



Sherburne County Board of Commissioners

May 7, 2024 - County Board Meeting Minutes

1. 9:00am Call to Order

The Sherburne County Board of Commissioners convened in regular session on May 7, 2024, at the Sherburne County Government Center in the City of Elk River, MN. Call to order by the Chair was at 9:00am.

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

2. 9:01am Open Forum

Teri Dickenson of Big Lake and Kari Watkins of St. Cloud spoke.

3. 9:05am Consent Agenda

Fobbe/Gray were unanimous to approve the Consent Agenda as presented.

- 1 County Board Meeting Minutes from April 16, 2024. Administration
Keisha Broderick, Executive Assistant
Approved County Board Meeting Minutes from April 16, 2024 as presented.
- 2 County Board Workshop Meeting Minutes from April 16, 2024. Administration
Keisha Broderick, Executive Assistant
Approved County Board Workshop Meeting Minutes from April 16, 2024 as presented.
- 3 Letter of Support for Arvig for its Application for a DEED Low Population Density Broadband Grant. Administration
Dan Weber, Assistant County Administrator
Approved a Letter of Support for Arvig's application to the State DEED Low Population Density Broadband Grant Program. (On file.)
- 4 Addition of the Public Works Director to the Executive Steering Committee. Administration
Bruce Messelt, County Administrator
Approved adding the Public Works Director/County Engineer as a Member of the Executive Steering Committee.
- 5 Court Appointed Attorney Service Agreement with Carson, Clelland & Schreder P.L.L.C. Administration
Bruce Messelt, County Administrator
Approved a Court Appointed Attorney Service Agreement with Carson, Clelland & Schreder P.L.L.C. for a term from May 7, 2024, to December 31, 2024, as presented. (On file.) The County shall pay the Attorney at a rate of \$150 per hour.
- 6 Office of Justice Program (OJP) Funding for Crime Victim Services for Fiscal Year 2025. Attorney
Kathleen Heaney, County Attorney
Approved the acceptance of Office of Justice Program (OJP) funding for the Sherburne County Attorney's Office Victim/Witness Program for fiscal year 2025 and authorized the County Attorney to sign the agreement. The funding will remain at \$83,200.

- 7 Commissioner & Manual Warrants Dated April 12th, 15th, 19th, 22nd, Auditor / Treasurer and 26th, 2024.
Diane Arnold, County Auditor/Treasurer
Approved Commissioner & Manual Warrants dated April 12th, 15th, 19th, 22nd, and 26th, 2024 as follows:
- April 12 2024 Commissioner Warrants \$1,063,723.43
April 12 2024 Manual Warrants \$12,148.50
April 15 2024 Manual Warrants BMO Harris Pcard March \$60,511.29
April 19 2024 Commissioner Warrants \$1,497,336.52
April 19 2024 Manual Warrants \$279,751.30
April 22 2024 Commissioner Warrants \$10,655.53
April 26 2024 Commissioner Warrants \$714,661.10
April 26 2024 Manual Warrants \$13,978.40
- 8 Appointment of Individuals to Serve on the Sherburne County Community Corrections Community Corrections Advisory Board.
Corey Mabis-Rowe, Director of Community Corrections
Approved and appointed the following individuals to serve on the Sherburne County Community Corrections Advisory Board (SCCCAB):
- Citizens: Rebecca Tveten
 - Corrections: Corey Mabis-Rowe, Sherburne County Community Corrections Director
 - Public Defense: Jordan Krogstad, Sherburne County Chief Managing Attorney
- 9 1st Quarter 2024 Donations Received by the Health & Human Services Health & Human Services Department.
Amanda Larson, HHS Director
Approved and accepted the 1st Quarter donations received by the Health and Human Services (HHS) Department in the amount of \$5,448.75.
- 10 April 19, 2024, HHS IFS Admin Warrants. Health & Human Services
Amanda Larson, HHS Director
Approved HHS IFS Admin Warrants dated April 19th, 2024, as follows:
- April 19, 2024 HHS IFS Admin Warrants \$40,233.37
- 11 Out-of-State Travel for Two Sherburne County Substance Use Coalition Health & Human Services Members to Attend the National Prevention Network (NPN) Conference in Arizona August 13-15.
Nicole Ruhoff, CHS Administrator
Approved Out-of-State Travel for two Sherburne County Substance Use Prevention Coalition members to attend the National Prevention Network (NPN) Conference in Arizona August 13-15, paid for by the Drug Free Communities Grant. Estimated cost is not-to-exceed \$3,500.00 and will be covered by the Drug Free Communities Grant.
- 12 Modification to Hours of Work for the Sherburne County Highway Human Resources Employees Association.
Tammy Bigelow
Approved a Memorandum of Understanding with the Sherburne County Highway Employees Association regarding modification to hours of work. (On file.)
- 13 Four Alternate Members to the Waste Management Advisory Planning & Zoning Committee.
Dave Lucas, Solid Waste Administrator

