



Sherburne County Board of Commissioners

July 12, 2022 - County Board Meeting Minutes

1. 9:00am Call to Order

The Sherburne County Board of Commissioners convened in regular session on July 12, 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 Dolan was absent.

- 1 Moment of Silence and Pledge of Allegiance
- 2 Approval of Regular Meeting Proposed Agenda
Schmiesing/Fobbe with a 4-0 vote to approve the Regular Meeting Agenda as amended with the updated resolution to Consent Agenda item 26 and pulling Consent Agenda item 10 to read aloud and approve separately from the Consent Agenda.

2. 9:02am Consent Agenda

Fobbe/Danielowski with a 4-0 vote to approve the Consent Agenda as amended

- 1 Approved County Board Meeting Minutes: June 21, 2022.
- 2 Approved County Board Workshop Meeting Minutes: June 21, 2022
- 3 Community Support Grant Agreements (ARPA-Funded). Administration
Dan Weber, Assistant County Administrator
Approved ARPA-funded Grant Agreements for the following Community Resource Non-Profit Investment Grant Awards:
 - Passing the Bread - \$19,719
 - Elk River School District - \$81,492
 - Big Lake School District - \$96,000
 - YMCA - \$20,000
 - Big Lake Community Food Shelf - \$30,000
 - Rivers of Hope - \$45,000
 - Great River Faith in Action - \$20,000
 - CAER - \$15,000
 - Open Doors for Youth - \$35,000
- 4 Initiative Foundation Grant for an EV Charging Station (Becker). Administration
Dan Weber, Assistant County Administrator
Approved and accepted a \$40,000 grant from the Initiative Foundation to install an electric vehicle charging station in Becker, with Sherburne County serving as Fiscal Agent and Reporting Authority. Work is estimated to be complete by Fall of 2022.
- 5 Addendum to the County's Memorandum of Agreement (MOA) with the University of MN. Administration
Dan Weber, Assistant County Administrator
Approved an Addendum to the County's Memorandum Of Agreement (MOA) with the University of Minnesota to facilitate funding of the Extension Ag Educator and Summer Program Intern positions. (On file.)
- 6 Unpaid Leave of Absence in the County Attorney's Office. Attorney

Kathleen Heaney, County Attorney

Approved an unpaid leave of absence from the County Attorney's Office for up to 12 weeks, pursuant to Personal Policy. (On file.)

- 7 2022-2023 Liquor License Renewals.

Auditor / Treasurer

Diane Arnold, County Auditor/Treasurer

Approved 2022-2023 Liquor License applications for the following 7 establishments with completed applications, 1 establishment contingent on Sheriff and County Attorney signatures, and 1 establishment pending receipt of renewal application and signatures, for the license period of August 19, 2022 - August 18, 2023, and authorize the Auditor/Treasurer and Chairperson's to sign said licenses:

ON-Sale w/Sunday Liquor License

Finish Line Restaurant

Fairway Shores

Bar 10 (awaiting Application & Signatures)

OFF Sale Liquor License

Briggs Lake Liquor

Sand Dunes Spirits

ON/OFF Sale W/Sunday Liquor License

Bailey Ray's

Palmer House

KJ's Refuge Bar & Grill (awaiting Attorney Signature)

Ridgewood Bay Resort

- 8 Commissioner & Manual Warrants.

Auditor / Treasurer

Diane Arnold, County Auditor/Treasurer

Approved Commissioner & Manual Warrants as follows:

June 17th 2022, Commissioner Warrants \$10,011,069.30

June 17th 2022, Manual Warrants \$8,595,281.96

June 21st 2022, Commissioner Warrants \$75,798.34

June 24th 2022, Commissioner Warrants \$613,503.35

June 24th 2022, Manual Warrants \$12,893.80

June 28th 2022, Commissioner Warrants \$31,092.76

June 30th 2022, Manual Warrants \$598,782.87

July 1st 2022, Commissioner Warrants \$1,763,928.22

July 1st 2022, Manual Warrants \$2,754.00

July 5th 2022, Commissioner Warrants Final Settlement Payout P1 \$4,761,153.27

- 9 Auditor-Treasurer Monthly Report for June 2022.

Auditor / Treasurer

Diane Arnold, County Auditor/Treasurer

Approved and accepted the June 2022 Financial Report from the Auditor-Treasurer.

- 11 Children's Mental Health Respite Grant Agreement.

