

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: September 22, 2026

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

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

Others Present: Interim Auditor/Treasurer Polly Heberlein, Fillmore County Journal Reporter Charlene Selbee, The Caledonia Argus Associate Editor Kaita Gorsuch, Coordinator Brent Parker, EDA Director & Coordinator Support Allison Wagner, Finance Director Carol Lapham, Interim County Attorney Suzanne Bublitz, Highway Accountant Sheila Schroeder, Fiscal Supervisor Heidi Harms, Public Health Director Jordan Knoke, Human Services Director Bethany Moen, Environmental Services Director Amelia Meiners, Interim Recorder Michelle Werner, Community Health Educator Bri Ceaser, Sheriff Brian Swedberg, Mikal Sylling, and Karl Sylling

Presiding: Chairperson Myhre

Call to order.

Pledge of Allegiance.

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

Motion was made by Commissioner Johnson, seconded by Commissioner Schuldt, motion unanimously carried to approve the meeting minutes from September 15, 2026.

Public Comment:

None.

APPOINTMENTS

Bri Ceaser, Houston County Health Educator gave a Houston County Community Health Assessment presentation to the board. Ceaser said the County was currently asking residents to take a Community Health Survey that would be open until October 31st. The input from the survey helped shape local programs, services, and priorities that supported a healthier future for everyone. The survey could be found at www.compassnow.org. Compass was established in 1995 to conduct a community health needs assessment using a regional model developed in partnership with the United Way in La Crosse, WI. The purpose was to use the data to identify crucial needs or issues in Houston County, identify assets, and determine community health

improvement initiatives. Past priorities had included healthy eating, mental health, active living, environmental, and access to health services. Outcomes included child and teen check ups, nutrition education at Houston ECFE night, WIC nutrition education, upgrades to food carts for school nutrition, community gardens, an annual bike rodeo, walk bike school days, bike education safety, Bridges Health foot and nail clinics, Children's Dental mobile clinic, water testing, free short term radon testing kits, and more.

CONSENT AGENDA

Commissioner Zehnder moved, Commissioner Johnson seconded, motion unanimously carried to approve the consent agenda. Approved items are below.

- 1) Hire James Yohe as a Veterans Services Driver 67 – Day Employee at the rate of \$17.50 an hour.
- 2) Hire Danny O'Heron as a Recycling Lead 67 – Day Employee (B23, Step 1).
- 3) Accept resignation from Amy Sylling, Deputy Auditor Treasurer, effective October 2, 2026.
- 4) Review and approve payments. Payments are below.

REQUEST APPROVAL FOR PAYMENTS

2026/09/22 COMMISSIONER WARRANTS:

VENDOR NAME	AMOUNT
BRUENING ROCK PRODUCTS INC	6,468.15
CALEDONIA OIL CO INC	10,246.00
COMPUTER FORENSIC SERVICES LLC	48,301.41
ICON CONSTRUCTORS LLC	102,105.00
KWIK TRIP	6,604.53
LA CROSSE GLASS & OVERHEAD DOOR	59,328.00
MIENERGY COOPERATIVE	6,623.28
MN COUNTIES INTERGOVERNMENTAL TR	2,500.00
RICHARD'S SANITATION LLC	24,874.07
SEIDEL'S SEAMLESS GUTTERS	3,480.00
TITAN MACHINERY INC	2,286.00
TRI STATE DOORS LLC	31,986.50
WABASHA COUNTY AUDITOR/TREASURER	32,139.63
WELLS FARGO BANK	16,013.75
	352,956.32
25 VENDORS PAID LESS THAN \$2000.00	11,074.80
	364,031.12

PUBLIC HEALTH & HUMAN SERVICES	7,932.87
	<u>371,963.99</u>

REVIEW LICENSE CENTER PAYMENTS

2026/09/14 AUDITOR WARRANTS:

VENDOR NAME	AMOUNT
IOWA DNR STATE FOREST NURSERY	3,942.50
OLMSTED SWCD	7,748.83
PHEASANTS FOREVER INC	2,500.00
	<u>14,191.33</u>
12 VENDORS PAID LESS THAN \$2000.00	2,506.61
	<u><u>16,697.94</u></u>

ACTION ITEMS

File No. 1 – Coordinator Parker reviewed a spreadsheet with the Commissioners and discussed the proposed preliminary budget and levy. Initially after departments had submitted preliminary numbers the County had started with what looked like a 17% increase. Coordinator Parker, the Finance Department, and department heads had worked hard to look for cuts to the budget and find savings. After initial savings were found Coordinator Parker showed the Commissioners on the spreadsheet that by using fund balance of \$400,000 from the general fund, and additional fund balance of \$310,000 from Road and Bridge, and fund balance of \$100,000 from Public Health and Human Services the preliminary levy could be set at 8.41%. Additional cuts could still be made once the preliminary levy was set, however once it was set the preliminary levy and budget could not be increased. The Commissioners discussed frustration with the State as they mandated the County have many programs but were decreasing money provided to the County for those programs. Cost shifts from the State were expected to increase even more in 2027. The Commissioners discussed the importance of speaking to legislators about these mandated programs and increasing cost shifts. The Commissioners discussed wanting to decrease the preliminary levy even more to 7.72%. Coordinator Parker said he thought this adjustment would be possible. Commissioner Schuldt said he would still like to see the final levy be even lower, and the Commissioners agreed.

File No. 2 – Motion was made by Commissioner Zehnder, seconded by Commissioner Wright, motion unanimously carried to adopt Resolution No. 26-25 Adopting 2026 Proposed Levy. The Commissioners voted by roll, all Commissioner voted yes. The preliminary levy would be set at 7.72%. Resolution is below.

