



Sherburne County Board of Commissioners

June 7, 2022 - County Board Meeting Minutes

1. 9:00am Call to Order

The Sherburne County Board of Commissioners convened in regular session on June 7, 2022, at the Sherburne County Government Center in the City of Elk River, MN. Call to order by the Chair was at 9:00AM. Commissioner Schmiesing attended via interactive technology, pursuant to Minnesota Statute § 13D.02.

1 Moment of Silence and Pledge of Allegiance

2 Approval of Regular Meeting Proposed Agenda

Fobbe/Danielowski were unanimous to approve the Regular Meeting Agenda as presented. County Administrator Bruce Messelt reminded the Board that an updated agreement for the Elk River School District was added to item 2.7.(On file.)

Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye

2. 9:02am Consent Agenda

Danielowski/Dolan were unanimous to approve the Consent Agenda as presented.

Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye

1 Approved Regular Meeting Minutes: May 17, 2022.

Bruce Messelt, County Administrator

2 Approved County Workshop Meeting Minutes: May 17, 2022.

Bruce Messelt, County Administrator

3 Administration Wireless Communication Policy Updates.

Administration

Brian Kamman, IT Director

Approved the updates made to the County's Wireless Policy as presented. (On file.)

4 Commissioner & Manual Warrants.

Auditor / Treasurer

Carrie Anderson, Diane Arnold, County Auditor/Treasurer

Approved Commissioner & Manual Warrants as follows:

May 10th, 2022 Manual Warrants BMO Harris Pcard April 2022 \$160,512.99

May 13th, 2022 Commissioner Warrants \$417,544.02

March 13th, 2022, Manual Warrants \$10,456.00

May 20th, 2022 Commissioner Warrants \$711,771.00

May 20th, 2022 Manual Warrants \$556,155.31

May 25th, 2022 Commissioner Warrants 50% Est School Dist P1 Payout \$1,375,081.84

May 27th, 2022 Commissioner Warrants \$1,197,562.38

May 27th, 2022 Manual Warrants \$15,794,555.37

5 Agreement for Mental Health First Aid Community Training.

Health & Human Services

Jodi Heurung-Dick, Social Services Manager

Approved an agreement between Sherburne County and Heart & Mind Connection to provide Mental Health First Aid Training to community members, using System of Care grant funds. Performance of

- services shall take place from June 1, 2022 through September 29, 2022 at a cost of \$2,500.00.
- 6 May 20, 2022 HHS IFS Admin Warrants. Health & Human Services
Amanda Larson, HHS Director
 Approved HHS IFS Admin warrants as follows:
- May 20, 2022 HHS IFS Admin Warrants \$208,005.04
- 7 Foster Care Transportation Agreements with Area School Districts. Health & Human Services
Megan Carriveau, Social Services Manager
 Approved the Foster Care Transportation Agreements for Becker, Big Lake, Elk River, Princeton, St. Cloud, School Districts and Success Academy, as presented and recommended. The terms of the agreements will be from July 1, 2022 to June 30, 2023. This is an existing budgeted expense, with the exact amount dependent upon the needs of foster care placements. (On file.)
- 8 Truancy Agreements with Becker, Big Lake, Elk River, and St. Cloud Health & Human Services
 School Districts.
Megan Carriveau, Social Services Manager
 Approved the renewal of Truancy Agreements with Becker, Big Lake, Elk River and St. Cloud school districts, as presented. The terms of these agreements will be from September 1, 2022 to June 20, 2023. The school districts will contribute a combined total of \$22,500 to the off-set part of the cost of the specialists. (On file.)
- 9 Recommended Change in Staffing Compliment from 0.5 FTE Truancy Health & Human Services
 Worker to 1 FTE Children's Mental Health Social Worker, with no Levy
 Impact.
Amanda Larson, HHS Director
 Approved a change in staffing compliment from 0.5 FTE Truancy Worker to 1 FTE Children's Mental Health Social Worker, with no Levy Impact, as recommended.
- 10 Youth Group Funding Agreements. Health & Human Services
Jodi Heurung-Dick, Social Services Manager
 Approved agreements for System of Care Grant Funding with Thumbs Up in Elk River and Women and Youth Community Action Network (WAYCAN) in St. Cloud. Performance of services will take place between June 1, 2022 and September 29, 2022. The County of Sherburne will pay a maximum sum of \$2,772.00 for twice monthly youth group sessions. (On file.)
- 11 Resolution Supporting HHS Staff Recommendation of Managed Care Health & Human Services
 Organizations to Provide Health Care Services for Enrollees in the
 Families and Children Health Care Program (Resolution 060722-AD-
 3023).
Gina Anderson, Economic Supports Manager
 Approved Resolution #060722-AD-3023 for Managed Care Organization(s) to provide managed health care services to enrollees of Families and Children's health care program in Sherburne County, effective 2023. (On file.)
- 12 Contract with Glover Consulting, LLC to Perform Work to Automatically Health & Human Services
 Import Documents into the Sherburne County HHS OnBase System.
Gina Anderson, Economic Supports Manager
 Approved a contract with Glover Consulting to automate receipt of documents submitted via MN Benefits state system and automatic uploading into the HHS OnBase system. Cost not to exceed \$2,000.00. The term of this agreement will start on June 7, 2022 and termination the date that all obligations have been fulfilled and all deliverables have been approved by the County.