Approved the appointment of the following Alternate Members to the Waste Management Advisory Committee, as recommended by the Committee:

- Tim Steinbeck - 2024-2026
- Christopher Borum - 2024-2026
- Mark Rask - 2024-2025
- Jason Belair - 2024-2025

- 14 Appointment of a District 4 Representative to the Parks and Trails Advisory Public Works Committee.

Gina Hugo, Parks Director

Approved the appointment of Lucinda Meyers as District 4 Representative on the Parks & Trails Advisory Committee.

- 15 IJA Technical Assistance Grant Agreement & Resolution No. 050724-AD- Public Works
3142 with MnDOT.

Andrew Witter, Public Works Department Head

Approved an IJA Technical Assistance Grant Agreement and Resolution No. 050724-AD-3142 with MnDOT. Sherburne County Public Works was awarded a \$30,000 grant from MnDOT for technical assistance. The term of this grant shall expire on December 31, 2028. (On file.)

- 16 Master Service Agreement with Braun Intertec for 2024-2025. Public Works

Andrew Witter, Public Works Department Head

Approved a Master Service Agreement between Sherburne County and Braun Intertec for geotechnical, construction material testing, and phase I environmental site assessment services for the years 2024 and 2025. The Master Service Agreement will have a 2-year-term that will commence on May 7, 2024 and terminate on December 31, 2025 or until the completion of all work. (On file.)

- 17 Master Service Agreement with American Engineering Testing for 2024- Public Works
2025.

Andrew Witter, Public Works Department Head

Approved a Master Service Agreement between Sherburne County and American Engineering Testing for geotechnical, construction material testing, and phase I environmental site assessment services for the years 2024 and 2025. The agreement shall commence on May 7, 2024 and terminate on December 31, 2025. (On file.)

- 18 2024 State of MN Federal Boating Safety Supplemental Patrol Grant. Sheriff

Joel Brott, County Sheriff

Approved and accepted the 2024 State of Minnesota Federal Boating Safety Supplemental Patrol Grant, in the amount of \$5,500, to fund additional boating safety patrol hours during high watercraft use periods on various lakes within Sherburne County. Term of this grant shall commence on May 10, 2024 and expire on September 2, 2024. (On file.)

- 19 Out-of-State Travel for Two Sheriff/Jail Employees to Attend the 2024 Sheriff
National Alliance of Gang Investigators Association's World Gang Summit.

Joel Brott, County Sheriff

Approved out-of-state travel for two Sheriff/Jail employees to attend the 2024 National Alliance of Gang Investigators Association's World Gang Summit in Lexington, Kentucky, September 30-October 3, 2024. Total costs are estimated at \$3,800.00.

4. 9:05am Announcements

County Administrator Bruce Messelt informed the Board of a notice from the Minnesota Public Utilities Commissioner of an upcoming Public Hearing online tonight via WebEx at 6:00pm regarding Sherco 3