RESOLUTION NO. 26-25

BE IT RESOLVED, that the proposed levy after the deduction of County Program Aid (CPA), in the amount of \$16,982,923 be made on all taxable property in the County of Houston for taxes payable in 2027 in the following amounts by County Fund:

County Revenue	\$ 10,681,152
Road & Bridge	2,766,011
Public Health & Human Services	3,488,289
Bond Fund – 2017A Jail Bonds	1,383,795

Total	\$ 18,319,247
Less CPA	1,336,324

Total Levy	\$ 16,982,923
	=====

File No. 3 – Motion was made by Commissioner Johnson, seconded by Commissioner Wright, motion unanimously carried to adopt Resolution No. 26-26 Adopting 2026 Proposed Budget. Resolution is below.

RESOLUTION NO. 26-26 RESOLUTION ADOPTING 2027 PROPOSED OPERATING BUDGET

	Revenue	Expenditures	Revenues Over (Under) Expenditures
	-----	-----	-----
County Revenue	\$15,691,903	\$15,760,820	\$ (68,917)
Road & Bridge	17,323,987	17,341,834	(17,847)
Public Health & Human Services	9,100,241	9,122,748	(22,507)
Debt Service	1,598,973	1,598,973	0
	-----	-----	-----
Grand Total	\$43,715,104	\$43,824,375	\$(109,271)
	=====	=====	=====

File No. 4 – Prior to any motions being made Sheriff Swedberg said numbers were still coming in from townships, but that so far with only six townships reporting an estimated \$470,000 worth of damage had been reported from storms the previous week. He said the City of Hokah also had damage. Motion was made by Commissioner Johnson, seconded by Commissioner Schuldt, motion unanimously carried to adopt Resolution No. 26-27, a resolution declaring a state of emergency for conditions resulting from the severe storms, heavy rains, and flooding of September 19, 2026. Resolution is below.

Resolution Declaring a State of Emergency
Resolution # 26-27

WHEREAS the severe storms, heavy rains, and flooding impacted the population of Houston County and its cities, townships, and public utilities; and

WHEREAS the severe storms, heavy rains, and flooding event has caused a significant amount of debris, and roadway damage; and

WHEREAS the Houston County Department of Emergency Management requests the Houston County Board of Commissioners to declare Houston County in a STATE OF EMERGENCY for the September 19th event of 2026;

NOW, THEREFORE, BE IT RESOLVED, that the Houston County Board of Commissioners declares Houston County in a State of Emergency for conditions resulting from the severe storms, heavy rains, and flooding event of September 19, 2026.

Adopted by the Houston County Board of Commissioners this 22nd day of September, 2026.

DISCUSSION ITEMS

Coordinator Parker said with the recent resignation the license center would most likely need to be closed starting on October 3rd as no one else at the County was qualified to operate it. The truth and taxation meeting was set for December 1st, 2026 at 6:00 p.m. in the Commissioners Room 222 in the Historic Courthouse.

The Commissioners discussed recent and upcoming meetings and events including a Solid Waste, ECB, Extension, Bluffland Coalition, Bluff Country Collaborative CTE Exploration Day, and NO765MN meeting in La Crescent.

Economic Development Director & Coordinator Support Wagner said the Friends of the Historic Jail group was holding a County wide Town Hall meeting. It would be at the Houston County Historical Society on Sunday October 11, 2026 at 1 p.m.

The Commissioners thanked Keyloe Xiong from the IT Department with his help with the technology during the board meeting.

Closing Public Comment:

Interim Recorder Werner said her office was getting questions about hunting licenses with the license center being closed. Commissioner Zehnder said the State was encouraging people to purchase hunting licenses online.

Karl Sylling from Wilmington Township said the Commissioners could not have a license center open without staffing it. He said now the State had decided for the Commissioners.

There being no further business, a motion was made by Commissioner Johnson, seconded by Commissioner Zehnder, motion unanimously carried to adjourn the meeting at 10:02 a.m. The next meeting would be a regular meeting on October 6, 2026.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Greg Myhre, Chairperson

Attest: _____
Brent Parker, Coordinator

Root River Trail Extension - Citizen Exploratory Committee **2025-2026 Report**

Houston County Cities of Houston, Hokah, La Crescent

Fall 2026



Houston, Minnesota

The Best of Bluff Country

Root River Trail Extension - Citizen Exploratory Committee – **2025-26 Report**

- Funding Applications
- Regular Meetings
- Membership Changes
- 2026-2027 Committee Work Plan
- Joint Powers Agreement Drafting/Implementation
- Next Steps –



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Funding Applications 2025/26

- Federal ATIIP Grant (2025)
- Federal RAISE Grant (2025)
- Federal BUILD Grant (2026)
- Federal FLAP Grant (did not apply)
- Federal Congressionally Directed Spending (CDS) (pending)
- DNR LCCMR Grant (2025)
- DNR LCCMR Grant (2026)
- State Legislative Request through Davids/Miller (2025)
- State Legislative Request through Davids/Miller (2026)
- MnDOT IIJA Technical Assistance Grant (\$30,000) La Crescent to Miller's Corner)
- Minnesota Parks and Trails Council (Partnership Program Request via Bonding Bill)



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Trail Implementation Funding Options

- Purchase, Planning, Construction funds
 - Federal trail grants (via DNR)
 - State Bonding Bill
 - DNR park grants for trail heads/parking/signage
 - Federal DOT Discretionary grants (BUILD grants, Connected Communities, ~~ATHP~~, Transportation Alternatives, Safe Streets for All)
 - MnDOT Active Transportation Grants
 - Combination of multiple funding sources



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Regular Monthly Meetings --- Committee Membership Updates

- 8-10 meetings per year in Caledonia, Hokah, Houston, La Crescent
- **New** members: Honor DiDonato, Michelle Hoskins, Bridget Mullen
- **Continuing:** Dick Wieser, Larry Stryker, Ben Horn, Jake Olson, Jay Wheaton



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2026-2027 Committee Work Plan

- Funding Requests/Applications
 - Evaluate Federal/State Grants for feasibility
 - Looks to Federal Trails Grants and Transportation Alternatives Grants
 - Partner w/DNR on LCCMR Grant
- Building Support for the Trail Extension
- Landowner and Community Outreach



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Joint Powers Agreement Drafting/Implementation

- City Attorney Drafted
 - Committee Edited
 - Reviewed by City Staff/County Staff
 - County Attorney/County Coordinator
- County and City Action September/October
- La Crescent also approved By-laws



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Next Steps -

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- Execute Joint Powers Agreement
- Review DRAFT Bylaws for Approval by each entity
- Continue regular meetings of the RRTE-CEC
- Transition to Joint Powers Board
- Implement/Refine 2026-27 Work Plan
- Join and Maintain Organizational Memberships:
 - Root River Trail Towns organization (\$400)
 - Southeastern Minnesota Association of Regional Trails (SMART) (\$25)
 - Parks and Trails Council of Minnesota (\$35)
 - Bicycle Alliance of Minnesota (\$150)



Houston, Minnesota

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Questions?

