</b>
HOUSTON COUNTY TREASURER	74,679.53
TREASURER SCHOOL DISTRICT 239	14,384.38
TREASURER SCHOOL DISTRICT 294	248,001.89
TREASURER SCHOOL DISTRICT 297	193,484.07
TREASURER SCHOOL DISTRICT 299	335,307.22
ISD 300 TREASURER	823,217.34
	<hr/>
	1,689,074.43
1 VENDOR PAID LESS THAN \$2000.00	1,440.82
	<hr/>
	1,690,515.25
	<hr/>

**2025/10/28 COMMISSIONER'S WARRANTS:**

<b>VENDOR NAME</b>	<b>AMOUNT</b>
CALEDONIA PUBLIC SCHOOLS	16,819.09
COMMISSIONER OF TRANSPORTATION	5,808.04
COMPUTER FORENSIC SERVICES LLC	48,301.41
ENTERPRISE FM	11,199.61
GAK DIVERSIFIED INC	2,001.78
HOUSTON PUBLIC SCHOOLS-ISD 294	10,425.44
INDEPENDENT DISTRICT 300	24,334.00
LAWRENCE LAKE MARINA	2,025.70
NUSS TRUCK & EQUIPMENT	158,857.02
SPRING GROVE PUBLIC SCHOOL #297	8,421.47
WIEBKE TIRE CO	4,418.88
	<u>292,612.44</u>
26 VENDORS PAID LESS THAN \$2000.00	15,080.70
	<u>307,693.14</u>
PUBLIC HEALTH & HUMAN SERVICES	31,890.19
	<u><u>339,583.33</u></u>

**DISCUSSION ITEMS**

The Commissioners discussed recent and upcoming meetings including a District 9 Meeting where the Federal government shutdown was discussed. SNAP benefits would be ending starting in November if the shutdown continued. Businesses and thus the economy would also be impacted by SNAP benefits ending as SNAP was used at local businesses to purchase items.

Commissioner Johnson said there had been a good discussion regarding solar at the latest Planning Commission meeting.

Commissioners discussed a letter that had been sent to Board Chair Johnson from the Minnesota Department of Natural Resources regarding the County’s option to adopt an ordinance limiting firearms used to hunt deer. The County would need to notify the DNR if they enacted an ordinance by May 5<sup>th</sup> prior to the start of deer hunting so limitations could be included in the DNR’s annual hunting regulations handbook. No official decisions were made on the matter. The Commissioners said they wanted to get more public input.

The Commissioners scheduled a workgroup session for Wednesday, November 12<sup>th</sup>, at 5 p.m. in the regular Board of Commissioner room, as the day prior when the workgroup session would normally be held was Veterans Day and the County would be closed for the holiday. The County was holding a public hearing, pursuant to Minnesota Statutes § 375A.1205, Subdivision 1 the same evening. The purpose of the hearing was to consider making the positions of Auditor / Treasurer and Recorder positions appointed.

Closing Public Comment:

Linda Griggs from Yucatan Township said she strongly encouraged the County to only allow shotguns for deer hunting. She said she was a deer hunter.

Steve Hartwick from Money Creek Township asked questions about the firearms law. He thought deer hunting should be limited to shotguns.

There being no further business, a motion was made by Commissioner Myhre, seconded by Commissioner Wright, motion unanimously carried to adjourn the meeting at 9:52 a.m. The next meeting would be a regular meeting on November 4<sup>th</sup>, 2025.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: \_\_\_\_\_  
Eric Johnson, Chairperson

Attest: \_\_\_\_\_  
Carol Lapham, Interim Administrator



## MEMORANDUM

TO: Houston County Board of County Commissioners  
FROM: Larry Kirch, Community Development Director  
DATE: November 4, 2025  
SUBJECT: USA Gravel National Championships – Event Recap and Update for 2026

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On behalf of the City of La Crescent, Explore La Crosse, USA Cycling, and Medalist Sports, the city wishes to thank the County Board and County staff in helping make the USA Cycling Gravel National Championships a successful event. The event finished without major incident with three injured riders, one which needed transport after finishing the race. The city appreciates the role that the county played in the event with special thanks to the County Engineer Brian Pogodzinski and Mark Olson from County Emergency Management. Local sponsors included Explore La Crosse, Explore Minnesota, the City of La Crescent, Applefest, emplify Health, Kwik Trip, Morries Auto Group, and Copperhead Carts.

Total registered - 787 registrants from ages 11 to 92 years of age.

- Elite racers – 83
- Juniors – 15-
- Armature – 70
- Masters 452
- Para cyclists – 15
- Non-binary - 5
- Single speed - 12

Attached is a summary of three de-brief meetings with the Local Organizing Committee, USA Cycling/Medalst Sports, and city staff.

Planning has begun for 2026 already. The date of the event will be moved up to the second weekend of September. The event weekend is changing primarily because of other regional and national cycling events would result in fewer participants in the Gravel Nationals.

Thank you  
Larry Kirch, Community Development Director

CITY OF LA CRESCENT  
315 Main Street  
P.O. BOX 142  
La Crescent, MN 55947  
P: (507) 895-2595  
cityoflacrescent-mn.gov

## USA Cycling Gravel Nationals - Recap

### Traffic Control Plan & Road Safety - biggest area in need of improvement

- Traffic Control Plan came too late, MnDOT never did give us a sample of what they wanted so we had to create one from scratch. This had multiple ramifications including effects on intersection control & flaggers
- There may be a new route for 2026 and the routes have to be finalized by February so that traffic control and safety can be improved
- Center line rule not enforced at all – need for more motos and course marshals
- Weather - rain kept roads clearer than normal

### Traffic Operations - Course established at least 6 months in advance

- MNDot approval much earlier
- Traffic control plan immediately
- Number of flaggers needs to be doubled
- Course marshals at other intersections
- Better course signage for areas around Stoney Point (hand cyclists didn't know where / how to get to finish line)
- Sheriff Swedberg comments: traffic safety plan was not followed - flaggers not in place where they were supposed to be
- Pogodzinski comments: riders taking up the full lane, especially downhills

### Course

- Modify timing of race starts to keep passing / congestion to a minimum between groups
- Spread out groups into different heats with large numbers
- May consider some groups on Saturday and others on Sunday (TBD)
- Marshal needed at apple orchard to direct riders into correct driveway
- Aid station at apple orchard vs church on Chicken Ridge?
- Adjust the quarry road so we can send riders up and around quarry
- Route staying the same or altering next year?
  - Keeping it relatively the same
  - Small changes from this year's course
  - New route altogether

### Future Dates

- September 12 & 13 (weekend prior to Applefest)
- Avoids conflict with Applefest 5K, start may be at High School area
- La Crescent staff will have to work two weekends but not have two events going on at the same time.

### Mobile Welcome Center – with local and race information

- Race Information
- Maps of the route
- Zoomed in section for points of interest (satellite views)
- Lost and Found

## Refuse

- Trash & portables on both sides of the street for finish line

## Medical

- Tent: has to be more identifiable
- Ear piece for radio - PA was too loud to hear participants
- Supplies - more of the items that were used most - check with Joe Lamere on these items
- Dispatch went well - more channels on radios
- Ambulance closer to the medical tent
  - Golf cart could be utilized to get them from tent to ambulance

## More radios (50+) needed

- Have a radio person on-site to help trouble shoot issues. Ben Klinger did this year. They can help dispatcher relay too. Winona County has a cache of radios that can be requested in addition to the regional ones that were used too.

## Committees

- Establish more guidelines for each committee
- Goals that need to be accomplished
- Head of each committee (point person) to run and schedule
- LOC Positions
  - Aid station lead
  - Course marshal coordinator
- Start LOC meetings in November

## Finish Line Hospitality

- Water station
- Beer & Cider
- Food for volunteers (pizza?)

## Aid Stations

- Have Corporate Sponsor for each aid station (staffed by the sponsor's volunteers)
- Potential supplies for next year: paper towel (cleaning muddy glasses), bug spray, sunscreen
- Pickle juice
- Water pitchers to be able to fill bottles
- Manage families & support better
- Race official at aid stations to control support / flow and administer penalties if necessary

## Vendors

- "Minnesota Merchants" section of expo which has Minnesotan companies (HED, Twin Six, Onyx, Gear West)
- Try and keep all vendors together, those on the street had better traffic than those on grass

- Swag bag given out to riders, offer each vendor the opportunity to supply something
- Recruit more local sponsors and vendors so there is more local benefit

#### Volunteers

- Supply with route maps so they know where riders will need to go & where they are
- More communication on roles & responsibilities
- Person in charge at each location - aid stations, etc.
- Neon vests for all course marshals and flaggers (or high vis yellow volunteer shirts)
- Have sponsors "run" an aid station
- Water bottle sponsorship to have bottles at aid stations

#### Rider Registration (online)

- Purchase option add-ons? Event socks?

#### Sponsorships

- Work on sponsorships for 2026 now.
- Stan's, Neversecond - both emailed about supporting
- Follow ups with 2025 sponsors
- Expand local support
  - 360 Real Estate
  - Mathy / Millstone

#### Riders

- Information on "how to use an aid station"
- Include more info in the tech guide
- Rider meeting to not be scheduled during the course preview times (5-7pm)
- Split rider meetings with "Elites" & "General riders"
- Better timing with the courses - elites met the 74 mile riders on the minimum maintenance road
- Adherence to the "rules of the road"
  - Penalties to those who didn't follow the centerline
- Ride ambassadors for the youth group - local riders to help through the course

#### Applefest Integration

- Communicate the information that Applefest is available to all with a button
- Start a small band or background music as soon as awards are finished
- Signage to the Applefest grounds
- Kiddy parade issues - packed with cars in Crucifixion parking lot
  - "No Parking Signs"
  - Traffic was not stopped for kiddy parade - needs to be!

#### Parking Areas

- Elementary school
- "Van Parking Only" locations

Kaytlin:

- **Clearer Directions to Apple Fest Tents:** Many bikers returned to the finish line during awards, possibly due to unclear signage. A more clearly marked address or directions would help.
- **Detailed Course Descriptions:** Riders requested more specific information about each section of the course. Adding details about surface type (marshy, grassy, soil, gravel, etc.) would help participants prepare better and avoid surprises.
- **Finish Line Engagement:** Consider a fun finisher photo opportunity such as a sign or cutout that says "I completed Gravel Nationals in La Crescent, MN." Many racers stayed around the finish line for quite awhile, so this could extend the finish line hospitality.
- **Expo Vendor Stamp System:** Similar to WIGCOT, offer a stamp or check-in system at each vendor booth. Completing the circuit could enter racers and spectators into a prize drawing (e.g., Trek or other bike industry gift cards).
- **Branded Stickers:** Racers and spectators loved the Explore La Crosse freebies. Adding bike-themed stickers with Explore La Crosse branding, or adapting the year's event poster into sticker form, would be great to get more people to our booth.

Emily:

- **Vendor Fair/Finish Line Area**
  - It would be great if the vendor booths could face the race start/finish area (instead of us blocking the view for folks) - this would allow people to walk between the booths and the chute area.
  - Could have a specific area with demo bikes and a designated spot to try them
  - The vendor booths did not get much attention until racers started to finish - the early morning was especially slow (outside of some racers needing minor bike repairs).
  - Many vendors tore down early after the race.
  - More food trucks would be awesome
  - Clean up crew was small for the start/finish line - could use more volunteers next year (if possible)
  - All vendors on the same side of the street - or a designated crossing area on both sides of the start/finish line (could have volunteers at the crossing area to open/close it as racers come through)
- **Applefest:** Communicate with Applefest to ensure their materials for next year include the event locations - many people came to the MWC asking if the Gravel Nationals area was Applefest or if we knew where specific events were happening.
- **Trolley**
  - Trolley did not get a ton of use - I think most people chose to transport themselves, but there were also no announcements about it being an option.
  - If we find that the event draws in more spectators next year (especially people unrelated to the riders), then the trolley could be more useful.
- **Mobile Welcome Center**
  - Need maps of the course - along with other race info
  - State park and biking information sheets would be helpful

**HOUSTON COUNTY  
AGENDA REQUEST FORM  
November 4, 2025**

**Date Submitted: 10/30/2025  
By: Brent Parker, Human Resources Officer**

**ACTION**

- **Consider Initiating a competitive search for a 1 FTE Public Health and Human Services Department Eligibility Worker (B24)**

**APPOINTMENT REQUEST**

**HR CONSENT AGENDA REQUEST**

- **Hire Phillip Nielsen as a 67-day temporary/casual Veteran Services driver, at a pay rate of \$16.91 per hour.**
- **Accept the resignation/retirement of Julie Renk, Public Health and Human Services Eligibility Worker, effective December 2nd, 2025, with thanks for her 32 years of service to the residents of Houston County.**

<b><u>Reviewed by:</u></b>	_____	HR Director	_____	Sheriff
	_____	Finance Director	_____	Engineer
	_____	IS Director	_____	PHHS
	_____	County Attorney	_____	(indicate
	_____	Environmental Svcs	_____	other dept)
	_____		_____	
<b><u>Recommendation:</u></b>				
<b><u>Decision:</u></b>				

# Houston County Agenda Request Form

Date Submitted: October 27, 2025

Board Date: November 4, 2025

Person requesting appointment with County Board: Brian Pogodzinski

**Issue:**

Houston County contracts snow removal for the parking lots around courthouse area and community services building. The previous contract has expired and new quotes were obtained

**Attachments/Documentation for the Board's Review:**

Abstract

**Justification:**

Contracting for snow removal on the parking lot areas has been a cost effective solution.

**Action Requested:**

Approval to accept WS Trucking & Const, LLC's quote for snow removal.

### 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](mailto: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.



## HOUSTON COUNTY

### WS TRUCKING and CONSTRUCTION, LLC

#### Snow/Ice Removal Agreement

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This CONTRACT, and amendments and supplements thereto, is between the County of Houston, acting through its Board of Commissioners, (hereinafter COUNTY), and WS Trucking and Construction, LLC, a duly formed Minnesota corporation (hereinafter CONTRACTOR).

**WHEREAS**, COUNTY, pursuant to Minnesota Statutes Chapter 375.18 et al, is empowered to procure from time to time certain professional/technical services; and

**WHEREAS**, COUNTY is in need of snow removal services; and

**WHEREAS**, the CONTRACTOR represents it is duly qualified and willing to perform the services set forth in this CONTRACT.

**NOW, THEREFORE**, it is agreed:

**I. TERM OF CONTRACT.**

This CONTRACT shall be effective on **November 07, 2025**, or upon the date the final required signature is obtained, and shall remain in effect until **June 30, 2027**. The contract may be extended for one (1) additional year, provided that both parties agree to an extension under the same terms and conditions as exist in the contract.

**II. CONTRACTOR'S DUTIES.**

The CONTRACTOR will timely remove snow from paved access areas, parking lots and sidewalks adjacent to the Houston County jail, administrative and service buildings. The specific facilities are:

- The Houston County Justice Center  
306 South Marshall Street, Caledonia, MN 55921
- The Historical Houston County Court House  
304 South Marshall Street, Caledonia, MN 55921
- The Houston County Community Services Building  
611 Vista Drive, Caledonia, MN 55921
- The Caledonia Environmental Services Drop Site  
14750 Richard's Road, Caledonia, MN 55921

The CONTRACTOR will make clearing access to the jail facility a priority upon receiving a call from the Sheriff's Office (Dispatch) requesting the service.

The CONTRACTOR will complete the plowing and clearing of snow from the parking lots prior to 6:30 AM following an overnight snow fall.

The CONTRACTOR will begin clearing the sidewalks no later than 6:00 AM and complete the removal by 8:00 AM following an overnight snow fall.

The CONTRACTOR agrees to monitor snow fall throughout the day and communicate with the COUNTY maintenance department in the event daytime snow removal is required.

### **III. CONSIDERATION AND TERMS OF PAYMENT.**

#### **A. Consideration.**

All services performed and goods or materials supplied by the CONTRACTOR pursuant to this Contract shall be paid by COUNTY as follows:

##### **1. Compensation:**

- Seventy-five dollars and 00/100 (\$75.00) per hour for operation of snow plow truck;
- Seventy-five dollars and 00/100 (\$75.00) per hour for operation of dump truck;
- Eighty dollars and 00/100 (\$80.00) per hour for operation of skid loader; and
- Fifty-five dollars and 00/100 (\$55.00) per hour for operation of a walk behind snow blower/brush for sidewalks.
- Thirty-five dollars and 00/100 (\$35.00) per hour to hand shovel.

##### **2. Reimbursement:**

The CONTRACTOR shall not be reimbursed for travel and subsistence expenses.

- ##### **3.**
- The total obligation of COUNTY for all compensation and reimbursement to the CONTRACTOR shall not exceed fifteen thousand and 00/100 dollars (\$15,000.00) per year without prior approval of the COUNTY.

#### **B. Terms of Payment.**

Payment shall be made by COUNTY promptly after the CONTRACTOR'S presentation of monthly invoices for services performed and acceptance of such services by COUNTY'S authorized representative. All services provided by the CONTRACTOR pursuant to this CONTRACT shall be performed to the satisfaction of COUNTY, as determined at the sole discretion of its authorized representative. The CONTRACTOR shall not receive payment for work found by COUNTY to be

unsatisfactory or performed in violation of any applicable federal, state or local law, ordinance, rule or regulation.

**IV. AUTHORIZED REPRESENTATIVES.**

All official notifications, including but not limited to, cancellation of this CONTRACT must be sent to the other party's authorized representative.

**A. COUNTY'S authorized representative for the purpose of administration of this CONTRACT is:**

Name: Brian Pogodzinski  
Address: 1124 E Washington St, Caledonia, MN 55921  
Telephone: (507) 725-3925  
E-Mail: [bpogodzinski@hocomn.gov](mailto:bpogodzinski@hocomn.gov)  
Fax: (507)725-5417

Such representative shall have final authority for acceptance of the CONTRACTOR'S services and, if such services are accepted as satisfactory, shall so certify on each invoice presented pursuant to Clause III, paragraph B.

**B. The CONTRACTOR'S authorized representative for the purpose of administration of this CONTRACT is:**

Name: Wylie Steele  
Address: 423 S. Hokah St, Caledonia, MN 55921  
Telephone: (507) 458-2793  
E-Mail: [wylie@wstruckingllc.com](mailto:wylie@wstruckingllc.com)  
Fax:

**V. CANCELLATION AND TERMINATION**

This CONTRACT may be canceled by COUNTY OR CONTRACTOR at any time, for cause, upon fifteen (15) days written notice to the CONTRACTOR or COUNTY. In the event of such a cancellation, the CONTRACTOR shall be entitled to payment, determined on a pro rata basis, for work or services satisfactorily performed.

**VI. ASSIGNMENT.**

The CONTRACTOR shall neither assign nor transfer any rights or obligations under this CONTRACT without the prior written consent of COUNTY.

**VII. LIABILITY**

The CONTRACTOR shall indemnify, save, and hold COUNTY, its representatives and employees harmless from any and all claims or causes of action, including all attorneys' fees incurred by COUNTY, arising from the performance of this CONTRACT by the CONTRACTOR or CONTRACTOR'S agents or employees. This clause shall not be construed to bar any legal remedies the CONTRACTOR may have for COUNTY'S failure to fulfill its obligations pursuant to this CONTRACT.

**VIII. INDEPENDENT CONTRACTOR**

CONTRACTOR is and shall remain an independent contractor with respect to any and all work performed under this CONTRACT. CONTRACTOR and COUNTY agree that nothing contained herein is intended or should be construed in any manner as creating or establishing the relationship of agents, partners, joint ventures or associates between the parties hereto or as constituting that CONTRACTOR is an employer of the COUNTY for any purpose or in any manner whatsoever.

**IX. WORKERS' COMPENSATION**

The CONTRACTOR certifies it is in compliance with Minnesota Statute §176.181, Subd.2, pertaining to Workers' Compensation insurance coverage. The CONTRACTOR'S employees and agents are not and will not be considered COUNTY employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees or agents and any claims made by any third party as a consequence of any act or omission on the part of these employees or agents are in no way COUNTY'S obligation or responsibility.

**X. INSURANCE REQUIREMENTS**

CONTRACTOR agrees that at all times during the term of this CONTRACT to maintain:

- Comprehensive General Liability - \$1 million per occurrence
- Excess Liability Coverage - \$2 million over the general and automobile coverage.
- Workers Compensation as required by Minnesota Statutes.

\*See Exhibit A, ACORD Liability Insurance

The COUNTY of Houston shall be listed as an additionally named insured on the above policies by the CONTRACTOR prior to the execution of this CONTRACT. Additionally, CONTRACTOR agrees to maintain the above required insurance and shall provide the COUNTY with thirty (30) days written notice of any proposed changes prior to the cancellation, non-renewal or material changes. A Certificate of Liability Insurance for the above listed coverage shall be supplied to COUNTY by CONTRACTOR for each calendar year covered by the term of this CONTRACT.

**XI. MINNESTOTA STATUTE §181.59.**

The CONTRACTOR will comply with the provisions of Minnesota Statute §181.59 which require:

Every contract for or on behalf of the COUNTY for materials, supplies, or construction shall contain provisions by which the CONTRACTOR agrees: (1) that, in the hiring of common or skilled labor for the performance of any work under any contract, or any

subcontract, no contractor, material supplier, or vendor, shall, by reason or race, creed, or color, discriminate against the person or persons who are citizens of the United States or resident aliens who are qualified and available to perform the work to which the employment relates; (2) that no contractor, material supplier, or vendor, shall, in any manner, discriminate against, or intimidate, or prevent the employment of any person or persons identified in clause (1) of this section, or on being hired, prevent, or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed, or color; (3) that a violation of this section is a misdemeanor; and (4) that this CONTRACT may be canceled or terminated by the COUNTY and all money due, or to become due under the CONTRACT, may be forfeited as a condition of this CONTRACT.

**XII. DATA DISCLOSURE.**

The CONTRACTOR is required by Minnesota Statute §270C.65 to provide a social security number, a federal taxpayer identification number or a Minnesota tax identification number. This information may be used in the enforcement of federal and state tax laws. Supplying these numbers could result in action to require CONTRACTOR to file state tax returns and pay delinquent state tax liabilities. This CONTRACT will not be approved unless these numbers are provided. These numbers will be available to federal and state tax authorities and COUNTY personnel involved in approving the CONTRACT and the payment of COUNTY obligations.

**XIII. GOVERNMENT DATA PRACTICES ACT.**

The CONTRACTOR and COUNTY must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by COUNTY in accordance with this CONTRACT, and as it applies to all data, created, collected, received, stored, used, maintained, or disseminated by the CONTRACTOR in accordance with this CONTRACT. The civil remedies of Minnesota Statute §13.08 apply to the release of the data referred to in this clause by either the CONTRACTOR or COUNTY.

In the event the CONTRACTOR receives a request to release the data referred to in this clause, the CONTRACTOR must immediately notify COUNTY. COUNTY will give the CONTRACTOR instructions concerning the release of the data to the requesting party before the data is released.

**XIV. ANTITRUST.**

The CONTRACTOR hereby assigns to the COUNTY any and all claims for overcharges as to goods or services provided in connection with this CONTRACT resulting from antitrust violations which arise under the antitrust laws of the United States or the antitrust laws of the State of Minnesota.

**XV. JURISDICTION AND VENUE.**

This CONTRACT, and amendments and supplements thereto, shall be governed by the laws of the State of Minnesota. Venue for all legal proceedings arising out of this CONTRACT, or breach thereof, shall be in Houston County, Minnesota.

**XVI. AMENDMENTS.**

Any amendments to this CONTRACT shall be in writing and shall be executed by the same parties who executed the original CONTRACT, or their successors in office.