Solar Energy System and provided a legislative update

5. 9:11am Regular Agenda

- 9:11am 1** Proclamation Declaring May 12-18, 2024, as National Police Week. Sheriff
Ben Zawacki, Commander
Hulse/Danielowski were unanimous to approve by proclamation the designation of the week of May 12-18, 2024, as National Police Week in Sherburne County. (On file.) Commander Ben Zawacki presented the proclamation to the Board.
- 9:15am 2** Proclamation Declaring May 10th, 2024, as Child Care Provider Administration
Appreciation Day.
Amanda Larson, HHS Director & Anna Byrnes, Social Worker
Danielowski/Gray were unanimous to approve by proclamation the Designation of May 10th, 2024 as Child Care Provider Appreciation Day. (On file.) Social Worker Anna Byrnes presented the proclamation to the Board.
- 9:19am 3** Proclamation Designating May as Mental Health Awareness Month. Health & Human Services
Victoria Johannes, Social Services Supervisor, Leslie Young, Clinical Supervisor & Child and Family Services Trainer Logan Johnson-Strand, Social Services Supervisor, & Derek Magaard, Social Services Supervisor
Fobbe/Gray were unanimous to approve by proclamation the designation of May as Mental Health Awareness Month. (On file.) Social Services Supervisor Victoria Johannes presented the proclamation to the Group. Clinical Supervisor and Child and Family Services Supervisor Leslie Young and Social Services Supervisors Logan Johnson-Strandjord and Derek Magaard all presented statistics to the Board regarding Mental Health within Sherburne County. Mental Health Local Advisory Council (LAC) advocate Eric L spoke regarding the involvement of the LAC.
- 9:38am 4** Interim Use Permit for 1 MW Solar Farm, Replacing permit #69388-MN Planning & Zoning
CSG 2019-33 LLC.
Lynn Waytashek, Planning & Zoning Administrator
Gray/Fobbe were unanimous to approve an Interim Use Permit for MN CSG 2019-33 LLC for 1 MW Solar Farm, replacing permit # 69388, removing the requirement for trees on the West side of the property, with the following (19) Conditions and Findings of Fact, as recommended by the Planning Commission for Property Address: 9216 River Rd SE, Clear Lake. PID #20-00129-4100; with Legal Desc: That Pt of NW 1-4 (full legal on file); Sec 29, Twp 34, Rge 29; Clear Lake Township; and 41.63 acres in the Agricultural District.

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 & night time 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 plan date in Attachment E.

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 responsible for vegetation control & weed management during the project's operating life.

12. Must install 6 foot tall Eastern Red Cedar trees around north, and south ~~and west~~ side of solar farm as shown on Site Plan – PV1 (Attachment B) date stamped June 29, 2022. If adjoining solar farms is are not constructed then trees will need to be planted along eastern and western side of solar farm. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 16 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 35 years until December 31, 2057. This IUP is valid for MN CSG 2019 - 33 LLC and John & Lynette Golly.

14. Access to the proposed solar farm shall be via CSAH#8 at same location as existing driveway location of solar farm to the east 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 640 feet to the east. There is an existing solar farm location that has been approved but not yet constructed to the east of the proposed solar farm site. 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 35 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. 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 will be from existing driveway entrance that was approved for the solar farm to the east. 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.

9:41am

5

Interim Use Permit for 1 MW Solar Farm, replacing permit #74251-MN Planning & Zoning
CSG 2019-67 LLC

Lynn Waytashek, Planning & Zoning Administrator

Gray/Danielowski were unanimous to approve an Interim Use Permit for MN CSG 2019-67 LLC for 1 MW Solar Farm, replacing permit #74251, to change the layout of the solar farm, with the following (20) Conditions and Findings of Fact, as recommended by the Planning Commission for Property Address: 6093 State Hwy 24 SE, Clear Lake. PID # 20-00223-4201; with Legal Desc: All that Pt of SW 1-4 (full legal on file); Sec 23, Twp 34, Rge 30; Clear Lake Township; and 18.40 acres in the Agricultural District and within the Orderly Annexation Zone 3.

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. Plans must match approved IUP plans.
3. The required privacy fence around the perimeter of the facility will be 8 ft in height, with no barbed wire. It will require a building permit with engineered plans.
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. Weekend hours shall be 8:00am-4:00pm and be limited to no earth moving or pile driving.
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 March 2, 2023.
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 (8 1/3%) 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. 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 solar farm. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 16 feet apart (Attachment D). 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.~~
12. Must install 6-foot-tall Eastern Red Cedar trees around entire solar farm. The trees must be planted staggered in two (2) rows, in each row the trees may be planted no more than 16 feet apart (Attachment B – PV1). 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 35 years until December 31, 2058. This IUP is valid for MN CSG 119 - 67 LLC and Karie Monk-Gohman & D Monk-Kobow.
14. Access to the solar farm shall be from MN Hwy 24 via existing access. MnDOT permit is required.

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 including 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.
20. The existing access would be approved for the solar facility, however, MNDOT will require a change in use permit for the access to be changed from agricultural to commercial. The access looks to be shared with PID #20-451-0010. The developers of the solar facility will need to reach an agreement with the owners of the adjoining parcel to repair/replace any damage to the asphalt surface of the shared driveway /access that could incur during construction.