On behalf of the **Root River Trail Extension –
Citizens Exploratory Committee**

Thank you!

Larry Kirch, Community Development Director City of La Crescent
Allison Wagner, Houston County EDA



Houston, Minnesota

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**BOARD OF COMMISSIONER MEETING
AGENDA REQUEST FORM**

Historic Courthouse
304 S Marshall Street
Caledonia, MN 55921

Board Meeting Date: Oct 6th, 2026**Date Request Submitted: October 1st, 2026****Submitted By (Name and Title): Brent Parker, County Coordinator****Please fill in item(s) requested for agenda in correct category below. Add numbers as needed.****Appointment Request:**

- 1) Enter a closed session pursuant to Minnesota Statute 13D.05, Subdivision 2 (b), to discuss preliminary allegations and private personnel data related to an employee grievance. (End of BOC Meeting)

Consent Agenda Request:

- 1) Hire Sean Feind as a 67-day Deputy Auditor/ Treasurer (B22 - Step 1) effective immediately.
- 2) Approve a competitive search for a .8 FTE EDA Director / County Coordinator Administrative Assistant.
- 3) Hire Tracy Jones as an Eligibility Worker with a start date of October 12th (B24 - Step 2).

Action Item Request:**Discussion Item:****Background/additional information can be typed below and/or included with request:**

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



HOUSTON COUNTY

BOARD OF COMMISSIONER MEETING

AGENDA REQUEST FORM

Historic Courthouse
304 S Marshall Street
Caledonia, MN 55921

Board Meeting Date: Oct. 6, 2026

Date Request Submitted: Sept. 29, 2026

Submitted By (Name and Title): Polly Heberlein, Auditor-Treasurer

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

Appointment Request:

Consent Agenda Request:

- 1) Consider updating the Liquor License "type" that was approved in June of 2026 for the La Crescent Snowmobile Club at 2485 County 6 in La Crescent MN. In June of 2026, there was a request to add On-Sale Wine License in conjunction with their current On-Sale/Off-Sale 3.2 Beer License. Based on the type of kitchen located at the Snowmobile Club, it was discovered that they don't qualify for the previously approved license type. They are now requesting a full Club On-Sale Retail Liquor License.

Action Item Request:

1)

Discussion Item:

1)

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

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

REQUEST APPROVAL FOR PAYMENTS**2026/10/06 COMMISSIONER WARRANTS:**

VENDOR NAME	AMOUNT
ADVANCED CORRECTIONAL HEALTHCAR	8,599.07
BKC CONSTRUCTION LLC	270,902.74
BOLTON & MENK INC	2,250.00
BRUENING ROCK PRODUCTS INC	3,952.68
CALEDONIA OIL CO INC	8,880.00
CONSOLIDATED ENERGY COMPANY	5,850.00
DELTA DENTAL	8,122.46
GOODYEAR TIRE & RUBBER CO	4,403.40
GROUND BREAKING CONNECTIONS LLC	7,083.33
IUOE LOCAL 49 FRINGE BENEFIT FUNDS	28,475.00
MEDICA	252,735.80
MN LIFE INSURANCE COMPANY	2,488.68
MNCCC	13,936.25
NORTHERN WOOD PRODUCTS	2,600.00
SEACHANGE PRINT INNOVATIONS	7,331.63
VERIZON WIRELESS	4,317.32
WIEBKE TIRE CO	3,331.80
WINONA CONTROLS INC	4,708.38
	639,968.54
26 VENDORS PAID LESS THAN \$2000.00	8,745.77
	648,714.31
PUBLIC HEALTH & HUMAN SERVICES	55,926.47
	704,640.78

Houston County Root River Trail Joint Powers Board

This agreement is made by and between the political subdivisions organized and existing under the Constitution and laws of the State of Minnesota, hereafter collectively referred to as “Parties”, and individually as “Party” which are signatories to this “Agreement”.

Section I. Authority

Minnesota State Statute 471.59 authorizes units of local government to form Joint Powers Boards to jointly do programs or activities which could not be done individually. Therefore, Houston County, City of La Crescent, City of Hokah, and City of Houston hereby form a Joint Powers Board of the Houston County Root River Trail.

Section II. Name

The name of the organization shall be the Houston County Root River Trail Joint Powers Board.

Section III. Purpose

The purpose of the Houston County Root River Trail Joint Powers Board (“Board”) shall be to plan, engineer, develop, operate, manage, and maintain a multi-use recreational trail for walking, biking (Class 1, 2, or 3 E-Bikes as permitted by state laws, rules and regulations in accordance with Minnesota Statutes 169.011, Subdivision 27), hiking, cross country skiing, snowmobiling, and other similar non-motorized activities on a multi-use trail between La Crescent, Hokah, and Houston all within Houston County, Minnesota and on such land that the Board may acquire or within road/highway right of way. The use of E-bikes, Segways and other uses on state trails shall follow Minnesota Statutes 169.011, Subdivision 26 and 27 as amended and shall include accessibility and other power-driven mobility devices including single-user devices such as electric wheelchairs. Prohibited vehicles and uses include E-motos, golf carts, motorized bicycles, motorized foot scooters, motorized vehicles, such as all-terrain vehicles, off-highway motorcycles, or off-highway vehicles, and any vehicle that is larger than half of the width of the trail treadway, as all users of state trails must stay on the right half of the treadway when meeting or passing other trail users. The multi-use recreational trail may be designed and constructed in segments. The multi-use recreational trail may become a state trail as specified in the December 2011 Root River State Trail Extension Houston to La Crescent Master Plan approved on December 22, 2011 by the Minnesota Department of Natural Resources Commissioner. No motorized vehicles shall be allowed except for emergency vehicles, maintenance vehicles, snowmobiles and vehicles allowed by special permit of the Board. The Board may, with the concurrence of all four (4) units of government, change the uses on the trail. Attached hereto and made part thereof is the December 2011 Root River State Trail Extension Houston to La Crescent Master Plan which describes a corridor where such trail may be located.