**XVII. STATE AUDITS.**

The books, records, documents, and accounting procedures and practices of the CONTRACTOR relevant to this CONTRACT shall be subject to examination by the COUNTY and the Office of the State Auditor for a minimum of six (6) years from the end of the Contract.

**XVIII. SURVIVAL OF TERMS.**

The following clauses survive the expiration, cancellation or termination of this CONTRACT: VII. Liability; XII. Data Disclosure; XIII. Government Data Practices Act; XV. Jurisdiction and Venue; and XVII. State Audits.

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SIGNATURE PAGE TO FOLLOW

**WITNESS WHEREOF**, the parties have caused this **CONTRACT** to be duly executed intending to be bound thereby.

**FOR CONTRACTOR:**

By:
Wylie Steele
Title: Owner
Date: _____, 2025

**FOR COUNTY:**

By:
Eric Johnson
Title: Houston County Board Chair
Date: November _____, 2025

By:
Brian Pogodzinski
Title: County Engineer/Facilities Mgr.
Date: November _____, 2025

**APPROVED AS TO FORM AND EXECUTION:**

By:
Suzanne Publitz
Title: Houston County Attorney
Date: November _____, 2025

**EXHIBIT A**  
**ACORD CERTIFICATE OF LIABILITY INSURANCE**

# Houston County Agenda Request Form

Date Submitted: October 23, 2025

Board Date: October 28, 2025

Person requesting appointment with County Board: Brian Pogodzinski

**Issue:**

Project # SAP 28-610-021 for the bridge replacement on CSAH 10 by Minnowa Construction Inc is complete and ready for final payment.

**Attachments/Documentation for the Board's Review:**

Final Contract Voucher (4 need to be signed)  
(1-County Claim, 1 Contractor, 1-Auditor's office, and 1-Highway Dept)

**Justification:**

**Action Requested:**

Resolution for Final Acceptance needed for contract.

Language for Minutes:

Commissioner \_\_\_\_\_ moved, Commissioner \_\_\_\_\_ seconded, unanimously carried to approve Resolution **25-38** Final Acceptance for SAP 028-610-021, Contract #5160 with Minnow Construction Inc for the bridge replacement on CSAH 10. Total cost was \$457,591.78.

WHEREAS, Contract for the Contract No. 5160 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](mailto: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.

# Houston County Highway Department

1124 E Washington St, Caledonia, MN 55921

SAP 028-610-021

Final Payment No. 3

**Contractor:** Minnowa Construction Inc.  
850 Wickett Drive NW  
P.O. Box 188  
Harmony, MN 55939

**Contract No.** 5160 SAP 028-610-021  
**Vendor Number:** 9652  
**Up To Date:** 10/8/2025  
Warrant # \_\_\_\_\_ Date \_\_\_\_\_

**Contract Amount**

Original Contract	\$461,933.57
Contract Changes	\$0.00
Revised Contract	\$461,933.57

**Funds Encumbered**

Original	\$461,933.57
Additional	N/A
Total	\$461,933.57

**Work Certified To Date**

Base Bid Items	\$457,591.78
Contract Changes	\$
Material On Hand	\$0.00
Total	\$457,591.78

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	\$457,591.78	\$0.00	\$434,712.19	\$22,879.59	\$457,591.78
Percent: Retained: 0%			Percent Complete: 99.06%		
<b>Amount Paid This Final Payment</b>				<b>\$22,879.59</b>	

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.

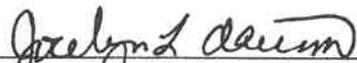
Approved By

Approved By Minnowa Construction Inc.

  
\_\_\_\_\_

County Engineer

Date 10/23/2025

  
\_\_\_\_\_

Contractor

Date 10/17/25

**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 10/23/2025 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 \$457,591.78 and agrees to the amount of \$22,879.59 as Final Payment on this Contract in accordance with this Final Voucher.

Contractor: Minnowa Construction Inc. By Jocelyn L. Clarine Signature

And \_\_\_\_\_ And \_\_\_\_\_ State of MN,  
Signature Signature

On This 17<sup>th</sup> Day October, 2025, Before me appeared Jocelyn L. Clarine 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)

Jocelyn L. Clarine And \_\_\_\_\_, to me personally known, who, being each by me duly sworn

each did say that they are respectively the controller and \_\_\_\_\_ of the

Minnowa Construction 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

controller and said \_\_\_\_\_ and \_\_\_\_\_

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

Notarial My Commission as Notary Public in Illwaco County  
Seal Expires 1-31-30 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: 5160 SAP 028-610-021  
Contractor: Minnowa Construction Inc.  
Date Certified: 10/8/2025  
Payment Number: 3

WHEREAS; Contract No.5160 SAP 028-610-021 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 the Houston County Highway Department and authorize final payment as specified herein.

STATE OF MINNESOTA  
COUNTY OF HOUSTON

I, Carol Lapham, Houston County Interim Administrator, within and for said county do hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted by the Houston County Board of Commissioners at the session dated October 28, 2025 as shown in the minutes of the meeting in my possession.

Dated this 28<sup>th</sup> day of October, 2025

At Caledonia, Minnesota

Signed By \_\_\_\_\_

(SEAL)

Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	6/24/2025	\$433,962.58	\$21,698.13	\$412,264.45
2	7/3/2025	\$23,629.20	\$1,181.46	\$22,447.74
3	10/8/2025	\$0.00	(\$22,879.59)	\$22,879.59
2	8/8/2025	\$0.00	(\$5,715.02)	\$5,715.02

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
Non-Participating		\$173,060.51	\$0.00	\$164,407.49	\$8,653.02	\$173,060.51
Participating		\$284,531.27	\$0.00	\$270,304.70	\$14,226.57	\$284,531.27

Accounting Number	Funding Source	Amount Paid this Request	Revised Contract Amount	Funds Encumbered to Date	Paid Contractor to Date
5160 SAP 028-610-021 Reg Construction	Regular (CSAH)	\$15,781.20	\$319,965.91	\$319,965.91	\$315,624.12
5162 SAP 028-610-021 LBRP	LBRP	\$7,098.39	\$141,967.66	\$141,967.66	\$141,967.66

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	2021.501 MOBILIZATION (LUMP SUM)	5,501.370	0.60	0.00	\$0.00	0.60	\$3,300.82
Base Bid	2	2412.502 16X9 PRECAST CONCRETE BOX CULVERT END SECTION (EACH)	40,000.000	2.00	0.00	\$0.00	2.00	\$80,000.00
Base Bid	3	2412.503 16X9 PRECAST CONCRETE BOX CULVERT (LIN FT)	1,900.000	92.00	0.00	\$0.00	92.00	\$174,800.00
Base Bid	4	2451.507 COURSE AGGREGATE BEDDING (CV) (CU YD)	33.550	275.00	0.00	\$0.00	271.00	\$9,092.05
Base Bid	5	2511.507 RANDOM RIPRAP CLASS IV (CU YD)	42.950	335.00	0.00	\$0.00	352.00	\$15,118.40
Base Bid	6	2563.601 TRAFFIC CONTROL (LUMP SUM)	3,700.000	0.60	0.00	\$0.00	0.60	\$2,220.00

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	7	2021.501 MOBILIZATION (LUMP SUM)	5,501.370	0.40	0.00	\$0.00	0.40	\$2,200.55
Base Bid	8	2101.501 CLEARING AND GRUBBING (LUMP SUM)	3,750.000	1.00	0.00	\$0.00	1.00	\$3,750.00
Base Bid	9	2104.503 SAWING BIT PAVEMENT (FULL DEPTH) (LIN FT)	10.000	48.00	0.00	\$0.00	50.00	\$500.00
Base Bid	10	2104.504 REMOVE BITUMINOUS PAVEMENT (SQ YD)	2.500	1,972.00	0.00	\$0.00	1,972.00	\$4,930.00
Base Bid	11	2106.507 EXCAVATION - COMMON (P) (CU YD)	4.450	1,530.00	0.00	\$0.00	1,530.00	\$6,808.50
Base Bid	12	2106.507 COMMON EMBANKMENT (CU YD)	8.990	1,300.00	0.00	\$0.00	1,300.00	\$11,687.00
Base Bid	13	2211.509 AGGREGATE BASE CLASS 5 (TON)	16.950	1,483.00	0.00	\$0.00	1,574.57	\$26,688.96
Base Bid	14	2211.509 AGGREGATE BASE CLASS 5 MOD (TON)	17.650	1,054.00	0.00	\$0.00	1,017.51	\$17,959.05
Base Bid	15	2221.509 SHOULDER BASE AGGREGATE CLASS 2 (TON)	20.000	130.00	0.00	\$0.00	136.51	\$2,730.20
Base Bid	16	2360.509 TYPE SP (12.5) WEARING COURSE MIX (3,C) (TON)	146.000	483.00	0.00	\$0.00	460.00	\$67,160.00
Base Bid	17	2442.501 REMOVE EXISTING BRIDGE (LUMP SUM)	4,950.000	1.00	0.00	\$0.00	1.00	\$4,950.00
Base Bid	18	2563.601 TRAFFIC CONTROL (LUMP SUM)	3,700.000	0.40	0.00	\$0.00	0.40	\$1,480.00
Base Bid	19	2573.503 SILT FENCE, TYPE HI (LIN FT)	4.000	32.00	0.00	\$0.00	15.00	\$60.00

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	20	2573.503 SILT FENCE, TYPE MS (L F)	2.250	600.00	0.00	\$0.00	641.00	\$1,442.25
Base Bid	21	2575.501 TURF ESTABLISHMENT (LUMP SUM)	4,100.000	1.00	0.00	\$0.00	1.00	\$4,100.00
Base Bid	22	2575.504 ROLLED EROSION PREVENTION CATEGORY 20 (SQ YD)	2.250	6,070.00	0.00	\$0.00	4,871.00	\$10,959.75
Base Bid	23	2582.503 4" DOUBLE SOLID LINE PAINT (LIN FT)	3.250	725.00	0.00	\$0.00	729.00	\$2,369.25
Base Bid	24	2582.503 6" SOLID LINE PAINT (LIN FT)	2.250	1,450.00	0.00	\$0.00	1,460.00	\$3,285.00
<b>Base Bid Totals:</b>						<b>\$0.00</b>		<b>\$457,591.78</b>

Project Category Totals			
Project	Category	Amount This Request	Amount To Date
SAP 028-610-021	Participating	\$0.00	\$284,531.27
SAP 028-610-021	Non-Participating	\$0.00	\$173,060.51

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
<b>Contract Change Totals:</b>								\$		\$

<b>Contract Total</b>	<b>\$457,591.78</b>
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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

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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
Non-Participating	7	2021.501 MOBILIZATION (LUMP SUM)	5,501.370	0.40	0.00	\$0.00	0.40	\$2,200.55
Non-Participating	8	2101.501 CLEARING AND GRUBBING (LUMP SUM)	3,750.000	1.00	0.00	\$0.00	1.00	\$3,750.00
Non-Participating	9	2104.503 SAWING BIT PAVEMENT (FULL DEPTH) (LIN FT)	10.000	48.00	0.00	\$0.00	50.00	\$500.00
Non-Participating	10	2104.504 REMOVE BITUMINOUS PAVEMENT (SQ YD)	2.500	1,972.00	0.00	\$0.00	1,972.00	\$4,930.00
Non-Participating	11	2106.507 EXCAVATION - COMMON (P) (CU YD)	4.450	1,530.00	0.00	\$0.00	1,530.00	\$6,808.50
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Non-Participating	14	2211.509 AGGREGATE BASE CLASS 5 MOD (TON)	17.650	1,054.00	0.00	\$0.00	1,017.51	\$17,959.05
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**Contract Item Status by Funding Breakdown**

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Non-Participating	18	2563.601 TRAFFIC CONTROL (LUMP SUM)	3,700.000	0.40	0.00	\$0.00	0.40	\$1,480.00
Non-Participating	19	2573.503 SILT FENCE, TYPE HI (LIN FT)	4.000	32.00	0.00	\$0.00	15.00	\$60.00
Non-Participating	20	2573.503 SILT FENCE, TYPE MS (L F)	2.250	600.00	0.00	\$0.00	641.00	\$1,442.25
Non-Participating	21	2575.501 TURF ESTABLISHMENT (LUMP SUM)	4,100.000	1.00	0.00	\$0.00	1.00	\$4,100.00
Non-Participating	22	2575.504 ROLLED EROSION PREVENTION CATEGORY 20 (SQ YD)	2.250	6,070.00	0.00	\$0.00	4,871.00	\$10,959.75
Non-Participating	23	2582.503 4" DOUBLE SOLID LINE PAINT (LIN FT)	3.250	725.00	0.00	\$0.00	729.00	\$2,369.25
Non-Participating	24	2582.503 6" SOLID LINE PAINT (LIN FT)	2.250	1,450.00	0.00	\$0.00	1,460.00	\$3,285.00
Participating	1	2021.501 MOBILIZATION (LUMP SUM)	5,501.370	0.60	0.00	\$0.00	0.60	\$3,300.82
Participating	2	2412.502 16X9 PRECAST CONCRETE BOX CULVERT END SECTION (EACH)	40,000.000	2.00	0.00	\$0.00	2.00	\$80,000.00
Participating	3	2412.503 16X9 PRECAST CONCRETE BOX CULVERT (LIN FT)	1,900.000	92.00	0.00	\$0.00	92.00	\$174,800.00
Participating	4	2451.507 COURSE AGGREGATE BEDDING (CV) (CU YD)	33.550	275.00	0.00	\$0.00	271.00	\$9,092.05
Participating	5	2511.507 RANDOM RIPRAP CLASS IV (CU YD)	42.950	335.00	0.00	\$0.00	352.00	\$15,118.40

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
Participating	6	2563.601 TRAFFIC CONTROL (LUMP SUM)	3,700.000	0.60	0.00	\$0.00	0.60	\$2,220.00
<b>Totals:</b>						<b>\$0.00</b>		<b>\$457,591.78</b>

**RESOLUTION NO. 25-38**

**FINAL ACCEPTANCE FOR SAP 028-620-021  
CONTRACT # 5160**

**MINNOWA CONSTRUCTION INC**

**OCTOBER 28, 2025**

WHEREAS, Contract No. 5160 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, Carol Lapham, Interim Houston County Administrator 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 October 28, 2025.

WITNESS my hand and the seal of my office this 28th day of October 2025.

Signed by \_\_\_\_\_

Interim Houston County Administrator

**HOUSTON COUNTY  
AGENDA REQUEST FORM  
November 4, 2025**

**Date Submitted: October 29, 2024**

**By: Robert Thoen**

The Auxiliary Post 6801 has again donated \$200.00 to the Veteran Services Office to use for any veteran's needs. The County Board must accept this by motion.

<b>Reviewed by:</b>	<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"/> PHHS	_____
	<input type="checkbox"/> County Attorney	<input checked="" type="checkbox"/> Other (indicate dept)	<u>VSO</u>
	<input type="checkbox"/> Environmental Svcs		
<b>Recommendation:</b>			
<b>Decision:</b>			

# 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: 30-Oct-25

Person requesting appointment with County Board: Amelia Meiners

**Issue:**

CUP Approval/Denial: Gerald Ladsten - Conditional Use Permit to build a dwelling on less than 40 acres in the Agricultural Protection District in Wilmington Township.

ZA Approval/Denial: Ronald McKelvey Credit Trust and Christine Saudek Trust - Rezone an area from the Agricultural Protection District to Residential in La Crescent Township.

IUP Approval/Denial: 1) Benjy and Martha Borntrager - Interim Use Permit to run a Level II Home Occupation consisting of the construction of vinyl windows in Wilmington Township. 2) Richfield Acres LLC - Interim Use Permit to operate a cannabis microbusiness in the Agricultural Protection District in Spring Grove Township.

**Justification:**

**Action Requested:**

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

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

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

**HOUSTON COUNTY  
BOARD OF ADJUSTMENT AND  
PLANNING COMMISSION AGENDA  
Thursday, October 23, 2025**

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

**BOARD OF ADJUSTMENT**

Approve Minutes for September 24, 2025

**VARIANCE HEARINGS:**

- 5:00 pm      ***Eli & Mary Troyer – Spring Grove Township***  
Variance to reduce setback requirements for a new feedlot from an existing dwelling (Section 33-33.16, Subd. 5).
- 5:15 pm      ***Leon & Edna Miller – Spring Grove Township***  
Variance to reduce setback requirements for a new feedlot from an existing dwelling (Section 33-33.16, Subd. 5).
- 5:30 pm      ***Brian Tostenson – Union Township***  
1) Variance to reduce front yard setback for a proposed solar array (Section 14-14.7, Subd. 2).  
2) Variance to reduce side yard setback for a proposed solar array (Section 14-14.8, Subd. 1).

**PLANNING COMMISSION**

Approve Minutes for September 24, 2025

**CONDITIONAL USE HEARINGS:**

- 5:50 pm      ***Gerald Ladsten – Wilmington Township***  
Conditional Use Permit to build a dwelling in the Agricultural Protection District (Section 14-14.3, Subd. 1, Subs. 10).

**ZONING AMENDMENT HEARINGS:**

- 6:10 pm      ***Ronald McKelvey Credit Trust & Christine Saudek Trust – La Crescent Township***  
Rezone an area from Agricultural Protection District to Residential (Section 8.2, Subd. 2).

**INTERIM USE HEARINGS:**

- 6:30 pm      ***Benjy & Martha Borntrager – Wilmington Township***  
Interim Use Permit to run a Level II Home Occupation consisting of the manufacturing and selling of windows (Section 14-14.4, Subd. 1, Subs. 4) (Section 29.3, Subd. 3).
- 6:50 pm      ***Jack Hinz, on behalf of Richfield Acres LLC – Spring Grove Township***  
Interim Use Permit to cannabis microbusiness in the Agricultural Protection District (Section 14-14.4, Subd.1, Subs. 15) (Section 3.2.9 of the Cannabis Ordinance).

**OTHER BUSINESS:**

- 7:10 pm      ***Public Hearing and Intent to Adopt an Ordinance***  
Discussion on the proposed ordinance regulating commercial solar and related comprehensive land use plan amendments in Houston County.

## NOTICE OF PUBLIC HEARING

### PLEASE TAKE NOTICE:

That an application has been made by Gerald Ladsten, 12267 County 27, Caledonia, MN 55921, for a Conditional Use Permit to build a dwelling in the Agricultural Protection District (Section 14 – 14.3 Conditional Uses, Subdivision 1, Subsection 10) in Wilmington Township on the following premises, to-wit:

PT GOVT LOT 2 IN NE1/4, Section 36, Township 101, Range 6, Houston County, Minnesota. (Parcel #15.0400.000)

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

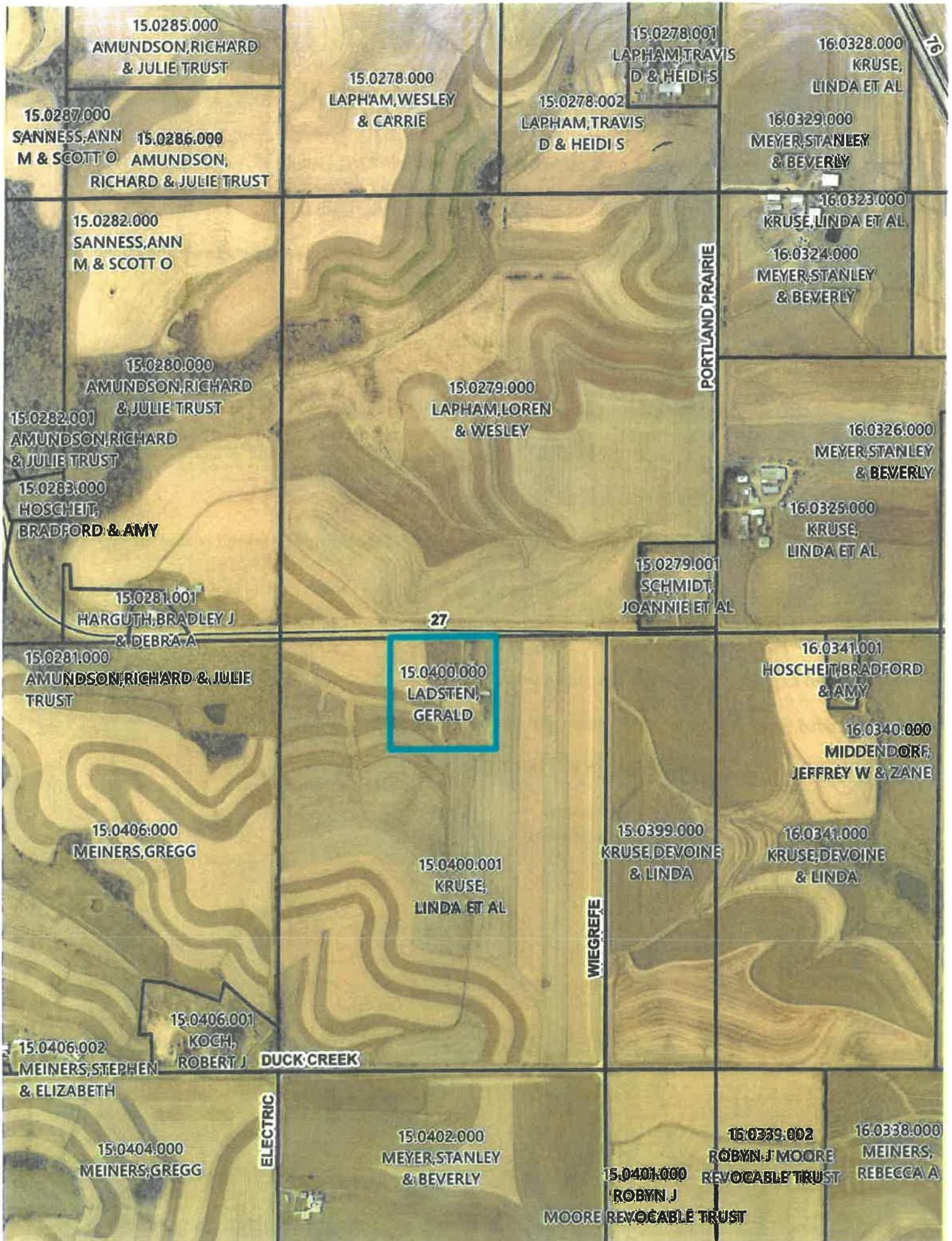
A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 5:50 p.m. on Thursday, October 23, 2025.

All persons having an interest in the matter may attend the hearing or submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street – Room 209, Caledonia, MN 55921, or emailed to [Zoning@HoCoMN.gov](mailto:Zoning@HoCoMN.gov), and must be received by Tuesday, October 14, 2025 to be included for review prior to the hearing. All comments are considered public record.

