



Sherburne County Board of Commissioners

August 6, 2024 - County Board Meeting Minutes

1. 9:00am Call to Order

The Sherburne County Board of Commissioners convened in regular session on August 6, 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
Hulse/Gray were unanimous to approve the Regular Meeting Agenda as presented.

2. 9:01am Open Forum

Steve Demuele of Palmer Township, Ashley Schabillon and Tim Truebenbach of Big Lake spoke.

3. 9:08am Consent Agenda

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

- 1 County Board Meeting Minutes from , as presented [or "as amended"]. Administration
Keisha Broderick, Executive Assistant
Approved County Board Meeting Minutes from July 18, 2024.
- 2 Increase Hours of Part-Time Public Service Specialist Position in Veterans Administration Services to Full-Time.
Dan Weber, Assistant County Administrator, Tamara Bigelow, Human Resource Director
Authorized increasing the hours of the vacant part-time Public Service Specialist position (currently 30 hours/week) in Veterans Services to a full-time position (40 hours/week).
- 3 Commissioner Expenses from the National Association of Counties Administration
(NACo) Annual Conference Held in Tampa, Florida.
Bruce Messelt, County Administrator
Approved Commissioner expenses incurred at the NACo Annual Conference held in Tampa, Florida as follows.
Commissioner Hulse in the amount of \$659.00.
Commissioner Felber in the amount of \$308.27.
Commissioner Gray in the amount of \$228.21.
Commissioner Fobbe in the amount of \$379.42.
- 4 Extension of the Arvig Elk River Round #1 ARPA Broadband Access Grant Administration
Program Agreement.
Dan Weber, Assistant County Administrator
Approved the extension of the Arvig Elk River Round #1 ARPA Broadband Access Grant Program agreement through December 31, 2025. (On file.)
- 5 Commissioner & Manual Warrants. Auditor / Treasurer
Loraine Rupp, Auditor/Treasurer
Approved Commissioner and Manual Warrants as follows:

July 12, 2024, Commissioner Warrants \$553,086.58
July 12, 2024, Manual Warrants \$10,915.00
July 19, 2024, Commissioner Warrants \$1,711,442.29

- July 19, 2024, Manual Warrants \$18,368.00
 July 26, 2024, Commissioner Warrants \$2,149,228.51
 July 26, 2024, Manual Warrants \$14,436.74
 July 26, 2024, Manual Warrants BMO Harris Pcard June \$71,188.66
- 6 2nd Quarter 2024 Donations Received by the Health and Human Services Department. Health & Human Services
Amanda Larson, HHS Director
 Approved and accepted 2nd Quarter donations received by the Health and Human Services (HHS) Department in the amount of \$3,000.00.
- 7 June 19, 2024 HHS IFS Admin Warrants. Health & Human Services
Amanda Larson, HHS Director
 Approved June 19, 2024 HHS IFS Admin Warrants as follows:
 June 19, 2024 HHS IFS Admin Warrants \$63,261.89
- 8 Out-Of-State Travel for 1 Sherburne County HHS Employee. Health & Human Services
Sara Stenseng, Child and Family Services Division Manager
 Approved for Out-Of-State travel for 1 Sherburne County HHS Employee to attend the Mental Health Technology Transfer Center Network(MHTTC) from August 13-15h, 2024 in Sioux Falls, SD. This training is being paid for through a scholarship award.
- 9 Revocation of a Conditional Use Permit for Cellular Tower for T-Mobile Planning & Zoning
Lynn Waytashek, Planning & Zoning Administrator
 Approved Resolution No. 080624-AD-3154, effecting the revocation of an existing Conditional Use Permit (Cellular Tower) at the request of the property owner. (On file.)
- 10 County's Submission of the 2025 Low-Income Septic Grant Application. Planning & Zoning
Marc Schneider, County Planner
 Approved submission of an application to the Minnesota Pollution Control Agency (MPCA) for the 2025 Low-Income Fix-up Subsurface Sewage Treatment System Grant for \$54,000
- 11 Amendment with Bolton & Menk, Inc for the TH 169 CSAH 4 Interchange Design. Public Works
Andrew Witter, Public Works Department Head
 Approved the fourth amendment with Bolton & Menk, Inc for the TH 169 & CSAH 4 Interchange Design. (On file.)
- 12 County Engineer Attendance at the 2024 Transportation Alliance Conference, September 16-19, 2024. Public Works
Andrew Witter, Public Works Department Head
 Approved the County Engineer attendance at the 2024 Transportation Alliance Conference, September 16-19, 2024 with an estimated cost of \$1,925.00.
- 13 Final Payment for the 2023 HSIP Mumble Strips (SP 71-070-045) Project. Public Works
Andrew Witter, Public Works Department Head
 Authorized final contract payment with Surface Preparation Technologies, LLC in the amount of \$11,962.54 for project #SP 71-070-045 for the 2024 HSIP Mumble Strips; pending receiving final clearance from the Office of Civil Rights.
- 14 IIJA Technical Assistance Grant Agreement & Resolution No. 080624-AD-3156 with MnDOT Public Works
Andrew Witter, Public Works Department Head