Section IV. Organization

(A) Membership. The Board shall consist of four (4) members. The Board shall be

made up of one elected member from the Houston County Board, La Crescent City Council, Hokah City Council, and the Houston City Council. Each unit of government may appoint one non-voting ex-officio citizen advisory member who shall not be considered a Board member, to serve the Board in a citizen advisory role. The Board shall fill vacancies consistent with their existing procedure on appointments.

(B) Terms of Office. The terms of office of elected officials shall be consistent with their elective terms unless otherwise determined by their respective councils/board such as in the case of a vacancy or excessive absences. Each citizen member shall serve a three (3) year term, with a maximum of two (2) consecutive terms of service. Ex-officio members may be re-appointed to additional terms provided that members sit out at least one three year term following the completion of two, three-year terms. The Board shall give the affected unit of government notice if one or more of that unit's representatives on the Board have missed three or more consecutive meetings.

(C) Officers. There shall be a chairperson, a vice chairperson, and a secretary-treasurer. The terms of office shall be one fiscal year of the Board, from annual meeting to annual meeting until successors are elected. Officers may be reappointed to successive terms.

(D) Duties of Officers. The chairperson shall preside over meetings. The vice chairperson shall preside over meetings in the absence of the chairperson. The secretary/treasurer shall have responsibility for the assets, income and expenditures of the Board. The Board shall designate one of the units of government party to this agreement to act as the fiscal agent for the Board for a minimum two-year term. The Board may designate other units as the fiscal agent on a "take-turn" basis. There shall be no compensation to the governmental unit for serving as the fiscal agent.

(E) Voting. Each member of the Board shall have one vote.

(F) Quorum. A quorum shall be three members.

(G) Meetings. There shall be periodic meetings of the Board with time and place of meetings to be decided by the Board. The chairperson may call special meetings by giving three days written notice to all Board members and the media. All Board meetings shall be open to the public and the Board is subject to and shall comply with the Minnesota Open Meeting Laws, Minnesota Statutes Chapter 13D, as amended. All meetings of the Board, and any committee of the Board, shall be conducted in accordance with the requirements of the Open Meeting Law, including notice, public access, and record-keeping obligations.

(H) Bylaws. The Board shall adopt a set of Bylaws, consistent with this Agreement. The four (4) units of government shall approve the Bylaws. The Bylaws shall be filed with the Clerk or Auditor of each unit of government.

Section V. Duties and Responsibilities of the Board

(A) Expenditures and Contract for Services. The Board shall have the power to contract for services with any unit of government, corporation, partnership or individual. The Board shall abide by expenditure and contract limits established for any public body by

Minnesota State Statute regarding bidding, purchasing, and leasing materials or services.

(B) Funds. The Board shall have the power to accept and disburse funds and to apply for state and federal funds. The Board may accept donations and grants from foundations. Any of the four (4) units of government may serve as the fiscal agent for the Board.

(C) Annual Meeting. The Board shall hold an annual meeting at the first meeting of each year at which time it shall elect officers, establish a meeting schedule and appoint a fiscal agent.

(D) Annual Report. An annual report shall be submitted to all four (4) units of government in the third quarter of each fiscal year of operation.

(E) The Board shall have the authority to appoint advisory committees and conduct such public hearings and meetings as are necessary to provide full public participation in the development, planning and operation of the trail.

(F) Emergency Meetings. The Board may hold emergency meetings as provided in the Open Meeting Law.

(G) The Board shall adopt and submit a proposed annual budget no later than December 31 of each year to Houston County, the City of La Crescent, the City of Hokah, and the City of Houston for approval.

Section VI. Powers

(A) To enter into purchase options and agreements for the acquisition, purchase and maintenance of easements and real property and rights in real property for the purpose of a trail system between all the cities. To dispose of, sell, and convey real property and rights in real property. The Board may grant easements provided that the general purposes, safety or aesthetics of the trail are not impaired.

(B) To borrow money for the purposes stated in paragraph one (1) above, to issue notes or other evidences of monetary indebtedness and to take all other actions necessary or incidental to the consummation of loan transactions. Nothing in this Agreement prohibits any Party from issuing bonds or other debt on behalf of the Board, upon terms and conditions to be agreed upon by that Party and the Board.

(C) To apply for and receive grants of money or other assistance from governmental, charitable or private sources.

(D) To contract for any and all services, materials, or assistance with any person or entity for the establishment, construction or maintenance of the trail system, and the Board shall abide by the bid statutes and laws of the State of Minnesota applicable to public bodies.

(E) The Board shall procure and maintain liability coverage with limits not less than the municipal tort caps in Minn. Stat. § 466.04, naming the Board and each Party, and their officers, employees, and volunteers, as covered parties for claims arising from Board

activities. The policy(ies) shall provide at least 30 days' prior written notice of cancellation or material change to the Board and the Parties. Premiums shall be paid from the Board's budget.