### HOUSTON COUNTY PLANNING COMMISSION

By Amelia Meiners  
Zoning Administration

ADV: October 8, 2025



15.0285.000  
AMUNDSON, RICHARD  
& JULIE TRUST

15.0278.001  
LAPHAM, TRAVIS  
D & HEIDI S

16.0328.000  
KRUSE,  
LINDA ET AL

15.0287.000  
SANNESS, ANN  
M & SCOTT ©  
15.0286.000  
AMUNDSON,  
RICHARD & JULIE TRUST

15.0278.000  
LAPHAM, WESLEY  
& CARRIE

15.0278.002  
LAPHAM, TRAVIS  
D & HEIDI S

16.0329.000  
MEYER, STANLEY  
& BEVERLY

15.0282.000  
SANNESS, ANN  
M & SCOTT O

16.0323.000  
KRUSE, LINDA ET AL

16.0324.000  
MEYER, STANLEY  
& BEVERLY

15.0280.000  
AMUNDSON, RICHARD  
& JULIE TRUST

15.0279.000  
LAPHAM, LOREN  
& WESLEY

16.0326.000  
MEYER, STANLEY  
& BEVERLY

15.0282.001  
AMUNDSON, RICHARD  
& JULIE TRUST

15.0283.000  
HOSCHEIT,  
BRADFORD & AMY

16.0325.000  
KRUSE,  
LINDA ET AL

15.0281.001  
HARGUTH, BRADLEY J  
& DEBRA A

15.0279.001  
SCHMIDT,  
JOANNIE ET AL

15.0281.000  
AMUNDSON, RICHARD & JULIE  
TRUST

15.0400.000  
LADSTEN,  
GERALD

16.0341.001  
HOSCHEIT, BRADFORD  
& AMY

16.0340.000  
MIDDENDORF,  
JEFFREY W & ZANE

15.0406.000  
MEINERS, GREGG

15.0399.000  
KRUSE, DEVOINE  
& LINDA

16.0341.000  
KRUSE, DEVOINE  
& LINDA

15.0400.001  
KRUSE,  
LINDA ET AL

15.0406.002  
MEINERS, STEPHEN  
& ELIZABETH

15.0406.001  
KOCH,  
ROBERT J

DUCK CREEK

WIEGREFE

15.0404.000  
MEINERS, GREGG

ELECTRIC

15.0402.000  
MEYER, STANLEY  
& BEVERLY

16.0339.002  
ROBYN J MOORE  
REVOCABLE TRUST

16.0338.000  
MEINERS,  
REBECCA A

15.0401.000  
ROBYN J  
MOORE REVOCABLE TRUST

## CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: Gerald Ladsten DATE: October 23, 2025

C.U.P REQUESTED: Build a single-family dwelling on under 40 acres in the Agricultural Protection District.

The Planning Commission shall not recommend an interim 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: The Land Use Plan makes numerous references to preserving prime agricultural land and the fact that non-farm dwellings are only allowed on marginal ground promotes this goal.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The applicant identifies that he recently sold his acreage and so needs a new dwelling.

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: An erosion control plan will be approved by the SWCD and a licensed septic contractor will design the septic system to meet all minimum state requirements established to protect 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: The applicant will need to meet all requirements of their erosion control plan to address any runoff concerns before, during and after construction, but the addition of a single-family dwelling should not adversely increase the quantity of water runoff. A new dwelling will create less impervious surface than what likely existed with the prior development at this site.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The Soil Survey – Houston County identifies the soil as suitable for building site development and septic tank absorption fields.

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: Adequate treatment of septage is likely the biggest potential pollution hazard, but a septic contractor will design a system meeting state standards.

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: Many utilities are currently on site, but all costs associated with new utilities or upgrades are the responsibility of the applicant.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: There is sufficient off-street parking to accommodate typical residential use.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: N/A

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

Staff Analysis: The primary use of the surrounding acreage is agricultural in nature and the addition of a single-family dwelling will not impact that use.

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: This dwelling meets the density standard in the ag protection district and will not impact surrounding agricultural fields and activities. Orderly development meeting ordinance standards can still take place and this request puts landowners on notice that this is an agricultural area that may have discomforts resulting from those types of uses. This landowner previously owned land in the ag district so should understand those discomforts.

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: N/A

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

Staff Analysis: This request meets the required agricultural protection district density limit.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: N/A

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

Staff Analysis: A non-farm dwelling should not negatively affect the public's health, safety, morals and general welfare if constructed according to the approved erosion control plan and septic design requirements.

Board agreed to the finding by a unanimous vote.

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

Josh Gran made a motion to accept the findings as presented. Johnathon Glasspoole seconded. All were in favor. Motion carried.

Chairman Munson asked for a motion on the conditional use request if there were no additional comments for questions.

Josh Gran made a motion to recommend the Houston County Board approve a Conditional Use Permit for a single-family dwelling on under 40 acres with three conditions in Wilmington Township:

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 permitholder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. The Applicant needs to have an approved feedlot variance to move forward.

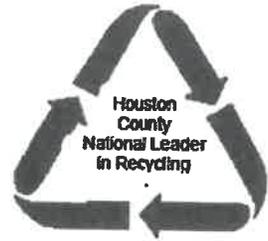
Johnathon Glasspoole seconded. A roll call vote was taken. All were in favor. Motion carried.

The application, with the conditions, 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  
10/13/2025

Application Date: 9/25/2025  
Hearing Date: 10/23/2025  
Petitioner: Gerald Ladsten  
Reviewer: Amelia Meiners  
Zoning: Ag Protection  
Address: 12267 County 27  
Township: Wilmington  
Parcel Number: 150400000  
Submitted Materials: CUP Application

## OVERVIEW

### REQUEST

The applicant is seeking a conditional use permit to build a dwelling on less than 40 acres in the agricultural protection district.

### SUMMARY OF NOTEWORTHY TOPICS

This is a ten-acre parcel off County 27 in Wilmington Township about one mile west of Eitzen. There was an old dwelling along with multiple outbuildings on the parcel that previous landowners removed, but no one had resided at this location for several years. Since the dwelling had not been occupied for a period of time it lost any non-conforming rights and now needs to meet current standards, one of which is the conditional use permit.

The Houston County Zoning Ordinance (HCZO) 14.3 subd.1 (10) requires the following:

*Dwelling. A building or portion thereof designed exclusively for residential occupancy; the term does not include hotels, motels, boarding or rooming houses, bed and breakfast, tourist homes, tents, tent trailers, travel trailers or recreational vehicles. For buildings ten years old or older, to be considered a dwelling, a building must have been residentially occupied for eight of the last ten years.*

(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.*

Further, the applicant should know the purpose of the agricultural protection district is to retain land for agricultural production and these regulations are intended to minimize incompatibility between these residential and ag uses.

## **SECTION 14 - AGRICULTURAL PROTECTION DISTRICT**

### **14.1 PURPOSE AND PUBLIC NOTICE**

**Subdivision 1. Purpose.** *The purpose of the Agricultural Protection District is to provide a district that will:*

- (1) Retain, conserve, and enhance agricultural land in the County for agricultural uses.*
- (2) Protect and preserve natural resources and environmentally sensitive areas.*
- (3) Restrict scattered non-farm residential development in order to minimize incompatibility between agricultural uses and residential use, and to conserve the expenditure of public funds for new roads, road maintenance, schools, police and fire protection necessary to service scattered residential development.*

**Subdivision 2. Public Notice.** *Persons choosing to reside in the Agricultural Protection District are hereby notified that the agricultural district is a zoning district in which land is used principally and foremost for agricultural production.*

**Subdivision 3. Discomfort Resulting From Agricultural Uses.** *Owners, residents, and other uses of property in the Agricultural Protection District or neighboring properties may be subjected to inconvenience or discomfort arising from normal and accepted agricultural practices and operation, including but not limited to the following:*

- (1) Noise, odors, dust, and hours of operation.*
- (2) The operation of machinery, including aircraft.*
- (3) The production, storage and land application of animal manure.*
- (4) The application of fertilizers, soil amendments, herbicides, and pesticides.*

*Owners, residents, and users of property in the Agricultural Protection District, or neighboring property should be prepared to accept such inconveniences or discomfort as they occur from agricultural uses and are hereby notified that this declaration may prevent them from obtaining a legal judgment against such agricultural uses.*

### **TOWNSHIP AND NEIGHBORHOOD COMMENTS**

Wilmington Township and the ten nearest property owners were notified. No comments were received.

### **SITE CHARACTERISTICS**

The NW ¼ NE ¼ of Section 36 is an open quarter-quarter. A non-farm dwelling cannot be located on prime agricultural soil except when the land has not been used for production and the portion of this parcel where the applicant intends to build is within an old farm stead. There is no floodplain, wetland, shoreland, or bluff concern. There is an intermittent stream approximately 1,750 feet to the southeast and intermittent streams

approximately 1,800 feet to the west and north with primarily tillable acreage in between. Slopes at the building site are 4-6% and it meets the buildable lot standard.

No preliminary paperwork was received from the septic designer; however, staff has been onsite to complete soils work for previous landowners and can attest to the fact that soils can accommodate a septic system. In addition, since this is not a new lot there is not a requirement for the landowner to show two Type I locations.

During the review process it was discovered that there is a feedlot registered at 12044 County 27 which is within a quarter mile. A feedlot variance is required unless the applicant can modify the proposal to meet that setback, but due to the prime ag soil requirement the applicant is limited in how far the dwelling can be set back to the south and west.



Figure 1. Proposed dwelling location from building permit application.

## 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:** The Land Use Plan makes numerous references to preserving prime agricultural land and the fact that non-farm dwellings are only allowed on marginal ground promotes this goal.

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

Staff Analysis: The applicant identifies that he recently sold his acreage and so needs a new dwelling.

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

Staff Analysis: An erosion control plan will be approved by the SWCD and a licensed septic contractor will design the septic system to meet all minimum state requirements established to protect water quality.

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

Staff Analysis: The applicant will need to meet all requirements of their erosion control plan to address any runoff concerns before, during and after construction, but the addition of a single-family dwelling should not adversely increase the quantity of water runoff. A new dwelling will create less impervious surface than what likely existed with the prior development at this site.

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

Staff Analysis: The Soil Survey – Houston County identifies the soil as suitable for building site development and septic tank absorption fields.

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

Staff Analysis: Adequate treatment of septage is likely the biggest potential pollution hazard, but a septic contractor will design a system meeting state standards.

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

Staff Analysis: Many utilities are currently on site, but all costs associated with new utilities or upgrades are the responsibility of the applicant.

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

Staff Analysis: There is sufficient off-street parking to accommodate typical residential use.

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

Staff Analysis: N/A

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

Staff Analysis: The primary use of the surrounding acreage is agricultural in nature and the addition of a single-family dwelling will not impact that use.

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:** This dwelling meets the density standard in the ag protection district and will not impact surrounding agricultural fields and activities. Orderly development meeting ordinance standards can still take place and this request puts landowners on notice that this is an agricultural area that may have discomforts resulting from those types of uses. This landowner previously owned land in the ag district so should understand those discomforts.

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

**Staff Analysis:** N/A

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

**Staff Analysis:** This request meets the required agricultural protection district density limit.

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

**Staff Analysis:** N/A

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

**Staff Analysis:** A non-farm dwelling should not negatively affect the public's health, safety, morals and general welfare if constructed according to the approved erosion control plan and septic design requirements.

### 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 permitholder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

Proposed motion: Recommend granting a Conditional Use Permit for a single-family non-farm dwelling on under 40 acres with the two conditions.

**The Planning Commission may prefer to table this request until the variance can be reviewed next month. Both requests are necessary for the applicant to move forward so a recommendation on this request does not automatically qualify him for a building permit.**

**SUBMITTED BY APPLICANT**

Conditional Use Request  
2025-CUP-483863

Amount Paid  
\$0.00

Applicant  
Gerald Ladsten

Created  
September 25, 2025

Status  
**In Progress**

Number  
2025-CUP-483863

LADSTEN,GERALD | 150400000  
| Wilmington  
Submitted by geraldladsten on  
9/25/2025



**Applicant**

Gerald Ladsten



**Search Parcel Data** Completed On Thursday, September 25, 2025 at 10:20 AM CDT by michelleburt13

ParcelID	Address	City	OwnerName	Acres
150400000	12267 COUNTY 27	CALEDONIA	LADSTEN,GERALD	10.000

**CONDITIONAL USE INTRO** Completed On Thursday, September 25, 2025 at 10:20 AM CDT by michelleburt13

**Conditional Use Application Fee**

\$700.00

**Recording Fee**

\$46.00

**Application Type:**

Conditional Use

**APPLICANT INFORMATION** Completed On Thursday, September 25, 2025 at 10:21 AM CDT by michelleburt13

**Applicant Name**

LADSTEN,GERALD

**Parcel Tax ID**

150400000

**Telephone Number**



**Address**

12267 COUNTY 27

**City**

CALEDONIA

Zip  
55921

Legal Description  
PT GOVT LOT 2 IN NE1/4 DOC 248238;EX DOC 248240; DOC 291488; DOC 308264

Section-Township-Range  
36-101-006

Do you own additional adjacent parcels  
No

Township of:  
Wilmington

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

**CONDITIONAL USE REQUEST** Completed On Thursday, September 25, 2025 at 10:24 AM CDT by michelleburt13

Describe in detail your request.  
Build a dwelling in the Agricultural Protection District on less than 40 acres.

Citation of Ordinance Section from which the Conditional Use is requested:  
Section 14-14.3, Subd. 1, Subs. 10

Requested Dimension:  
36x64 dwelling on 10-acre parcel

Please upload any supporting documents:

**CONDITIONAL USE FINDING OF FACTS** Completed On Thursday, September 25, 2025 at 10:39 AM CDT by michelleburt13

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

Comments:

The proposed location will not cause any disturbance to prime agricultural land. The new dwelling will be a bit further away from any ag land than the previous dwelling was.

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

Yes

**Comments:**

Applicant sold his current property located at 21691 Honey Dr, Spring Grove, MN and is looking to build a new dwelling for himself.

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

Yes

**Comments:**

No, an erosion control plan will be submitted and followed.

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

Yes

**Comments:**

There is an existing dike that sustains all runoff on the property.

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

Yes

**Comments:**

Soils are adequate to accommodate the proposed use.

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

Yes

**Comments:**

Applicant is working with a septic contractor to install and design a new septic system.

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

Yes

**Comments:**

Applicant is in contact with a septic contractor and is hoping to be able to use the existing well that is located on the property. The power lines are located about 100 feet from the property. There is also an existing driveway.

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:**

Access is off of County 27 via an existing driveway and there is sufficient parking space.

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

Yes

**Comments:**

There will not parking on the County Road to avoid any traffic congestion or hazard and there is ample parking space on the property.

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:**

This request is similar to what is already in this area. This is an existing farmstead in which the old dwelling was removed about 3 years ago.

**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:**

Majority of the land surrounding the property is ag land that is currently being cultivated.

**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:**

There should be no disturbance to neighboring properties.

**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:**

This is not greater than the intensity of the surrounding uses.

**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:**

N/A

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

Yes

**Comments:**

All setbacks will be met and there will be no impact on the public's health, safety, morals, and general welfare.

SITE PLAN INFORMATION Completed On Thursday, September 25, 2025 at 10:39 AM CDT by michelleburt13

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, 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 realize (click an outside square and drag to realize), 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 Thursday, September 25, 2025 at 10:41 AM CDT by michelleburt13

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

Yes

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

Yes

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

Yes

Signature



---

Date Signed:

9/25/2025

Check this box if Staff Signature on behalf of Applicant.

No

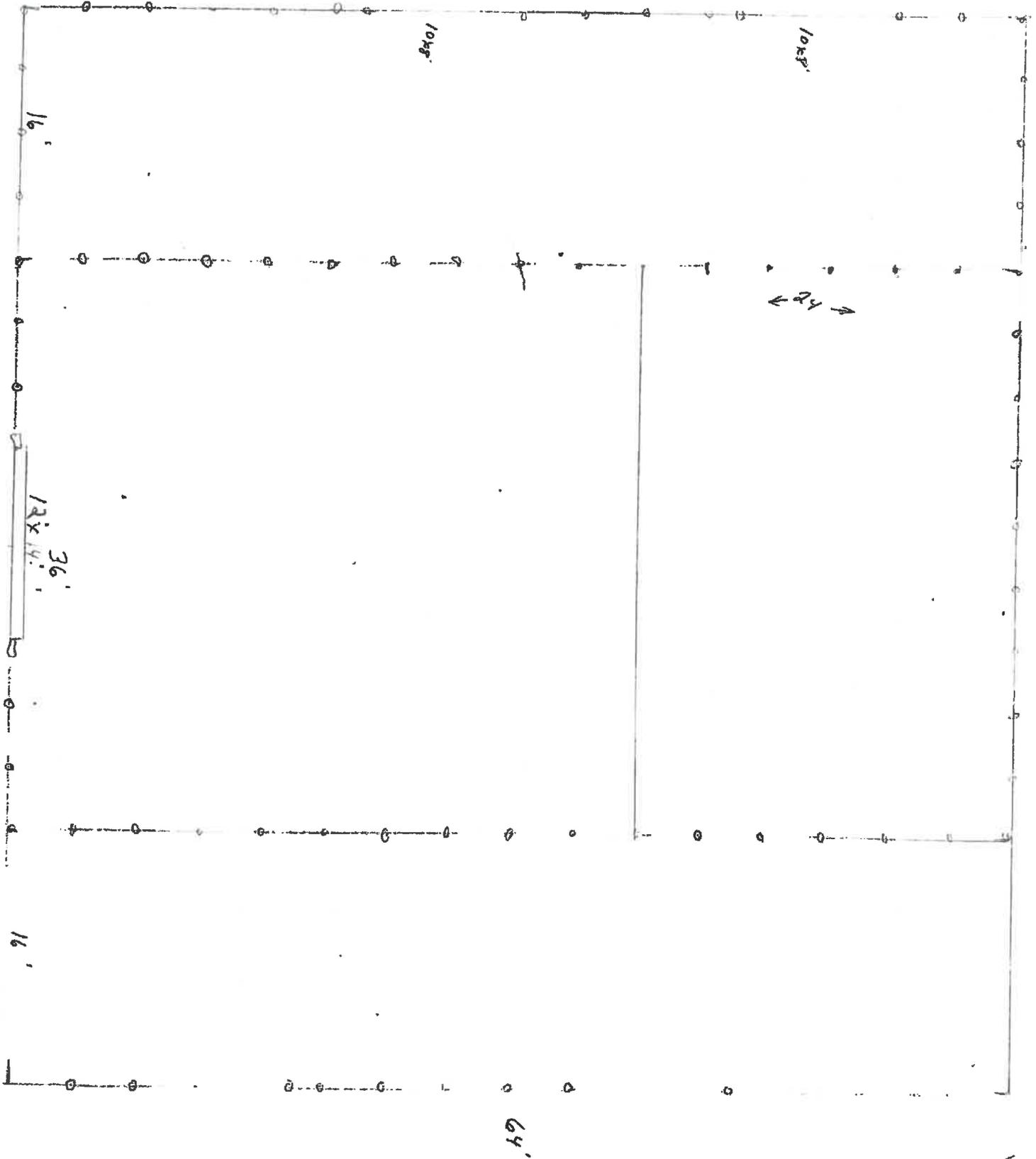
Email APPLICATION SUBMITTAL Completed On Thursday, September 25, 2025 at 10:41 AM CDT by michelleburt13

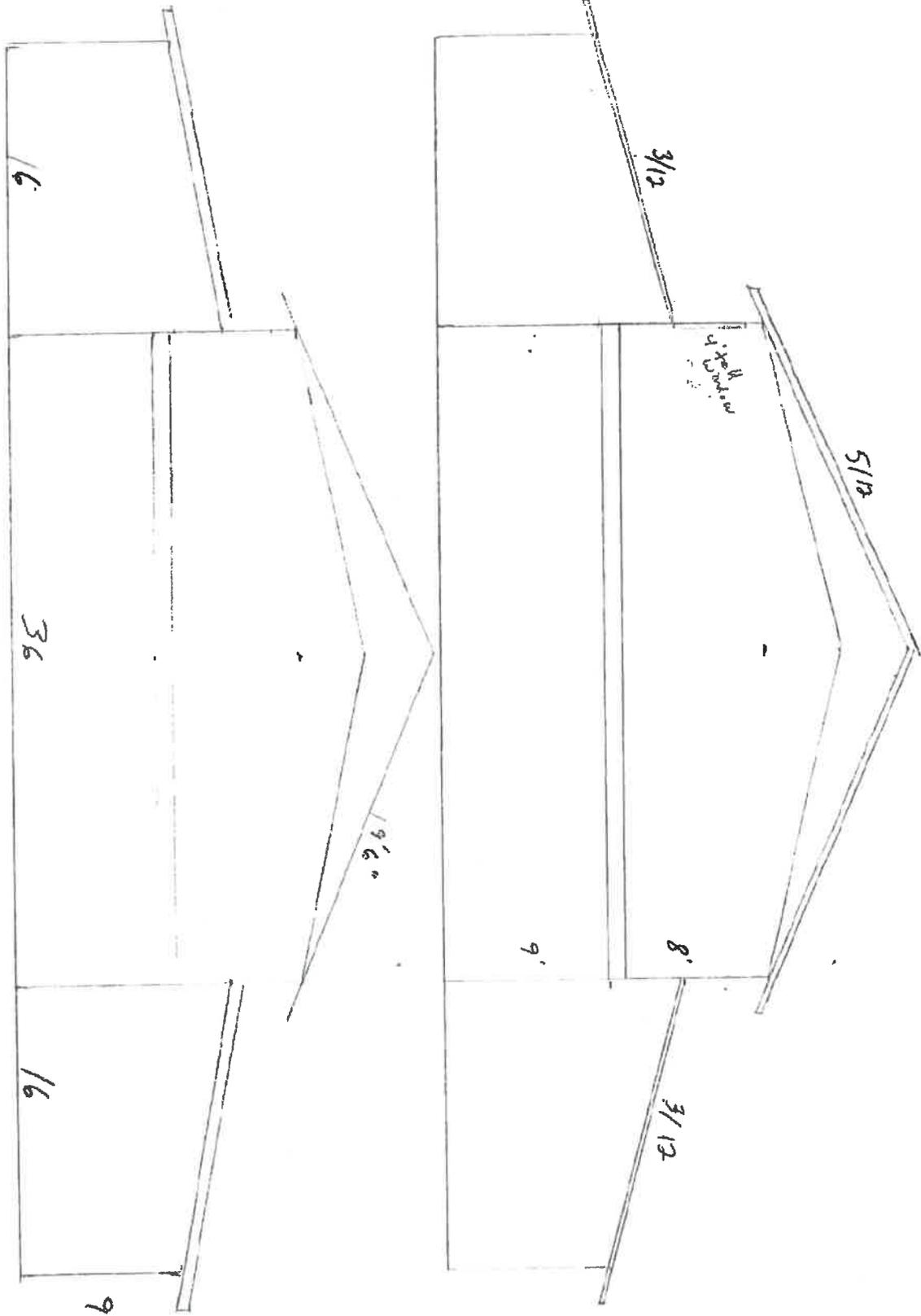
External Notes

Documents

Internal Notes

Documents





## NOTICE OF PUBLIC HEARING

### PLEASE TAKE NOTICE:

That an application has been made by Christine Saudek, on behalf of Christine Saudek Trust and Ronald McKelvey Credit Trust, 1200 Selke Rd, La Crescent, MN 55947, to rezone (Section 8.2, Subdivision 2) an area from the Agricultural Protection District to the Residential District in La Crescent Township on the following premises, to-wit:

PT SE1/4 NW1/4, Section 20, Township 104, Range 4, Houston County, Minnesota.  
(Parcel# 08.0245.000).

