



Sherburne County Board of Commissioners

October 17, 2023 - County Board Meeting

Minutes

1. 9:01am Call to Order

The Sherburne County Board of Commissioners convened in regular session on October 17, 2023, at the Sherburne County Government Center in the City of Elk River, MN. Call to order by the Chair was at 9:00am. Commissioner Danielowski was absent.

- 1 Moment of Silence and Pledge of Allegiance
- 2 Approval of Regular Meeting Proposed Agenda
Hulse/Felber were unanimous to approve the agenda as presented.

2. 9:03am Open Forum

No one was present.

3. 9:03am Consent Agenda

Hulse/Felber were unanimous to approve the Consent Agenda as presented.

- 1 Approved County Board Meeting Minutes: October 3, 2023. Administration
- 2 Approved County Workshop Meeting Minutes: October 3, 2023. Administration
- 3 County Commissioner Wage Adjustment Policy. Administration
Bruce Messelt, County Administrator
Approved the amended County Commissioner Wage Adjustment Policy. (On file.)
- 4 Proposed Revisions to the County's Policy Governing Use of Volunteers and Unpaid Administration Interns.
Dan Weber, Assistant County Administrator
Approved proposed revisions to the County's Use of Volunteers and Unpaid Interns Policy, as presented. (On file.)
- 5 Formatting and Covered Facilities for the County Emergency Action Plans. Administration
Staci Hecht, Risk Management Specialist, Kyle Breffle, Emergency Services Director
Approved the Updated County Emergency Action Plans, as presented. (On file.)
- 6 Commissioner & Manual Warrants Dated September 29th and October 6th, 2023. Auditor / Treasurer
Diane Arnold, County Auditor/Treasurer
Approve Commissioner & Manual Warrants as follows:

September 29 2023,	Commissioner Warrants	\$1,014,236.08
September 29 2023,	Manual Warrants	\$14,780.00
October 6 2023,	Commissioner Warrants	\$1,430,885.33
October 6 2023,	Commissioner Warrants Court Order	\$524,151.95
October 6 2023,	Manual Warrants	\$15,159.62
- 7 HHS IFS Admin Warrants Dated 10-06-23. Health & Human Services
Amanda Larson, HHS Director
Approved HHS IFS Admin Warrants, as follows.

- October 6, 2023 HHS IFS Admin Warrants \$47,421.76
- 8 September 28, 2023 HHS OBO Warrants. Health & Human Services
Amanda Larson, HHS Director
 Approve the HHS OBO Warrants as follows:
- September 28, 2023 HHS OBO Warrants \$9,062.12
- 9 Reclassification of Two Public Health Division Employees from Public Health & Human Services
 Service Specialists to Case Aides.
Nicole Ruhoff, CHS Administrator
 Approved the reclassification of two Public Health Division Employees from Public Service Specialists (Grade 7) to Case Aides (Grade 8).
- 10 Renewal Agreement Between Sherburne County and UCare Minnesota. Health & Human Services
Nicole Ruhoff, CHS Administrator
 Approved a Renewal Agreement between Sherburne County and UCare Minnesota. This contract shall commence two months after final signature and shall continue until terminated by mutual agreement. (On file.)
- 11 Award to GetRepowered for County IT Electronics Recycling. Information Technology
Brian Kamman, IT Director
 Accepted and approved GetRepowered as Lowest Responsible Bidder to the Request For Proposals (FRP) for County IT Electronics Recycling with a return estimate of \$42,000.00 and authorized negotiation and execution of an Agreement for the same, subject to final approval by the County Administrator, IT Director, and Attorney as to form.
- 12 Easement Across County Land to Access County Road 45 for Parcel 01- Public Works
 033-2206.
David Roedel, Assistant Public Works Director
 Approved an easement across county land to access County Road 45 on Parcel 01-033-2206.
- 13 Final Payment for 2022 CR 81 Reconditioning (CP 71-681-017). Public Works
Andrew Witter, Public Works Department Head
 Approved and authorized final contract payment with OMG Midwest Inc dba Minnesota Paving & Materials for project CP 71-681-017 for 2022 Reconditioning.
- 14 Final Payment for 2023 HSIP Edgeline Striping (SP 71-070-046). Public Works
Andrew Witter, Public Works Department Head
 Approved and authorized final contract payment with Century Fence Company for project SP 71-070-046 for 2023 HSIP Edgeline Striping, contingent upon final clearance from MnDOT's Office of Civil Rights.
- 15 Out of State Travel for County Staff to Attend a GIS Developer Public Works
 Conference.
Brett Forbes, GIS Coordinator
 Approved out-of-state travel for three GIS staff members to attend the national GIS Conference in Palm Springs, CA in March 2024. Total estimated cost per attendee of \$3,710.
- 16 Professional Services Agreement with Apex Engineering Group for Public Works
 Design and Construction for the CSAH 2/CSAH 29 Reconstruction
 Project (CP 71-629-022).
David Roedel, Assistant Public Works Director
 Approved a Professional Services Agreement with Apex Engineering Group for design and construction services for the reconstruction of CSAH 29 and pavement rehabilitation on CSAH 2,

to include a new signal system at the intersection of CSAH 29 and CSAH 2 (CP 71-629-022). This agreement shall commence on October 17, 2023 and shall terminate on the date that all obligations have been fulfilled and all deliverables have been approved by the County. Estimated cost of project to be \$249,487.50. (On file.)