Health & Human Services

Megan Carriveau, Social Services Manager

Approved and accepted an Amendment to the Children's Mental Health Respite Grant Agreement, extending the Grant end date to December 31, 2022 and increasing the grant amount by \$10,301 to a new total of \$62,023. (On file.)

- 12 Unpaid Leave of Absence for a Health and Human Services Employee.

Health & Human Services

Amanda Larson, HHS Director

- Approved an Unpaid Leave of Absence for a Health and Human Services Employee, through September 6th, 2022, contingent on receipt of additional Medical Information.
- 13** Agreement with the University of Northwestern-St Paul for Clinical Experience for General Nursing and Allied Health Programs. Health & Human Services
Nicole Ruhoff, CHS Administrator
Approved an Agreement with the University of Northwestern-St Paul for clinical experience for general nursing and allied health programs. There are no fiscal implications attached to this agreement. This agreement shall be entered in on May 19, 2022 and shall stay in effect for 3 years with an expiration date of May 19, 2025. (On file.)
- 14** Influencer Hotspot Contract. Health & Human Services
Jodi Heurung-Dick, Social Services Manager
Approved a new contract with Influencer Hotspot. The total amount to be paid pursuant to this Agreement shall not exceed \$33,374.00 for the time July 1, 2022 through June 30, 2024 from Sherburne County. (On file.)
- 15** Agreement with Language Line for Additional Language Services. Health & Human Services
Jodi Heurung-Dick, Social Services Manager
Approved an agreement with Language Line to upgrade the Health & Human Services phone tree to add language options in Somali, Spanish and Russian. Total estimated project cost of \$1644.44. The project will commence 6-8 days after written approval. (On file.)
- 16** 06-29-22 HHS OBO Warrants. Health & Human Services
Amanda Larson, HHS Director
Approved the HHS OBO Warrants as follows:

June 29, 2022 HHS OBO Warrants \$13,960.23
- 17** HHS IFS Admin 6-24-22. Health & Human Services
Amanda Larson, HHS Director
Approved HHS IFS Warrants as follows:

June 24, 2022 HHS IFS Admin Warrants \$65,634.16
- 18** New Third-Party Administrator for Employee Flexible Spending Accounts, Health Savings Accounts and Health Reimbursement Arrangement. Human Resources
Tammy Bigelow
Approved Resolution No. 071222-AD-3028 designating MEDSURETY, LLC and Matrix Trust Company as Health Reimbursement Arrangement Trustee, effective September 1, 2022; and approved MEDSURETY, LLC as the new third-party administrator for employee Flexible Spending Accounts, Health Savings Accounts and Health Reimbursement Arrangement, effective September 1, 2022; and authorized the Board Chair to execute the necessary Agreement(s) and Plan Documents. (On file.)
- 19** Sherburne County's Submission of the 2023 Low Income Septic Grant Application. Planning & Zoning
Zach Guttormson
Approved submission of an application to the Minnesota Pollution Control Agency (MPCA) for the 2023 Low Income Subsurface Sewage Treatment System (SSTS) grant for a maximum of \$40,000. (On file.)
- 20** Amendments to the Planning and Zoning Budget and the Solid Waste Budget. Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Approved amending the 2022 Planning and Zoning (01-107) personnel line item accounts of: 6100, 6160, 6171, 6170, and 6150 to reduce expenses by approximately \$75,000; and amending the 2022 Solid Waste (Fund 21, Dept. 391 & 395) personnel line item accounts of: 6100, 6160, 6171, 6170, and 6150 to increase expenses by approximately \$30,300.

- 21** County Engineer Attendance at the 2022 Transportation Alliance Conference, September 19-22, 2022. Public Works

Andrew Witter, Public Works Department Head

Approved and authorized County Engineer Travel to and attendance at the 2022 Transportation Alliance Conference, September 19-22, 2022 in Washington DC. Total estimated expense to be \$1,900.00.

- 22** Lowest Responsive Bidder for CSAH 33 Reconstruction - CP 71-633-020. Public Works

Andrew Witter, Public Works Department Head

Approved Helmin Construction Inc. as the Lowest Responsive Bidder with a bid of \$735,924.38 for the reconstruction of CSAH 33 from CSAH 13 to E Co Line in 2022 - Project No. CP 71-633-020. Project construction dates will be contracted from July 25, 2022 to September 9, 2022.