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

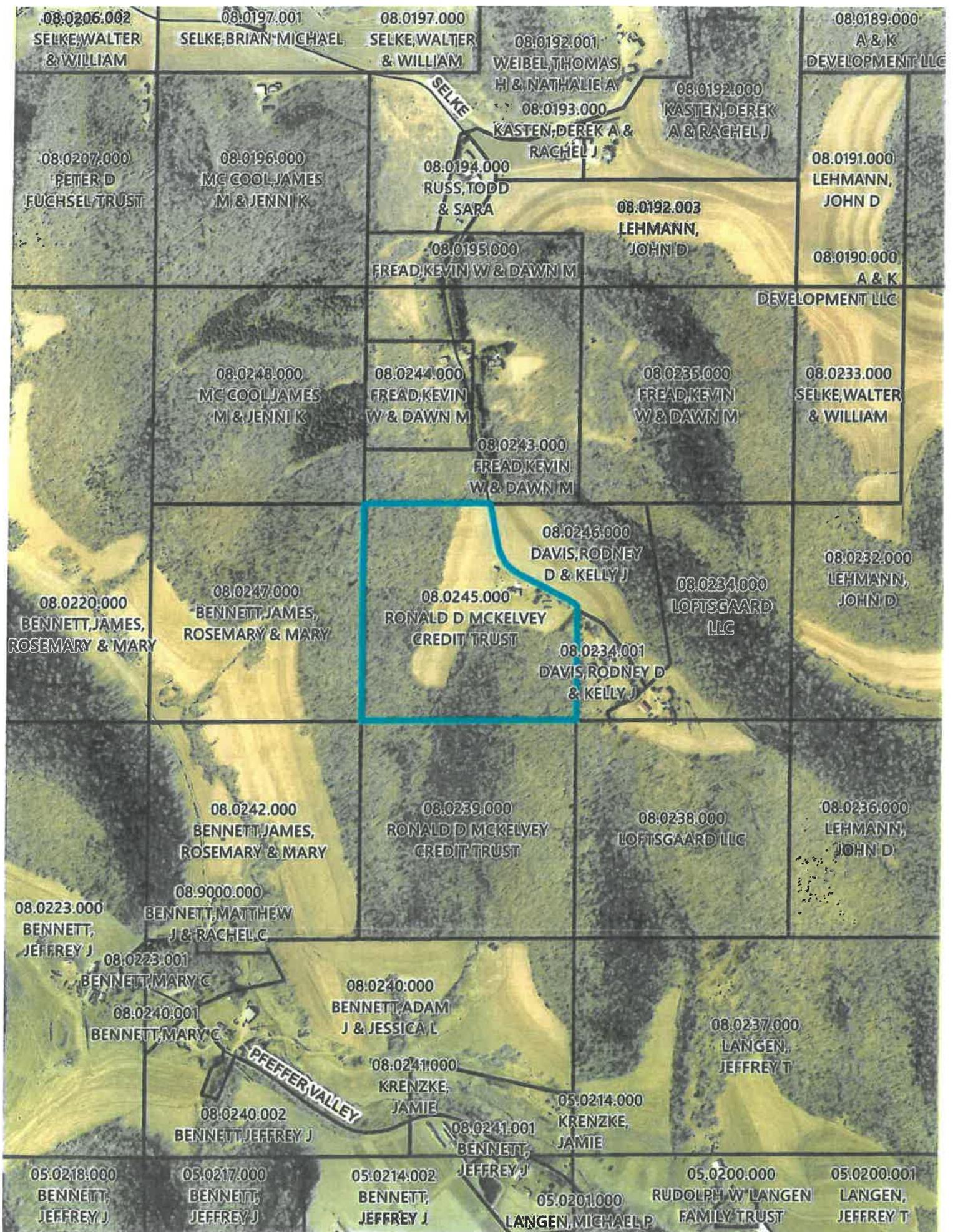
A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 6:10 p.m. on Thursday, October 23, 2025.

All persons having an interest in the matter may attend the hearing or submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street – Room 209, Caledonia, MN 55921, or emailed to [Zoning@HoCoMN.gov](mailto:Zoning@HoCoMN.gov), and must be received by Tuesday, October 14, 2025 to be included for review prior to the hearing. All comments are considered part of the public record.

HOUSTON COUNTY PLANNING COMMISSION

By Amelia Meiners  
Zoning Administrator

ADV: October 8, 2025



## HOUSTON COUNTY PLANNING COMMISSION

Christine Saudek – La Crescent Township

Section 8.6 of the Houston County Zoning Ordinance requires that the Board make findings in support of a decision but does not prescribe specific criteria. The following findings are proposed by staff for your consideration. As each application is unique, the standards cited below have been interpreted to find reasonable connections.

1. Policy 2 of the Goals and Policies section in the Comprehensive Land Use Plan (CLUP) encourages rural housing development away from recognized commercial agricultural areas and into areas with marginal agricultural soil.
2. Policy 9 of the Goals and Policies section and Policy 3.2 encourage rural housing where the soils, topography and water table are such that the individual sewage disposal systems can properly function. This location has been reviewed by a licensed contractor and preliminary paperwork submitted.
3. Policy 1 under Agriculture Goals and Policies calls for protection of prime agricultural land by limiting development in agricultural areas. This rezone area has been transitioned out of row crop production and allowing this rezone will keep development closer to existing development and the public road which will minimize impact on the land.
4. The applicant has almost 70 acres of land at this location but has chosen to only rezone a couple acres in an effort to restrict future development. If additional lots are desired, another rezone will need to be completed along with a plat approved under Section 36 of the Ordinance.
5. The Future Land Use Map identifies areas within close proximity to incorporated cities and property owners within two miles of a city who have prime agricultural land are encouraged to continue to use their land for agricultural purposes. This location is primarily classified as marginal ground.
6. The proposed parcel meets buildable lot and lot area standards identified in the Houston County Zoning Ordinance.

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

Larry Gaustad made a motion to accept the findings as presented. Franklin Hahn seconded. All were in favor. Motion carried.

Chairman Munson asked for a motion on the rezone request if there were no additional comments or questions.

Josh Gran made a motion to recommend the Houston County Board approve an amendment to the zoning map for the portion of PID 08.0245.000 identified in this report from Agricultural Protection to Residential with one condition in La Crescent Township:

1. The rezoned area shall only contain one buildable lot unless a plat is approved under Section 36 of the Houston County Zoning Ordinance.

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

The application, with the condition, 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 10/14/2025

Application Date: 9/15/2025  
Hearing Date: 10/23/2025  
Petitioner: Christine Saudek for Ronald McKelvey Credit Trust  
Reviewer: Amelia Meiners  
Zoning: Ag Protection to Residential  
Address: TBD Selke Road  
Township: La Crescent  
Parcel Number: 080245000  
Submitted Materials: Zoning Amendment Materials

### OVERVIEW

#### REQUEST

The applicant requests to amend the zoning map to change a portion of PID 08.0245.000 from the Agricultural Protection District to the Residential District.

#### SUMMARY OF NOTEWORTHY TOPICS

This site is located a mile and a half southwest of the City of La Crescent off Selke Road. The property is currently zoned agricultural protection but the applicant is requesting to rezone to build an additional dwelling in this quarter-quarter. She would like to downsize and allow her daughter’s family to move into the existing dwelling. She considered the quarter-quarter to the south, but she would prefer to keep development closer to Selke Road.

Relevant sections of the Houston County Zoning Ordinance are below:

**Buildable Lot.** *A lot of record, or other lot, tract, or parcel legally recorded with the County Recorder that meets the requirements of this Ordinance. Buildings or structures shall not be permitted on land which has a slope of twenty-four (24) percent or greater. The buildable lot shall have the minimum lot area required for the district in which it is located, and which not more than ten (10) percent of the required lot area is collectively comprised of:*

- *Area of a slope of twenty-four (24) percent or greater.*
- *A shoreland impact zone as defined by this Ordinance.*
- *Protected waters as defined in this Ordinance.*
- *Wetlands as classified in the U.S. Fish and Wildlife Service. Circular No. 39.*

*All access roads that service a new building site or dwelling shall be constructed with a final slope of less than 12%. All finished driveways shall be constructed in conformity with Section 29.19.*

## **SECTION 15 – RESIDENTIAL DISTRICT**

### **15.9 LOT AREA STANDARDS**

**Subdivision 1. Minimum Lot Area.** All new dwellings shall be located on a Buildable Lot as defined in this Ordinance and have a minimum lot area as set forth below:

- (1) *Lots with Individual Sewage Treatment Systems and Water Wells. Dwelling units with individual sewage treatment systems and water wells shall have a minimum lot area of forty-three thousand five hundred sixty (43,560) square feet. Individual sewage treatment systems and water wells must conform to the standards in this Ordinance.*

### **15.10 LOT WIDTH AND DEPTH STANDARDS**

**Subdivision 1. Minimum Lot Width and Depth Standards.** Every lot or plat of land on which a single family dwelling is constructed shall have the minimum standards as set forth below:

- (1) *Lots with Individual Sewage Treatment Systems and Water Wells. Lots with individual sewage treatment systems and water wells shall have a lot width of not less than one hundred (100) feet and lot depth of not less than one hundred fifty (150) feet.*

### **TOWNSHIP AND NEIGHBORHOOD COMMENTS**

La Crescent Township and the City of La Crescent were notified along with the ten nearest property owners. No comments were received.

### **SITE CHARACTERISTICS**

This property is located at the end of Selke Road southwest of La Crescent. The area of the rezone does not contain any wetland, floodplain or shoreland. Slopes will meet the building and driveway standards and the rezone area meets the buildable lot requirements. New lots are required to show two Type I or standard septic system locations and this site did not meet that requirement, but the Board of Adjustment granted a variance from that requirement in August.

There are no other residentially zoned areas in the immediate vicinity. Briarwood Estates is approximately one mile north of this proposal. Soils are 580C2 and 580D2, both silt loams. 580C2 is a IIIe soil so it's considered prime while 580D2 is IVe and classified as marginal by our ordinance.

This area was formerly agricultural fields that have since been put into CRP. Slopes range from 11-15%. A specific dwelling location has not been reviewed but there should be adequate area to accommodate a dwelling that meets all setback requirements at this location, pending the change in zoning districts.

There is no floodplain or wetland, and the closest intermittent streams are off the east and west side at 1,636 feet and 2,277 feet, respectively.



# Houston County Future County Land Use

Houston County Comprehensive Plan  
Houston County, MN

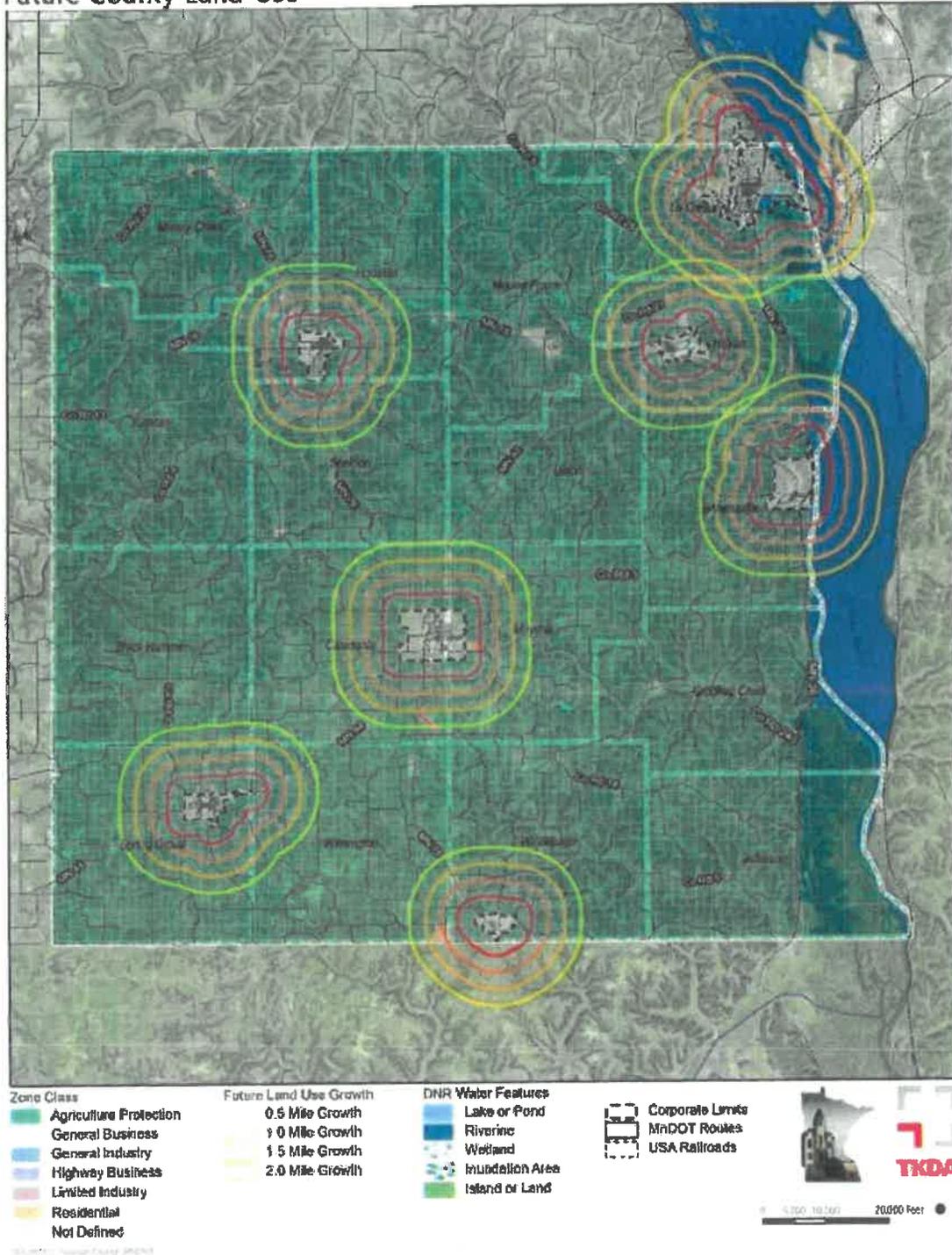


Figure 2.9 Houston County Future Land Use Map

Figure 2. Fig. 2.9 from Comprehensive Land Use Plan (page 30).

## EVALUATION

Section 8.6 of the Houston County Zoning Ordinance requires that the Board make findings in support of a decision but does not prescribe specific criteria. The following findings are proposed by staff for your consideration. As each application is unique, the standards cited below have been interpreted to find reasonable connections.

1. Policy 2 of the Goals and Policies section in the Comprehensive Land Use Plan (CLUP) encourages rural housing development away from recognized commercial agricultural areas and into areas with marginal agricultural soil.
2. Policy 9 of the Goals and Policies section and Policy 3.2 encourage rural housing where the soils, topography and water table are such that the individual sewage disposal systems can properly function. This location has been reviewed by a licensed contractor and preliminary paperwork submitted.
3. Policy 1 under Agriculture Goals and Policies calls for protection of prime agricultural land by limiting development in agricultural areas. This rezone area has been transitioned out of row crop production and allowing this rezone will keep development closer to existing development and the public road which will minimize impact on the land.
4. The applicant has almost 70 acres of land at this location but has chosen to only rezone a couple acres in an effort to restrict future development. If additional lots are desired, another rezone will need to be completed along with a plat approved under Section 36 of the Ordinance.
5. The Future Land Use Map identifies areas within close proximity to incorporated cities and property owners within two miles of a city who have prime agricultural land are encouraged to continue to use their land for agricultural purposes. This location is primarily classified as marginal ground.
6. The proposed parcel meets buildable lot and lot area standards identified in the Houston County Zoning Ordinance.

The Planning Commission may add additional findings as they see fit.

## RECOMMENDATION

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

1. The rezoned area shall only contain one buildable lot unless a plat is approved under Section 36 of the Houston County Zoning Ordinance.

Proposed motion: Motion to recommend amending the zoning map for the portion of PID 08.0245.000 identified in this report from agricultural protection to residential, contingent upon the one condition above.

**8.2 REQUIRED INFORMATION AND EXHIBITS**

**Subdivision 2. Applications to Change District Boundaries or Land Use**

**1. The names and addresses of the petitioners, and their signatures to the petition.**

September 15, 2025

The petition for this land use is submitted by the current landowner of parcel 08.0245.000 in La Crescent, Christine Saudek.

The reason for this rezone request is to allow Christine to build a dwelling for herself so her daughter can move into the existing dwelling with her husband and children.

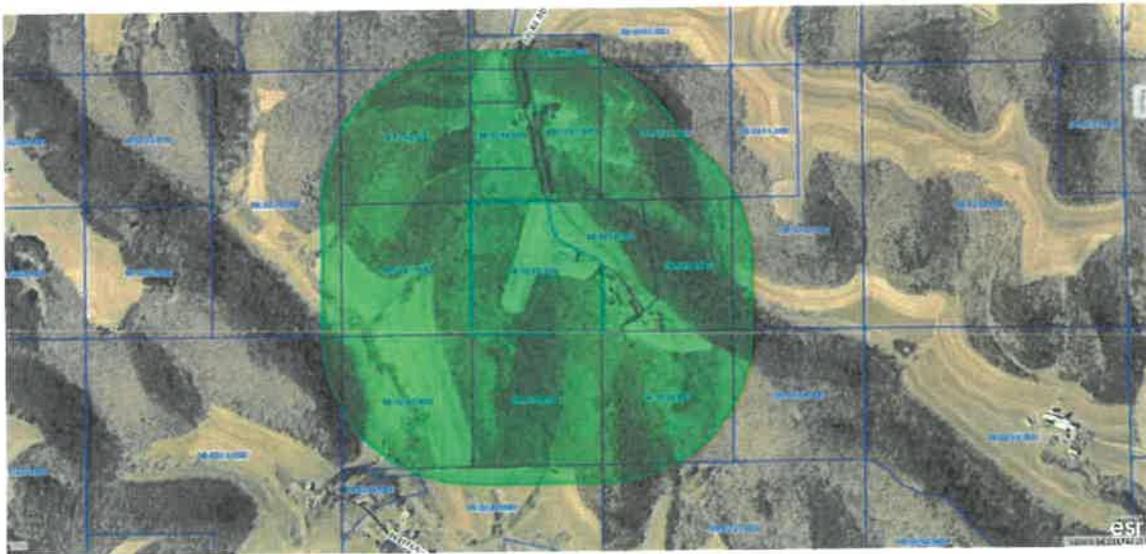
Christine Saudek  
1200 Selke Rd  
La Crescent, MN 55947

Kerry Trnka  
1822 Brooklyn Place  
Holmen, WI 54636

**2. A specific description of the area proposed to be rezoned or amended and the names and addresses of all owners of property lying within one quarter (1/4) mile of such area, and a description of the property owned by each.**

The proposed area to be rezoned is 2 acres. The area is currently zoned as agricultural and is used for CRP purposes. Please see the attached survey for the proposed area to be rezoned.

Please see the attached document with names and addresses for all property owners located within one quarter (1/4) mile of parcel 08.0245.000. The map below shows the one quarter (1/4) mile radius around parcel 08.0245.000.



**3. The present district classification of the area and the proposed district classification.**

The current district classification of parcel 08.0245.000 is Agricultural Protection. The proposed district classification is Residential.

**4. Proposed use of the land (a statement of the type, extent, area, etc.)**

The dwelling and a yard will take up approximately one of the two acres being rezoned. This rezone request will take up a small portion of parcel 08.0245.000. Once the dwelling is built the surrounding land will continue to be in CRP.

**5. Compatibility with the Land Use Plan of Houston County a statement of conditions warranting the change in the zoning district or uses.**

The proposed rezone complies with the goals and policies set forth in the Houston County Comprehensive Land Use Plan. The rezone will not take any agricultural land out of production and the land surrounding the proposed dwelling location will remain in CRP.

**6. A legal description of the property to be rezoned or amended.**

The legal description for the property to be rezoned is included below.

**LEGAL DESCRIPTION OF PARCEL 1:**

That part of the Southeast Quarter of the Northwest Quarter of Section 20, Township 104 North, Range 4 West, Houston County, Minnesota, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 20;  
 thence South 00°01'55" West, grid bearing, Minnesota County Coordinate System, Houston County Zone, North American Datum of 1983 (1996 adjustment), along the east line of said Northwest Quarter 1317.02 feet to the northeast corner of said Southeast Quarter of the Northwest Quarter;  
 thence South 89°45'29" West along the north line of said Southeast quarter of the Northwest Quarter 536.14 feet;  
 thence South 10°59'30" East 63.34 feet to the intersection of the easterly line of an existing 20 foot wide private road and the southerly line of a 66.00 foot radius circle described in Book 375 of Deeds, Page 950 filed for record on December 30, 1991 at the office of the Houston County Recorder;  
 thence Westerly 33.53 feet along the arc said 66.00 foot radius curve, non-tangential, concave North, the chord of which bears South 84°50'54" West and measures 33.17 feet to the point of beginning;  
 thence South 10°59'30" East 177.39 feet;  
 thence Southerly 91.00 feet along the arc of a 457.93 foot radius tangential curve, concave East, the chord of which bears South 16°41'04" East and measures 90.85 feet;  
 thence South 70°04'54" West 63.00 feet;  
 thence South 19°04'59" West 224.50 feet;  
 thence North 70°55'01" West 172.06 feet;  
 thence North 12°11'28" East 357.75 feet;  
 thence North 51°38'53" East 165.00 feet to the southwesterly line of the 66.00 foot radius circle described in said Book 375 of Deeds, Page 950;  
 thence Southeasterly 33.62 feet along the arc of said 66.00 foot radius curve, non-tangential, concave Northeast, the chord of which bears South 66°00'09" East and measures 33.25 feet to the point of beginning.

Containing 2.00 acres more or less.

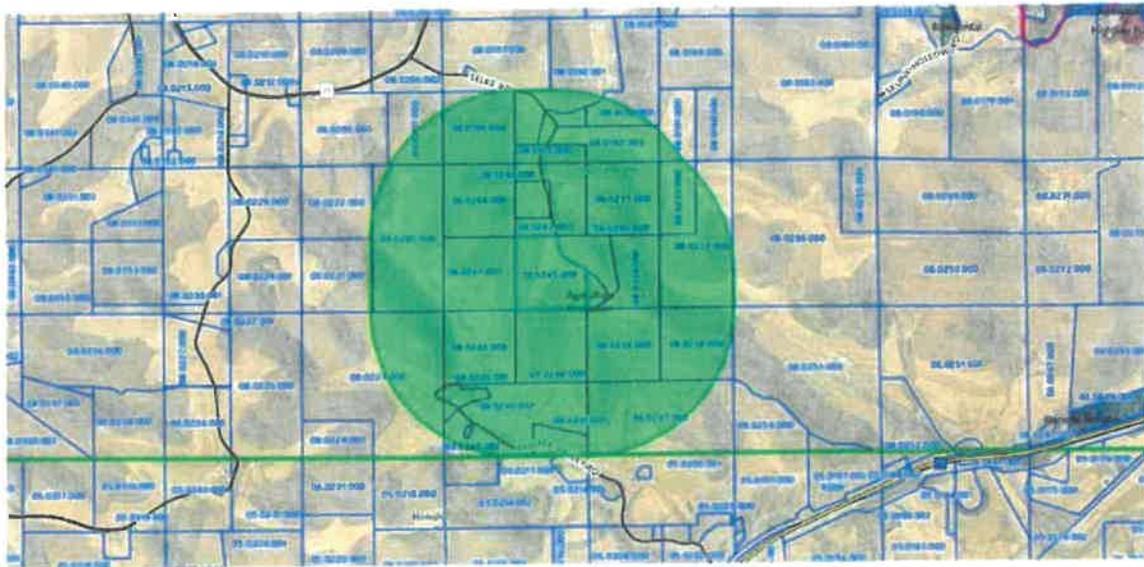
Subject to any easements and restrictions of record.

Note that the legal description is included on the attached survey as well.

**7. Map, plot, plan, or survey plot of property to be rezoned or amended showing location, dimensions, zoning of adjacent properties within five hundred (500) feet in incorporated areas, and one-half (1/2) mile in unincorporated areas drawn to scale.**

Please see the attached survey for the proposed rezone location. The proposed area is 2 acres.

The map below shows the zoning district within a one-half (1/2) mile radius around parcel 08.0245.000 which is all zoned as Agricultural Protection.