Section VII. Supervision of the Trail

The Board shall have the responsibility to supervise the multi-use recreational trail in accordance with ordinances adopted by Houston County, City of La Crescent, City of Hokah, and City of Houston. The Houston County Sheriff's Office, City of La Crescent Police Department, City of Hokah Police Department, and City of Houston Police Department will enforce the ordinances that have been adopted. Each Party agrees to adopt and maintain a uniformly worded ordinance regulating the use of the trail that is substantially identical in content and effect to the ordinance adopted by the other Parties. No Party shall adopt amendments that materially deviate from jointly agreed upon regulations without the prior written consent of all Parties. Each Party shall respond to a written consent request within 60 days.

Section VIII. Financing

The Board shall propose the annual funding requirement and an allocation among the Parties. Each Party shall consider and act on approval. If a Party does not approve by _____, the prior year's approved allocation for that Party shall remain in effect unless all Parties approve a different allocation.

Section IX. Staffing

(A) The Board may hire or contract for services to administer the trail development, maintenance and operation and to have such other responsibilities as the Board may assign.

(B) Houston County, City of La Crescent, City of Hokah, and City of Houston may make staff available to assist the Board.

(C) The Board may reimburse a unit of government for the use of its staff.

Section X. Indemnification and Hold Harmless

(A) Applicability. The Houston County Root River Trail Joint Powers Board shall be considered a separate and distinct public entity to which the Parties have transferred all responsibility and control for actions taken pursuant to the Agreement. The Houston County Root River Trail Joint Powers Board shall comply with all laws and rules that govern a public entity in the State of Minnesota and shall be entitled to the protections of Minnesota Statutes, Chapter 466.

(B) Indemnification and Hold Harmless. The Houston County Root River Trail Joint Powers Board shall fully defend, indemnify and hold harmless the Parties against all claims, losses, liability, suits, judgments, costs and expenses by reason of the action or inaction of the Board and/or employees and/or the agents of the Houston County Root River Trail Joint

Powers Board Trail. This Agreement to indemnify and hold harmless does not constitute a waiver by any participant of limitations on liability provided under Minnesota Statutes, Section 466.04.

To the full extent permitted by law, actions by the Parties pursuant to this Agreement are intended to be and shall be construed as a “cooperative activity” and it is the intent of the Parties that they shall be deemed a “single governmental unit” for the purpose of liability, as set forth in Minnesota Statutes, Section 471.59, subd. 1a(a); provided further that for purposes of that statute, each Party to this Agreement expressly declines responsibility for the acts or omissions of the other Party.

The Parties of this Agreement are not liable for the acts or omissions of the other participants to this Agreement except to the extent to which they have agreed in writing to be responsible for acts or omissions of the other Parties.

Any excess or uninsured liability shall be borne equally by all the Parties, but this does not include the liability of any individual officer, employee, or volunteer which arises from his or her own malfeasance, willful neglect of duty, or bad faith.

Section XI. Amendments

Upon a 2/3-majority vote of the entire Board, meaning 2/3 of all board members, not merely a quorum of those present, the Board may forward a recommendation for specific changes in the Joint Powers Agreement to the four (4) units of government. The Board may only discuss or decide upon amendments to the Joint Powers Agreement after giving formal public notice on its agenda and meeting notice that such an item will be discussed or decided upon.

Amendments to this Agreement require approval by resolution of each of the four Parties and execution of a written instrument by all Parties. The Board may, upon a two thirds vote of all Board members, recommend specific amendments to the Parties after providing public notice on its agenda.

Section XII. Dissolution

The Board may recommend its dissolution to Houston County, City of La Crescent, City of Hokah, and City of Houston, and upon a majority vote of all four (4) units of government, the Board may dissolve. At the same time as the dissolution recommendation, the Board shall dispose of any property acquired as the result of such joint or cooperative exercise of powers, and shall dispose of any property acquired through the joint exercise of powers and return any surplus moneys in proportion to the Parties’ contributions, in each case as of the effective date of dissolution.

Within the first three years of the Board’s existence, no Party may withdraw. After this period, a Party may withdraw by delivering written notice to all Parties and the Board. The withdrawal shall take effect three years after the Board’s receipt of such notice and shall be effective at the end of a fiscal year. During the three year notice period, the withdrawing Party shall retain full Board membership and full budgetary responsibility.

Section XIII. Adoption

This document becomes effective upon adoption of a resolution of approval by all four governmental bodies.

Section XIV. Miscellaneous

(A) Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

(B) Assignment. The governmental entity members may not assign their rights or obligations under this Agreement without the prior written consent of each of the other Members, which consent shall not be unreasonably withheld or delayed.

(C) Binding Agreement. All of the covenants, conditions and agreements in this Agreement shall extend to, be binding upon, and inure to the benefit of the governmental entity members and their respective permitted successors and assigns. Time is of the essence in the Members complying with the terms and obligations herein.

(D) Captions. The captions in this Agreement are for convenience only and are not part of this Agreement.

(E) Choice of Law, Venue. This Agreement is declared to be a Minnesota contract and all of its terms shall be construed in accordance with Minnesota law. Any action to enforce rights or obligations under this Agreement shall be brought in Houston County.

(F) Entire Agreement. This Agreement shall constitute the entire agreement among the governmental entity members and any prior understandings or representations of any kind preceding the execution of this Agreement shall not be binding upon the Members.

(G) Modification. This Agreement may only be amended or modified by written instrument executed by all governmental entity members.

(H) Attorneys' Fees. The governmental entity members shall each pay their own attorneys' fees in connection with the preparation and negotiation of this Agreement.

(I) Acknowledgement. Each of the governmental entity members affirm and acknowledge that it has fully read, appreciates, and understands the words, terms, conditions and provisions of this Agreement and is fully satisfied with the same. Each Member affirms and acknowledges that it has been, or had the opportunity to be represented by legal counsel of its choice.

(J) Authority. Each governmental entity member represents and warrants that it has the power and authority to enter into this Agreement. Each Member further represents and warrants that the person or persons executing this Agreement on its behalf has full and complete legal authority to do so, and thereby binds the Member and, to the extent permitted by this Agreement, its successors and assigns.