- 23** Lowest Responsive Bidder for HSIP Mumble Strips & Stop Sign Enhancements - SP 071-070-043. Public Works

Andrew Witter, Public Works Department Head

Approved Allstates Pavement Recycling & Stabilization as the Lowest Responsive Bidder with a bid of \$49,987.79 for the Mumble Strips & Stop Sign Enhancements on various county roads within Sherburne County in 2022, contingent upon approval of the Contractor's DBE goal from the MN Office of Civil Rights - Project No. SP 071-070-043. Project construction dates will be contracted from July 25, 2022 to August 31, 2022.

- 24** Request from Big Lake Township for Park Dedication Funds. Public Works

Gina Hugo, Park Coordinator

Approved a request from Big Lake Township for \$15,300.00 in Park Dedication Funds for installation of a 1,400' 8' wide crushed granite trail in Big Lake Township's Park.

- 25** Request from Clear Lake Township for Park Dedication Funds. Public Works

Gina Hugo, Park Coordinator

Approved a request from the Clear Lake Township Board of Supervisors for disbursement of \$3,750 in Park Dedication Funds for native prairie planting.

- 26** Resolution No. 071222-AD-3027 Authorizing the Acquisition of Property on County Road 43. Public Works

Andrew Witter, Public Works Department Head

Approved Resolution No. 062122-AD-3027 Authorizing the Acquisition of Property on County Road 43. Estimated cost of construction to be \$86,500.00. (On file.)

- 10 9:03am** Proclamation Designating July 17 - 23, 2022 as Sherburne County Pretrial, Probation and Parole Supervision Week. Community Corrections

J Hancuch, Community Corrections Department Head

Danielowski/Fobbe with a 4-0 vote to approve by Proclamation the Designation of July 17 - 23, 2022 as Sherburne County Pretrial, Probation and Parole Supervision Week. (On file.) County Administrator Bruce Messelt read the proclamation to the Board.

3. 9:05am Announcements

County Administrator Bruce Messelt made the following announcement to the Board:

- The Sherburne County Fair will be held from Thursday, July 14th through Sunday, July 17th.

- The Commissioners have been invited to attend an Ambassador Tour from the Sherburne Extension 4-H Office at 5:00pm on Wednesday, July 13th. Please RSVP with Mr. Messelt.
- Sherburne County Parks received a Connection Outdoor Partnership Grant in the amount of \$38,500 with no match required from the County.
- AMC is forming a Cyber Security Task Force that will meet periodically throughout the next year. Mr. Messelt suggested IT Director Brian Kamman be asked to serve on the committee, and to let him know if any Commissioners have any interest in serving on the committee.
- Sherburne County has been named a Top 10 Digital County in the United States. A press release will come out tomorrow (July 13th). The award will be presented at the Annual NACo Conference next week in Colorado.
- The Auditor Treasurers office completed and submitted all the paperwork for the 2021 Audit to the GFOA.

4. 9:08am **Open Forum**

Rick Weible of Elkton, SD spoke against electronic voting machines and statute 206.58. Gary Tonsager and Steve Nelson of Elk River, Kari Watkins of St. Cloud, Erik Van Meahelen of Minneapolis, and Richard Helms of Big Lake all spoke against Dominion voting machines and requested the county move to hand counting of ballots. Dean Determan of Elk River spoke regarding the evolution of Law. Nancy Hassett of Big Lake spoke against the Sherburne County Jail holding ICE detainees. Michelle Witte of Woodbury and the representative of The League of Women Voters spoke in favor of the current voting process that is implemented by the State of Minnesota and Sherburne County. Bret Collier of Big Lake spoke regarding voter integrity, NorthStar, and general Consent Agenda concerns. Gregg Felber of Big lake spoke regarding eminent domain and public easement. Kathene Gone of Princeton spoke regarding voting rights.

5. 9:38am **Regular Agenda**

- 9:38am** **1** Interim Use Permit for a Home Business in an Accessory Building - Small Planning & Zoning Engine Repair Shop - Rebekah & Jeremy Schneidermann.
Lynn Waytashek, Planning & Zoning Administrator
 Schmiesing/Danielowski with a 4-0 vote to approve an Interim Use Permit for Rebekah and Jeremy Schneidermann for a Home Business in an Accessory Building - Small Engine Repair Shop, with the (11) recommended Conditions and Findings of Fact, as recommended by the Planning Advisory Commission; PID # 35-035-2301; Legal Desc: N 539.89 ft of the E 400 ft (full legal on file); Sec 35, Twp 34, Rge 27, Orrock Township; and with 6.05 acres in the General Rural District.