Reviewed and approved MnDOT Agreement No. 1057347, IJIA Technical Assistance Grant Agreement and Resolution No. 080624-AD-3156 with MnDOT. (On file.)

- 15 Resolution No. 080624-AD-3153 Requesting MNDOT to Conduct a Speed Public Works
Zone Study - County Road 40 in the City of Elk River.

Andrew Witter, Public Works Department Head

Approved Resolution No. 080624-AD-3153 requesting MNDOT to conduct an engineering and traffic investigation (aka Speed Zone Study) on that portion of County Highway No. 40 located within the City of Elk River. (On file.)

- 16 Resolution No. 080624-AD-3155 to Prohibit Parking Along County State Public Works
Aid Highway (CSAH) 4 from 10th Street West to County Road 45.

Andrew Witter, Public Works Department Head

Approved Resolution 080624-AD-3155 to prohibit parking along CSAH 4 from 10th Street West to County Road 45, within the city limits of Zimmerman. (On file.)

- 17 Resolution No. 080624-AD-3157 in Support of a Railroad Crossing Public Works
Elimination (RCE) Grant Submittal.

Andrew Witter, Public Works Department Head

Approved Resolution No. 080624-AD-3157 in support of a Railroad Crossing Elimination (RCE) Grant Submittal. (On file.)

- 18 Resolution No. 080624-AD-3158 for Grant Funding Assistance for Public Works
Zimmerman Interchange at TH 169 and CSAH 4

Andrew Witter, Public Works Department Head

Approved Resolution No. 080624-AD-3158 to receive Grant Funding Assistance for the Zimmerman Interchange at TH 169 and County State Aid Highway 4. (On file.)

- 19 Sherburne County's Acceptance of the 2024 Community Energy Public Works
Transition Grant.

Andrew Witter, Public Works Department Head, Dan Weber, Assistant County Administrator

Approved the acceptance of a Community Energy Grant from the Minnesota Department of Employment and Economic Development (DEED) to assist in the completion of the TH 25 TIER I Environmental Review in the amount of \$1,000,000. (On file.)

- 20 Donation of Sheriff's Office Boating Equipment to Wright County Sheriff's Sheriff
Office.

Joel Brott, County Sheriff

Approved the request to donate boating equipment no longer needed by the Sheriff's Office to the Wright County Sheriff's Office.

Equipment to be donated:

- 12' Talon in black
- Bluetooth remote x2
- Custom tilt mount for Talon
- Custom mounting plate for the RiverPro
- Power cable to battery

- 21 Out-of-State Travel for Two Staff to Attend the 43rd Annual Research and Sheriff
Treatment Conference.

Joel Brott, County Sheriff

Approved out-of-state travel for two Health & Human Service staff assigned to the Sherburne County Jail to attend the 43rd Annual Research and Treatment Conference in San Antonio, Texas,

from October 16-18, 2024. Total costs are estimated at \$3,838.

- 22 Paid Leave for a Sheriff's Office Employee to Attend the 2024 Special Sheriff
Olympics Law Enforcement Torch Run International Conference.
Joel Brott, County Sheriff

Approved three days paid leave for a Sheriff's Office employee to attend the 2024 Special Olympics Law Enforcement Torch Run International Conference in San Antonio, Texas, from November 14-16, 2024.

4. 9:10am **Announcements**

- 1 County Administrator Announcements & Review Official Administration
Correspondence Received.

Bruce Messelt, County Administrator

County Administrator Bruce Messelt announced a request from the Association of Minnesota Counties (AMC) to fill an open position for a new committee. Mr. Messelt recommended Assistant County Administrator Dan Weber represent the County on AMC committee. Mr. Messelt also addressed comments made during the Open Forum and provided clarification.