- 17 Agreement Between Sherburne County and Independent School District Sheriff
728 for Educational Services for Inmates and Detainees at the
Sherburne County Jail.

Joel Brott, County Sheriff

Approved an agreement between Sherburne County and Independent School District 728 for educational services for inmates and detainees at the Sherburne County Jail. This agreement shall commence on October 17, 2023 and shall remain in effect for a period of 12 months with an estimated cost of \$132,186.00.

- 18 Donation to the Sheriff's Office K-9 Unit from Gilleland Chevrolet. Sheriff

Joel Brott, County Sheriff

Approved a \$750.00 donation to the Sheriff's Office K-9 Unit from Gilleland Chevrolet of St. Cloud.

4. 9:04am **Announcements**

Commissioner Fobbe recognized law enforcement and the five officers involved in the Benton County events last week.

County Administrator Bruce Messelt announced the following:

- New artwork in hallway via Options.
- Housing Summit on November 8th from 11:30am-4:00pm at the Government Center.
- Zach Guttormson resigned from Planning and Zoning and Soil and Water Conservation Board.
- At 10:20am we will break to have a Meet and Greet with the Veteran's Office to meet the drivers and tour the new vans.
- Annual Meeting AMC Conference in December.
- MCIT Annual Meeting in December and discussed a voting alternate.

5. 9:09am **Regular Agenda**

- 9:09am 1 Proclamation the Designation of October as Manufacturing Month. Administration

Jessica Barthel, Economic Development Coordinator

Gray/Felber were unanimous to approve a proclamation designating the month of October as Manufacturing Month in Sherburne County. (On file.)

- 9:09am 2 Preliminary Residential Standard Plat of "Meadow Estates North" - Dan Planning & Zoning
Berning, Ziegler Custom Homes.

Lynn Waytashek, Planning & Zoning Administrator

Felber/Gray were unanimous to approve the Preliminary Residential Standard Plat of "Meadow Estates North" which consists of (6) lots, as recommended by the Planning Commission, with the (4) Conditions; PID #10-104-3400; Legal Desc: SE 1-4 of SW 1-4 (full legal on file); Sec 4, Twp 33, Rge 27, Big Lake Township; with 18.15 acres in the General Rural District. Approve the Preliminary Residential Standard Plat of "Meadow Estates North" which consists of (6) lots, as recommended by the Planning Commission, with the (4) Conditions as listed in the background justification; PID #10-104-3400; Legal Desc: SE 1-4 of SW 1-4 (full legal on file); Sec 4, Twp 33, Rge 27, Big Lake Township; with 18.15 acres in the General Rural District.

Conditions:

- 1.The Sherburne County Public Works Department will require park dedication fees for the six (6) new lots at \$1,200 per lot, totaling \$7,200. Park fees must be paid prior to the Public Works

Department signing the plat mylars.

2. 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.

3. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to recording of the plat.

4. 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.

9:12am

3

Conditional Use Permit for Riding Stable and Boarding Facility - Krista Ponting. Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Gray/Felber were unanimous to approve a Conditional Use Permit for Krista Ponting for a Riding Stable and Boarding facility, with the following (13) Conditions and Findings of Fact, as recommended by the Planning Commission for PID # 40-010-3315; Property Address: 10551 26th St SE, Saint Cloud, MN 56304; Legal Desc: That part of the Southwest Quarter of the Southwest Quarter (full legal on file); Sec 10, Twp 35, Rge 29, Palmer Township; with 16.2 acres in the Agricultural District and within the Natural Environment Shoreland Overlay District of Rice Lake.