- 13** Collective Bargaining Agreement with LELS Dispatcher Unit. Human Resources
Tammy Bigelow
 Approved the Collective Bargaining Agreement with LELS Dispatcher Unit for the term of January 1, 2022 through December 31, 2024, as recommended by the Negotiating Committee, and authorized the Board Chair to execute the Agreement. (On file.)
- 14** Collective Bargaining Agreement with Teamsters Local 320 Corrections Supervisory Unit. Human Resources
Tammy Bigelow
 Approved the Collective Bargaining Agreement with Teamsters Local 320 Corrections Supervisory Unit for the term of January 1, 2022 through December 31, 2024, as recommended by the Negotiating Committee, and authorized the Board Chair to execute the Agreement. (On file.)
- 15** Collective Bargaining Agreement with Teamsters Local 320 Health & Human Services Unit. Human Resources
Tammy Bigelow
 Approved the Collective Bargaining Agreement with Teamsters Local 320 Health & Human Services Unit for the term of January 1, 2022 through December 31, 2024, as recommended by the Negotiating Committee, and authorized the Board Chair to execute the Agreement. (On file.)
- 16** Use of \$65,000 from YES Account for the P1 Elevator Upgrade. Maintenance
Steve Becker, Maintenance Department Head
 Approved the use of \$65,000 from the YES Account to repair and upgrade the P1 elevator. Service of P1 elevator is scheduled for Summer of 2022.
- 17** Cooperative Agreement with the Minnesota Department of Agriculture for Waste Pesticide Collection. Planning & Zoning
Dave Lucas, Solid Waste Administrator
 Approved a Cooperative Agreement with the State of Minnesota Department of Agriculture for Waste Pesticide Collection and authorized the Solid Waste Administrator to sign as the authorized representative, for a term from July 1, 2022 to June 30, 2027. The estimated revenue for the duration of this agreement (5 years) is \$1,600.00. (On file.)
- 18** Amended Agreement with HDR Engineering for County Road 43 Design Phase Services. Public Works
David Roedel, Assistant Public Works Director
 Approved an amended agreement with HDR Engineering for County Road 43 Design Phase Services. The total amount of the amendment is \$77,975. The term of the amended agreement shall commence on June 7, 2022 and shall terminate on the date that all obligations have been fulfilled and all deliverables have been approved by the County, unless earlier terminated pursuant to the terms of the agreement. (On file.)
- 19** Minnesota Heritage Partnership Grant Contract. Public Works
Gina Hugo, Park Coordinator
 Approved the Minnesota Heritage Partnership Legacy Grant Contract for Traditional Cultural Property Survey. The grant amount is \$188,900, there will be no cash match required from the County. The term of this agreement shall be June 1, 2022 through June 1, 2023. (On file.)
- 20** State of Minnesota Agency Agreement for Advanced Construction for SP 71-070-043, HSIP 7122(208). Public Works
Andrew Witter, Public Works Department Head
 Approved Resolution No. 060722-AD-3020 for the State of Minnesota Agency Agreement MnDOT Contract No. 1050555, between the Minnesota Department of Transportation and Sherburne County for Federal Participation in Advance Construction for SP 71-070-043, HSIP 7122(208). (On file.) There

term of this agreement shall commence on June 7, 2022 and terminate on June 7, 2027 or until all obligations set forth in this agreement have been satisfactorily fulfilled, whichever occurs first.

3. 9:03am Announcements

County Administrator Bruce Messelt reminded the Board of the two upcoming meetings:

- Association of Minnesota Counties (AMC) District 5 meeting on Monday, June 13th at the Wright County Government Center in Buffalo, Mn.
- Sherburne County Board of Appeals and Equalization meeting on Tuesday, June 14th at the Sherburne County Government Center in the Board Room.

Mr. Messelt also thanked Commissioner Dolan for sharing his current health status and decision not to see re-election.

4. 9:05am Open Forum

Kari Watkins of St. Cloud spoke about voting machine vulnerabilities. Teri Dickenson of Big Lake spoke against Dominion voting machines and discussed her data practices requests. Dean Determan of Elk River spoke to items that were brought up at the May 17th Board meeting, such as; Auditor/Treasurer Diane Arnold's voting report, Dominion machines and technology, and ICE detainees in the Sherburne County Jail.

5. 9:13am Recess Regular Meeting, Open Community Health Board Meeting

6. 9:16am Close Community Health Board Meeting, Reconvene Regular Meeting

9:16am 1 Update from the Minnesota Inter-County Association (MICA). Administration

Matt Massman, Nancy Silesky, Steve Novak, Carli Stark

Representatives from the Minnesota Inter-County Association (MICA) were present to update the County Board of Commissioners on recent legislative activities. MICA Executive Director Matt Massman provided updates on the budget surplus, allocation of surplus, end of session overview of 2022, tax and fiscal policy, changes to the general government, Corrections & Public Safety and what to expect next in the legislation and special session. MICA Health & Human Services Liaison provided updates on the Mental Health Funding Package, Opioid State Settlement, ALS Research Funding, and Human Services Policy Bill. MICA Transport Liaison Steve Novak provided updates on transportation and local bridge, road, and wetland funding.