5. 9:11am **Regular Agenda**

- 9:11am 1 Proclaim of August 2024 as Child Support Awareness Month. Health & Human Services
Kristie Hermanson, Child Support Supervisor

Fobbe/Danielowski were unanimous to approve a Proclamation declaring August 2024 as Child Support Awareness Month in Sherburne County. (On file.)

- 9:15am 2 Update from Xcel Energy. Administration
Trisha Duncan & Michelle Schmitz, Excel Energy Staff

Received an update from Xcel Energy staff representative Trisha Duncan and Michelle Schmitz.

- 9:25am 3 Vonco Residential Well Sampling. Planning & Zoning
Dave Lucas, Solid Waste Administrator, June Volkers

Hulse/Danielowski were unanimous to approve sampling of residential drinking water wells downgradient of the Vonco Big Lake Landfill and authorized the Solid Waste Administrator to sign the agreement for a not to exceed amount of \$12,000, to be drawn down from accrued solid waste surcharge monies.

- 9:31am 4 Conditional Use Permit for Personal Storage Structure-Noel Planning & Zoning
Lewandowski.
Lynn Waytashek, Planning & Zoning Administrator

Gray/Fobbe were unanimous to approve a Conditional Use Permit for Personal Storage Structure with the (4) Conditions and Findings of Fact as recommended by the Planning Commission for PID # 20-00402-0470; with Legal Desc: All that portion of Lot 10 and Lot 11, Block Four (4) Elk Lake Park (full legal on file). Sec 3, Twp 34, Rge 29. Clear Lake Township. 2.03 acres in the Agricultural District and within the General Development Shoreland Overlay District of Big Elk Lake and the Agricultural River Overlay District of the Elk River.

Conditions:

1. The applicant must obtain a building permit and comply with the County's Zoning Ordinance and Minnesota State Building Code.
2. Once the floor of the proposed structure is poured, a Certificate of Elevation must be submitted to the County prior to any additional inspections performed on the structure.
3. The Personal Storage Structure cannot be used as dwelling unit or for any business purpose.
4. The Personal Storage Structure is not permitted to have plumbing or a floor drain.

Findings:

1. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

Yes, the proposed use is a personal storage structure. It is not anticipated to diminish and impair values within the immediate area.

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

Yes, the proposed use will be used as a personal storage building complies with all Zoning Regulations and the applicant has demonstrated that placement of the building will not impede the ability to build a home on this lot.

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

Yes, the applicant is not requesting additional utilities beyond what a normal residence would require.

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

Yes, the applicant has sufficient parking space to accommodate the proposed use.

5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Yes, it is not anticipated to cause offensive odor, fumes, dust, noise and vibration to the immediate area. It will be used as a personal garage.

9:31am 5

Interim Use Permit for Recreational Activity, Replacing Permit # 61123- Planning & Zoning
Big Lake School District.

Lynn Waytashek, Planning & Zoning Administrator

Danielowski/Gray were unanimous to approve an Interim Use Permit for Recreational Activity, replacing permit # 61123, to remove Conditions #1, #10 and #11, which restricts all access to this parcel from direct access to 205th Ave, with the (11) Conditions and Findings of Fact as recommended by the Planning Commission and listed in the background justification for PID # 10-00120-1100. Legal Desc: NE 1-4 of NE 1-4 (full legal on file). Sec 20, Twp 33, Rge 27. Big Lake Township. 40 acres in the General Rural District.

Conditions:

1. No wetland fill is permitted.

Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the IUP.

2. The IUP holder and/or property owner shall permit the County to inspect the property during normal working hours.

3. Adequate restroom provisions and garbage pick-up services shall be provided by the school district.

4. The improvements identified in the 12/17/2018 civil plans prepared by Larson Engineering, Inc (e.g. bituminous pavement of the parking and driveway, curbing, 4-foot chain link fence on the south side of the parking lot, all parking and information signs) are installed and maintained.

5. No lighting allowed.

6. The use of a portable public-address system may be used during daylight hours (dawn until

dusk) for one event each month. Each event may last up to three (3) consecutive days. These events need to be District sponsored and ran. No use of a permanent or portable Public Address System.

7. The location of the improvements on the property shall be consistent with site plan drafted May 14, 2019 and Board's Packet Attachment D. Any variation from this approved site plan may require an amendment to the IUP, subject to the opinion of the Zoning Administrator.