Conditions:

1. Revoke the 1995 CUP for Home Business in an Accessory Building "Machine Shop (Permit Number 15902 and Recorded Document Number 307452) and the \$46.00 recording fee paid by the applicant.
2. There may be one non-illuminated sign totaling no more than 12 sq. ft. in size located on the property, but outside of the public right-of-way.
3. Days & hours of operation shall be Monday thru Friday, 9:00 AM - 5:00 PM.
4. Any solid or liquid waste must be handled and disposed of according to any applicable County or State regulations. If a hazardous waste license is required by the MPCA, a copy of the license shall be provided to the County upon request. All fluids will be contained in a non-flammable steel container and brought to the proper recycling facility.
5. All business activities must be conducted within the existing 1,440 sq. ft. accessory structure. No exterior storage of business materials.
6. There may be no more than two (2) employees (FTE) other than a member of the household residing on the premises.

7. There may be no sandblasting, chemical/paint spraying, or similar use associated with the business.
8. Excessive noise, glare, odors, traffic, or other nuisances may be justification for the County to revoke or modify the terms of the Interim Use Permit.
9. The IUP is issued to Rebekah and Jeremy Schneidermann and shall expire with a change in ownership of the property.
10. The property must be homesteaded by the business owners.
11. The applicant and/or property owner shall permit the County to inspect the property at any time.

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 not anticipated to diminish and impair values within the immediate area. All activities will take place within the accessory structure. A similar business operated from this site since 1995 with no conflicts.
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 permitting of this IUP will not impede development. Neighboring properties to the north, south and west have been developed for single family housing and to the east of this abuts the MN Sand Dunes State Forest. There is no vacant land abutting this parcel.
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 enough 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. All activities will be conducted in the accessory building.

9:39am

2

Final Standard Plat of Suburban Refuge - Suburban Builders Inc.

Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Danielowski/Fobbe with a 4-0 vote to approve a Residential Final Standard Plat of "Suburban Refuge", consisting of (8) lots, with the (6) Conditions as recommended by the Planning Advisory Commission; PID # 01-019-3300; Legal Desc: The Southwest Quarter of the Southwest Quarter of Section 19, Township 35 North, Range 26 West (full legal on file); Sec 19, Twp 35, Rge 26, Baldwin Township; and with 28.85 acres in the General Rural District.

Conditions:

1. Park dedication fees for 8 lots at \$800 per lot, totaling \$6,400. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. Must obtain driveway access permits from Baldwin Township prior to driveway construction.
3. An Access Permit from Sherburne County Public Works will be required prior to accessing CSAH 9 and CSAH 1 and shall be constructed according to Sherburne County Public Works Engineering Standards.

4. A copy of the NPDES permit for this project must be submitted to the Zoning Department prior to being placed on the agenda for final plat approval. *Completed*
5. 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.
6. 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.

9:40am

3

Interim Use Permit for a Home Business in an Accessory Building - Motorcycle Tuning, CNC Artwork and Signs - Jason Albertine.

Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Schmiesing/Fobbe with a4-0 vote to approve an Interim Use Permit for Jason Albertine for a Home Business in an Accessory Building - Motorcycle Tuning, CNC Artwork and Signs, with the following (10) Conditions and Findings of Fact, as recommended by the Planning Advisory Commission; PID # 35-019-1400; Legal Desc: S 1-2 of SE 1-4 of NE 1-4 (full legal on file); Sec 19, Twp 34, Rge 27, Orrock Township; and with 17.47 acres in the General Rural District.

Conditions:

1. There may be one non-illuminated sign totaling no more than 12 sq. ft. in size located on the property, but outside of the public right-of-way.
2. Days & hours of operation shall be Monday thru Saturday, 8:00 AM - 8:00 PM. By appointment only.
3. Any solid or liquid waste must be handled and disposed of according to any applicable County or State regulations. If a hazardous waste license is required by the MPCA, a copy of the license shall be provided to the County upon request. All fluids will be contained in a spill proof container and brought to the proper recycling facility.
4. All business activities must be conducted within a maximum area of 1,800 sq ft within one accessory structure. If the accessory building is to be used for non-business use (i.e. personal storage), a partition wall or similar divider must be used to separate business from non-business use to identify compliance with the 1,800 sq ft maximum floor area. All work must be conducted within the accessory building.
5. There may be no more than two (2) employees (FTE) other than a member of the household residing on the premises.
6. There may be no sandblasting, chemical/paint spraying, or similar use associated with the business.
7. Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the Interim Use Permit.
8. All business related items must be stored inside.
9. The IUP is issued to Jason and Briana Albertine and shall expire with a change in ownership of the property.
10. The applicant and/or property owner shall permit the County to inspect the property at any time.