7. 9:58am Recess Regular Meeting Agenda

8. 10:08am Reconvene Regular Meeting

10:08am 1 Final Standard Plat of Pine Crest Estates West-Sand Dunes Properties Planning & Zoning MN LLC.

Lynn Waytashek, Planning & Zoning Administrator

Danielowski/Dolan were unanimous to approve a with the changes made to Condition number 5, requested Residential Final Standard Plat of "Pine Crest Estates West" consisting of (23) lots, with the following (14) Conditions, as recommended by the Planning Advisory Commission; PID # 35-008-4305; Legal Desc: All that part of the SW 1/4 (full legal on file); Sec 8, Twp 34, Rge 27, Orrock Township; with 71.53 acres in the General Rural District. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye

Conditions:

1. The Developer shall show Clear Title to the Zoning Department prior to the preliminary plat going to County Board for approval. Completed
2. Orrock Town Board Resolution Vacating Road Order dated May 30, 1881, filed October 10, 1881, shall be recorded with the Final Plat. Completed
3. Preliminary plat drawing must be updated to reflect Orrock Town Board Resolution Vacating Road Order prior to the preliminary plat going to Count Board for approval. If road right-of-way is

- remaining on land south the subject property (35-008-4305) then updated plat drawing must reflect 67ft road setback on Lots 7 & 8 Block 2 and Lot 5 Block 3. Completed
4. A right turn lane and a bypass lane is required to be constructed on CSAH 4. These improvements will be paid for by the developer. Completed
 5. The driveway encroachments on Lots 1-5, Block 2 and Lots 1 & 2, Block 1 must be removed once the internal roads have been installed.
 6. The Developers shall enter into a Developer's Agreement *as approved by* ~~with~~ the County Attorney's Office to ensure all conditions of the plat are met.
 7. Park dedication fees for 23 lots at \$1,200.00 per lot, totaling \$27,600. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
 8. The fence encroachments identified on Lot 2; Block 1 shall be removed prior to Zoning signing the mylars.
 9. For Lot 5, Block 2 and Lots 3 & 4, Block 3 the fill soils be compacted and certified for building by a Geotechnical Engineer prior to a building permit being issued.
 10. Lot 5, Block 2 the septic area must be protected prior to land disturbing activities.
 11. A copy of the NPDES permit for this project must be submitted to the Zoning Department prior to any ground disturbing activities taking place on site.
 12. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to any ground disturbing activities taking place on site.
 13. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
 14. A driveway approach will be added to the Final Plat Drawing and the Final Grading and Drainage Plans to show driveway access from 177th St NW for the property to the South. Completed.

10:11am

2

Interim Use Permit Amendment for CEF Haven Community Solar LLC. Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Fobbe/Dolan were unanimous to approve an Interim Use Permit Amendment to amend line 13 of the current Interim Use Permit to allow planting of a mix of species, as recommended by the forester, allowing 4 ft trees and changing spacing from 7 ft to 12 ft., with the following (21) Conditions and Findings of Fact as recommended by the Planning Advisory Commission; PID # 25-032-1200; Legal Desc: NW ¼ of NE & N ½ of NW ¼ (full legal on file); Sec 32, Twp 35, Rge 30, Haven Township; with 118.8 acres in the Agricultural District. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye

Conditions:

1. Solar Farm will be a one (1) MW facility to be located as shown in the drawing sheet entitled "PV Layout Sat Overlay date stamp received May 25, 2017. If proposed location or size changes it will require an amendment to the IUP. Three to four power poles will be located in the northwest corner of the property closest to the intersection of CSAH #8 and CSAH #16.
2. Building permit required for installation of solar panels with engineered plans submitted.
3. A Stormwater Erosion Control permit will be required from the County Zoning Department prior to any grading on-site and before a building permit will be issued.
4. Must obtain an NPDES permit from the MPCA and provide a copy to the Co Zoning Dept prior to commencing construction.
5. All solar panels and accessory structures must be setback at least 130 ft from the centerline of CSAH #8 and CSAH #16 and 50 ft from any property line.
6. Operational hours allowed during construction of the facility are Monday through Friday, 8AM – 5PM.
7. Decommissioning of solar panels and related facilities must occur in the event the IUP expires or is terminated, and/or the solar panels are not in use for twelve (12) consecutive months. Must follow plan entitled "Solar PV Decommission Plan."