8. Prior to construction the applicant must obtain a building permit from Sherburne County Planning and Zoning.

~~9. A 5 ft chain link fence will be constructed along the East property line. Detailed plans, showing the fence height, length and material for the fence must be provided to the Sherburne County Planning and Zoning Office no later than July 26, 2024.~~

~~10. The School District will make a request with Big Lake Township that a MnDOT request for a Speed Study be conducted on 205th.~~

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, it is not anticipated that this amendment will diminish property values, or the use and enjoyment or properties within the immediate vicinity. Additional traffic will now utilize this property, but this amendment will help mitigate safety and congestion issues on 205th Ave, connected to parent pickup and drop-off at Liberty Elementary. The driveway will be paved, which will help mitigate any concerns related to dust that previously existed.

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 southern half of the 40-acre site has been developed into athletic fields and the northern half is still in agricultural production with an irrigation pivot. Utilizing the existing access and parking lot should not impede development of vacant properties that are to the east and south of this site.

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

Yes, the applicant has established adequate road and stormwater infrastructure for the proposed improvements to support the amendment to this 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, this is part of a large traffic and safety improvement for Liberty Elementary School and should make a reduction in congestion on 205th Ave.

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 Civil and Stormwater plans call out best management practices minimize impact from temporary construction of this driveway and access. Once the driveway is paved, the only the noise and vibration will be from vehicle traffic.

9:38am 6

Conditional Use Permit for a Cellular Tower, replacing permit # 55105- Planning & Zoning
Vertical Bridge S3 Assets, LLC.

Lynn Waytashek, Planning & Zoning Administrator

Danielowski/Gray were unanimous to approve a Conditional Use Permit for a Cellular Tower, replacing permit # 55105, due to platting a 2.5 acre parcel on the property, with the (7) Conditions and Findings of Fact for PID #10-00115-2400. Legal Desc: The Southeast Quarter of the Northwest Quarter (full legal on file). Sec 15, Twp 33, Rge 27. Big Lake Township. 37.22 acres in the General Rural District.

Conditions:

1. The new CUP will replace existing CUP # 55105 Doc # 828510. The applicant must pay the \$46 recording fee revoking the previous CUP.
2. The tower must comply with all FCC & FAA requirements.
3. A building permit is required for construction of the tower, any structure over 200 sq. ft. in size & fence.
4. The tower must comply with all requirements of Section 16.5 (General Standards for Communication Towers).
5. The County Planning Commission has made the findings listed in Sect 18, Subd 6(4) of Zoning Ordinance.
6. The applicant shall comply with all federal, state, and local laws and regulations.
7. The applicant shall allow the County to inspect the property during normal business hours.

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 existing use is a cellular tower. It has not diminished or impaired property values within the immediate area that the county is aware of.

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 existing use is a cellular tower and has complied with all of the conditions of the CUP. There have been new homes built in the area since the cellular tower was constructed with no complaints from the neighboring 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 or access roads that are already being provided for the cellular tower.

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 vehicles if any repairs are needed on the cellular tower.

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, there have been no complaints regarding the cellular tower causing offensive odors, fumes, dust, noise or vibration to the immediate area.

9:38am 7

Amend Sherburne County Zoning Ordinance-Ord No 264-Amend
Section 17.5-Subsurface Sewage Treatment System.
Lynn Waytashek, Planning & Zoning Administrator

Planning & Zoning

Gray/Danielowski were unanimous to approve Amending Zoning Ordinance-Ordinance No 264-Section 17.5-Subsurface Sewage Treatment System Program to provide more concise verbiage throughout the section to be consistent with MN Rules 7080-7083 as recommended by the Planning Advisory Commission.

9:42am 8 Palmer Township's Request for Allocation of Park Dedication Fee Funds. Public Works

Gina Hugo, Parks Director

Gray/Hulse were unanimous to approve, in part, a request from Palmer Township to use \$20,000 in available Park Dedication funds collected in Palmer Township for eligible Town park expenses, and to also approve, in part, the recommendation from the Sherburne County Park & Trail Advisory Committee to utilize remaining Park Dedication funds collected in Palmer Township for allowable uses at Two Inlets at Bdé Heháka - Omashkooz Zaaga'igaans Regional Park, as per County Policy.

9:57am 9 Great River Regional Library (GRRL) 2025 Budget Information. Administration

Karen Pundsack, Executive Director, Amy Anderson, Associate Director of Accounting

Associate Director of Accounting Amy Anderson and Executive Director Karen Pundsack of Great River Regional Library (GRRL) presented the GRRL 2025 Budget to the Board.