(K) Notices. Any notice or demand, which may or must be given or made by the

governmental entity members under the terms of this Agreement or any statute or ordinance, shall be in writing and be sent registered or certified mail to the other governmental entity member addressed as follows:

TO: Houston County

TO: City of La Crescent

TO: City of Hokah

TO: City of Houston

Each governmental entity member may designate a different addressee at any time by giving written notice to the other governmental entity members as provided in this paragraph. Any notice delivered by hand shall be deemed received upon actual delivery.

Houston County

(Board Chairman) (Date)

(County Coordinator) (Date)

City of La Crescent

(Mayor) (Date)

(City Administrator) (Date)

City of Hokah

(Mayor) (Date)

(City Administrator) (Date)

City of Houston

(Mayor) (Date)

(City Administrator) (Date)



HOUSTON COUNTY

BOARD OF COMMISSIONER MEETING

AGENDA REQUEST FORM

Historic Courthouse
304 S Marshall Street
Caledonia, MN 55921

Board Meeting Date: 10/6/2026

Date Request Submitted: 9/28/2026

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

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

Appointment Request:

Consent Agenda Request:

Action Item Request:

- 1) Consider approving or denying a Conditional Use Permit (CUP) for Justin and Crystal Lewis for a single-family non-farm dwelling on less than 40 acres in an Agricultural Protection District in Black Hammer Township.

Discussion Item:

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

The agenda, hearing notices, findings, and board packets are included with this request.

The Planning Commission meeting was on 9/24/2026. The Planning Commission recommended the BOC approve the CUP request.

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

**HOUSTON COUNTY
PLANNING COMMISSION
AGENDA
Thursday, September 24, 2026**

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

PLANNING COMMISSION

Approve Minutes for August 27, 2026

CONDITONAL USE HEARINGS:

5:00 pm ***Justin & Crystal Lewis – Black Hammer Township***
Conditional Use Permit to build a dwelling on less than 40 acres in an Agricultural
Protection District (Section 14-14.3, Subd. 1, Subs. 10).

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE:

That an application has been made by Justin and Crystal Lewis, 16749 Crib Road, Spring Grove, MN 55974, for a Conditional Use Permit to build a dwelling on under 40 acres in the Agricultural Protection District (Section 14 – 14.3 Conditional Uses, Subdivision 1, Subsection 10) in Black Hammer Township on the following premises, to-wit:

PT W1/2 SE1/4, Section 30, Township 102, Range 7, Houston County, Minnesota.
(Parcel #01.0330.001)

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

A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 5:00 p.m. on Thursday, September 24, 2026.

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, and must be received by Tuesday, September 15, 2026 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: September 9, 2026

01.0335.000
SOLUM, JAY R
& JESSICA H

30

01.0329.002
HIMMER,
ROBERT J

01.0329.001
HIMMER,
ROBERT J

01.0334.003
SOLUM, JAY R
& JESSICA H

01.0330.000
SCHMIDT, MICHAEL
S & DIANE C

01.0334.001
BLACKHAMMER
VALLEY FARM LLC

01.0330.001
SCHMIDT, MICHAEL
S & DIANE C

01.0331.000
LOFTSGAARDEN,
SCOTT C & SANDRA

01.0333.000
LYSGAARD,
FREDERICK C

01.0334.002
MORKEN, ROBERT

19

01.0332.000
KYPETH,
SCOTT & TODD

01.0334.000
KYPETH,
SCOTT & TODD

01.0334.006
BURTNESSE,
DANA M

01.0343.000
BLACKHAMMER
TOWNSHIP

01.0342.000
NELSON,
KEVIN J

01.0344.000
KYPETH, SCOTT
& TODD

Kyseth

01.0338.001
KYPETH, SCOTT & TODD

01.0336.000
LOFTSGAARDEN,
SCOTT C & SANDRA

01.0338.000
LAWSTUEN,
KAREN

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: Justin and Crystal Lewis DATE: September 24, 2026

C.U.P. REQUESTED: To build a single-family non-farm dwelling on less than 40 acres in the Agricultural Protection District.

FINDINGS OF FACT

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 promotes the protection of prime agricultural land and the fact that non-farm dwellings are restricted from being located on prime soils supports 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 applicants purchased this property to build a new home for their family.

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 largest pollution potential with single-family dwellings is inadequate treatment of septage, but a septic system will be permitted and installed in accordance to Minnesota Chapter 7080. A licensed septic designer has been on site and located two Type I septic system locations.

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: An approved erosion control plan is required prior to any excavation. The applicants will need to meet all requirements of their erosion control plan to ensure adequate treatment of stormwater runoff with best management practices before, during, and after construction.

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 slope as the main limitation for building sites on 580D2 soils which generally requires extensive land shaping. It is noted that slopes can range from 12-20%, but the slope at the proposed building site is on the low end of this range (12-15%). Preliminary soil reviews have been completed by County staff and a licensed

septic contractor, who have determined that the property will meet the requirement of two Type I septic system locations.

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: As adequate treatment of septage is likely the biggest potential pollution hazard, a septic system designed to meet minimum state requirements will be installed. Additionally, careful adherence to the erosion control plan during and after construction will mitigate any runoff concerns.

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 a new building site, so new utility installations are necessary and all costs are the responsibility of the applicant. A driveway has been installed off Crib Road after consultation with the township, which is in accordance with access standards. Any drainage modifications will need to meet the requirements of the erosion control plan.

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: N/A

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

Staff Analysis: N/A

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

Staff Analysis: The primary use of the surrounding acreage is agricultural and recreational in nature, with a few dwellings in the area. There is a farm dwelling to the north and non-farm dwellings to the east and south of the proposed building site. The addition of a single-family dwelling will not impact these uses.

Board agreed to the finding by a unanimous vote.

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

Staff Analysis: The surrounding properties are primarily used for agricultural, residential, and recreational purposes. The addition of a single-family dwelling will not impede these uses. Orderly development meeting ordinance standards can still take place on surrounding vacant property.

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 limitations.