8. Prior to issuance of a building permit for each phase of the project, the applicant shall provide financial security in the amount of \$25,000 per MW, in favor of Sherburne County, to guarantee compliance with the decommissioning plan, site restoration and other terms of this Permit upon project termination or termination of this Permit. The financial security shall be in a form acceptable to the County and, at a minimum, shall consist of a cash escrow to be deposited with the County in an amount no less than 50% of the total required financial security, with an initial deposit of 25% of the total amount deposited prior to issuance of the building permit and eight and one-third percent (81/3%) of the total amount deposited annually for three years on or before the anniversary of the issuance of the building permit. The remaining amount of the total financial security shall be provided by way of an irrevocable letter of credit, which shall be in a form acceptable to the County Attorney's Office and provided prior to the issuance of a building permit, and shall meet the following minimum standards (additional standards may be required): the irrevocable letter of credit shall be issued by a federally chartered or State of Minnesota chartered banking institution with an branch office located within Sherburne County; shall be issued in the name of the County of Sherburne; shall be issued in an initial amount no less than 75% of the total financial security required by this Permit; shall permit the County to draw on the funds upon demand based on the County's determination of non-compliance with the terms of this Permit; shall be for an initial term to be established and shall automatically renew for additional terms unless the bank gives the County at least 60 day written notice of an intent to terminate the credit at the end of a term; shall permit the County to draw upon the letter of credit for the full amount in the event a replacement letter of credit acceptable to the County is not issued at least 30 days prior to the expiration of the existing letter of credit; and shall provide that the letter of credit may not be amended without the written permission of the County.
9. No activities, such as construction, installation of equipment or land disturbing activities other than soil testing and surveying may occur on site until the applicant submits a signed interconnection agreement as required by Section 17, Subd. 17(1)(A) of the ordinance permitting the full scope of each phase of the project and proof that the full scope of each phase of the project is permitted by the Minnesota Public Utilities Commission.
10. A restricted access chain-link perimeter fence and gate, with an overall height not to exceed 8 ft will be installed for safety and security around the perimeter of the property prior to solar panels being installed.
11. Property owner shall ensure that MPCA day & nighttime noise standards are not exceeded at any time.
12. The site will be revegetated within 30 days of construction with a University of Minnesota recommended low growth and low maintenance pollinator seed mix not exceeding 18 inches in height. The property will be mowed as needed during the spring and summer months to manage vegetation growth. COOPERATIVE ENERGY FUTURES will be responsible for vegetation control and weed management during the projects operating life.
13. COOPERATIVE ENERGY FUTURES must adhere to PV Layout Sat Overlay plan, date stamped 5/24/2017 (Attachment B). Must plant minimum 6-foot-high conifer trees (techny arborvitae) around all sides of the solar farm at 7 feet on center. The trees must be maintained and watered as necessary for the duration of the permit. Any dead trees must be replaced on a yearly basis. Must replace any dead trees with 4-foot-high conifer trees with Common Juniper (*Juniper communis*) and Eastern Red Cedar (*Juniperus virginiana*) around all sides of the solar farm at least 12 feet on center per Packet Attachment D document received on 5/16/2022.
14. Access to the property for both construction and the permanent facility will be from CSAH #16. No access will be permitted from CSAH #8. COOPERATIVE ENERGY FUTURES could choose between either of these two options: 1. Use existing access at 880 ft (from CSAH 8) if not modified, a waiver will be given OR 2. Install a new access with permit at 660 ft (from CSAH 8) (with culvert) and remove the existing 880 ft access.
15. Decommissioning of the project shall involve removal of the project's components, including without limitation, the solar panels, panel trackers, anchors, supports and mounts, inverters, underground electrical components and all underground footings and posts and fencing. Must be regraded to its original state with vegetation, excluding the trees that were planted.
16. Signage and emergency contact numbers must be posted at the entrance.
17. This IUP is to be valid for 35 years until December 31, 2052. This IUP is valid for COOPERATIVE ENERGY FUTURES.
18. This provision allowing for a change in ownership or control shall not permit the applicant and/or business entity to transfer the IUP to a separate entity without submitting a new IUP application for a Solar

Farm as required by Section 16.2, Subdivision 20E of the County Zoning Ordinance.

19. The County Planning Commission has made the findings listed in Sect 18, Subd 6(4) of Zoning Ordinance.

20. The applicant shall comply with all federal, state, and local laws and regulations.

21. The applicant shall allow the County to inspect the property during normal business hours.

FINDINGS:

1. 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, nor substantially diminish and impair property values within the immediate vicinity. Yes, the location of the solar farm is in an existing agricultural field. The closest adjoining neighboring house is approximately 615 feet to the west. The remaining land adjacent to the solar farm is all agriculturally farmed properties. The perimeter of the solar farm will be planted with trees to reduce visual impacts to adjoining properties.

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

Yes, the IUP will continue to be valid until December 31, 2052. If the property owner no longer wants solar panels the infrastructure can be removed, and the site can either go back to farming or be utilized for a new use. The property the solar farm is on is zoned Agricultural District and could not be subdivided to less than 40-acre properties under current zoning regulations.

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

Yes, the solar farm has been in operation for three (3) years and all the utilities needed are already at the site.

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

Yes, there is plenty of space on the property to replace the trees and they will not have to use parking on the streets.

4. 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, the solar farm has been in operation for three (3) years and the Zoning Office has not received any complaints of odor, fumes, dust, noise, and vibration.

5. 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, the solar farm has been in operation for three (3) years and the Zoning Office has not received any complaints of odor, fumes, dust, noise, and vibration.

10:12am

3

Conditional Use Permit for Personal Storage Structure - Michael Gibbons.

Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Dolan/Danielowski were unanimous to approve an Interim Use Permit for Michael Gibbons for a Personal Storage Structure with the (6) Conditions and Findings of Fact as recommended by the Planning Advisory Commission; PID # 40-416-0302 & 40-416-0304; Legal Desc: Cedar Point, Lot 1 & Lot 2, Blk 3 (full legal on file); Sec 27, Twp 35, Rge 29, Palmer Township; with 0.28 acres in the Agricultural District and within the Recreational Development Shoreland Overlay District of Briggs Lake and Rush Lake. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye

Conditions:

1. The applicant must obtain a building permit and comply with County's Zoning Ordinance and the 2015 Minnesota State Building Code.
2. Construction vehicles to stay off the Township's roads during construction.
3. The Personal Storage Structure cannot be used as dwelling unit or for any business purpose.
4. The Personal Storage Structure is not permitted to have plumbing or a floor drain.
5. The maximum height of the structure is 25 feet from the ground to the peak.
6. Must install gutters on the building to control run off.

FINDINGS:

1. 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, nor substantially diminish and impair property values within the immediate vicinity. Yes, the proposed use is a personal storage structure. It is not anticipated to diminish and impair values within the immediate area.
2. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Yes, the proposed use will be used as a personal garage. Most of the lots in the surrounding area have been built on.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. Yes, the applicant is not requesting additional utilities beyond what a normal residence would require.
4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Yes, the applicant has sufficient parking space to accommodate the proposed use.
5. 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, it is not anticipated to cause offensive odor, fumes, dust, noise, and vibration to the immediate area. It will be used as a personal garage.

10:13am

4

Interim Use Permit for a 1 MW Solar Farm-Golly Gee Solar LLC.

Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Schmiesing/Fobbe were unanimous to approve an Interim Use Permit for Golly Gee Solar LLC for a 1 MW Solar Farm, with the (19) Conditions and Findings of Fact as recommended by the Planning Advisory Commission; PID # 20-129-4100, 20-129-4104, 20-129-4205, 20-129-4102, 20-128-2200; Legal Desc: That pt of NW 1-4 of SE 1-4 (full legal on file); Sec 28 & 29, Twp 34, Rge 29, Clear Lake Township; with 41.63 acres in the Agricultural District. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye

Conditions:

1. Building permit required for on-site supply structure if over 200 sq ft in size.
2. Building permit required for installation of solar panels with engineered plans submitted.
3. If the required privacy fence around the perimeter of the facility exceeds 7 ft in height it will

require a building permit with engineered plans. Fence will need to be chain link.

4. A Stormwater Erosion Control permit will be required from the County Zoning Dept prior to any grading on the property and prior to a building permit being issued.

5. Must obtain an NPDES permit from the MPCA and provide a copy to the County Zoning Dept prior to commencing construction.

6. Property owner shall ensure that MPCA day & nighttime noise standards are not exceeded at any time.

7. Operational hours allowed during construction of the facility are Monday through Friday 7AM - 7PM.

8. Decommissioning of solar panels and related facilities must occur in the event the IUP expires or is terminated, and/or the solar panels are not in use for twelve (12) consecutive months. Must follow the Decommissioning & Reclamation plan date stamped April 1, 2022.

9. Prior to issuance of a building permit for the project, the applicant shall provide financial security in the amount of \$100,000 per MW, in favor of Sherburne County, to guarantee compliance with the decommissioning plan, site restoration and other terms of this Permit upon project termination or termination of this Permit. The financial security shall be in a form acceptable to the County and, at a minimum, shall consist of a cash escrow to be deposited with the County in an amount no less than 50% of the total required financial security, with an initial deposit of 25% of the total amount deposited prior to issuance of the building permit and eight and one-third percent (81/3%) of the total amount deposited annually for three years on or before the anniversary of the issuance of the building permit. The remaining amount of the total financial security shall be provided by way of an irrevocable letter of credit, which shall be in a form acceptable to the County Attorney's Office and provided prior to the issuance of a building permit, and shall meet the following minimum standards (additional standards may be required): the irrevocable letter of credit shall be issued by a federally chartered or State of Minnesota chartered banking institution with an branch office located within Sherburne County; shall be issued in the name of the County of Sherburne; shall be issued in an initial amount no less than 75% of the total financial security required by this Permit; shall permit the County to draw on the funds upon demand based on the County's determination of non-compliance with the terms of this Permit; shall be for an initial term to be established and shall automatically renew for additional terms unless the bank gives the County at least 60 day written notice of an intent to terminate the credit at the end of a term; shall permit the County to draw upon the letter of credit for the full amount in the event a replacement letter of credit acceptable to the County is not issued at least 30 days prior to the expiration of the existing letter of credit; and shall provide that the letter of credit may not be amended without the written permission of the County.

10. No activities may occur onsite until applicant submits a signed an interconnection agreement as required in Section 17, Subd 17 (1A) of the ordinance and proof that the scope of the project is permitted by the Minnesota Public Utilities Commission.

11. The site will be revegetated within 30 days after construction with a low growth & low maintenance native pollinator friendly seed mix not exceeding 24 inches in height. The property will be treated & maintained as needed during the spring & summer months to manage vegetation growth. Property owner will be responsible for vegetation control & weed management during the project's operating life.