**SUBMITTED BY APPLICANT**

**BENNETT,ADAM J & JESSICA L  
4736 PFEFFER VALLEY RD  
LA CRESCENT, MN 55947**

**BENNETT,JAMES, ROSEMARY & MARY  
4788 PFEFFER VALLEY RD  
LA CRESCENT, MN 55947**

**BENNETT,JEFFREY J  
4823 PFEFFER VALLEY RD  
LA CRESCENT, MN 55947**

**BENNETT,MATTHEW J & RACHEL C  
4850 PFEFFER VALLEY RD  
LA CRESCENT, MN 55947**

**DAVIS,RODNEY D & KELLY J  
1430 SELKE RD  
LA CRESCENT, MN 55947**

**FREAD,KEVIN W & DAWN M  
1081 SELKE RD  
LA CRESCENT, MN 55947**

**LANGEN,JEFFREY T  
149 MAIN ST  
HOKAH, MN 55941**

**LEHMANN,JOHN D  
1970 STATE HWY 16  
LA CRESCENT, MN 55947**

**LOFTSGAARD LLC, C/O BARBARA TRAF  
1575 SELKE RD  
LA CRESCENT, MN 55947**

**MC COOL,JAMES M & JENNI K  
780 SELKE RD  
LA CRESCENT, MN 55947**

**RONALD D MCKELVEY CREDIT TRUST,  
1200 SELKE RD  
LA CRESCENT, MN 55947**







## NOTICE OF PUBLIC HEARING

### PLEASE TAKE NOTICE:

That an application has been made by Benjy and Martha Borntrager, 16011 Guberud Hill Dr, Spring Grove, MN 55974 for an Interim Use Permit to run a Level II Home Occupation consisting of manufacturing and selling vinyl windows (Section 14-14.4, Subdivision 1, Subsection 4 & Section 29.3, Subdivision 3) in Wilmington Township on the following premises, to-wit:

PT N1/2 SE1/4, Section 5, Township 101, Range 6, Houston County, Minnesota (Parcel# 15.0048.004).

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

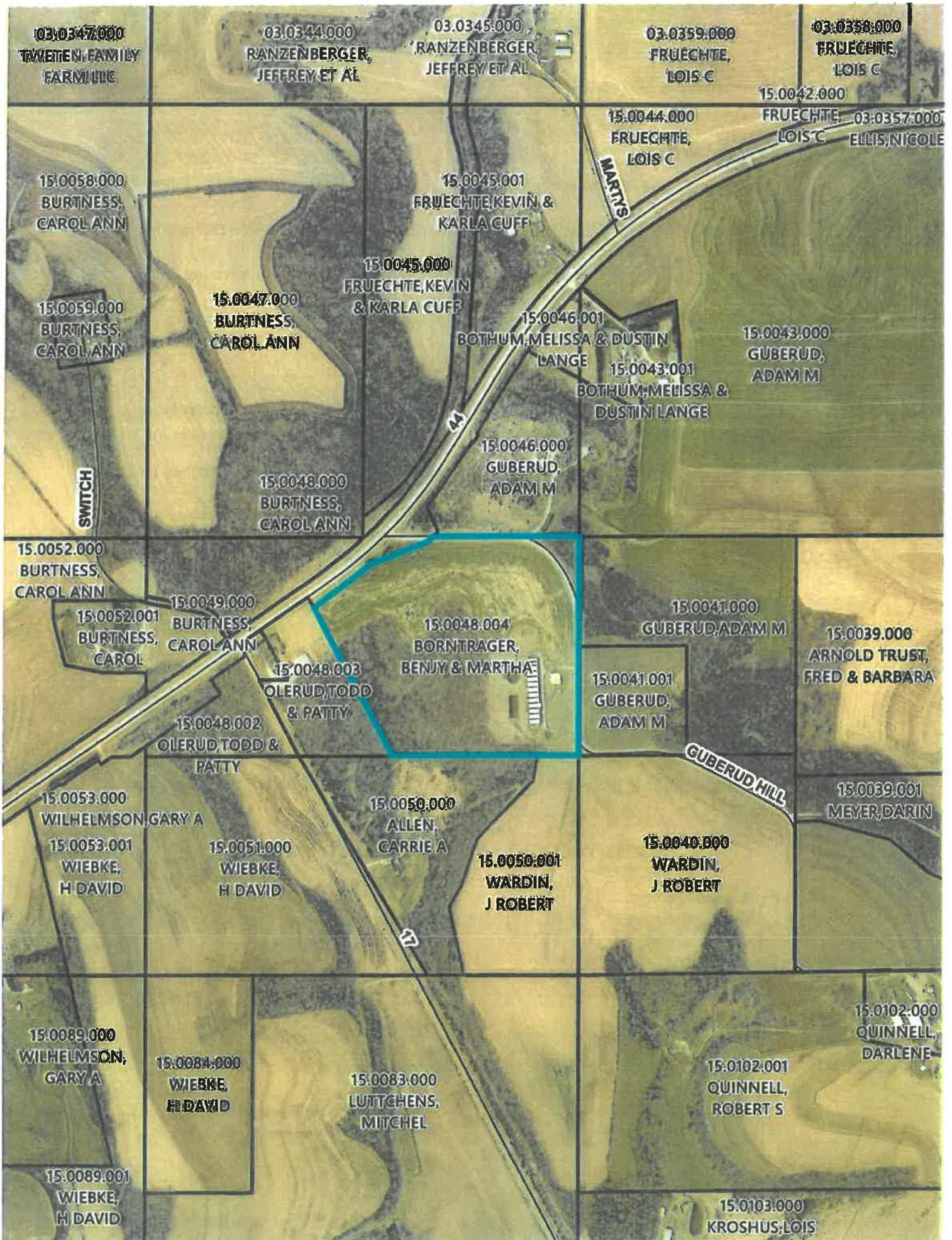
A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 6:30 p.m. on Thursday, October 23, 2025.

All persons having an interest in the matter may attend the hearing or submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street – Room 209, Caledonia, MN 55921, or emailed to [Zoning@HoCoMN.gov](mailto:Zoning@HoCoMN.gov), and must be received by Tuesday, October 14, 2025 to be included for review prior to the hearing. All comments are considered part of the public record.

### HOUSTON COUNTY PLANNING COMMISSION

By Amelia Meiners  
Zoning Administrator

ADV: October 8, 2025



## CRITERIA FOR GRANTING INTERIM USE PERMITS

NAME OF APPLICANT: Beniy & Martha Borntrager DATE: October 23, 2025

I.U.P REQUESTED: Run a Level II consisting of the construction of vinyl windows.

The Planning Commission shall not recommend an interim use permit unless they find the following:

### FINDINGS OF FACT

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

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

Staff Analysis: Goal 2.8 of the County Land Use Plan promotes expansion of trade and service industries in the County.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The applicant identifies they have been operating this business for the last four years and that it's the main source of income for their family. They will be relocating to the County which requires them to secure a new location for their business.

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 proposed business should have no impact on water quality and will have less risk of impact than the previous operation.

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: Even with the addition of a building at this site, removal of the existing portable structures will result in a decrease in impervious surfaces which should decrease existing runoff.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: N/A

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

Staff Analysis: This business does not utilize chemicals or products that should be contained separately from other wastes (i.e. hazardous). The applicant identified that vinyl is a recyclable material and solid waste will need to be managed following local and state requirements.

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: This is an existing site with access and parking available. The home occupation should not require additional utilities than what currently exists.

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: The existing road was meant to handle semi traffic and loading/unloading of hogs so it should more than accommodate the proposed use as well.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: N/A

10. That the Interim 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 surrounding properties are agricultural and residential in nature. This proposal will not impact existing uses and will likely be a less intense use than the previous operation.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The establishment of a home-based business should not impede orderly development in the agricultural district. There are no setback requirements for businesses to feedlots, etc. rather those are for the associated dwelling.

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: The applicant has identified that there will be minimal noise and no exterior lights. Home occupations are limited to minimal signage and are prohibited from having lighted signs.

Board agreed to the finding by a unanimous vote.

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: N/A

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: A small-scale window making operation is similar to other home based businesses previously permitted within the agricultural protection district and will likely have less impact on infrastructure than the larger farming operations in this vicinity.

Board agreed to the finding by a unanimous vote.

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: This proposal should have minimal impact on public health, safety, morals or general welfare and will only generate solid waste and have minimal risk to air or water quality.

Board agreed to the finding by a unanimous vote.

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

Franklin Hahn made a motion to accept the findings as presented. Johnathon Glasspoole seconded. All were in favor. Motion carried.

Chairman Munson asked for a motion on the conditional use request if there were no additional comments or questions.

Josh Gran made a motion to recommend the Houston County Board approve an Interim Use Permit for a Level II Home Occupation consisting of the construction of vinyl windows with seven conditions in Wilmington Township:

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 permitholder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. This interim use permit is only valid if a dwelling is established onsite.
4. The permit shall expire if it is not renewed at or near five-year intervals. The permit shall expire at such time that Benjy or Martha Borotrager no longer own AND maintain homestead status on the property described in the application (currently PID 15.0048.004).
5. The maximum number of employees working onsite shall not exceed six at any one time.
6. Only 5,000 square feet of the proposed structure may be used for the home-based business.
7. The Applicant acknowledges that this is an agricultural district and discomforts that may be experienced in the agricultural district may apply at this location.

Wayne Feldmeier seconded. A roll call vote was taken. All were in favor. Motion carried.

The application, with the conditions, 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 10/14/2025

Application Date: 9/9/2025  
Hearing Date: 10/23/2025  
Petitioner: Benjy & Martha Bomtrager  
Reviewer: Amelia Meiners  
Zoning: Ag Protection  
Address: 16011 Guberud Hill Drive  
Township: Wilmington  
Parcel Number: 150048004  
Submitted Materials: IUP Application

### OVERVIEW

#### REQUEST

The applicants are seeking an interim use permit to construct vinyl windows as a Level II home-based occupation in the agriculture protection district.

#### SUMMARY OF NOTEWORTHY TOPICS

Limited business information was provided within this application. The applicants recently purchased the old Sanness swine facility on Guberud Hill Drive with the intent of building a dwelling and an additional accessory structure for their business. All of the portable swine buildings will be removed and the accessory structure intended for the home-based business will be constructed over the existing rectangular liquid manure storage basin. The Ordinance limits floor use area to 5,000 square feet. They anticipate two to four customers onsite at a time.

Previously permitted home based businesses include a winery, art studio, welding shop, fiber mill, mini storage, quilting service, green house, car repair and woodworking shop. The ordinance does have a specific set of parameters for home occupations and differentiates between Level I and Level II based on number of employees and square footage of workspace. This proposal is for a Level II business and those requirements are included below.

Here are relevant sections of the Houston County Zoning Ordinance:

*Home Occupation. Any occupation or profession which is clearly secondary to the main use of the premises as the owner's dwelling place and which meets the standards set forth in ~~Part 2803~~ [Section 29.3].*

#### **14.4 INTERIM USES.**

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

*(4) Level I and Level II Home Occupations as regulated in Section 29.*

### **29.3 HOME OCCUPATIONS**

**Subdivision 1. Purpose.** *The purpose of this classification is to prevent competition with business districts, protect the natural resources of the County, and provide a means through the establishment of specific standards and procedures by which home occupations can be conducted without jeopardizing the health, safety and general welfare of surrounding uses. The establishment and continuance of home occupations as accessory uses shall be interim permitted if the following requirements and conditions are satisfied.*

**Subdivision 3. Level II Home Occupation.** *Level II home occupations shall comply with the following:*

*(1) All Level II home occupations shall be conducted entirely within the dwelling or accessory building and shall be carried on by the inhabitants thereof. Six (6) employees are allowed other than the inhabitants.*

*(2) Such use shall be clearly incidental and secondary to the use of the property for residential purposes. Total maximum floor use area shall be five thousand (5,000) square feet.*

*(3) Junk and scrap yards are prohibited.*

*(4) Home occupation signs shall be limited to a thirty-two (32) square feet of nonilluminated signage and must be located on the same property.*

*(5) There shall be no undue indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line as determined by the Planning Commission.*

*(6) The Planning Commission may require materials and equipment to be stored in an enclosed building or screened area.*

*(7) In case of a home occupation which requires the use of a commercial truck, tractor, van, pickup or any vehicle whatsoever required to be registered as a "Y" type vehicle or any trailer or other machinery capable of being trailed behind, such vehicle shall be parked off-street and upon the lot of the owner from where such home occupation is conducted. Parking is allowed only on a hard surfaced or gravel parking area. All drives accessing a hard surfaced road shall be bituminous or concrete.*

**Subdivision 4. Waste Disposal.** *All home occupations not serviced by an approved community water and sewage system must comply with County, State, and Federal waste disposal requirements.*

### **TOWNSHIP AND NEIGHBORHOOD COMMENTS**

Notice was sent to Wilmington Township and the ten closest property owners and one comment was received.

### **SITE CHARACTERISTICS**

This site is located off Guberud Hill Drive but includes road frontage on TH 44. It's been operated as a feedlot in the past and the applicants will have animals onsite but the operation will likely be less intensive than the past one. There is an existing access road, well and permanent accessory building. The proposed dwelling and accessory structure will be located on existing developed areas but since this is a parcel greater than 40 acres in size the dwelling is exempt from soil requirements. There are no bluff, shoreland, floodplain or wetland concerns with locating structures and it is an open quarter-quarter for a dwelling. There are multiple dwellings in the vicinity with the closest around 1,000 feet to the southeast and two others just over a quarter mile away. Otherwise, the remaining five are around a half mile from where the construction operation will take place. The closest intermittent stream is approximately 700 feet to the southeast.

### **EVALUATION**

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

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

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

Staff Analysis: Goal 2.8 of the County Land Use Plan promotes expansion of trade and service industries in the County.

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

Staff Analysis: The applicant identifies they have been operating this business for the last four years and that it's the main source of income for their family. They will be relocating to the County which requires them to secure a new location for their business.

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

Staff Analysis: The proposed business should have no impact on water quality and will have less risk of impact than the previous operation.

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

Staff Analysis: Even with the addition of a building at this site, removal of the existing portable structures will result in a decrease in impervious surfaces which should decrease existing runoff.

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

Staff Analysis: N/A

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

Staff Analysis: This business does not utilize chemicals or products that should be contained separately from other wastes (i.e. hazardous). The applicant identified that vinyl is a recyclable material and solid waste will need to be managed following local and state requirements.

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

Staff Analysis: This is an existing site with access and parking available. The home occupation should not require additional utilities than what currently exists.

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: The existing road was meant to handle semi traffic and loading/unloading of hogs so it should more than accommodate the proposed use as well.

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

Staff Analysis: N/A

10. That the Interim 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 surrounding properties are agricultural and residential in nature. This proposal will not impact existing uses and will likely be a less intense use than the previous operation.

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

Staff Analysis: The establishment of a home-based business should not impede orderly development in the agricultural district. There are no setback requirements for businesses to feedlots, etc. rather those are for the associated dwelling.

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: The applicant has identified that there will be minimal noise and no exterior lights. Home occupations are limited to minimal signage and are prohibited from having lighted signs.

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: N/A

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: A small-scale window making operation is similar to other home based businesses previously permitted within the agricultural protection district and will likely have less impact on infrastructure than the larger farming operations in this vicinity.

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: This proposal should have minimal impact on public health, safety, morals or general welfare and will only generate solid waste and have minimal risk to air or water quality.

## RECOMMENDATION

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

1. The Permittee shall comply with all federal, state, and local laws and regulations.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. This interim use permit is only valid if a dwelling is established onsite.
4. The permit shall expire if it is not renewed at or near five-year intervals. The permit shall expire at such time that Benjy or Martha Borntrager no longer own AND maintain homestead status on the property described in the application (currently PID 15.0048.004).
5. The maximum number of employees working onsite shall not exceed six at any one time.

**From:** [comcast](#)  
**To:** [HoCo Zoning](#)  
**Subject:** Application for Interim Use Permit  
**Date:** Tuesday, October 14, 2025 11:20:11 AM

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Hello,

As a co-landowner who received notice of an application for interim use permit @ 16011 Guberud Hill Drive, Spring Grove, MN, my only issue of concern is what noise restrictions might exist or need to be put in place for allowing a manufacturing business in a farm and residential area. We are of course aware of engine noise both on Highway 44 but also in fields adjacent to properties during planting, harvesting and fertilizing....but manufacturing noise/factory noise has probably not been encountered as yet. Please set reasonable limitations (where we live, I believe the noise ordinance is from 0800-2200 daily, which is quite reasonable) so that if issues with disruptive manufacturing noise arise, it can be dealt with and there are non-arguable parameters in place, for the benefit of all involved. Depending on how large this manufacturing business becomes over time, you may also want to address traffic/road use issues. "Home based" seems a fairly ambiguous and open ended descriptor for this venture also, since there is no home on the property at this time to my knowledge.

Thank you very much,  
Karla (Fruechte) Cuff



**SUBMITTED BY APPLICANT**

Interim Use Request  
2025-IUP-476079

Amount Paid  
\$0.00

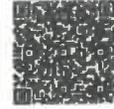
Applicant  
Michelle Burt

Created  
September 9, 2025

Status  
In Progress

Number  
2025-IUP-  
476079

BORNRAGER,BENJY &  
MARTHA | 150048004 |  
Wilmington |  
Submitted by michelleburt13 on  
9/9/2025



**Applicant**

Michelle Burt

[MBurt@hocomn.gov](mailto:MBurt@hocomn.gov)

**Search Parcel Data** Completed On Tuesday, September 9, 2025 at 3:54 PM CDT by michelleburt13

ParcelID	Address	City	OwnerName	Acres
150048004	16011 GUBERUD HILL DR	SPRING GROVE	BORNRAGER,BENJY & MARTHA	40.750

**INTERIM USE INTRO** Completed On Tuesday, September 9, 2025 at 3:54 PM CDT by michelleburt13

**Interim Use Application Fee**  
\$700.00

**Recording Fee**  
\$46.00

**Application Type:**  
Interim Use

**APPLICANT INFORMATION** Completed On Tuesday, September 9, 2025 at 3:55 PM CDT by michelleburt13

**Applicant Name**  
BORNRAGER,BENJY & MARTHA

**Telephone Number**  
[REDACTED]

**Address**  
16011 GUBERUD HILL DR

**City**  
SPRING GROVE

**Zip**  
55974

**Parcel Tax ID**

150048004

**Legal Description**

PT N1/2 SE1/4 LY E OF CTY RD #17 & S OF HWY #44 EX 2.89A DOC 235153; EX 7.95 AC 2

**Section-Township-Range**

05-101-006

**Do you own additional adjacent parcels**

No

**Township of:**

Wilmington

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

Yes

**INTERIM USE REQUEST** Completed On Tuesday, September 9, 2025 at 4:00 PM CDT by michelleburt13

**Describe in detail your request.**

Planning on building a barn with part of it containing a window business.

**Citation of Ordinance Section from which the Interim Use is requested:**

Section 14-14.4, Subdivision 1, Subsection 4

**Requested Dimension:**

Barn will be 47x140

**Please upload any supporting documents:**

**INTERIM USE FINDING OF FACTS** Completed On Tuesday, September 9, 2025 at 4:18 PM CDT by michelleburt13

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

Yes

**Comments:**

The foundation that is going to be used is an existing foundation. Only part of the barn will be used for the business.

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

Yes

**Comments:**

Applicant currently operates a window business and has been for about 4 years. The business is the main source of income for the applicants.

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

Yes

**Comments:**

The vinyl for the windows is recyclable material. There will be no impact to the water quality.

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

Yes

**Comments:**

There will not be an increase in water runoff.

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

Yes

**Comments:**

Will be using an existing foundation for the barn.

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

Yes

**Comments:**

The vinyl for the windows is recyclable material.

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

Yes

**Comments:**

There is an existing driveway. There is adequate room for parking and would have 2-4 customers at one time.

**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:

There will be adequate room for parking and loading of materials.

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

Yes

Comments:

There is an existing driveway that makes a loop and there is to be an expected 2-4 customers at one given time.

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

Yes

Comments:

There are 2 dwellings that are about 1,500 feet away and there should be no impact.

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

Yes

Comments:

The business will not impeded on the normal and orderly development of surrounding properties.

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:

There will be no exterior lights. There should be minimal noise from the business.

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 business will not require any residential development.

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:

N/A

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

Yes

Comments:

There will be no impact on the public's health, safety, morals, and general welfare.

SITE PLAN INFORMATION Completed On Tuesday, September 9, 2025 at 4:19 PM CDT by michelleburt13

Upload Site Plan

Use the Interactive Map to a Create 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



-91.56600, 43.57557

Powered by Esri

APPLICATION SUBMITTAL Completed On Tuesday, September 9, 2025 at 4:20 PM CDT by michelleburt13

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



A handwritten signature in red ink, appearing to read "Blair B.", is written above a horizontal line.

Date Signed:

9/9/2025

Check this box if Staff Signature on behalf of Applicant.

No

Email APPLICATION SUBMITTAL Completed On Tuesday, September 9, 2025 at 4:20 PM CDT by michelleburt13

External Notes

Documents

Internal Notes

Documents

## NOTICE OF PUBLIC HEARING

### PLEASE TAKE NOTICE:

That an application has been made by Linda Hinz of Richfield Acres LLC, 18020 Truman Dr, Spring Grove, MN 55974 for an Interim Use Permit to operate a cannabis microbusiness in the Agricultural Protection District (Section 14-14.4 Interim Uses, Subdivision 1, Subsection 15 & Section 3.2.9 of the Cannabis Business Ordinance) in Spring Grove Township on the following premises, to-wit:

PT E1/2 SE1/4, Section 24, Township 101, Range 7, Houston County, Minnesota.  
(Parcel# 13.0309.002).

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

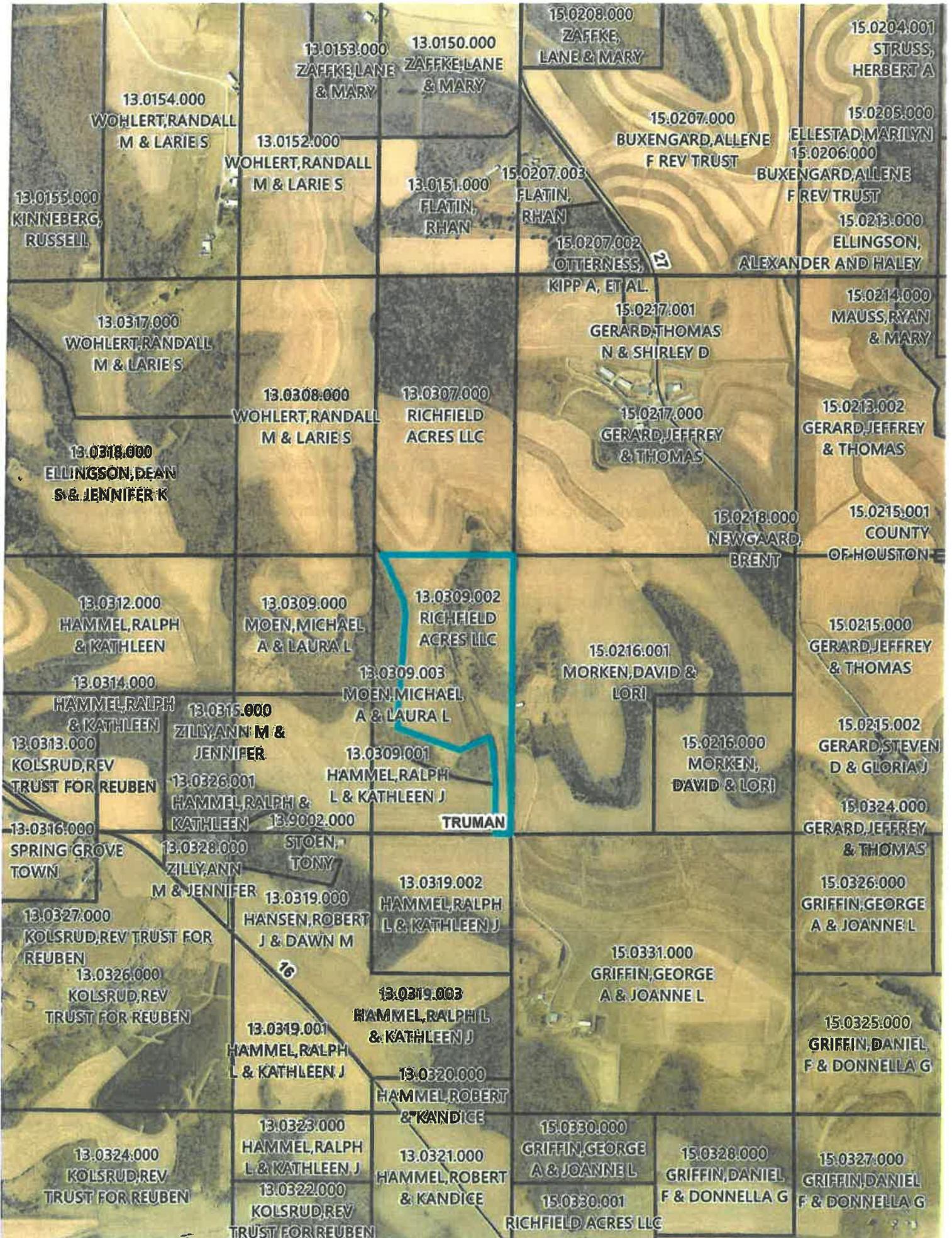
A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 6:50 p.m. on Thursday, October 23, 2025.