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 not anticipated to diminish or impair property values within the immediate area. All activities will take place within the accessory structure.
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 area is heavily wooded and there are already homes on the adjacent properties.

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 enough 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. All activities will be conducted in the accessory building.

9:44am

4

Interim Use Permit Amendment for Knife River Corporation for a Gravel Planning & Zoning Mine.

Lynn Waytashek, Planning & Zoning Administrator

Schmiesing/Danielowski with a 4-0 vote to approve an Interim Use Permit Amendment for a gravel mine, with the following (34) Conditions and Findings of Fact, as recommended by the Planning Advisory Commission; PID # 25-002-4205; Legal Desc: H19 S 3-4 of SW 1-4(full legal on file); Sec 2, Twp 35, Rge 30, Haven Township; and with 134.8 acres in the Agricultural District and within the Shoreland Overlay District of Elk River.

Conditions:

1. A wetland delineation is conducted on wetland basin-1 in 5 years 09/06/2022 to ensure hydrology is maintained within the basin. There is a drain tile leading from wetland basin-4 to wetland basin-1 that must be maintained as it provides additional hydrology to wetland basin-

2. An Annual Review for Compliance will be conducted in January of each year by Zoning Staff. If the conditions of the permit have not changed, and no complaints or concerns have been filed, the mine will be determined to be compliant once the annual fee is paid. If the conditions of the permit have changed and / or if it is determined by the County the mine is noncompliant, the applicant will be advised to attend a public hearing with all associated costs being born by permit holder for further review or amendment. This is not an exclusive remedy.

3. The annual fee for the permit shall be based on the current per acre fee set by the County Board in the annual fee schedule.

4. No more than 26 acres can be open at any time. Open is defined as an area stripped of is natural vegetation or not reclaimed. This includes but is not limited to stockpiling of materials, crushing spreads and roads. During Zoning's Annual Review for Compliance, Knife River will provide the County with Global Positioning Satellite (GPS) data to determine if the open acreage is in compliance with the 26-acre requirement.

5. Hours of Operation:

a. Mining & Hauling hours are to be limited to 7AM to 6PM Monday thru Friday, Saturday 7 AM to 12 PM – Retail Only, and no mining or hauling shall take place on Sundays or on the following holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving and

Christmas.

b. Maintenance hours are to be limited to 6AM to 7PM Monday thru Friday. No maintenance on Saturday or Sunday.

c. Crushing hours are to be limited to Weekdays 7AM to 6PM.

6. Pursuant to Zoning Ordinance Section 16.2, Subd. 5(14)(F), the permittee shall maintain liability insurance for the duration of the permit which shall include at a minimum the coverages and amounts shown on Permittee's current Certificate of Insurance, a copy of which is on file.

7. Permit holder shall maintain performance & surety bond in an amount *set by the County Board in the Annual Fee schedule* per open acreage.—

8. Gravel tax payments must be kept current and the County has authority to request an audit to insure compliance with Gravel Tax Law.

9. The Dust Mitigation Plan will include the use of calcium chloride on haul roads and watering per practical application with a log kept of the applications. Repeated applications may be necessary during extreme dry conditions. Water will be added to the feed point of the crushing spread when visible emissions are present. It must be noted in the daily production log when water is being added. All watering records will be available to the County.

10. On a yearly basis an opacity test must be done during the month of July or August, by an independent contractor with results submitted to the Zoning Department. The County reserves the right to test more than once annually as determined by the Zoning Department.

11. One crusher spread may relocate on site in the Stark mine as needed and will operate only within the operation hours that are assigned to this permit. Per relocation of crusher spread, a noise test will be conducted per MN Rule 7030.0060 Measurement Methodology, and a copy available to the County upon request.

12. All mining activity must comply with MN Rule 7030.0040 Noise Standards. If complaints arise related to the noise levels the permit holder will supply the County with a valid noise level test in accordance with MN Rule 7030.0060. If a noise level test does not exist, the permit holder will be required to complete one and supply the County with a copy.

13. All equipment and vehicles utilized at the site shall be periodically inspected and maintained to minimize noise.

14. All refueling and hazardous materials must be stored on impervious surfaces away from open water and on a containment pad.

15. Adequate communication facilities will be provided for emergency purposes.

16. Adequate vehicle stacking space shall be provided on site to ensure that no vehicle desiring entry into the mine site shall have to wait outside the perimeter.