12. Must install 6-foot-tall Eastern Red Cedar trees around entire perimeter of the solar farm as shown on Landscape Buffer Plan (Attachment C) date stamped May 4, 2022. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 12 feet apart. All planted trees on the property must be maintained and watered as necessary for the duration of the permit. Any dead trees must be replaced on a yearly basis.

13. This IUP is to be valid for 40 years until December 31, 2062. This IUP is valid for USS Golly Gee Solar LLC and John & Lynette Golly, David & Donna Goenner, Paul & Jody Goenner, Gerald & Vera Goenner & Imholte Bros LLC.

14. Access to the proposed solar farm shall be via CSAH#8 in the southwest of the solar farm as required by the Sherburne County Public Works Department.

15. Decommissioning of project shall involve removal of all project components, including without limitation, solar panels, panel trackers, anchors, supports, mounts, inverters, underground electrical components underground conduit housing & all underground footings & posts.
16. Signage and emergency contact numbers must be posted at the access driveway to property.
17. The findings in Section 18, Subd 6, Item 4 of the Zoning Ordinance have been made.
18. The applicant shall allow the County to inspect the property during normal business hours.
19. The applicant shall comply with all federal, state, and local laws and regulations.

FINDINGS:

1. 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, nor substantially diminish and impair property values within the immediate vicinity. Yes, the proposed location of the solar farm is in an existing agricultural field. The closest adjoining neighboring house is approximately 280 feet to the east. The remaining land adjacent to the solar farm is all agriculturally farmed properties. The perimeter of the solar farm will be planted with trees to reduce visual impacts to adjoining properties.
2. That the establishment of the Interim Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Yes, the IUP will be valid for 40 years. If the property owner no longer wants solar panels the infrastructure can be removed, and the site can either go back to farming or be utilized for a new use. Yes, the property the solar farm is proposed on is zoned Agricultural District and could not be subdivided to less than 40-acre properties under current zoning regulations.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. Yes, driveway access to CSAH #8 is proposed in the southwest corner of the property. Utility lines necessary to transfer the electricity exist adjacent to the property.
4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Yes, there is plenty of parking available on this property needed for construction and operations.
5. 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, construction of the site will cause noise and additional traffic, this will be temporary. Once the solar farm construction is complete traffic will be minimal and consist of company vehicles inspecting the panels on a weekly/monthly basis.

10:14am

5

Interim Use Permit for a Large Contractor's Yard - Leasing Express LLC. Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Danielowski/Dolan were unanimous to approve an Interim Use Permit for a Large Contractor's Yard for Leasing Express LLC with the (10) Conditions and Findings of Fact as recommended by the Planning Advisory Commission; for PID # 25-016-3105; Legal Desc: Part of NE ¼ of SW ¼ (full legal on file); Sec 16, Twp 35, Rge 30, Haven Township; with 9.16 acres in the Industrial District. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye

Conditions:

1. This Interim Use Permit is issued to Mustafa Mayani, Leasing Express LLC, and shall expire with a change in majority ownership of the business or sale of this property. For the purpose of operating a

- Large Contractor's Yard that specializes in the leasing of semi-trailers and provides light mechanical repair (i.e., brakes, lights, oil, and fluid changes) on semi-trucks and trailers. Parking of semi-trucks and trailers is permitted within the parking yard south of the building (Packet Attachment E).
2. The physical and operational development of this property shall be consistent with the plans submitted and described in Packet Attachments C. Written Description of Business, D. Preliminary Building Plans and E. Preliminary Site Plan. Deviation from these plans may require the Leasing Express LLC to amend the interim use permit.
 3. Prior to any business or land disturbing activities on this property, the applicant must obtain the following permits and approvals:
 - a. A building and septic permit from the Planning and Zoning Department. All building plans must be prepared by an architect or structural engineer to certify the structure complies with MN Building Code.
 - b. Submit a Fire Suppression Plan to the Township Fire Department to include exterior hydrant access serviced by a high volume well of 500 gallons per minute. System design review subject to Fire Department final review.
 - c. Approval from St. Cloud Airport for any exterior lighting.
 - d. A Stormwater Erosion Control permit from the Planning and Zoning Department.
 - e. A NPDES permit from the MN Pollution Control Agency.
 4. Hours of operation for the service center and retail portion of the business will be M-F 8:00 AM to 5:00 PM.
 5. Allow 24/7 access to the property for semis to park their trucks and trailers at the property.
 6. The proposed access location to CSAH 3 will be from the west side of the site as proposed on Packet Attachment E of the Preliminary Site Plan. An access permit from Sherburne County Public Works is required for construction of the access to ensure compliance to County standards.
 7. The parking yard for the trailers shall have an 8 ft tall opaque fence around the parking yard as shown on Packet Attachment E of the Preliminary Site Plan, with a security gate with coded entry only. A building permit will be required to be obtained from the Planning and Zoning office prior to construction of the fence.
 8. Any signage shall comply with the County's sign ordinance and a sign permit is required.
 9. All exterior lighting shall be directed away from the public right-of-way or neighboring properties.
 10. The applicant shall allow the County to inspect the property during normal business hours.