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 the west side of an existing agricultural field. There is an existing buffer of trees approximately 200 ft wide to the west of the solar farm. There is an existing residential subdivision to the west and south of the property solar farm. The perimeter of the solar farm will be planted with trees to reduce visual impacts to adjoining properties. The closest home to the South of the solar farm is approximately 275 feet away, the closest home to the west of the solar farm is approximately 325 feet away.

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 35 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. The property the solar farm is proposed on is zoned Agricultural District and could not be subdivided to less than 40-acre parcels under current zoning regulations.

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

Yes, it will utilize an existing driveway for the solar farm to the south to MN State Hwy 24. 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, but 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.

9:42am

6

Conditional Use Permit for a Farm Related Business - Coreen Pearson Planning & Zoning

Lynn Waytashek, Planning & Zoning Administrator

Gray/Danielowski were unanimous to approve a Conditional Use Permit for Coreen Pearson for a Farm Related Business, with the (10) Conditions and Findings of Fact, as recommended by the Planning Commission for Property Address: 9241 100th Ave SE, Clear Lake; PID # 20-00448-0160; Legal Desc: Sherburne County Boundary Comm Plat No. 1, Lot 12, Blk 1; Sec 16, Twp 34, Rge 29.; Clear Lake Township; and with 45.41 acres in the Agricultural District.

Conditions:

1. This Conditional Use Permit (CUP) is for the sole operation of a Farm Related Business for the purpose of selling products produced on the property using locally grown or produced agricultural commodities as described in the applicants, Written Description of Business (Board Packet B). This CUP does not grant authority to this property to be utilized as a venue for Occasional Special Events, Rural Tourism (weddings or events) or similar uses in the County's Zoning Ordinance as those uses require separate permits from the County.
2. Prior to allowing public access to the pole building for a business use the property owner must hire a Licensed MN Design Professional to complete a code analysis of the building to ensure it can accommodate a change in occupancy/use to meet State Building Code. A copy of the code analysis must be provided to the County's Building Official prior to any operations commencing on the site, and a building permit will be required from the County for any proposed/required modifications.
3. All customer parking must be limited to the parking area identified on the site plan (Packet Attachment D). No parking is permitted on US Hwy 10 or County Road 56.
4. Days and hours of operation shall be 7 days a week only during the months of September and October. Permitted hours of operation are 9:00 am - 6:00 pm.
5. Adequate sanitary services shall be made available to anyone using this property. Sanitation services shall be located on the area marked on the site plan. A copy of the service contract shall be provided to the County, if requested.
6. The existing house shall not be used by guests in connection with the activities permitted by this CUP.
7. All signage shall be permitted in accordance with the County's Zoning Ordinance and a permit is required.
8. All exterior lighting shall be directed away from the public right-of-way.
9. The applicant shall maintain compliance with all local, state and federal laws.
10. Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the CUP.

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 of the property as a Farm Related business is not anticipated to diminish or impair values within the immediate area provided the applicant maintains compliance with their operation plans and the conditions of this CUP.
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, all the adjacent lands to the north and east are either vacant or farm fields, and to the west there are two existing residences. To the south this property abuts US Hwy 10. This site has been used as a farm for generations and this proposal will continue that practice.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
Yes, adequate utility, access and drainage are provided for the proposed use.
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 50 additional vehicles.
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 if operated in compliance with t

9:43am

7

Interim Use Permit for Home Business in an Accessory Building-Salon - Planning & Zoning
Zach Kurth

Lynn Waytashek, Planning & Zoning Administrator

Hulse/Danielowski were unanimous to approve an Interim Use Permit for Home Business in an Accessory Building - Salon, as amended with the wording to Condition No. 6 to include code is met with the Cosmetology Board requirements as well as the State Building Code, with the following (9) Conditions and Findings of Fact as recommended by the Planning Commission for Property Address: 17454 253rd Ave NW, Big Lake; PID # 35-00016-3305; Legal Desc: E 1-2 of SW 1-4 (full legal on file); Sec 16, Twp 34, Rge 27; and with 20 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 any right-of-way.
2. All work must be conducted within the accessory building.
3. Days & hours of operation shall be Monday through Sunday, 9:00 AM – 6:00 PM.
4. There may be no more than two (2) employees (FTE) other than a member of the household residing on the premises.
5. Customers' vehicles coming to the property must be parked in the area described in the site plan. (Packet Attachment C)
6. Prior to allowing public access to the pole building the property owner must hire a Licensed MN Design Professional to complete a code analysis of the building to ensure it can accommodate a change in occupancy/use to meet State Building Code and *Cosmetology Board requirements*. A copy of the code analysis must be provided to the County's Building Official, and a building permit will be required from the County for any proposed modifications.
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. The IUP is issued to Zachary and Crysta Kurth and shall expire with a change in ownership of the property.
9. The property owner shall permit 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 nearest neighbor is over 3,000 ft. from the proposed business. All work will be completed in the accessory building.
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, chapter 5, Home Extended Business, Policy Statement 16, of the Comprehensive Plan states "It is the County's directive to support home extended businesses that do not negatively impact the environment, general character of the neighborhood, or existing commercial/industrial districts." Allowing businesses at a home allows the County to place conditions that are enforceable while allowing the applicant to continue to operate and not cause a nuisance to the