17. No waste materials shall be disposed of onsite. Sanitary facilities shall be provided for workers.

18. A gate shall be provided at the entrance to the site and kept locked when an attendant is not on duty.

19. A sign no smaller than 24'x36' must be maintained at the entrance to the mine that provides the following: Days and Hours of operation along with a 24-hour contact number to report concerns.

20. All entrances and exits shall be constructed so as not to create a safety hazard and comply with the manual of uniform traffic control devices as specified by MnDot. The pit access road shall be placed in a location that minimizes the view into the pit from the public road or any residence, unless the road authority requires improved visibility for safety purposes.

21. The permit holder, including all haulers and its customers, must comply with all conditions of this permit and all Co Road ROW regulations.
22. The permit holder shall hold Haven Twp, Co and its respective officers and employees harmless from claims made by anyone for damages sustained or cost incurred resulting from the gravel extraction operation of this permit. The permit holder shall indemnify the Twp., Co and its respective officer and employees for all costs. Damages or expenses, which the Twp or Co may pay or incur in consequences of such claims, including attorney's fees.
23. A hot mix or cement plant will not be allowed under this permit.
24. An extractive use shall be solely for operations directly related to such use. Any other use shall require a separate CUP. It shall be the responsibility of the pit operator or owner to control activity within the pit area and cleanup any debris or other material left onsite.
25. All use of firearms is prohibited.
26. Applicants must comply with all applicable airport regulations. This includes, but is not limited to, the St. Cloud Airport Zoning Ordinance, Section V, B(1), which states in part: "no use shall be made of any land in any safety zones, which makes it difficult for pilots to distinguish between airport lights and other, results in glare in the eyes of the pilots using the airport, impairs visibility in the vicinity of the airport, or otherwise endangers the landing, taking off or maneuvering of aircraft."
27. Applicant is required to maintain a current NPDES permit.
28. Applicant to comply with Section 16.2 - Subdivision 4.14 of County Zoning Ordinance and all local, state, and federal laws.
29. The applicant shall agree to permit the County to inspect the property any time.
30. Dragline operation shall be allowed on Monday thru Saturdays. If complaints arise related to the noise levels the permit holder will supply the County with a valid noise level test in accordance with MN Rule 7030.0060. If a noise level test does not exist, the permit holder will be required to complete one and supply the County with a copy.
31. Excavation will be permitted into the water table. No de-watering will be allowed.
32. Mining activity shall be according to the proposed Mining Restoration Plan "Stark Site Proposed Mine" plan dated November 23, 2021 (Packet Attachment D) to the maximum depth of 955' above mean sea level.
33. Restoration of the mine area will proceed to ensure compliance with 26-open acre requirement.
34. Restored Areas will be seeded with an appropriate seed mixture. Upon completion of mining, the restored site will comply with Knife River Stark Pit Restored Conditions dated November 23, 2021 (Packet Attachment D).

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, gravel mining is a permitted use with the proper permits from the County and State. The conditions established under this interim use permit and State NPDES and air emission should mitigate injurious impact on properties in the immediate vicinity.

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, this is an existing gravel mine that has been in operation for decades. The mine is surrounded by an airport to the west, residential housing to the north, the nearest house to the north is approximately 400ft from the mining boundary, the land to the south has few houses and one house to the east. Mining is not a permanent use once mining has been completed, the property will be reclaimed back to agricultural use.

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

Yes, the applicant has established an adequate road and stormwater infrastructure for the proposed improvements as part of their original IUP.

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 property is large enough to accommodate the mining equipment and employee vehicles while the mine is in operation. Access to the mine is from CR 62 and there is adequate off-street parking for trucks entering this property.

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 conditions of the IUP outline dust mitigation, noise limitation reduction to conform to the mining industry standards.

9:43am **5** Appointment of the County Commissioner's to the County Canvass Board to Canvass the Results of the August 9th Primary (on Friday August 12) and of the November 8th General Election Results (on Wednesday November 16th). Auditor / Treasurer
Diane Arnold, County Auditor/Treasurer
Fobbe/Schmiesing with a 4-0 vote to appoint Commissioners Schmiesing and Fobbe, who are not candidates on the 2022 Ballot, to serve on the County Canvass Board to canvass the results of the August 9th Primary and the November 8th General Election, along with Commissioner Dolan as an alternate in the event one cannot attend.