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: The addition of a single-family dwelling adhering to local requirements should not negatively affect the public's health, safety, morals, and general welfare.

Board agreed to the finding by a unanimous vote.

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

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

Chairman Hahn 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 a Conditional Use Permit for a single-family non-farm dwelling on less than 40 acres in the Agricultural Protection District with two conditions in Black Hammer 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.

Richard Schild 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 9/10/2026

Application Date: 8/26/2026
Hearing Date: 9/24/2026
Petitioner: Justin and Crystal Lewis
Reviewer: Michelle Burt
Zoning: Ag Protection
Address: 16749 Crib Road
Township: Black Hammer
Parcel Number: 01.0330.001
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 of Black Hammer Township.

SUMMARY OF NOTEWORTHY TOPICS

This is a 5-acre parcel located at the intersection of CSAH 19 and Crib Road in Black Hammer Township about four miles northwest of Spring Grove. The applicants purchased the property in April of 2026 to construct a dwelling.

This parcel is located in an open quarter-quarter in Section 30 of Black Hammer Township. While the proposed building site is located on land currently in production, there is an area classified as marginal soil which meets the requirement for non-farm dwellings.

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

(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 applicants should understand 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 agricultural 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

Black Hammer Township and the ten nearest property owners were notified. No written comments were received.

SITE CHARACTERISTICS

The following is an evaluation based on the ordinance language provided above, Section 14.3 subd.1 (10).

(a) *No more than one (1) dwelling per quarter-quarter section.*

The SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30 is an open quarter-quarter.



Figure 1. Proposed location of dwelling in comparison to the quarter-quarter line (pink) and neighboring dwellings. The dwelling is not drawn to scale.

(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.*

There are no registered feedlots located within one-quarter mile of the proposed dwelling. The closest registered feedlot is located at 16501 Crib Road which is approximately 1900 feet to the northeast of the proposed building site.

(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.

The soil in this area is classified as 580C2, 580D2, 586D2, and 592E (see Figure 2). The Soil Survey – Houston County classifies 580C2 soils as IIIe which would be considered prime land, while the other soil classifications in this area are IVe and VIe soils which would be considered marginal land. The proposed dwelling will be located on the marginal 580D2 soils.



Figure 2. Soil classifications for subject property.

- (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.*

This is a 5-acre parcel which meets the Buildable Lot standards set forth in the Houston County Zoning Ordinance. Slopes at the building site are estimated at 12-15%. There is no floodplain, wetland, or shoreland concerns with this proposal.

- (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.*

The applicants have installed a driveway off Crib Road which meets all applicable requirements.

The closest intermittent stream is 360 feet to the southwest which eventually runs to Riceford Creek. There are no mines within 1,000 feet of the proposed building site. In addition, the applicants have demonstrated that two Type I septic systems can be located on the property.

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 promotes the protection of prime agricultural land and the fact that non-farm dwellings are restricted from being located on prime soils supports this goal.

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

Staff Analysis: The applicants purchased this property to build a new home for their family.

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

Staff Analysis: The largest pollution potential with single-family dwellings is inadequate treatment of septage, but a septic system will be permitted and installed in accordance to Minnesota Chapter 7080. A licensed septic designer has been on site and located two Type I septic system locations.

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

Staff Analysis: An approved erosion control plan is required prior to any excavation. The applicants will need to meet all requirements of their erosion control plan to ensure adequate treatment of stormwater runoff with best management practices before, during, and after construction.

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

Staff Analysis: The Soil Survey – Houston County identifies slope as the main limitation for building sites on 580D2 soils which generally requires extensive land shaping. It is noted that slopes can range from 12-20%, but the slope at the proposed building site is on the low end of this range (12-15%). Preliminary soil reviews have been completed by County staff and a licensed septic contractor, who have determined that the property will meet the requirement of two Type I septic system locations.

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

Staff Analysis: As adequate treatment of septage is likely the biggest potential pollution hazard, a septic system designed to meet minimum state requirements will be installed. Additionally, careful adherence to the erosion control plan during and after construction will mitigate any runoff concerns.

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

Staff Analysis: This is a new building site, so new utility installations are necessary and all costs are the responsibility of the applicant. A driveway has been installed off Crib Road after consultation with the township, which is in accordance with access standards. Any drainage modifications will need to meet the requirements of the erosion control plan.

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

Staff Analysis: N/A

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

Staff Analysis: N/A

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

Staff Analysis: The primary use of the surrounding acreage is agricultural and recreational in nature, with a few dwellings in the area. There is a farm dwelling to the north and non-farm dwellings to the east and south of the proposed building site. The addition of a single-family dwelling will not impact these uses.

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

Staff Analysis: The surrounding properties are primarily used for agricultural, residential, and recreational purposes. The addition of a single-family dwelling will not impede these uses. Orderly development meeting ordinance standards can still take place on surrounding vacant property.

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 limitations.

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: The addition of a single-family dwelling adhering to local requirements should not negatively affect the public's health, safety, morals, and general welfare.

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 non-farm dwelling on under 40 acres with the two conditions.

Conditional Use
Request

2026-CUP-671274

Applicant

Justin Lewis

Amount Paid
\$0.00

Created

August 20, 2026

Status

In Progress

Number
2026-CUP-
671274

LEWIS,JUSTIN & CRYSTAL |
010330001 | Black Hammer
Submitted by Justin Lewis on
8/20/2026



Applicant

Justin Lewis



Search Parcel Data Completed On Thursday, August 20, 2026 at 1:11 PM CDT by michelleburt13

ParcelID	Address	City	OwnerName	Acres
010330001	16749 CRIB RD	SPRING GROVE	LEWIS,JUSTIN & CRYSTAL	5.110

CONDITIONAL USE INTRO Completed On Thursday, August 20, 2026 at 1:12 PM CDT by michelleburt13

Conditional Use Application Fee

\$700.00

Recording Fee

\$46.00

Application Type:

Conditional Use

APPLICANT INFORMATION Completed On Thursday, August 20, 2026 at 1:12 PM CDT by michelleburt13

Applicant Name

LEWIS,JUSTIN & CRYSTAL

Parcel Tax ID

010330001

Telephone Number



Address

16749 CRIB RD

City

SPRING GROVE

Zip

Legal Description

PT N1/2 SE1/4 & PT SW1/4 SE1/4 DOC 205135; 289474 ET AL = RICKIE BENSON, ROSILEE 4

Section-Township-Range

30-102-007

Do you own additional adjacent parcels

No

Township of:

Black Hammer

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

Yes

CONDITIONAL USE REQUEST Completed On Thursday, August 20, 2026 at 1:13 PM CDT by michelleburt13**Describe in detail your request.**

CUP is needed to be able to build a house on less than 40 acres.