Conditions:

1. The facility shall be permitted to house a maximum of twenty-two (22) equine including the applicant/owner's own equine.
2. Boarders shall be permitted to be on the property between the hours of 8:00 am and 9:00 pm unless otherwise needed in the case of an emergency.
3. The issuance of this permit does not permit the applicant to host any equine-related shows or events.
4. Any use of exterior lighting shall be directed away from residences and the public right-of-way by the use of light shields or other means as approved by the Zoning Department.
5. The applicant shall either provide a portable toilet on the property to be used by boarders or establish an ADA-compliant restroom. If utilizing a portable toilet, a copy of the service contract shall be provided to the Zoning Department if requested.
6. The arena shall be watered and dragged as needed to prevent dust from leaving the property.
7. Vegetative cover must be maintained at all times in the pasture area.
8. The applicant shall comply with the submitted Manure Management Plan (MMP) (Packet Attachment D) for the storage and disposal of manure generated at the facility. The stacking slab placement must be consistent with Packet Attachment D or as otherwise approved by the MPCA. At a minimum, manure disposal shall consist of hauling manure off-site every 60 days. Applicants shall keep records identifying how much manure was transferred, when it was transferred, and where/who it was transferred to. The manure storage area at a minimum must consist of an impervious pad with a minimum of 4 ft. tall berms on 3 sides or within a leak-proof container (i.e. dumpster) and hauled off the property. A copy of the transferred manure records shall be provided to the Zoning Department if requested. The MMP shall also be consistent with the MPCA – Manure Stockpiling – Technical Guidelines Fact Sheet #8.06 and the University of MN Extension – Managing and Composting Manure Fact Sheet.
9. Pursuant to the Sherburne County Solid Waste Ordinance, Section 19.10 "Animal manure shall be classified as a solid waste when they are accumulated, stored or stockpiled on any surface . . . within 200 ft of a residence located on neighboring property." Therefore, any manure stockpile(s) must be located at least 200 ft from any neighboring residences.
10. Applicants must operate the facility authorized by this permit in a manner that does not cause excessive noise, glare, odors, traffic, or other nuisances to neighboring properties.

11. The applicant shall maintain proper business liability insurance and provide a copy of the insurance records to the County upon request.
12. Applicants shall permit the Zoning Department to inspect the property when requested.
13. This property is located within the shoreland overlay district of Rice Lake and is proposing more than 10 animal units (AU) which will require the applicant to register with the Minnesota Pollution Control Agency (MPCA) as an animal feedlot.

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 property already has the structures and fencing needed to establish a boarding facility, and it has been used for horses historically.
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 properties surrounding this one have already been developed with single-family residences, and there is limited opportunity to further develop the surrounding vacant land.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
Yes, adequate utilities, road access, and drainage are already being provided.
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, adequate parking and loading area is provided with the property's existing nearly 700 ft. long circle driveway and horse trailer parking area.
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 applicant is proposing to groom pastures and remove waste weekly, clean stalls/barn daily, maintain vegetative cover and tree buffer, and utilize sprinklers as needed to address odor, fumes, and dust. No noise, other than the sound of horses, or vibration is expected from this proposed use.

9:14am	4	Source Separated Organics Program Feasibility Study. <i>Dave Lucas, Solid Waste Administrator</i> Felber/Gray were unanimous to approve a proposal by HDR to conduct a Source Separated Organics Program Feasibility Study, with a not to exceed amount of \$49,160.	Planning & Zoning
9:20am	5	2024-2025 Minnesota Family Investment Program (MFIP) Biennial Services Agreement. <i>Lisa Holker, Income Maintenance Supervisor</i> Felber/Gray were unanimous to approve the 2024-2025 Biennial Services Agreement for the amount of \$626,294.00 for the Minnesota Family Investment Program for 2024-2025. Lisa Holker provided the Board with an overview of the agreement and program.	Health & Human Services
9:25am	6	Auditor-Treasurer's Monthly Report for September 2023. <i>Diane Arnold, County Auditor/Treasurer</i> Gray/Felber were unanimous to accept the September 2023 Financial Report from the Auditor-Treasurer as presented. (On file.)	Auditor / Treasurer
9:33am	7	Public Safety Radio Replacement and Encryption Project.	Sheriff

Kyle Breffle, Emergency Services Director

Gray/Felber were unanimous to approve a public safety radio replacement and encryption project using Department of Public Safety funds. Department of Public Safety funds in the amount of \$900,000.00 and ARPA funds in the amount of \$400,000.00 are to be used for this project.

- 9:43am 8 American Rescue Plan Act (ARPA) Update and Recommended Approvals Administration and Expenditures.

Dan Weber, Assistant County Administrator

Approved ARPA related project expenditures as follows:

Hulse/Felber were unanimous to approve expenses greater than \$50,000 equaling \$400,000 for the Department of Public Safety Radio Replacement Project.

Assistant County Administrator Dan Weber requested to add another item to the APRA approvals. Big Elk Park deconstruction costs have been higher than anticipated (project #191). However, staff is looking at alternative options for the requested Grams Park restrooms that are below the original requested amount of \$150,000 (project 197). Gray/Felber were unanimous to approve the transfer of \$10,000 of ARPA funds from project #197 to ARPA project #191.

6. 9:44am **Commissioner Correspondence, Committee Reports, Upcoming Meetings, Future Agenda Items**

Commissioner Hulse - Technology Steering Meeting, Mayor Dietz & Constituent meeting at Elk River American Legion, Representative Paul Novotny and Constituent Meeting/Discussion, County Connect Meetings

Commissioner Danielowski - Absent.