6. 10:07am Commissioner Correspondence, Committee Reports, Upcoming Meetings, Future Agenda Items

Commissioner Danielowski - Sherburne County Budget Workshop, Transportation Alliance, Centra Care House Cohort Kick-Off Meeting, County Administrator Evaluation, Central Minnesota River Partnership, Zoom meeting for Serious Workplace Behaviors, Extended a reminder that there is a reason for roads to be marked closed and to abide by the posted constructed signs

Commissioner Hulse -Sherburne County Budget Workshop, Coffee with Mayor Dietz and Constituents, Reminder of Night to Unite

Commissioner Fobbe - Sherburne County Budget Workshop, Community Corrections Picnic, State Community Health Services State Advisory Committee (SCHSAC), Central Minnesota Council on Aging, Central Minnesota Jobs and Training Services

Commissioner Gray: Budget Workshop, Planning & Zoning Meeting, Senator Aric Putnam & Constituents, Community Corrections Picnic, Soil Water Conservation District (SWCD) meeting regarding groundwater, Housing Cohort with Centra Care, Palmer Park with Powder Hounds

Commissioner Felber - Sherburne County Budget Workshop, Reminded the group that it is Traffic Awareness Month, National Civilian Month, National Dog Month, National Shooting Sports Month, National Pirate Month, Tended to constituent matters, Visited the derailment site, Sherburne County Fair, Public Accuracy Testing, Forensic Lab meeting, Minnesota Counties Intergovernmental Trust (MCIT) Training on Protected Issues, Energy Transition Advisory meeting, Announced that he would like to see Planning Commission meetings recorded and placed on the website

7. 10:17am Recess Regular Meeting, Break

8. 10:34am Reconvene, Open Workshop Meeting

9. 11:59am Close Workshop, Adjourn Regular Meeting

Commissioner Warrants

7/12/24	294,253.22	General Revenue Fund
	185,565.08	Public Works Fund
	41,659.63	Solid Waste Fund

	6,711.47	Justice Center Enterprise Fund
	900.00	Agency Collections
	75.56	Taxes & Penalties Fund
	23,921.62	Payroll Fiduciary Fund
	553,086.58	Total
Manual Warrants		
7/12/24	1,108.00	1,108.00 Human Service Fund
	9,807.00	80 9,807.00 Agency Collections
	10,915.00	10,915.00
Manual Warrants		
7/19/24	2,292.00	General Revenue Fund
	16,076.00	Agency Collections
	18,368.00	Total
Warrants		
7/19/24	326.96	Anderson/Jane
	3,749.00	Crisis Prevention Institute
	1,559.25	Graves-Petron/Trisha
	9,125.39	Hennepin County
	344.66	Influencer Hotspot
	700.00	Jason Anderson Consulting
	561.46	LaCount/Carlie
	562.50	Lighthouse Child & Family Services
	657.30	Main Street Family Services
	324.95	Martin/Amanda J
	460.00	MFWCAA
	10,500.68	Mn Dept Of Human Services - SWIFT
	714.28	MNCCC LOCKBOX
	326.29	Olds/Brett
	300.00	Seven County Process Servers, LLC
	7,557.00	Sherburne Co Community Corrections
	5,016.00	Sherburne Co Sheriff
	9,192.16	Sherburne County Auditor Treasurer
	554.35	Storms/Abby
	6,000.00	USPS-POC
	4,729.66	41 Payments less than 300
	63,261.89	Total
Commissioner Warrants		
7/19/24	504,838.32	General Revenue Fund
	978,369.54	Public Works Fund
	6,990.67	Human Service Fund
	1,319.11	Law Library Fund
	44,564.83	Solid Waste Fund
	85,846.21	Jail Commissary Fund
	89.15	Sherco Regional Rail Authority
	63,375.96	Justice Center Enterprise Fund
	22,683.50	Agency Collections
	3,365.00	Taxes & Penalties Fund

1,711,442.29 Total

Commissioner Warrants

7/19/24	59,084.07	Human Service Fund
	3,520.52	Agency Collections
	657.30	Children's Mental Health Collaborative
	63,261.89	Total

Manual Warrants

7/26/24	4,229.24	General Revenue Fund
	10,207.50	Agency Collections
	14,436.74	Total

Manual Warrants BMO Harris PCard

7/26/24	62,968.63	General Revenue Fund
	2,770.67	Public Works Fund
	3,731.50	Jail Commissary Fund
	1,717.86	Justice Center Enterprise Fund
	71,188.66	Total


Gregg Felber (Sep 17, 2024 15:19 CDT)

Gregg Felber, Board Chairperson

09/17/2024

Date



Bruce Messelt, County Administrator

09/17/2024

Date