surrounding areas.

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

Yes, the applicant is using an existing accessory building and 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 owns 20 acres and has plenty of space to accommodate customer parking to the salon.

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 business is not anticipated to cause offensive odor, fumes, dust, noise and vibration to the immediate area if operated in compliance with the conditions of this permit.

- | | | | |
|----------------|-----------|--|-------------------------|
| 9:46am | 8 | Amendments to the SCORE Line Item Program Budget.
<i>Jillian Carlson, Environmental Specialist</i>
Danielowski/Fobbe were unanimous to approve amendments to the SCORE Line Item Budget as presented. (On file.) | Planning & Zoning |
| 9:49am | 9 | Rum River One Watershed One Plan Fiscal Year 2023 Update.
<i>Dan Cibulka, SWCD Senior Water Resource Specialist</i>
Received the Rum River One Watershed One Plan Fiscal Year 2023 Update and summary on the FY25 Workplan presented by SWCD Senior Water Resource Specialist Dan Cibulka. | Administration |
| 9:58am | 10 | CaseWorks for an Electronic Document Management System (EDMS) in HHS.
<i>Amanda Larson, HHS Director</i>
Danielowski/Hulse were unanimous to approve proceeding with formal selection and acquisition of CaseWorks for an EDM System for the HHS Department, with preparation and presentation of a contract to the County Board for final approval. Contingent upon County Attorney's review and include a review of the implementation plan. Administrator Bruce Messelt provided background to the Board regarding the history of this project. | Health & Human Services |
| 10:25am | 11 | Sherburne County's Submission of the 2024 Community Energy Transition Grant.
<i>Andrew Witter, Public Works Department Head</i>
Danielowski/Fobbe were unanimous to approve Resolution 050724-AD-3141 authorizing submission of a Community Energy Grant Application to the Minnesota Department of Employment and Economic Development (DEED) to assist in the completion of the TH 25 TIER I Environmental Review. (On file.) | Planning & Zoning |
| 10:30am | 12 | American Rescue Plan Act (ARPA) Update and Consider Approval of Recommended Approvals and Expenditures.
<i>Dan Weber, Assistant County Administrator</i>
Approved ARPA related project expenditures less than \$50,000.00 as follows:
Hulse/Fobbe were unanimous to approve Parks Natural Resource Prescribed Burn equaling \$15,000.00.
Gina Hugo presented the Board a PowerPoint with more information on the request. | Administration |

6. 10:40am Commissioner Correspondence, Committee Reports, Upcoming Meetings, Future Agenda Items

Commissioner Hulse: Met with Sherburne County Fair Board, Economic Development Authority (EDA), Sherco Coal Plant Tour, Meeting with Congressman Emmer's Staff, Met with local businesses regarding EDA matters, Constituent meetings, Rivers of Hope Gala

Commissioner Danielowski: Substance Use Prevention (SUP), Sherburne County Association of Townships (SCAT) meeting, EDA, Big Lake SUP meeting, Sherco Coal Plant Tour, Options Board Meeting, Big Lake Township Meeting, Central Mississippi River Partnership (CMRP), Toured Block 52 in Monticello, Tri-County Solid Waste meeting, Cybersecurity Seminar, Constituent meetings, Rivers of Hope Gala, Tri-County Solid Waste Executive Board meeting, Options - Black Bird Coffee Anniversary Recognition, National Day of Prayer Breakfast, Serve Big Committee