FINDINGS:

1. 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, nor substantially diminish and impair property values within the immediate vicinity. Yes, the proposed use is in-line with existing industrial uses in the area and it is not anticipated to diminish or impair property values.
2. That the establishment of the Interim Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Yes, the County's Zoning and Comprehensive Land Use Plan has identified this property and all the surrounding parcels for business and industrial development. The establishment of this Interim Use Permit is in line with the current and long-range plans for this area.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. Yes, the applicant has provided preliminary site and stormwater plans that demonstrates adequate space can be provided for drainage, highway access and parking for the proposed business. The applicant has been made aware of the requirements to comply with State Building and Fire Code and is willing to prepare and obtain the necessary permits.
4. That adequate measures have been or will be taken to provide sufficient off-street parking and

loading space to serve the proposed use. Yes, the applicant has enough parking and loading space to accommodate the proposed use according to the application and plans submitted. The Assistant County Engineer has reviewed the proposed project and has provided feedback related to the access improvements needed to establish access to CSAH 3.

5. 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, it is not anticipated to cause offensive odor, fumes, dust, noise, and vibration to the immediate area.

10:15am **6** Consider and Approve a Conditional Use Permit for Single Family Planning & Zoning
Housing (PID#25-016-3105).

Lynn Waytashek, Planning & Zoning Administrator

Dolan/Schmiesing were unanimous to approve a Conditional Use Permit for Mustafa Mayani for Single Family Housing with the (2) Conditions and Findings of Fact as recommended by the Planning Advisory Commission, for PID # 25-016-3105; Legal Desc: Part of NE ¼ of SW ¼ (full legal on file); Sec 16, Twp 35, Rge 30, Haven Township; with 9.16 acres in the Industrial District. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye

Conditions:

1. Rental Lease shall include formal notice of home in Industrial location.
2. If the owner intends to change the use from a single-family residence. The owner must revoke this Conditional Use Permit and obtain a building permit from the Zoning Authority to ensure the building's occupancy complies with the intended use and state building code.

FINDINGS:

1. 1.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, nor substantially diminish and impair property values within the immediate vicinity. Yes, this is an existing nonconforming use. It is not anticipated to diminish and impair values within the immediate area.
2. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Yes, this is an existing residence they are not proposing to establish a new single-family dwelling on this property. This continuance of this use should not impede the orderly development of surrounding properties as the County's Zoning Ordinance has existing performance standards for setbacks and screening.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. Yes, the existing residence has adequate utilities, access, a well and compliant septic system (November 24, 2021).
4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Yes, the applicant has sufficient parking space to accommodate the proposed use.
5. 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, it is not anticipated to cause offensive odor, fumes, dust, noise and vibration to the immediate area. It will be used as a single-family house as it has been used for years prior.

- 10:17am 7** Transfers from the Unallocated Recorder's Compliance Fund to Various Recorder Departments for the 2023 Budget Year.
Michelle Ashe, County Recorder
Dolan/Fobbe were unanimous to approve transfers from the Unallocated Recorder's Compliance Fund to Various Departments for the 2023 Budget Year. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye
- 10:18am 8** Amend its 2022 Staffing Compliment from an Existing 0.5 FTE to a Public Works Proposed 1.0 FTE Parks Maintenance Technician Position.
Gina Hugo, Park Coordinator
Dolan/Fobbe were unanimous to approve the addition of a full-time Parks Maintenance and Natural Resources Technician with a budget request amount of \$29,050.00. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye
- 10:24am 9** HHS Grant Awards and Authorize Execution of Necessary Grant Health & Human Services Agreements/Contracts.
Amanda Larson, HHS Director
Dolan/Danielowski were unanimous to approve and accept the two HHS Grant Awards, for a total of \$565,217 for the Family Group Decision Making and the Community Living Infrastructure (Housing) programs, and authorized the County Board Chair, Clerk/Administrator, and Attorney's Office to execute any necessary contracts and agreements associated with each grant. The Family Group Decision Making Promote Family Preservation Grant will be distributed over 2 years. Year one grant offer in the amount of \$162,464.00 from July 1, 2022 through June 30th, 2023. Year two grant offer of \$162,464.00 from July 1, 2023 through June 30th, 2024. (On file.) The Community Living Infrastructure grant offer of \$240,289.00 from June 7, 2022 through March 31, 2024. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye
- 10:30am 10** Resolution No. 060722-AD-3022 to Establish the Absentee Ballot Board Auditor / Treasurer and UOCAVA Absentee Ballot Board for the 2022 Election Year.
Diane Arnold, County Auditor/Treasurer
Dolan/Fobbe were unanimous to approve Resolution No. 060722-AD-3022 establishing the Absentee Ballot Board and UOCAVA (Uniformed and Overseas Citizens Voting Act) Absentee Ballot Board for the 2022 Primary and General Election. Roll Call Vote: Commissioner Dolan - Aye; Commissioner Danielowski - Aye, Commissioner Fobbe - Aye; Commissioner Schmiesing - Aye; Commissioner Burandt - Aye
- 10:32am 11** American Rescue Plan Act (ARPA) Update and Recommended Approvals Administration and Expenditures.
Dan Weber, Assistant County Administrator
Approved the bi-weekly ARPA related expenditures as follows:

Dolan/Danielowski were unanimous to approve the Bi-Weekly Expenditures less than \$50,000, equaling \$67,511.