9:49am **7** Update on Election Preparations from the Secretary of State's Office. Auditor / Treasurer
Diane Arnold, County Auditor/Treasurer, David Maeda
Received a presentation on Election Preparations from MN Secretary of State's Election Director David Maeda. Mr. Maeda provided a brief background of his career followed by the current process of elections in the state of Minnesota. Mr. Maeda highlighted security, certification, accreditation and touched on items that citizens brought up in the Open Forum portion of the morning's meeting.

10:23am **Recess Regular Meeting, Reconvene Regular Meeting**

10:42am **6** 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:

Danielowski/Fobbe with a 4-0 vote to approve Bi-Weekly Expenditures less than \$50,000, totaling \$27,519.77.

Approved expenses greater than \$50,000, totaling \$433,000.00 as follows:

- 1) Schmiesing/Danielowski with a 4-0 vote to approve HRIS Countywide Payroll Software totaling \$175,000.00.
- 2) Schmiesing/Fobbe with a 4-0 vote to approve Sheriff Squad Cars totaling \$258,000.00.

Schmiesing/Danielowski with a 4-0 vote to table discussion/action on Santiago and Becker Townships until August.

Fobbe/Schmiesing with a 4-0 vote to approve Resolution 071222-AD-3029 allocating an additional \$1.5 million from the funds available to the County under ARPA for the Sherburne County Broadband Access Grant Program. - 1.5million from funds from ARPA

Fobbe/Danielowski with a 4-0 vote to submit a Border to Boarder Broadband Grant program letter of commitment to DEED for both the Arvig Clear Lake/Haven and Elk River projects.

Arvig Border to Border Support/Commitment to Participate Resolutions:

Arvig has requested to partner with Sherburne County on a 2022 State of MN Border to Border Broadband program application. The B2B applications are due August 4th. If the Board chooses to participate, the County would need to pass resolution 071222-AD-3029 renewing the Broadband Access Grant Program. Additionally, the Board would need to approve Arvig's recent program application for requested funds listed below. The award would be contingent on Arvig receiving a grant award from the State of MN grant program. Arvig is also looking approving a resolution/letter of commitment for each project. The resolution/letter language and scoring for each project will be distributed on Tuesday.

If the County Broadband program were to be renewed, the revised guidelines and resolution renewing the program are attached (revised scoring for State of MN grant funds).

Haven Township 2022

\$1,666,015 Total Project

B2B Grant 40% \$666,406.00

County 30% \$499,804.50

Arvig 30% \$499,804.50

179 homes

County cost per home = \$2,792

Clear Lake Township 2022

Total Project \$411,893

County 30% share \$144,357.75

B2B 40% grant \$192,477.00

Arvig 30 % \$144,357.75

33 homes

County cost per home = \$4,374

Elk River City 2022

Total \$542,651.25

County 30% \$162,795.38

B2B Grant 40% \$217,060.50

Arvig 30% \$162,795.38

42 homes

County Cost per home = \$3,876

If all three grants were approved and State of MN funds awarded:

Total County contribution = \$806,957.63

254 homes

County Cost per home = \$3,177

11:05am A fire alarm went off and the Board Recessed to exit the Government Center. The Board reconvened at 11:10am and continued with Regular Agenda Item #5.

6. 11:16am Commissioner Correspondence, Committee Reports, Upcoming Meetings, Future Agenda Items

Commissioner Schmiesing -River Heights Ground Breaking

Commissioner Fobbe - River Heights Ground Breaking, NACo High Performance, Tri-Cap Executive meeting, CMJTS Community and Government Relations meeting, CMJTS Workforce Development Board meeting, Commissioner Fobbe announced that there will be a Wellness in the Workplace event taking place on July 30th. The event is open to all and has a virtual option.

Commissioner Danielowski - CMRP Executive Committee meeting, Recognition ceremony for Ketti Green who was named the Big Lake Citizen of the Year, CMRP, Big Lake's 50th Annual Spud Fest Celebration, Options, Ground Breaking for infrastructure in Becker Business Park, St. Cloud Food Waste to Energy Pilot Project, The Wave Youth Center information breakfast, MRSC One Watershed One Plan, Commissioner Danielowski reminded everybody that the Sherburne County Fair is this week

Commissioner Burandt - COVID 19 Steering Meeting, Extension Meeting, Groundbreaking for infrastructure in Becker Business Park, MRSC One Watershed One Plan, Thank You call with Tom Emmer, Quad County Extension Meeting