All persons having an interest in the matter may attend the hearing or submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street – Room 209, Caledonia, MN 55921, or emailed to [Zoning@HoCoMN.gov](mailto:Zoning@HoCoMN.gov), and must be received by Tuesday, October 14, 2025 to be included for review prior to the hearing. All comments are considered public record.

### HOUSTON COUNTY PLANNING COMMISSION

By Amelia Meiners  
Zoning Administrator

ADV: October 8, 2025



## CRITERIA FOR GRANTING INTERIM USE PERMITS

NAME OF APPLICANT: *Richfield Acres LLC* DATE: *October 23, 2025*

I.U.P REQUESTED: *Operate a cannabis microbusiness in the Agricultural Protection District.*

The Planning Commission shall not recommend an interim 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: The goals of the Land Use Plan balance economic development and agriculture. This particular proposal will retain the agricultural use of the property and also promote diversified economic development as encouraged in the 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 has received preliminary approval from OCM and now needs to secure local government approval before he can proceed with OCM.

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 indoor operation will utilize a closed-loop system to minimize water needs and allow for treatment per MPCA requirements.

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: This application states that a recently constructed structure will be utilized but also discusses construction and adherence to proper erosion control and stormwater management best practices. Overall, regardless of any future construction this type of proposal should not adversely increase water runoff.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: N/A

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

Staff Analysis: The applicant identifies that all nutrients, fertilizers and chemicals will be stored with secondary containment, that odor mitigation practices will be in place and waste materials

will be managed in compliance with state cannabis regulations which should all help to mitigate potential 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: All utilities, access roads and facilities are existing. Any extensions or upgrades will be the responsibility of the applicant.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The location will have more than enough space to accommodate parking for employees, inspectors or service vehicles. In addition, there will be a dedicated loading zone onsite.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: N/A

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

Staff Analysis: Since this operation will be fully contained indoors and meet standards set forth by the Office Cannabis Management it should not be injurious to properties in the immediate vicinity. Careful management of odor control mitigation will be important since predominant winds are from the northwest and the closest dwelling will be a direct recipient of those predominant winds.

Board agreed to the finding by a unanimous vote.

11. That the establishment of the Interim 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 use in the area is agricultural and this use is consistent with those operations, nor will it impede other development.

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: The primary concern for this proposal is odor and the applicant identifies multiple measures will be taken to mitigate odor concerns. In addition, noise is limited to typical building operations and there will be no dust or vibrations as a result of the operation. Exterior lighting will be downward facing and limited to security lighting to reduce visibility from neighboring properties.

Board agreed to the finding by a unanimous vote.

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: N/A

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

Staff Analysis: N/A

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

Staff Analysis: In order to operate the applicant will have to receive final approval from the Office of Cannabis Management and that approval will confirm they have met all state requirements intended to mitigate concerns related to public health, safety, morals and general welfare.

Board agreed to the finding by a unanimous vote.

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

Josh Gran made a motion to accept the findings as presented. Johnathon Glasspoole seconded. All were in favor. Motion carried.

Chairman Munson asked for a motion on the interim use request if there were no additional comments or questions.

Johnathon Glasspoole made a motion to recommend the Houston County Board approve an Interim Use Permit to operate a cannabis microbusiness in the Agricultural Protection District with three conditions in Spring Grove Township:

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 permitholder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. Carbon filters must be on all buildings.

Wayne Feldmeier seconded. A roll call vote was taken. Motion carried.

The application, with the conditions, 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 10/13/2025

Application Date: 9/19/2025  
Hearing Date: 10/23/2025  
Petitioner: Jack Hinz of Richfield Acres LLC  
Reviewer: Amelia Meiners  
Zoning: Ag Protection  
Address: 18020 Truman Drive  
Township: Spring Grove  
Parcel Number: 130309002  
Submitted Materials: IUP Application, Narrative and Site Plan

### OVERVIEW

#### REQUEST

The Petitioner is requesting an interim use permit to operate a cannabis microbusiness with a cultivation and manufacturing endorsement in Spring Grove Township.

#### SUMMARY OF NOTEWORTHY TOPICS

That State of Minnesota finalized the cannabis rules in April 2025 and has moved forward with lotteries and the selection of applicants for certain license types since that time. The next step for the applicants after preapproval is to seek local government approval prior to submitting their final application to the Office of Cannabis Management (OCM). They are allowed 18 months to complete the licensing process.

**The applicant does not have an endorsement for retail and retail is prohibited within the ag protection district. The limit to four registered businesses in the County applies to retail ONLY and as a result this business will not count against that limit.**

Minnesota law authorizes the following actions for microbusiness operations:

#### **§342.25 CULTIVATION OF CANNABIS; GENERAL REQUIREMENTS.**

##### ***Subdivision 1. Applicability.***

*Every cannabis business with a license or endorsement authorizing the cultivation of cannabis must comply with the requirements of this section.*

##### ***Subd. 2. Cultivation records.***

*A business licensed or authorized to cultivate cannabis must prepare a cultivation record for each batch of cannabis plants and cannabis flower in the form required by the office and must maintain each record for at least five years. The cultivation record must include the quantity and timing, where applicable, of each pesticide, fertilizer, soil amendment, or plant amendment used to cultivate the batch, as well as any other information required by the office in rule. The cannabis business must present cultivation records to the office, the commissioner of agriculture, or the commissioner of health upon request.*

**Subd. 3. Agricultural chemicals and other inputs.**

A business licensed or authorized to cultivate cannabis is subject to rules promulgated by the office in consultation with the commissioner of agriculture, subject to subdivision 5, governing the use of pesticides, fertilizers, soil amendments, plant amendments, and other inputs to cultivate cannabis.

**Subd. 4. Cultivation plan.**

A business licensed or authorized to cultivate cannabis must prepare, maintain, and execute an operating plan and a cultivation plan as directed by the office in rule, which must include but is not limited to:

- (1) water usage;
- (2) recycling;
- (3) solid waste disposal; and
- (4) a pest management protocol that incorporates integrated pest management principles to control or prevent the introduction of pests to the cultivation site.

**Subd. 5. Agricultural chemicals and other inputs; pollinator protection.**

(a) A business licensed or authorized to cultivate cannabis must comply with chapters 18B, 18C, 18D, and any other pesticide, fertilizer, soil amendment, and plant amendment laws and rules enforced by the commissioner of agriculture.

(b) A business licensed or authorized to cultivate cannabis must not apply pesticides when pollinators are present or allow pesticides to drift to flowering plants that are attractive to pollinators.

**Subd. 6. Adulteration prohibited.**

A business licensed or authorized to cultivate cannabis must not treat or otherwise adulterate cannabis plants or cannabis flower with any substance or compound that has the effect or intent of altering the color, appearance, weight, potency, or odor of the cannabis.

**Subd. 7. Indoor or outdoor cultivation authorized; security.**

A business licensed or authorized to cultivate cannabis may cultivate cannabis plants indoors or outdoors, subject to the security, fencing, lighting, and any other requirements imposed by the office in rule.

**Subd. 8. Exception.**

Nothing in this section applies to the cultivation of hemp plants.

**§342.28 CANNABIS MICROBUSINESS LICENSING AND OPERATIONS.****Subdivision 1. Authorized actions.**

A cannabis microbusiness license, consistent with the specific license endorsement or endorsements, entitles the license holder to perform any or all of the following within the limits established by this section:

- (1) grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant;
- (2) make cannabis concentrate;
- (3) make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- (4) manufacture artificially derived cannabinoids;
- (5) manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- (6) purchase immature cannabis plants and seedlings and cannabis flower from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
- (7) purchase hemp plant parts and propagules from an industrial hemp grower licensed under chapter 18K;
- (8) purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K;
- (9) purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
- (10) package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;

- (11) sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers;*
- (12) operate an establishment that permits on-site consumption of edible cannabis products and lower-potency hemp edibles; and*
- (13) perform other actions approved by the office.*

Below is relevant Houston County Zoning Ordinance (HCZO) language:

**SECTION 14 – AGRICULTURAL PROTECTION DISTRICT**

**14.4 INTERIM USES.**

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

- (15) Cannabis businesses as allowed within the Cannabis Business Ordinance*

In addition to the HCZO, there is an Ordinance Regulating Cannabis Businesses and relevant sections are included below along with staff comments.

**Section 3. Requirements for Cannabis Businesses**

**3.1 Minimum Buffer Requirements**

- 1. The Office of Houston County Auditor/Treasurer shall prohibit the operation of a cannabis business within 1,000 feet of a school.*
- 2. The Office of Houston County Auditor/Treasurer shall prohibit the operation of a cannabis business within 500 feet of a day care.*
- 3. The Office of Houston County Auditor/Treasurer shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.*
- 4. The Office of Houston County Auditor/Treasurer shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.*
- 5. The Office of Houston County Auditor/Treasurer shall prohibit the operation of a cannabis retail business within 500 feet from the main point of entry of the cannabis business to the main point of entry to another cannabis business.*

*Distances shall be computed by direct measurement from the nearest property line of the land use listed above to the nearest portion of the building being used for the cannabis business. Distances shall be verified by the applicant and confirmed by the person(s) responsible for enforcing this ordinance, via a method deemed acceptable by Houston County.*

*Pursuant to Minn. Stat. §462.367 subd. 14, nothing in Section 3.1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a (school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.*

There are no schools, daycares, residential treatment facilities, public parks or other cannabis businesses in the vicinity of this proposal.

**3.1.1 Odor Mitigation**

*All cannabis cultivation operations, production and processing facilities, including but not limited to any: drying, aging, trimming and packing facilities shall be equipped with the following odor mitigation*

measures:

- (A) Installation and maintenance of activated carbon filters on all exhaust outlets to the building exteriors.
- (B) Location of exhaust outlets a minimum of 10 feet from the property line and 10 feet above finished grade.
- (C) Maintenance of negative air pressure within the facility, or an alternative odor control system approved by the person(s) responsible for enforcing this ordinance, based upon a mechanical engineer licensed in the State of Minnesota, demonstrating the alternative system will control odor equally or better than the required activated carbon filtration system.
- (D) All cultivation sites shall utilize dust control measures on access roads and all ground disturbing activities.

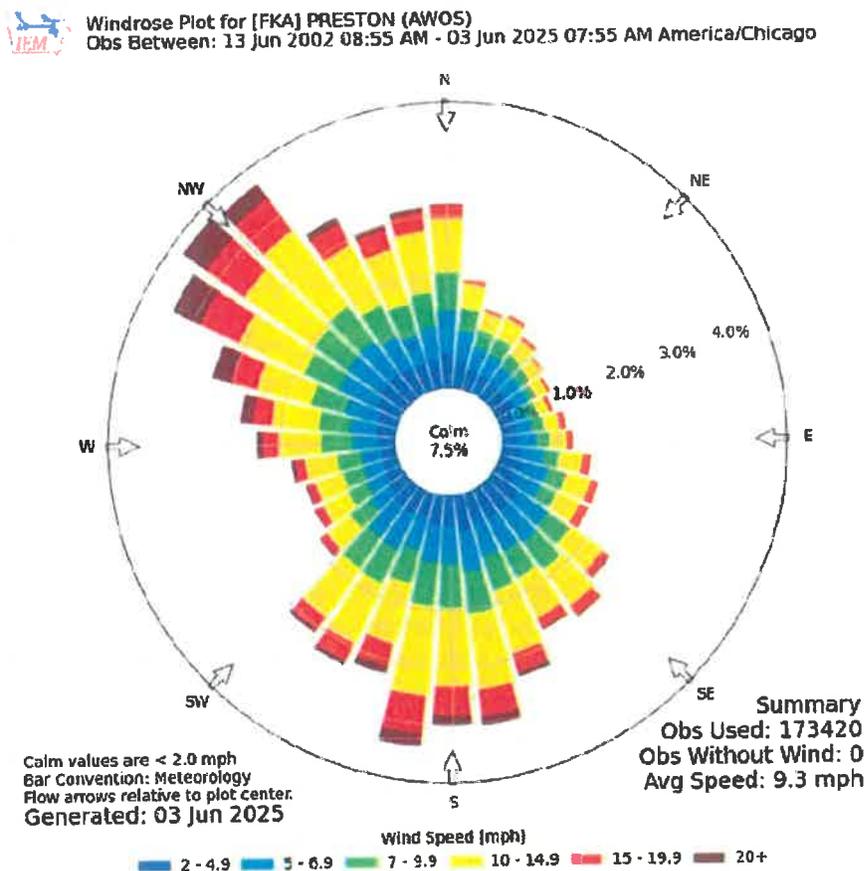


Figure 1. Windrose plot for Preston, MN.

The application identifies that the operation will be fully contained indoors utilizing carbon filters and negative air pressure. The equipment will be monitored to ensure consistent performance.

3.1.2 Security/Theft Mitigation

*A cannabis business shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, to deter and prevent theft of cannabis or cannabis products at the cannabis business, and to ensure emergency access in accordance with applicable Fire Code standards. Security measures shall include, but are not limited to the following:*

- (A) A plan to prevent individuals from loitering on the premises of the business if they are not engaging in activity expressly related to the cannabis business.*
- (B) Twenty-four-hour emergency contact information for the owner or an on-site employee which shall be provided to the Houston County Sheriff's Office.*
- (C) A professionally installed, maintained, and monitored alarm system.*
- (D) Except for live cannabis plants being cultivated at a cannabis cultivation facility, and limited amounts of cannabis for display purposes, all cannabis and cannabis products shall be stored in a secured and locked structure, and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft or loss.*
- (E) Twenty-four-hour security cameras to monitor all entrances and exits to the cannabis business, all interior spaces open and accessible to the public, and all interior spaces where cannabis, cash, or currency is being stored for any period on a regular basis. The holder of the cannabis license shall be responsible for ensuring that the security cameras footage is accessible. The footage shall be retained for a minimum of ninety-days and shall be made available to the person(s) responsible for enforcing this ordinance, as well as the Houston County Sheriff's Office upon demand.*
- (F) Panic buttons shall be installed in all cannabis businesses licensed under this ordinance.*
- (G) Sensors shall be installed to detect entry/exit from all secure areas.*
- (H) Any bars installed on the windows/doors of a cannabis business shall be installed only on the interior of the building.*

The application discusses the 24/7 monitoring, alarm systems and access restrictions that will be employed to meet state requirements and protect public interest.

### **3.1.3 Light Pollution Mitigation**

*All cannabis cultivation operations, production and processing facilities, including but not limited to any: drying, aging, trimming and packing facilities shall be equipped with the following light pollution mitigation measures:*

- (A) Any security lighting for a cannabis business shall be shielded and angled in such a way as to prevent light from spilling outside the boundaries of the parcel(s) or premises or directly focusing on any surrounding areas.*
- (B) Houston County shall provide notice to the cannabis business licensee upon receiving any light pollution complaint. Upon receiving notice, the licensee shall correct the violation as soon as possible and submit written documentation within 10 calendar days, demonstrating that all shielding has been repaired, inspected and corrected as necessary. Failure to correct a violation shall be grounds for penalties as outlined in the Houston County Zoning Ordinance.*

This operation will be fully contained within a building resulting in minimal light and noise impacts on neighboring properties.

### **3.2 Zoning and Land Use**

*The following types of Cannabis businesses are allowed to operate in the zoning district applicable to that business.*

#### **3.2.1. Cultivation.**

*Cannabis businesses licensed or endorsed for cultivation are permitted in the following zoning districts:*

- *Prohibited: Residential, Commercial, and Industrial*
- *Permitted - with an IUP: Agricultural*

#### **3.2.9. Microbusiness.**

*Cannabis businesses licensed or endorsed as a Microbusiness are permitted in the following zoning districts:*

- *Prohibited: Residential*
- *Permitted - with an IUP: Agricultural, Commercial, and Industrial*

### **TOWNSHIP AND NEIGHBORHOOD COMMENTS**

Spring Grove Township and the ten nearest property owners were notified. No comments were submitted.

### **SITE CHARACTERISTICS**

The parcel is located approximately a mile and a half south of the City of Spring Grove. The closest dwelling is approximately 900 feet to the southeast otherwise there are six others around a half mile from this site. This location is approximately 1,500 feet off Truman Drive, a dead-end township road.

There are intermittent streams to the east, west and south at 2,200 feet, 940 feet, and 1,300 feet respectively. There are no floodplain, shoreland or wetland concerns.

### **EVALUATION**

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

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

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

Staff Analysis: The goals of the Land Use Plan balance economic development and agriculture. This particular proposal will retain the agricultural use of the property and also promote diversified economic development as encouraged in the Plan.

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

Staff Analysis: The applicant has received preliminary approval from OCM and now needs to secure local government approval before he can proceed with OCM.

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

Staff Analysis: The indoor operation will utilize a closed-loop system to minimize water needs and allow for treatment per MPCA requirements.

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

Staff Analysis: This application states that a recently constructed structure will be utilized but also discusses construction and adherence to proper erosion control and stormwater management best practices. Overall, regardless of any future construction this type of proposal should not adversely increase water runoff.

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

Staff Analysis: N/A

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

Staff Analysis: The applicant identifies that all nutrients, fertilizers and chemicals will be stored with secondary containment, that odor mitigation practices will be in place and waste materials will be managed in compliance with state cannabis regulations which should all help to mitigate potential pollution hazards.

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

Staff Analysis: All utilities, access roads and facilities are existing. Any extensions or upgrades will be the responsibility of the applicant.

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

Staff Analysis: The location will have more than enough space to accommodate parking for employees, inspectors or service vehicles. In addition, there will be a dedicated loading zone onsite.

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

Staff Analysis: N/A

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

Staff Analysis: Since this operation will be fully contained indoors and meet standards set forth by the Office Cannabis Management it should not be injurious to properties in the immediate vicinity. Careful management of odor control mitigation will be important since predominant winds are from the northwest and the closest dwelling will be a direct recipient of those predominant winds.

11. That the establishment of the Interim 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 use in the area is agricultural and this use is consistent with those operations, nor will it impede other development.

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: The primary concern for this proposal is odor and the applicant identifies multiple measures will be taken to mitigate odor concerns. In addition, noise is limited to typical building

operations and there will be no dust or vibrations as a result of the operation. Exterior lighting will be downward facing and limited to security lighting to reduce visibility from neighboring properties.

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: N/A

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

Staff Analysis: N/A

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

Staff Analysis: In order to operate the applicant will have to receive final approval from the Office of Cannabis Management and that approval will confirm they have met all state requirements intended to mitigate concerns related to public health, safety, morals and general welfare.

#### RECOMMENDATION

The Planning Commission must consider the criteria above. 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 permitholder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

Proposed motion: To recommend granting of an interim use permit for a cannabis microbusiness with a cultivation and manufacturing endorsement in the agricultural protection district with the two conditions.

**SUBMITTED BY APPLICANT**

Interim Use Request  
2025-IUP-481021

Amount Paid  
\$0.00

Applicant  
Jack Hinz

Created  
September 19,  
2025

Status  
In Progress

Number  
2025-IUP-  
481021

RICHFIELD ACRES LLC |  
130309002 | Spring Grove |  
Submitted by JDHinz1 on  
9/19/2025



**Applicant**

Jack Hinz



**Search Parcel Data** Completed On Friday, September 19, 2025 at 10:03 AM CDT by JDHinz1

ParcelID	Address	City	OwnerName	Acres
130309002	18020 TRUMAN DR	SPRING GROVE	RICHFIELD ACRES LLC	45.810

**INTERIM USE INTRO** Completed On Friday, September 19, 2025 at 10:03 AM CDT by JDHinz1

**Interim Use Application Fee**

\$700.00

**Recording Fee**

\$46.00

**Application Type:**

Interim Use

**APPLICANT INFORMATION** Completed On Friday, September 19, 2025 at 10:04 AM CDT by JDHinz1

**Applicant Name**

RICHFIELD ACRES LLC

**Telephone Number**



**Address**

18020 TRUMAN DR

**City**

SPRING GROVE

**Zip**

55974



The proposed cannabis grow and packaging facility is consistent with the County Land Use Plan, as it supports agricultural-based economic activity while operating indoors, with minimal impact to surrounding land uses.

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

Yes

**Comments:**

A IUP is required under zoning to establish a licensed cannabis cultivation and packaging facility. The proposed use will help meet demand for safe, regulated cannabis products within Minnesota's emerging legal market.

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

Yes

**Comments:**

Water used for cultivation will be supplied from a permitted well. A closed-loop irrigation system will minimize runoff. Fertigation and wastewater will be properly contained and disposed of according to Minnesota Pollution Control Agency (MPCA) guidelines to protect groundwater.

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

Yes

**Comments:**

The facility is fully indoors; water use and runoff are tightly controlled. Stormwater management will follow county standards, and impervious surfaces will be designed to handle drainage without adverse effects.

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

Yes

**Comments:**

Soil conditions on-site are suitable for the facility footprint. Because cultivation occurs indoors on raised systems, soil suitability has minimal impact on operations.

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

Yes

**Comments:**

No hazardous chemicals will be stored or used beyond standard agricultural nutrients and cleaning products, which will be stored in secondary containment. Odor control systems, including carbon filtration, will mitigate emissions.

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

Yes

**Comments:**

The site has adequate access via an existing county road, with sufficient capacity for light commercial traffic. Utilities (electricity, water, septic) will be sized appropriately for cultivation and packaging operations. Drainage is in place and will be improved as needed.

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:**

Adequate off-street parking will be provided for staff. A designated loading/unloading area will support deliveries of supplies and shipment of finished goods.

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

Yes

**Comments:**

Traffic will be limited to employee vehicles and occasional commercial deliveries. No retail traffic will occur on-site, minimizing impact on area roads.

10. That the interim 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 facility is self-contained indoors and will not affect neighbors' use or enjoyment of their properties. No retail activity will occur, and noise/odor control measures will be in place.

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

Yes

Comments:

The use will not impede surrounding property development. The facility footprint and operations are compatible with agricultural land use and county development goals.

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:

State-of-the-art odor mitigation (carbon scrubbers, negative pressure systems) will ensure no nuisance odors. Noise is limited to normal HVAC operations, within county standards. No dust, vibration, or bright signage will occur.

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 – no residential development is proposed.

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:

The proposed facility's scale is consistent with agricultural/commercial intensity for this zoning district. It is a small-scale, state-regulated operation with limited footprint and minimal external impacts.

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 facility will comply with state cannabis regulations, ensuring secure storage, controlled access, and strict compliance with product safety standards. Security measures, odor control, and waste disposal plans will protect public health, safety, and welfare.