9. 10:33am Commissioner Correspondence, Committee Reports, Upcoming Meetings, Future Agenda Items
Commissioner Dolan - Nothing to report.

Commissioner Fobbe - Legislation trip to Washington, D.C., NACo Leadership Course, CMMHC, Juvenile Center, Princeton Airport meeting, AMC end of session webinar

Commissioner Danielowski - Law Library, Central Minnesota River Partnership Transportation Subcommittee,

SUP, Options, Big Lake City Council Workshop, Veterans Memorial Services in Big Lake, Met with the City of Big Lake, One Watershed One plan, Participated in a Shock Sticker Event with the Sheriff's Department at two of our local liquor stores

Commissioner Schmiesing - Legislation trip to Washington, D.C., Violent Offenders Task Force meeting, CEDS Task Force meeting,

Commissioner Burandt – Community partnership Meeting ISD 728, MDT 4-County APS meeting, 7W IEIC meeting, PAC meeting, COVID-19 Steering Committee DHS, Quad County Horticulture Interview, Ukraine Humanitarian Resources Training, Coffee at Legion/Talk about County activities, Mississippi River St. Cloud 1 Watershed 1 Plan discussion

10. 10:39am Adjourn Regular Meeting, Recess

11. 10:50am Reconvene, Open Workshop Meeting

12. 12:01pm Adjourn Workshop Meeting

Manual Warrants

5/10/22	136,703.50	General Revenue Fund
	17,920.61	Public Works Fund
	897.79	Human Service Fund
	1,946.10	Solid Waste Fund
	1,689.72	Jail Commissary Fund
	1,355.27	Justice Center Enterprise Fund
	160,512.99	Total

Commissioner Warrants

5/13/22	85,423.95	General Revenue Fund
	215,489.88	Public Works Fund
	2,622.50	County Ditch Fund
	9,762.73	Solid Waste Fund
	94,393.00	Jail Commissary Fund
	6,521.37	Justice Center Enterprise Fund
	2,503.59	Agency Collections
	827.00	Taxes & Penalties Fund
	417,544.02	Total

Manual Warrants

5/13/22	10,456.00	Agency Collections
	10,456.00	Total

Commissioner Warrants

5/20/22	228,572.54	General Revenue Fund
	50,329.11	Public Works Fund
	2,503.83	Human Service Fund
	5,323.27	Law Library Fund
	1,533.03	Solid Waste Fund
	31,269.58	Jail Commissary Fund
	268,997.34	Sherco Regional Rail Authority
	17,304.00	Capital Proj- Building, Land Acquisition
	105,538.30	Justice Center Enterprise Fund
	400.00	Agency Collections
	711,771.00	Total

Manual Warrants

5/20/22	2,063.30	General Revenue Fund
	554,092.01	Agency Collections
	556,155.31	Total

Commissioner Warrants

5/20/22	5/20/22	5/20/22
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Commissioner Warrants - 50% Est. School District Payout PI

5/25/22	1,375,081.84	School Districts Collections
	1,375,081.84	Total

Commissioner Warrants

5/27/22	245,680.05	General Revenue Fund
	139,301.66	Public Works Fund
	51.59	Human Service Fund
	953.13	Solid Waste Fund
	11,396.54	Jail Commissary Fund
	464.00	Capital Proj- Building, Land Acquisition
	17,376.28	Justice Center Enterprise Fund
	782,339.13	Agency Collections
	1,197,562.38	Total

Manual Warrants

5/27/22	12,259.61	Agency Collections
	2,004,613.46	Taxes & Penalties Fund
	13,777,682.30	School Districts Collections
	15,794,555.37	Total

Warrants

527.50	Airport Taxi Inc
33,505.75	Benton County Public Health
606.36	Byrnes/Anna J
72,626.47	Central Mn Jobs & Training
664.50	Dakota Printing Inc
8,890.00	Franklin Outdoor Advertising
375.00	Greater MN Family Services
331.19	Hendrickson/Wendy
1,691.66	Hennepin County
2,895.00	Innovative Concepts
466.50	Lexis Nexis
564.53	McCoss/Daniel J
975.00	MHSRC Range
24,185.00	Qualtrics, LLC Dept
544.93	Rabe/Leah
354.02	Real Time Translations, Inc 354.02
615.00	Seven County Process Servers, LLC
695.00	Sher Co Mental Hlth Adv Council
4,015.80	Sherburne Co Sheriff
8,655.08	Sherburne County Auditor Treasurer
5,027.00	Stearns Co Human Services
437.20	The Bridge World Language Ctr Inc

36,713.27	Wright County Health & Human Services
2,643.28	24 Payments less than 300
208,005.04	Total

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Barbara Burandt, Board Chairperson

6/21/2022

Date

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Bruce Messelt, Administrator

6/21/2022

Date