7. 11:24am Adjourn Regular Meeting, Recess

8. 11:30am Reconvene, Open Workshop Meeting

9. 12:19am Adjourn Workshop Meeting

Commissioner Warrants

6/17/22	298,362.04	General Revenue Fund
	2,247,794.50	Public Works Fund
	4,463.21	Human Service Fund
	2,200.46	Law Library Fund
	11,109.05	Solid Waste Fund
	19,195.90	Jail Commissary Fund
	26 298.45	Regional Rail Authority
	12,117.10	Justice Center Enterprise Fund
	43,441.28	Agency Collections
	230.29	Taxes & Penalties Fund
	7,371,857.02	Towns & Cities Collections
	10,011,069.30	Total

Manual Warrants

6/17/22	1.00	General Revenue Fund
	464,949.40	Agency Collections
	8,130,331.56	Towns & Cities Collections
	8,595,281.96	Total

Commissioner Warrants

6/21/22	3,588.34	General Revenue Fund
	72,210.00	Taxes & Penalties Fund
	75,798.34	Total

Commissioner Warrants

6/24/22	393,021.36	General Revenue Fund
	92,441.94	Public Works Fund
	40,883.83	Solid Waste Fund
	54,003.90	Jail Commissary Fund
	169.40	Sherco Regional Rail Authority
	7,450.00	Capital Proj- Building, Land Acquisition
	13,416.43	Justice Center Enterprise Fund
	967.49	Agency Collections
	11,149.00	Taxes & Penalties Fund
	613,503.35	Total

Warrants

6/24/22	500.00	Assn of Minnesota Counties (AMC)
	1,284.38	Captivated LLC
	26,310.88	Central Mn Jobs & Training
	650.00	Davis Lock and Safe
	448.63	Engelhaupt/Cody
	316.94	Erickson/Paul
	10,780.00	Franklin Outdoor Advertising
	3,913.41	Hennepin County
	474.00	Lexis Nexis
	825.00	Lighthouse Child & Family Services
	582.66	Magaard/Derek
	300.00	Mn Dept Of Health
	2,527.35	Office Of MN.IT Services
	1,926.00	Quadient, INC
	445.00	Seven County Process Servers, LLC
	3,730.50	Sherburne County Auditor Treasurer
	462.00	The Bridge World Language Ctr Inc
	6,000.00	USPS-POC
	1,500.00	Xidig TV LLC
	2,657.41	24 Payments less than 300
	65,634.16	Total

Commissioner Warrants

6/24/22	65,634.16	Human Service Fund
	65,634.16	Total

Manual Warrants

6/24/22	2,207.05	General Revenue Fund
	10,686.75	Agency Collections
	12,893.80	Total

Commissioner Warrants

6/10/22	1,504.76	General Revenue Fund
	29,588.00	Taxes & Penalties Fund
	31,092.76	Total

HHS OBO Warrants

6/29/22	5,849.23	OBO 4Imprint
	1,600.57	OBO Amazon
	859.76	OBO CME Corp
	530.20	OBO Innovative
	435.52	OBO Ruttger's Bay Lake Lodge
	379.05	OBO Salco Inc
	1,350.00	OBO Speedway
	633.82	OBO Walgreens
	1,122.00	OBO YMCA Customer Svc Ctr
	1,200.08	11 Payments less than 300
	13,960.23	Total

Warrants

6/30/22	598,782.87	Agency Collections
	598,782.87	Total

Commissioner Warrants

7/1/22	694,126.84	General Revenue Fund
	130,916.47	Public Works Fund
	51.59	Human Service Fund
	3,598.81	Law Library Fund
	49,729.12	Solid Waste Fund
	20,675.63	Jail Commissary Fund
	75.00	Sherco Regional Rail Authority
	57,542.04	Justice Center Enterprise Fund
	792,780.71	Agency Collections
	14,432.01	Taxes & Penalties Fund
	1,763,928.22	Total

Manual Warrants

7/1/22	2,754.00	Agency Collections
	2,754.00	Total

Commissioner Warrants Final Settlement Payout Part 1

7/5/22	7,513.14	General Revenue Fund
	51,814.86	Metropolitan Transit Fund
	746,744.02	Hra & Ec Dev Fund
	38.08	Hospital District Collections
	1,559.28	Agency Collections
	73,901.98	School Districts Collections
	3,879,581.91	Towns & Cities Collections

4,761,153.27 Total

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Barbara Burandt, Board Chairperson

8/2/2022

Date

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Bruce Messelt, Administrator

8/2/2022

Date