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

14.3, Subd. 10

Requested Dimension:**Please upload any supporting documents:****CONDITIONAL USE FINDING OF FACTS** Completed On Thursday, August 20, 2026 at 1:29 PM CDT by michelleburt13

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

Yes

Comments:

The property is no longer in production and is not considered prime ag land. This is also an open quarter-quarter.

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

Yes

Comments:

Would like to build a new dwelling.

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

Yes

Comments:

A septic system will be designed and installed by a licensed septic contractor.

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

Yes

Comments:

This request will actually reduce the quantity of water runoff. An erosion control plan will be submitted and reviewed prior to construction.

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

Yes

Comments:

The building site is not located on prime ag land.

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

Yes

Comments:

A new septic system will be installed by a licensed contractor.

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

Yes

Comments:

A new driveway has been installed, and erosion control measures will be applied.

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 enough parking for typical residential use.

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

Yes

Comments:

The driveway comes off a township road and there is minimal traffic.

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

Yes

Comments:

The addition of a new house will not be injurious to the use and enjoyment of other properties. There are 2 houses and a cabin located in the vicinity.

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

Yes

Comments:

There is minimal building opportunities on surrounding properties with majority of the land being wooded with steep slopes.

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:

Neighboring properties are heavily screened with trees. There should be no odors, fumes, noise and vibration with residential development.

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 an open quarter-quarter and houses are allowed in the ag district.

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 to the public's health, safety, morals, and general welfare.

SITE PLAN INFORMATION Completed On Thursday, August 20, 2026 at 1:29 PM 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, to zoom in/out. Navigation Mode - Scroll up to zoom in, scroll down to zoom out. Click and hold to pan around map. Text Mode - To place text on the map, click on the "Add Text" tool, click the place on the map where you would like the text to be displayed, then enter the text in the box that appears at the top of the screen, click ok to display the text on the map. Draw a point - Click once on the map where you would like the point to be. Draw a Line - Click once on map to start drawing a line, double click to stop drawing line. Draw a Polyline - Click once on map to start drawing a polygon, click map at each vertex and double click to finish polygon drawing. Draw a Rectangle - Click once on the map where you would like the rectangle to be. The rectangle will appear on the map. Click on the Select tool and click on the rectangle to resize (click an outside square and drag to resize), rotate (click, hold and drag the circle on top of the rectangle to rotate) or delete (click the rectangle and hit the delete button). Measure - Click once on map to start draw a line with a measurement, click map at each vertex and double click to finish drawing. If you double click near starting point area measurement will also be calculated. Undo Last Edit - Click tool to undo last drawing edit. Undo All Edits - Click tool to undo all drawing edits.

☐ Sketch Layer

☐ Reference Layer

☒ Mapproxy



Powered by Esri

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

APPLICATION SUBMITTAL Completed On Thursday, August 20, 2026 at 1:31 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



Date Signed:

8/20/2026

Check this box if Staff Signature on behalf of Applicant.

Email APPLICATION SUBMITTAL Completed On Thursday, August 20, 2026 at 1:31 PM CDT by michelleburt13

External Notes

Documents

Internal Notes

Documents



HOUSTON COUNTY

BOARD OF COMMISSIONER MEETING

AGENDA REQUEST FORM

Historic Courthouse
304 S Marshall Street
Caledonia, MN 55921

Board Meeting Date: **October 6, 2026**
Date Request Submitted: **September 29, 2026**

Submitted By (Name and Title): **Brian Pogodzinski, County Engineer**

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

Appointment Request:

Consent Agenda Request:

Action Item Request:

- 1) Consider approving Resolution #28 to approve the Prioritized Bridge Replacement list.

Discussion Item:

- 1)

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

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

RESOLUTION 2026-28

Prioritized Bridge Replacement List

WHEREAS, Houston County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government, and

WHEREAS, Houston County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

NOW, THEREFORE BE IT RESOLVED that the following bridges are high priorities for replacement, major rehabilitation, or removal and Houston County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available; and

Old Bridge #	Road # or Name	Crossing	LPI	Total Project Cost	Township or State Bridge Funds Requested	Federal Funds	Local or State Aid Funds	Proposed Construction Year
28J74	West Beaver Road	Dry run	NA	162,647.00	142,647.00	-	20,000.00	2027
6937	CR 249	Dry Run	49	424,000.00	212,000.00	-	212,000.00	2027
L9502	Pfeffer Valley Road	Stream	62	390,600.00	370,600.00	-	20,000.00	2028
NA	Muhle Coulee Road	Dry Run	NA	369,600.00	349,600.00		20,000.00	2028
L3968	Syiling Road	Dry Run	59	390,600.00	370,600.00	-	20,000.00	2029
				1,737,447.00	1,445,447.00	-	292,000.00	

BE IT FURTHER RESOLVED, Houston County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

BE IT FURTHER RESOLVED, Houston County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

****CERTIFICATION****

STATE OF MINNESOTA

COUNTY OF HOUSTON

I, Brent Parker, County Coordinator do certify that the above Resolution is a true and correct copy of the resolution adopted by the Houston County Board of Commissioners at the session dated October 6, 2026.

WITNESS my hand and the seal of my office this 6th day of October 2026

Signed by: _____

Houston County Coordinator