SITE PLAN INFORMATION Completed On Friday, September 19, 2025 at 10:14 AM CDT by JDHinz1

Upload Site Plan

Site Plan Narrative Cannabis Cultivation Packaging Facility.docx

Use the Interactive Map to a Create 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

APPLICATION SUBMITTAL Completed On Friday, September 19, 2025 at 10:22 AM CDT by JDHinz1

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

SUBMITTED BY APPLICANT

15

*Linda King*

---

Date Signed:

9/19/2025

Check this box if Staff Signature on behalf of Applicant.

No

Email APPLICATION SUBMITTAL Completed On Friday, September 19, 2025 at 10:22 AM CDT by JDHInz1

External Notes

Documents

Internal Notes

Documents

## IUP Application Draft Responses for Cannabis Cultivation & Packaging Facility

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### Project Description

The proposed interim use is for the establishment of a small-scale cannabis cultivation facility, processing and product packaging operation. Cannabis flower will be grown indoors using controlled-environment agriculture systems, harvested, dried, trimmed, and packaged into compliant, finished retail packaging. The operation will comply with all state licensing and regulatory requirements under the Minnesota Office of Cannabis Management. No on-site retail sales will occur.

---

### Zoning Ordinance Citation

Agricultural Protection District – Interim Uses: Indoor Agriculture / Cannabis Cultivation and Cannabis Product Manufacturing.  
*Section 14.4 Subdivision 1 Subsection 15; Cannabis Ordinance Section 3.2.9*

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### Findings Questions

- 1. Conformance to Land Use Plan**  
The proposed cannabis grow and packaging facility is consistent with the County Land Use Plan, as it supports agricultural-based economic activity while operating indoors, with minimal impact to surrounding land uses.
- 2. Need for the Proposed Use**  
A IUP is required under zoning to establish a licensed cannabis cultivation and packaging facility. The proposed use will help meet demand for safe, regulated cannabis products within Minnesota's emerging legal market.
- 3. Water Quality Protection**  
Water used for cultivation will be supplied from a permitted well. A closed-loop irrigation system will minimize runoff. Fertigation and wastewater will be properly contained and disposed of according to Minnesota Pollution Control Agency (MPCA) guidelines to protect groundwater.
- 4. Runoff Control**  
The facility is fully indoors; water use and runoff are tightly controlled. Stormwater management will follow county standards, and impervious surfaces will be designed to handle drainage without adverse effects.

**5. Soil Conditions**

Soil conditions on-site are suitable for the facility footprint. Because cultivation occurs indoors on raised systems, soil suitability has minimal impact on operations.

**6. Pollution Hazards**

No hazardous chemicals will be stored or used beyond standard agricultural nutrients and cleaning products, which will be stored in secondary containment. Odor control systems, including carbon filtration, will mitigate emissions.

**7. Utilities, Roads, Drainage**

The site has adequate access via an existing county road, with sufficient capacity for light commercial traffic. Utilities (electricity, water, septic) will be sized appropriately for cultivation and packaging operations. Drainage is in place and will be improved as needed.

**8. Parking & Loading**

Adequate off-street parking will be provided for staff. A designated loading/unloading area will support deliveries of supplies and shipment of finished goods.

**9. Traffic Impact**

Traffic will be limited to employee vehicles and occasional commercial deliveries. No retail traffic will occur on-site, minimizing impact on area roads.

**10. Impact on Neighboring Properties**

The facility is self-contained indoors and will not affect neighbors' use or enjoyment of their properties. No retail activity will occur, and noise/odor control measures will be in place.

**11. Impact on Surrounding Development**

The use will not impede surrounding property development. The facility footprint and operations are compatible with agricultural land use and county development goals.

**12. Odor, Noise, Dust, Vibration Control**

State-of-the-art odor mitigation (carbon scrubbers, negative pressure systems) will ensure no nuisance odors. Noise is limited to normal HVAC operations, within county standards. No dust, vibration, or bright signage will occur.

**13. Residential Density**

Not applicable — no residential development is proposed.

**14. Commercial/Industrial Density**

The proposed facility's scale is consistent with agricultural/commercial intensity for this zoning district. It is a small-scale, state-regulated operation with limited footprint and minimal external impacts.

**15. Public Health, Safety, Welfare**

The facility will comply with state cannabis regulations, ensuring secure storage, controlled access, and strict compliance with product safety standards. Security measures, odor control, and waste disposal plans will protect public health, safety, and welfare.

---

### **Site Plan**

- Building footprint showing indoor grow rooms, processing/packaging area, and storage.
  - Mark access road, parking area, loading area, septic/well.
  - Highlight security, lighting, and any stormwater features.
- 

### **Building Permit (if applicable)**

A building permit will be submitted for any new construction, including the indoor cultivation structure and packaging facility, as required.

---

### **Acknowledgements**

- Confirm understanding of township notification requirements.
  - Confirm compliance with zoning, health, safety, and environmental standards.
  - Provide name and digital signature.
- 

## **IUP Findings – Cannabis Cultivation & Packaging Facility**

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### **1. Conformance to Land Use Plan**

The proposed facility is consistent with the goals and objectives of the Houston County Land Use Plan. The project supports agricultural-based economic activity, provides value-added processing, and will be contained entirely indoors, ensuring compatibility with the district's intended function.

---

### **2. Demonstrated Need for the Use**

The applicant has obtained preliminary state licensing under the Minnesota Office of Cannabis Management. A Interim Use Permit is required at the county level to establish such operations.

The proposed facility fulfills a documented need for regulated cannabis production and processing in Minnesota, ensuring consumer access to compliant, safe products.

---

**3. Protection of Water Quality**

The proposed use incorporates best management practices for water protection. Irrigation will be delivered through a closed-loop fertigation system, minimizing potential discharge. No untreated wastewater will leave the site, and all water handling will comply with Minnesota Pollution Control Agency (MPCA) standards, thereby protecting groundwater and surface water quality.

---

**4. Management of Water Runoff**

Because cultivation and packaging occur indoors, the project generates minimal runoff. Site improvements will include proper grading and stormwater management to ensure that post-construction runoff rates do not exceed pre-construction conditions. Any increase in impervious surface will be addressed in accordance with county stormwater standards.

---

**5. Adequacy of Soil Conditions**

Soil conditions at the site are sufficient to support the proposed facility, including building foundations, septic capacity, and drainage requirements. Since cultivation is conducted indoors using raised hydroponic and soil systems, soil limitations do not pose a constraint on operations.

---

**6. Pollution Hazards and Environmental Protection**

Potential environmental impacts have been proactively addressed. All nutrients, fertilizers, and cleaning products will be stored in secure, secondary containment. Odor will be mitigated through negative air pressure systems and activated carbon filtration. Waste materials will be managed in compliance with state cannabis regulations, ensuring protection of the environment.

---

**7. Utilities, Access, and Facilities**

The site is adequately served by existing road access and utilities. Electrical service, well water, and septic infrastructure are sufficient and will be improved as necessary to support operations. Internal site circulation and drainage facilities will be designed to meet county requirements.

---

**8. Parking and Loading Provisions**

The facility will provide sufficient off-street parking to accommodate employees, inspectors, and

service vehicles. A designated loading zone will accommodate deliveries of raw materials and shipments of finished packaged product without impacting surrounding roads.

---

**9. Traffic Impacts**

Traffic generation from the proposed use will be minimal, limited primarily to employees, occasional supply deliveries, and outbound distribution. No retail sales will occur on-site, eliminating high-frequency customer traffic. The existing roadway system is adequate to safely accommodate this limited traffic volume.

---

**10. Compatibility with Neighboring Properties**

The project is designed to avoid adverse impacts on adjacent land uses. The facility will be contained indoors, will incorporate odor control systems, and will generate negligible noise or vibration. As such, the use will not diminish the enjoyment or value of nearby properties.

---

**11. Impact on Orderly Development**

The facility will not impede the orderly development of surrounding properties. The project footprint is modest, the operation is self-contained, and the use is compatible with the agricultural protection district. Future development potential of adjoining parcels will not be adversely affected.

---

**12. Control of Odor, Noise, and Other Nuisances**

Comprehensive measures will be implemented to mitigate nuisance factors. Activated carbon filtration will prevent odor emissions. Noise will be limited to HVAC equipment and will remain within county thresholds. No dust, vibration, or intrusive lighting will result from the operation. Exterior lighting will be shielded and directed to avoid off-site glare.

---

**13. Residential Density**

Not applicable. The proposed project does not involve residential development.

---

**14. Commercial/Industrial Density**

The proposed use represents a small-scale, specialized agricultural-related commercial activity. Its intensity is consistent with surrounding land uses and the character of the zoning district. The project will not exceed the density or intensity standards established by the County Zoning Ordinance.

---

**15. Protection of Public Health, Safety, and Welfare**

The facility will operate under strict state licensing requirements, including security protocols, waste handling standards, and product safety controls. Together with the County's conditions of approval, these measures ensure that the proposed use protects public health, safety, morals, and the general welfare of the community.

## Site Plan Narrative – Cannabis Cultivation & Packaging Facility

### Project Overview

The applicant proposes to establish an indoor cannabis cultivation and flower packaging facility on the subject parcel located in Houston County, MN. The use will be conducted entirely within a purpose-built structure and will not include any on-site retail activity. The facility will operate under state-issued licenses from the Minnesota Office of Cannabis Management and will be regulated to meet both county and state requirements.

---

### Building and Facilities

- **Primary Structure:** A single-story, steel-frame agricultural/commercial building of approximately 3200 square feet. The building will contain cultivation rooms, drying and curing areas, a trimming/packaging room, secure storage, employee support areas, and mechanical systems.
- **Security:** The building will have controlled access points, perimeter security measures (including cameras), and limited entry consistent with state cannabis regulations.

---

### Access and Circulation

- **Access Road:** The property will be served by an existing county-maintained road. A single driveway will provide direct access to the facility.
  - **Parking:** An off-street parking area will be constructed to accommodate employee vehicles, with capacity for approximately 10 spaces. Parking will be located adjacent to the facility entrance and will include accessible spaces as required by code.
  - **Loading Area:** A designated loading zone will be located at the rear/side of the building for delivery of supplies and shipment of finished packaged flower. This area will be screened from the public right-of-way.
-

## Utilities and Services

- **Water Supply:** Potable and irrigation water will be provided by an on-site well.
  - **Wastewater:** Sanitary wastewater will be managed by an on-site septic system designed to meet current county standards. No process wastewater will be discharged into the septic system.
  - **Electricity:** The facility will be served by existing utility infrastructure with sufficient capacity for the operation.
  - **Stormwater Management:** The site will include appropriate grading and drainage features to manage runoff. Any increase in impervious surface will be mitigated through stormwater facilities designed to comply with county requirements.
- 

## Site Improvements

- **Landscaping:** Perimeter landscaping will be installed to provide screening from adjacent properties and to maintain rural character.
  - **Lighting:** Exterior lighting will be limited to security and safety needs. All fixtures will be downward-directed and shielded to prevent off-site glare.
  - **Odor Control:** The facility will include activated carbon filtration and negative pressure systems to ensure no odors are detectable beyond the property boundary.
- 

## Environmental Protection

The project has been designed to minimize environmental impacts. Water use will be carefully managed through closed-loop irrigation systems, reducing demand and preventing runoff. Nutrients and other inputs will be stored in secure secondary containment. Solid waste will be disposed of according to state cannabis regulations, and no hazardous emissions are anticipated.

---

## Compliance and Compatibility

The proposed facility is modest in scale and compatible with surrounding agricultural land uses. It will not generate significant noise, traffic, or light impacts. All operations are contained within the building, ensuring the project does not adversely affect the enjoyment or development potential of neighboring properties.

## Floor Plan Narrative – Cannabis Cultivation & Packaging Facility

### General Layout

The proposed facility will be a single-story building designed for efficient and secure cannabis cultivation and packaging operations. The interior layout is divided into functional zones, each dedicated to a specific phase of production. Controlled access and workflow design ensure compliance with Minnesota Office of Cannabis Management regulations and good manufacturing practices.

---

### Functional Areas

1. **Entry & Security Zone**
  - A secured main entrance with a reception area and controlled access points.
  - Security vestibule to ensure that all entries and exits are monitored.
  - Access limited to authorized personnel only, with ID verification and video surveillance.
2. **Employee Support Areas**
  - Locker rooms, restrooms, and a break room for staff.
  - Handwashing and gowning areas to maintain sanitary conditions prior to entering cultivation zones.
3. **Cultivation Area**
  - Divided into several climate-controlled grow rooms designed for different stages of plant growth (e.g., propagation, vegetative, flowering).
  - Rooms equipped with high-efficiency LED grow lighting, HVAC, dehumidification, and environmental control systems.
  - Irrigation provided via a closed-loop fertigation system to minimize waste and protect groundwater.
4. **Harvest, Drying, and Curing Area**
  - Dedicated harvest staging area where plants are trimmed of fan leaves and prepared for drying.
  - Climate-controlled drying and curing rooms with proper humidity and airflow management to preserve product quality.
5. **Processing and Packaging Room**
  - Trimmed flower transferred into a secure processing area.
  - Flower weighed, packaged, and sealed into compliant finished retail packaging.
  - Packaging room designed for sanitary handling, with stainless steel surfaces and designated waste disposal stations.
6. **Secure Storage & Vault**
  - A secure storage room or vault for finished products prior to distribution.
  - Locked, access-controlled, and monitored by 24/7 video surveillance.
  - Separate area for storage of supplies and non-cannabis materials.
7. **Mechanical & Utility Rooms**

- Separate mechanical rooms housing HVAC, electrical, water treatment, and backup systems.
  - Nutrient mixing and storage area with secondary containment for safe handling.
- 

## Operational Flow

The layout has been designed for a **linear, controlled workflow**:

- Employees enter → gown in changing area → access grow rooms → harvest → drying/curing → packaging → secure storage → outbound shipment.

This flow reduces cross-contamination risk, ensures regulatory compliance, and enhances operational efficiency.

---

## Security & Compliance

- All cannabis-handling areas are access-restricted and under 24/7 video surveillance.
- Doors between rooms are electronically controlled and logged.
- Waste areas are monitored, and disposal is conducted per state cannabis regulations.

# Odor, Traffic, and Environmental Mitigation Plan

Cannabis Cultivation & Packaging Facility – Houston County, MN

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## 1. Odor Mitigation

Cannabis cultivation and processing can generate odors, particularly during flowering, harvesting, and trimming. The proposed facility incorporates industry-standard odor control systems to ensure that no detectable odors leave the property boundary.

- **Carbon Filtration:** All cultivation rooms, drying rooms, and processing areas will be equipped with activated carbon filters connected to HVAC systems.
- **Negative Pressure Design:** Cultivation rooms will operate under negative air pressure, ensuring that air cannot escape without being filtered.

- **Sealed Facility:** The structure will be fully enclosed and insulated, with minimal air exchange to the outdoors.
- **Continuous Monitoring:** Odor control equipment will be routinely inspected and replaced on a scheduled maintenance cycle to ensure consistent performance.

**Result:** No nuisance odors will impact neighboring properties or the surrounding community.

---

## 2. Traffic Mitigation

The project is designed to generate **minimal additional traffic**, consistent with light commercial and agricultural activity.

- **Employee Traffic:** Limited to staff arrivals and departures, with staggered shifts to reduce peak-hour impacts.
- **Service & Delivery Traffic:** Occasional deliveries of cultivation supplies (nutrients, packaging materials) and scheduled outbound shipments of finished product. Deliveries will be conducted during normal business hours.
- **No Retail Sales:** The facility will not generate customer traffic, as no on-site retail sales are permitted or proposed.

**Result:** Existing county roads have adequate capacity to handle projected traffic volumes without congestion or safety concerns.

---

## 3. Environmental Mitigation

### Water Quality & Runoff

- **Closed-Loop Irrigation:** Cultivation will use a recirculating fertigation system, eliminating the risk of nutrient-laden water entering groundwater or surface water.
- **Stormwater Controls:** Any new impervious surfaces will be managed with on-site stormwater controls in accordance with county requirements. Post-construction runoff will not exceed pre-construction rates.

### Waste Management

- **Organic Waste:** Cannabis plant waste will be rendered unusable (mixed with soil or other organic material) and disposed of in compliance with Minnesota Office of Cannabis Management regulations.
- **Solid Waste:** Packaging and non-organic waste will be collected, securely stored, and removed by a licensed disposal service.

- **Hazardous Materials:** Only standard cleaning products and agricultural nutrients will be stored on-site, kept in secondary containment to prevent accidental release.

### Noise, Light, and Aesthetic Protections

- **Noise:** Facility noise is limited to HVAC equipment, which will operate within county standards and be shielded to reduce external impact.
  - **Lighting:** Exterior lighting will be shielded, downward-facing, and limited to security needs, preventing glare or light trespass onto neighboring properties.
  - **Landscaping:** Screening and landscaping will maintain rural character and visually buffer the facility.
- 

## 4. Public Health, Safety, and Welfare

The facility is designed to protect the public interest:

- **Secure Operation:** Restricted access, 24/7 video monitoring, and alarm systems will ensure security of the site.
- **Regulatory Oversight:** Operations will be licensed and regulated by the Minnesota Office of Cannabis Management and subject to inspections.
- **Community Compatibility:** With odors controlled, traffic minimized, and environmental safeguards in place, the project will integrate into the agricultural landscape without adverse impacts.

# Master IUP Narrative

**Proposed Cannabis Cultivation & Packaging Facility**  
Houston County, Minnesota

---

## 1. Project Overview

The applicant seeks a Interim Use Permit (IUP) to establish an indoor cannabis cultivation and flower packaging facility in Houston County, Minnesota. The proposed use involves growing cannabis plants in a controlled indoor environment, harvesting and curing the flower, and packaging it into finished retail-ready containers in compliance with state law.

The operation will be fully licensed by the Minnesota Office of Cannabis Management and will not include on-site retail sales. All cultivation, processing, and packaging activities will be conducted within a secure building, minimizing potential impacts to surrounding properties.

---

## 2. Zoning Compliance

The subject property is located in the **Agricultural Protection District (AP)**. Pursuant to the Houston County Zoning Ordinance, indoor agriculture and related processing activities, including cannabis cultivation and product packaging, are permitted as a interim use within this district.

The project is consistent with the intent of the zoning district, as it supports agriculture-based economic development while ensuring compatibility with existing land uses.

---

## 3. Findings of Fact

In accordance with county requirements, the applicant provides the following responses to the 15 IUP findings:

1. **Land Use Plan** – The project is consistent with the County Land Use Plan by supporting agricultural-based economic growth and providing value-added processing.
2. **Demonstrated Need** – A IUP is required to establish a licensed cannabis cultivation and packaging facility. The project meets state demand for regulated cannabis products.
3. **Water Quality Protection** – Closed-loop irrigation and wastewater containment will protect groundwater and surface water resources.
4. **Runoff Control** – Stormwater systems will ensure runoff rates do not exceed pre-construction conditions. Indoor cultivation minimizes external impacts.
5. **Soil Conditions** – Soils are adequate to support building foundations, septic systems, and site improvements. Indoor systems limit soil dependency.
6. **Pollution Hazards** – Nutrients and chemicals will be stored in secondary containment. Carbon filtration will mitigate odors. Waste disposal follows state regulations.
7. **Utilities and Access** – The site is served by existing utilities and county road access. Improvements will ensure adequate capacity.
8. **Parking and Loading** – Off-street parking and a dedicated loading zone will accommodate employees and deliveries without impacting county roads.
9. **Traffic** – Traffic generation is minimal and limited to employees and scheduled deliveries. No retail traffic will occur.
10. **Neighboring Properties** – The fully enclosed operation, combined with odor and noise controls, ensures no adverse impact on nearby properties.
11. **Orderly Development** – The project will not impede future development of surrounding land.

12. **Nuisance Controls** – Odor, noise, dust, vibration, and lighting will be controlled through filtration, equipment shielding, and downward-facing lighting.
  13. **Residential Density** – Not applicable. No residential uses are proposed.
  14. **Commercial Density** – The use is low-intensity and compatible with the agricultural zoning district.
  15. **Public Health and Welfare** – Security, regulatory compliance, and environmental safeguards ensure protection of the public's health, safety, and welfare.
- 

#### 4. Site Plan Narrative

- **Building:** A purpose-built, steel-frame structure of approximately \_\_\_ sq. ft., containing cultivation, processing, packaging, storage, and utility spaces.
  - **Access:** Served by an existing county-maintained road with a single driveway entrance.
  - **Parking:** \_\_\_ off-street parking stalls provided for employees, including ADA-accessible spaces.
  - **Loading Zone:** Located at the rear of the building for deliveries and product shipments, screened from the right-of-way.
  - **Utilities:** On-site well for water supply, septic system for sanitary waste, and existing electrical service sized for operations.
  - **Stormwater:** Managed through grading and on-site systems to meet county runoff standards.
  - **Lighting & Landscaping:** Downward-directed security lighting only; perimeter landscaping to maintain rural character.
- 

#### 5. Floor Plan Narrative

- **Entry/Security:** Reception, security vestibule, and controlled access points.
- **Employee Facilities:** Locker rooms, restrooms, break room, and gowning area.
- **Cultivation:** Climate-controlled grow rooms for propagation, vegetative, and flowering stages.
- **Harvest & Curing:** Dedicated harvest staging, drying, and curing rooms.
- **Processing/Packaging:** Flower trimming, weighing, and packaging into compliant retail-ready containers.
- **Secure Storage:** Vault for finished goods; separate supply storage.
- **Mechanical/Utility:** Housing for HVAC, irrigation systems, and nutrient mixing.

The interior workflow is linear and secure, ensuring product integrity, regulatory compliance, and efficient operations.

---

## 6. Odor, Traffic, and Environmental Mitigation

- **Odor:** Negative pressure grow rooms, carbon filtration, and sealed building envelope ensure no odors leave the property.
  - **Traffic:** Minimal traffic limited to employees and scheduled deliveries. No retail activity eliminates public traffic.
  - **Water & Runoff:** Closed-loop irrigation and compliant stormwater controls protect groundwater and surface water.
  - **Waste:** Cannabis plant material rendered unusable and disposed of per state regulations. Solid waste removed by licensed haulers.
  - **Noise & Lighting:** Equipment noise below county thresholds; exterior lighting shielded and directed downward.
  - **Aesthetic Protection:** Landscaping and building design ensure compatibility with rural surroundings.
- 

## 7. Public Health, Safety, and Welfare

The facility will be operated under strict state licensing requirements, with robust security, controlled access, and compliance with environmental standards. The project protects public health and safety, supports lawful agricultural economic development, and contributes to a regulated cannabis market in Minnesota.

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## 8. Conclusion

The proposed cannabis cultivation and packaging facility is consistent with the Houston County Zoning Ordinance, the County Land Use Plan, and the 15 required IUP findings. With comprehensive safeguards for odor, traffic, environmental protection, and security, the project is designed to operate responsibly and compatibly within the Agricultural Protection District.

Approval of this IUP will allow the applicant to establish a compliant, secure, and beneficial agricultural enterprise that strengthens the local economy while protecting community interests.

# Executive Summary

Interim Use Permit Application – Cannabis Cultivation & Packaging Facility  
Houston County, MN

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## Project Overview

We are applying for a Interim Use Permit (IUP) to establish a **small-scale, state-licensed cannabis cultivation and packaging facility** in Houston County. The project involves growing cannabis indoors in a controlled environment, curing and processing the flower, and packaging it into finished, compliant products.