Commissioner Fobbe - County Connect meetings, Sherburne County Association of Townships (SCAT) meeting, Tri-Cap Executive Meeting, Non-Profits United meeting, Toured Philips Distillery, Great River Regional Library (GRRL), MICA meeting, AMC Board of Directors meeting, AMC District 5 meeting, AMC Leading on Purpose

Commissioner Felber - Rural Action Caucus, NACo Justice and Public Safety Committee, Sherburne County Association of Townships (SCAT) meeting, Juvenile Center meeting, Metropolitan Emergency Services Board, MCIT Cyber Preparedness Seminar, County Connect Meeting, Big Lake Fire Department Open House, AMC District 5 Meeting,

Commissioner Gray - SCAT, County Connect Meeting, MICA, Soil Water Conservation District (SWCD) Meeting, AMC District 5 Meeting, Clear Lake Fire Department Open House

8. 9:57am **Recess Regular Meeting, Open Ditch Authority Meeting**

- 9:57am 1 Review and Approve the Ditch Authority Agenda. Auditor / Treasurer

Diane Arnold, County Auditor/Treasurer

Approved the Ditch Authority agenda as presented.

- 9:58am 2 Ditch Drainage Technician Report. Auditor / Treasurer

Mike Lindenau, County Ditch Inspector

Received the Ditch Drainage Technician's Report from County Ditch Inspector Mike Lindenau. Hulse/Felber were unanimous to accept the report as presented.

7. 10:03am **Adjourn Ditch Authority Meeting, Break for Veteran's Van Driver Meet & Greet**

The Board recessed for a break and to have a meet and greet with the Veteran's Office van drivers.

9. 10:42am Reconvene, Open Workshop

10. 11:12am Close Workshop, Adjourn Regular Meeting

HHS OBO Warrants

9/28/23	1,219.89	OBO 4Imprint
	3,421.70	OBO Amazon
	513.99	OBO DNA Diagnostics
	795.18	OBO Innovative
	1,050.00	OBO Walmart
	435.25	OBO WRS Health Edco
	1,626.11	13 Payments less than 300
	9,062.12	Total

Commissioner Warrants

9/29/23	309,354.55	General Revenue Fund
	601,532.36	Public Works Fund
	21,571.82	Human Service Fund
	6,208.91	Law Library Fund
	29,231.71	Solid Waste Fund
	13,065.67	Jail Commissary Fund
	232.36	Sherco Regional Rail Authority
	14,514.03	Justice Center Enterprise Fund
	4,621.74	Agency Collections
	13,902.93	Taxes & Penalties Fund
	1,014,236.08	Total

Manual Warrants

9/29/23	14,780.00	Agency Collections
	14,780.00	Total

Commissioner Warrants

10/6/23	774,660.47	General Revenue Fund
	562,268.80	Public Works Fund
	1,211.31	Law Library Fund
	55,612.70	Solid Waste Fund
	23,782.74	Jail Commissary Fund
	1,772.65	Justice Center Enterprise Fund
	7,857.50	Agency Collections
	365.00	Taxes & Penalties Fund
	3,354.16	Payroll Fiduciary Fund
	1,430,885.33	Total

Manual Warrants

10/6/23	35,839.95	General Revenue Fund
	488,312.00	Taxes & Penalties Fund
	524,151.95	Total

Manual Warrants

10/6/23	2,184.00	General Revenue Fund
	12,975.62	Agency Collections

	15,159.62	Total
Warrants		
10/6/23	46,604.52	Human Service Fund
	767.24	Agency Collections
	50.00	Children's Mental Health Collaborative
	47,421.76	Total
Warrants		
10/6/23	767.24	Children's Dental Services
	309.00	DNA Diagnostics Center
	352.18	Grater/Justin
	1,077.77	HemoCue America - Radiometer America
	4,388.87	Hennepin County
	703.50	Lexis Nexis
	412.50	Lighthouse Child & Family Services
	428.25	Madden's on Gull Lake
	410.03	McCoss/Daniel J
	23,181.00	Mn Dept Of Human Services - SWIFT
	1,031.20	Mn Dept Of Human Services-SWIFT 1
	5,330.00	Northwoods Consulting Partners Inc
	409.38	Olds/Brett
	4,504.50	Sherburne County Auditor Treasurer
	744.86	Storms/Abby
	3,371.48	31 Payments less than 300
	47,421.76	Total

Lisa A Fobbe

Lisa A Fobbe (Nov 7, 2023 13:21 CST)

Lisa A. Fobbe, Board Chairperson

11/07/2023

Date

Bruce Messelt

Bruce Messelt, County Administrator

11/07/2023

Date