Commissioner Fobbe: Community Action Mental Health Initiative, Sherco Coal Plant Tour, Park & Trail Advisory Committee, SCAT meeting, Joint Powers Board Executive Meeting with Central Minnesota Jobs & Training Services (CMJTS), Multi-Disciplinary Team, Tri-Cap Finance Committee meeting, Tri-Cap Board meeting, Regional 3 Leadership Planning Board, State Community Health Services State Advisory Committee (SCHSAC) Retreat Planning Group, Constituent and Community Efforts, NACo Immigration Task Force, NACo Rural Action, National Day of Prayer, Association of Minnesota Counties (AMC) Board of Directors, Reminder June 10 is AMC District meeting in Chisago, National Association of Counties (NACo) Health Advisory, SUP

Commissioner Gray: SCAT, Planning & Zoning meeting, Met with the President of the Airport Board and Board Director, Sherco Coal Plant Coal Tour, Upper Sioux Community meeting, Soil & Water Conservation Extension for Farm Family of the Year Meeting, Toward Zero Deaths (TZD) Conference, Announced that on May 17 there is a Sherburne County History Center Fundraiser and The Buff in Big Lake

Commissioner Felber: Expressed thanks to the Correction Officers as it is Correction Officers Week and also shared that it is Pacific Islander Awareness Month, Two inlets park meeting, Energy Transition Advisory Committee meeting, Sherco Coal Plant Tour, Webinar on Energy Permitting, CMRP, CFR Webinar, Tri-County Solid Waste, Executive Steering Committee, Becker Families in Need meeting, Townhall on Child Care at Pebble Creek at 5:30, Becker Better Together Event on 5/19, Black Bird Coffee Anniversary, Sherburne County Water Board, Meeting on Public Septic, TZD Conference

7. 11:08am Recess Regular Meeting, Break
8. 11:21am Reconvene, Open Workshop
9. 12:49pm Adjourn Workshop, Reconvene Regular Meeting
10. 12:49pm Adjourn Regular Meeting

Commissioner Warrants

4/12/24	483,741.29	General Revenue Fund
	463,333.06	Public Works Fund
	2,552.82	Human Service Fund
	1,027.50	County Ditch Fund
	1,820.81	Law Library Fund
	23,627.34	Solid Waste Fund
	9,596.95	Jail Commissary Fund
	9,877.00	Sherco Regional Rail Authority
	61,276.66	Justice Center Enterprise Fund
	6,870.00	Agency Collections
	1,063,723.43	Total

Manual Warrants

4/12/24	12,148.50	Agency Collections
	12,148.50	Total

Manual Warrants BMO Harris

4/15/24	43,093.05	General Revenue Fund
	9,325.52	Public Works Fund
	1,450.06	Human Service Fund
	2,524.17	Solid Waste Fund
	786.70	Jail Commissary Fund
	3,331.79	Justice Center Enterprise Fund
	60,511.29	Total

Commissioner Warrants

4/19/24	283,602.71	General Revenue Fund
	174,880.99	Public Works Fund
	6,178.07	Human Service Fund
	6,307.13	Law Library Fund
	45,503.72	Solid Waste Fund
	79,333.48	Jail Commissary Fund
	14,030.26	Justice Center Enterprise Fund
	19,938.48	Agency Collections
	3,903.00	Taxes & Penalties Fund
	863,658.68	Payroll Fiduciary Fund
	1,497,336.52	Total

Manual Warrants

4/19/24	538.59	Human Service Fund
	279,212.71	Agency Collections
	279,751.30	Total

Commissioner Warrants

4/22/24	267.53	General Revenue Fund
	10,388.00	Taxes & Penalties Fund
	10,655.53	Total

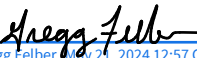
Commissioner Warrants

4/26/24	381,283.94	General Revenue Fund
	78,886.76	Public Works Fund
	2,126.72	Law Library Fund
	37,008.50	Solid Waste Fund
	3,101.59	Jail Commissary Fund
	138.37	Sherco Regional Rail Authority
	182,767.71	Justice Center Enterprise Fund
	24,460.26	Agency Collections
	4,887.25	Taxes & Penalties Fund
	714,661.10	Total

Manual Warrants

4/26/24	2,145.90	General Revenue Fund
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11,832.50	Agency Collections
13,978.40	Total


Gregg Felber May 21, 2024 12:57 CDT

Gregg Felber, Board Chairperson

05/21/2024

Date



Bruce Messelt, County Administrator

05/21/2024

Date