This will be a **secure, agricultural-based business**. Importantly:

- **No retail sales** will occur on-site.
  - All operations are contained indoors.
  - The facility will meet or exceed all state and county regulations.
- 

## Key Features of the Proposal

- **Building:** A purpose-built indoor facility housing cultivation, drying, packaging, storage, and secure vault space.
  - **Traffic:** Limited to staff and occasional deliveries; no customer traffic.
  - **Utilities:** Served by on-site well, septic, and existing electrical service.
  - **Security:** 24/7 video surveillance, restricted access, and state-mandated security measures.
  - **Odor Control:** Negative air pressure and carbon filtration to ensure **no detectable odors** off-site.
  - **Environmental Protections:** Closed-loop irrigation, proper nutrient storage, and compliant waste disposal.
  - **Compatibility:** Designed to blend with agricultural surroundings, with landscaping and downward-facing lighting.
- 

## Public Benefits

- Creates local jobs in agriculture and processing.
  - Supports Minnesota's regulated cannabis market, ensuring safe, tested products.
  - Operates responsibly with minimal impact on neighboring properties.
  - Strengthens the local economy while preserving rural character.
- 

## Conclusion

This IUP application represents a **responsible, low-impact agricultural enterprise** that aligns with the County Land Use Plan and zoning ordinance. With strong odor, traffic, environmental, and security safeguards in place, the project will be a **good neighbor and community asset**.

Approval of this IUP will allow the applicant to contribute to Minnesota's emerging cannabis industry while protecting public health, safety, and welfare.

## Site Plan Narrative – Cannabis Cultivation & Packaging Facility

### Project Overview

The applicant proposes to establish an indoor cannabis cultivation and flower packaging facility on the subject parcel located in Houston County, MN. The use will be conducted entirely within a purpose-built structure and will not include any on-site retail activity. The facility will operate under state-issued licenses from the Minnesota Office of Cannabis Management and will be regulated to meet both county and state requirements.

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### Building and Facilities

- **Primary Structure:** A single-story, steel-frame agricultural/commercial building of approximately 3200 square feet. The building will contain cultivation rooms, drying and curing areas, a trimming/packaging room, secure storage, employee support areas, and mechanical systems.
  - **Security:** The building will have controlled access points, perimeter security measures, and limited entry consistent with state cannabis regulations.
- 

### Access and Circulation

- **Access Road:** The property will be served by an existing county-maintained road. A single driveway will provide direct access to the facility.
  - **Parking:** An off-street parking area will be constructed to accommodate employee vehicles, with capacity for approximately 10 spaces. Parking will be located adjacent to the facility entrance and will include accessible spaces as required by code.
  - **Loading Area:** A designated loading zone will be located at the rear/side of the building for delivery of supplies and shipment of finished packaged flower. This area will be screened from the public right-of-way.
- 

### Utilities and Services

- **Water Supply:** Potable and irrigation water will be provided by an on-site well.
- **Wastewater:** Sanitary wastewater will be managed by an on-site septic system designed to meet current county standards. No process wastewater will be discharged into the septic system.
- **Electricity:** The facility will be served by existing utility infrastructure with sufficient capacity for the operation.

- **Stormwater Management:** The site will include appropriate grading and drainage features to manage runoff. Any increase in impervious surface will be mitigated through stormwater facilities designed to comply with county requirements.
- 

### **Site Improvements**

- **Landscaping:** Perimeter landscaping will be installed to provide screening from adjacent properties and to maintain rural character.
  - **Lighting:** Exterior lighting will be limited to security and safety needs. All fixtures will be downward-directed and shielded to prevent off-site glare.
  - **Odor Control:** The facility will include activated carbon filtration and negative pressure systems to ensure no odors are detectable beyond the property boundary.
- 

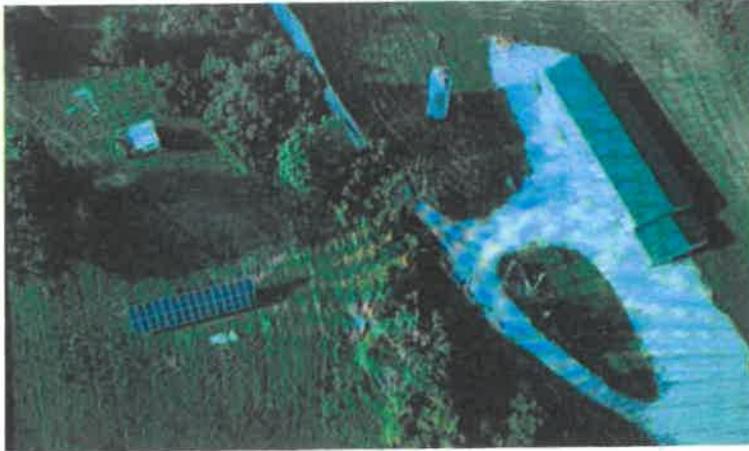
### **Environmental Protection**

The project has been designed to minimize environmental impacts. Water use will be carefully managed through closed-loop irrigation systems, reducing demand and preventing runoff. Nutrients and other inputs will be stored in secure secondary containment. Solid waste will be disposed of according to state cannabis regulations, and no hazardous emissions are anticipated.

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### **Compliance and Compatibility**

The proposed facility is modest in scale and compatible with surrounding agricultural land uses. It will not generate significant noise, traffic, or light impacts. All operations are contained within the building, ensuring the project does not adversely affect the enjoyment or development potential of neighboring properties.



**Figure 1. Ariel View of Proposed Grow and Packaging Facility**



**Figure 2. Proposed Grow & Packaging Facility**

**HOUSTON COUNTY  
AGENDA REQUEST  
November 4, 2025**

**Date Submitted: October 30, 2025**  
**By: Carol Lapham Administrator-Interim**

**CONSENT AGENDA:**

Approval of Juvenile Detention Center Contract with Mower County and authorize the signature of Board Chairman, Eric Johnson.

**ACTION ITEM:**

<b>CC:</b>	<input type="checkbox"/> Auditor/Treasurer	<input checked="" type="checkbox"/> Sheriff
	<input type="checkbox"/> Admin/Finance Director	<input type="checkbox"/> Human Resources
	<input type="checkbox"/> IS Director	<input type="checkbox"/> PHS
	<input checked="" type="checkbox"/> County Attorney	<input type="checkbox"/> (indicate other dept) _____
	<input type="checkbox"/> County Assessor	

**COUNTY OF HOUSTON  
AND  
COUNTY OF MOWER**

**INTER-AGENCY JUVENILE DETENTION CENTER SERVICES CONTRACT - 2026**

**THIS CONTRACT**, and amendments and supplements thereto, is between the County of Mower, Minnesota, acting through its Board of Commissioners (hereinafter MOWER), and the County of Houston, Minnesota, acting through its Board of Commissioners (hereinafter HOUSTON).

**RECITALS**

**WHEREAS**, HOUSTON and MOWER, pursuant to Minn. Stat. §375.18, are empowered to contract for professional/technical services within the scope of managing their respective county business; and

**WHEREAS**, HOUSTON operates an eight-day detention juvenile detention center pursuant to and in compliance with Minnesota Department of Corrections rules, (hereinafter the "JDC"), located at 306 South Marshall Street, Caledonia, Minnesota; and

**WHEREAS**, the parties desire to enter into an agreement for the placement of MOWER's juvenile detainees (hereinafter "juveniles") with HOUSTON at the JDC. The age range of the juveniles will be from 10-18 years old through July 31, 2026. As of August 1, 2026, the age range of the juveniles will be from 13-18 years old. See Minn. Stat. §260B, subd. 6(d).

**NOW, THEREFORE**, in consideration of the mutual undertakings within this contract, MOWER and HOUSTON hereby agree as follows:

**I. TERM OF CONTRACT**

This AGREEMENT shall be effective January 1, 2026, and remain in effect until December 31, 2026, unless cancelled pursuant to the provisions set forth in section VI. Suspension/Termination below.

**II. HOUSTON COUNTY'S DUTIES**

HOUSTON agrees to provide for the secure custody, care, and safe keeping of MOWER juveniles in accordance with the Minnesota Department of Corrections and the Minnesota Department of Human Services rules, regulations, and procedures and other state laws or court orders applicable to the operations of the JDC facility. Specifically, HOUSTON agrees to provide Juvenile Detention Services:

- A.** One (1) reserved bed(s) per day for the duration of this contract.
- B.** HOUSTON may offer non-reserved beds to MOWER should HOUSTON have capacity to do so and MOWER have a need for such on an as needed basis.

C. HOUSTON will accept juveniles presented as MOWER County juveniles from authorized MOWER personnel only.

- 1) HOUSTON shall admit juveniles transported to the HOUSTON COUNTY JDC by a MOWER referring representative who has a court order, warrant, or arrest hold provided that the juvenile meets the established criteria for secure detention as defined by statute.
- 2) HOUSTON may refuse admission of a juvenile if the juvenile cannot be physically maintained at the JDC because, in the reasonable belief of JDC staff, the admission would threaten the physical safety of the juvenile, JDC staff or other juveniles. It is understood that some juveniles may not be able to be maintained due to behavior or mental health conditions.
- 3) JDC staff will review the admission of juveniles on a case-by-case basis based upon applicable federal, state, and Minnesota Department of Corrections rules/procedures. This includes reviewing the admissibility of juveniles who have consumed alcohol.
- 4) HOUSTON agrees to admit juveniles without prescribed medications provided that MOWER referring representatives provide JDC staff with documentation of attempts to obtain medication.

D. HOUSTON will provide appropriate detainee clothing if necessary. Note: HOUSTON shall dispose of any unclaimed juvenile property 30 days after the juvenile's release.

E. HOUSTON will provide the necessary and appropriate dietary program for each juvenile, which shall include three dietician-approved meals each day.

F. Medical and Dental Services

Except in the event of a medical emergency, JDC staff shall notify MOWER and obtain prior written authorization for the removal and transporting of a MOWER juvenile for offsite medical services.

- 1) Non-emergency Treatment:  
In the event a juvenile placed with the JDC pursuant to this contract needs non-emergency medical treatment, JDC staff shall contact MOWER and inform them of the juvenile's need for care. MOWER will provide transportation for the juvenile needing care to the medical provider. HOUSTON will provide transportation for the juvenile if transportation by MOWER is not available. The fee for transportation by HOUSTON is one hundred dollars (\$100) per hour.
- 2) Emergency Treatment:  
In the event a juvenile placed with the JDC pursuant to this contract requires

emergency medical treatment, JDC staff shall seek appropriate medical treatment for said juvenile.

- a) If the treatment does not include hospitalization, JDC staff shall notify MOWER staff by the next business day.
- b) If the treatment requires hospitalization, JDC staff shall notify MOWER as soon as reasonably possible. HOUSTON shall be responsible for guard services for a reasonable time (not to exceed three (3) hours unless mutually agreed upon by the parties) until MOWER is able to assume these duties.

- 3) HOUSTON will promptly forward all bills for medical services from third parties to MOWER upon receipt.

**G. Urine Analysis Testing**

At the request of MOWER, HOUSTON will administer a urine analysis quick tests and report the findings to MOWER. If the juvenile refuses, MOWER will be notified of the refusal.

- 1) HOUSTON will charge MOWER \$15.00 for every Urine Analysis Test.
- 2) HOUSTON will invoice MOWER for all Urine Analysis Tests at the end of each month.

**H. Interpreter Services**

The JDC shall use their interpreter services. The cost for such services will be billed to MOWER monthly.

**I. Records and Reports**

HOUSTON shall have available all detention reports required under Minnesota law and provide said reports to upon request. The parties shall comply with Minnesota Rules of Juvenile Delinquency Procedure §5 (Detention) and with other terms mutually agreed upon regarding reports.

**III. MOWER'S DUTIES**

- A. MOWER shall be responsible for medical, dental, and psychiatric bills relative to MOWER's juvenile placements. HOUSTON shall have no responsibility for any payment or billing.
- B. MOWER shall be responsible for providing hospital guard services for juveniles who require hospitalization unless otherwise agreed to by the parties. See Article II, F(2)(b) above.
- C. MOWER shall be responsible for meeting the requirement to file a finding of probable cause for detention of juveniles detained under this agreement, where the juvenile will be detained at the facility for longer than forty-eight (48) hours.

**D. Delivery of juveniles. MOWER shall:**

- 1) Provide legal documentation to justify detention of persons within the time limit set by statutory and judicial guidelines. If legal time limits are not met by MOWER, MOWER shall take immediate custody of the juvenile, or juvenile shall be released from the JDC.
- 2) Notify in writing (Health Transfer Form), to JDC staff of any special medical requirements of detainee before the juvenile is accepted by the JDC.
- 3) Notify JDC in writing of any special dietary requirements of a juvenile prior to the juvenile being accepted by the JDC.

**E. Transportation. MOWER shall provide transportation and security for juvenile to or from the JDC.**

- 1) When transporting a juvenile to or from the JDC, the MOWER referring representative shall call the JDC at least thirty (30) minutes prior to the estimated time of arrival.
- 2) Within a reasonable time after a hearing on the continued detention of a juvenile detained at the JDC, MOWER staff shall notify JDC staff whether the juvenile will return to the JDC for further detention.
- 3) MOWER may by mutual agreement arrange for HOUSTON to transport MOWER juveniles at the GSA mileage rate and HOUSTON hourly rates set forth in Article II, F, above.

**F. MOWER shall be responsible for medical, dental, and psychiatric bills relative to MOWER's juvenile placements. HOUSTON shall have no responsibility for any payment or billing.**

**IV. CONSIDERATION AND TERMS OF PAYMENT**

**A. Consideration**

All services performed and materials supplied by the JDC pursuant to this contract shall be paid by MOWER as follows:

1. Reserved Bed(s): HOUSTON shall be compensated at a rate of two hundred fifty dollars and no cents (\$250.00) per bed per day for each reserved bed.
2. Additional Beds: HOUSTON shall be compensated at a rate of three hundred dollars and no cents (\$300.00) per day per bed on an as-needed, as available basis.

**B. Payments**

All payments shall be made payable to the Houston County Sheriff's Office and delivered to the Houston County Sheriff's Office, Suite 1100, 306 South Marshall Street, Caledonia, MN 55921.

- 1) Reserve Bed(s): MOWER shall pay HOUSTON ninety one thousand two hundred and fifty dollars and NO/100 cents (\$91,250.00), invoiced by HOUSTON in the amount of

\$7,604.17 January through November and \$7,604.13 for December. Invoices will be provided one month in advance with payment to HOUSTON received prior to the 1<sup>st</sup> of the coverage month.

- 1) Additional Beds and all other pre-approved and emergency expenses: HOUSTON will provide MOWER an itemized invoice by the 15<sup>th</sup> day of the month for the preceding month's services and expenses set forth in this contract. All invoices are due and payable by the 15<sup>th</sup> day of the following month. Each payment should reference the HOUSTON invoice by number and the billing month.

**C. Corrected Invoices**

MOWER shall notify HOUSTON within ten (10) business days of receiving the invoice of any potential inaccuracies in the invoice. MOWER will promptly remit payment to HOUSTON within thirty (30) days of receiving any corrected invoice.

**D. Contract Termination**

This contract may be cancelled by either party at any time, without cause, upon a minimum one (1) calendar months written notice to the other party. In the event the agreement is terminated before the completion of services, MOWER shall pay HOUSTON for services provided to the last date of termination.

**V. AUTHORIZED REPRESENTATIVES**

All official notifications, including but not limited to, cancellation of this contract must be sent to the other party's authorized representative.

**A. HOUSTON's authorized representative for the purpose of administration of this CONTRACT is:**

Name: Brian Swedberg  
Houston County Sheriff  
Address: 306 South Marshall Street  
Caledonia, MN 55921  
Telephone: (507) 725-3379  
E-Mail: BSwedberg@HoCoMN.gov

**B. MOWER'S authorized representative for the purpose of administration of this contract is:**

Name: Steve King  
Mower County Correctional Services Director  
Address: 201 2<sup>nd</sup> Avenue NE, Suite 2  
Austin, MN 55912  
Telephone: 507-437-9454  
E-Mail: stevek@co.mower.mn.us

**VI. SUSPENSION/TERMINATION**

- A. Should conditions arise making it impractical or undesirable for the JDC to continue to house juveniles in accordance with the provisions herein, HOUSTON may temporarily suspend or restrict the number of MOWER juveniles upon a minimum of a two-week written notice to MOWER. Should this event occur, JDC staff shall provide regular updates to MOWER as to the status of the suspension or limitation of services under this contract.
- B. This contract may be canceled by either party at any time, with or without cause, upon thirty (30) days written notice to the other party. In the event of such a cancellation, HOUSTON COUNTY shall be entitled to all accrued compensation and reimbursement for expenses set forth herein.

**VII. FORCE MAJEURE EVENT**

*A Force Majeure Event* is any event or act of nature resulting in the damage or destruction of the JDC, labor difficulties, and other events or circumstances beyond the reasonable control of HOUSTON which render its performance under this agreement impracticable. Upon the occurrence of a Force Majeure event HOUSTON will promptly notify MOWER of occurrence of the event, its effect on performance, and how long HOUSTON expects the event to impact its performance of obligations. Thereafter HOUSTON shall provide updates and information to MOWER as reasonably necessary.

Either Party shall be excused from performance and shall not be in default in respect of any obligation hereunder to the extent that the failure to perform such obligation is due to a Force Majeure event.

**VIII. ASSIGNMENT/SUBCONTRACTING**

- A. HOUSTON shall neither assign nor transfer any rights or obligations under this contract without the prior written consent of MOWER.
- B. HOUSTON shall not subcontract any portion of the work to be performed under this agreement nor assign this agreement without the prior written approval of the authorized representative of MOWER. HOUSTON shall ensure and require that any subcontractor agrees to and complies with all of the terms of this agreement. Any subcontractor of HOUSTON used to perform any portion of this agreement shall report to and bill HOUSTON directly. HOUSTON shall be solely responsible for the breach, performance or nonperformance of any subcontractor.
- C. MOWER is aware of and agrees to the use of Advanced Correctional Healthcare, Inc. as a subcontractor as the JDC's medical provider for juveniles in the JDC.

**IX. LIABILITY**

It is agreed that nothing contained in this agreement is intended or should be construed as creating the relationship of a partnership, joint venture, or association between MOWER and HOUSTON.

JDC employees at all times remain under the direction and supervision of HOUSTON. MOWER employees at all times remain under the direction and supervision of MOWER. It is agreed that nothing herein contained is intended or should be construed in any manner as creating or establishing a partnership or agency relationship.

Each party shall be liable for its own acts to the extent provided by law and hereby agree to indemnify, hold harmless and defend the other, its officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees and expenses of defense, which the other, its officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of the other party, its agents, servants or employees, in the execution, performance, or failure to adequately perform its obligations pursuant to this contract.

**X. GOVERNMENT DATA PRACTICES**

The parties agree to comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by the JDC and MOWER in accordance with this contract, as it applies to all data, created, collected, received, stored, used, maintained, or disseminated by the JDC in accordance with this contract.

HOUSTON will not release any data it collects, maintains, or generates by or on-behalf of MOWER. Further, HOUSTON will notify MOWER within two business days of any request it receives to release data for which MOWER is responsible.

In the event HOUSTON receives a request to release the data regarding MOWER juveniles, HOUSTON should immediately notify MOWER. MOWER will provide HOUSTON instructions concerning the release of the data to the requesting party before the data is released. MOWER agrees to provide HOUSTON instructions concerning the release of data to the requesting party before the data is released.

In the event of a data security breach HOUSTON shall fully and immediately comply with applicable state and federal laws and shall take the appropriate steps to remedy such data breach.

**XI. AMENDMENTS**

The parties agree that no change or modification to this contract, or any attachments hereto, shall have any force or effect unless the change is reduced to writing, dated, and made part of this contract. The execution of the change shall be authorized and signed in the same manner as this contract, or according to other written policies of the original parties.

**XII. NOTICES**

All notices shall be provided by the parties shall be in writing and delivered to the authorized representatives of HOUSTON and MOWER at their address stated herein.

**XIX. AUDIT**

Pursuant to Minn. Stat. §16C.05, Subd. 5, the books, records, documents, and accounting procedures and practices of the JDC relative to this agreement shall be subject to examination by MOWER and the Office of the Minnesota State Auditor. Complete and accurate records of the work performed pursuant to this agreement shall be generated and maintained by HOUSTON for a minimum of six (6) years following termination of this contract for such auditing purposes. The retention period shall be automatically extended during any administrative or judicial action involving HOUSTON and MOWER regarding matters to which the records are relevant.

**XX. CONTROLLING LAW**

The laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this contract, the legal relations between the parties and performance under the agreement. The appropriate venue and jurisdiction for any litigation hereunder will be those courts located within Houston County, Minnesota. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the State of Minnesota.

**XXI. SEVERABILITY**

In the event any provision of this contract shall be held invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties unless such invalidity or non-enforceability would cause the agreement to fail in its purpose. One or more waivers by either Party of any provision, term, condition or covenant shall not be construed by the other Party as a waiver of a subsequent breach of the same by the other Party.

**XXII. ENTIRE AGREEMENT**

It is understood and agreed that the entire agreement of the parties is contained herein, and that this agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous agreements presently in effect between MOWER and HOUSTON relating to the subject matter hereof.

**XXIII. SURVIVAL OF TERMS**

The following clauses survive the expiration, cancellation or termination of this contract: Liability, Government Data Practices Act, Audit, Severability, Entire Agreement, and Controlling law.

IN WITNESS WHEREOF, the parties have caused this contract to be duly executed intending to be bound thereby.

**APPROVED:**

**HOUSTON COUNTY**

By: (authorized signatures)

\_\_\_\_\_  
Eric Johnson                      Date  
Houston County Board Chair

\_\_\_\_\_  
Carol Lapham                      Date  
Interim Houston County Administrator

**APPROVED AS TO FORM  
AND CONTENT:**

By:

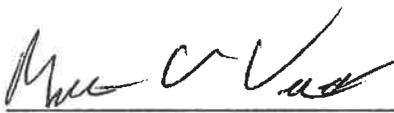
\_\_\_\_\_  
Suzanne Bublitz                      Date  
Interim Houston County Attorney

**APPROVED:**

**MOWER COUNTY**

By: (authorized signatures)

  
Polly Glynn                      Date  
Mower County Board Chair

 10/28/2025  
Matthew W. Verdick                      Date  
Mower County Administrator

**APPROVED AS TO FORM  
AND CONTENT:**

By:

 10/29/2025  
Kristen Nelsen                      Date  
Mower County Attorney



Outlook

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**Commissioner Warrants 2025/11/04**


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From Lynn Colsch <LColsch@HoCoMN.gov>

Date Thu 10/30/2025 12:04 PM

To HoCo BOC <BOC@HoCoMN.gov>

Cc Carol Lapham <CLapham@HoCoMN.gov>; Eliana Babinski <EBabinski@HoCoMN.gov>; Susan Tostenson <STostenson@HoCoMN.gov>

**REQUEST APPROVAL FOR  
PAYMENT**

**2025/11/04 COMMISSIONER'S  
WARRANTS:**

<b>VENDOR NAME</b>	<b>AMOUNT</b>
BRAD'S ELECTRIC INC	2,666.65
DELTA DENTAL	7,103.92
INSIGHT PUBLIC SECTOR	3,079.15
IUOE LOCAL 49 FRINGE BENEFIT FUNDS	26,605.00
LIBERTY TIRE RECYCLING LLC	3,303.50
MASS MOUNTAIN	6,600.00
MEDICA	248,104.92
MINNOWA CONSTRUCTION INC	46,490.42
MN LIFE INSURANCE COMPANY	2,512.84
OFFICE OF MNIT SERVICES	3,498.62
SCHNEIDER CORPORATION/THE	3,075.00
SNO PAC FOODS INC	125,000.00
VERIZON WIRELESS	2,947.39
WINONA CONTROLS INC	2,665.51
	<u>483,652.92</u>
18 VENDORS PAID LESS THAN \$2000.00	<u>11,729.25</u>
	495,382.17
PUBLIC HEALTH & HUMAN SERVICES	<u>9,786.06</u>
	<u><u>505,168.23</u></u>

Lynn Colsch  
Finance Clerk  
Houston County  
304 South Marshall Street

Caledonia MN 55921  
507-725-5825  
LColsch@HoCoMN.gov