



Sherburne County Board of Commissioners

October 15, 2024 - County Board Meeting Minutes

1. 9:00am Call to Order

The Sherburne County Board of Commissioners convened in regular session on October 15, 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
Fobbe/Gray were unanimous to approve the Regular Meeting Agenda as presented.

2. 9:01am Open Forum

Clint Peterson, Nancy Welty, and Bret Collier spoke.

3. 9:08am Consent Agenda

Hulse/Danielowski were unanimous to approve moving Consent Agenda Item 3.3 to become Regular Agenda item 5.11. Hulse/Danielowski were unanimous to approve the Consent Agenda as amended.

- 1 Official Minutes from the October 1st, 2024, Regular Meeting of the Administration
County Board.
Keisha Broderick, Executive Assistant
Approved October 1, 2024 County Board Meeting Minutes.
- 2 Official Minutes from the October 1st, 2024, County Board Workshop. Administration
Keisha Broderick, Executive Assistant
Approved October 1, 2024 County Board Workshop Meeting Minutes.
- 4 Commissioner & Manual Warrants dated September 13th, 16th, 20th, Auditor / Treasurer
27th, and 30th, and October 4th, 2024.
Loraine Rupp, Auditor/Treasurer
Approved Commissioner & Manual Warrants dated September 13th, 16th, 20th, 27th, and 30th, and October 4th, 2024, as follows:

September 13, 2024 Commissioner Warrants \$1,446,351.08
September 13, 2024 Manual Warrants \$10,962.50
September 16, 2024 Manual Warrants \$72,061.12
September 20, 2024 Commissioner Warrants \$3,010,303.47
September 20, 2024 Manual Warrants \$449,771.66
September 27, 2024 Commissioner Warrants \$1,030,540.32
September 27, 2024 Manual Warrants \$9,888.00
September 30, 2024 Manual Warrants \$2,027.00
October 4, 2024 Commissioner Warrants \$508,111.68
October 4, 2024 Manual Warrants \$6,108.50

- 5 Child and Teen Check-Up Agreement between Sherburne County and Health & Human Services
the Minnesota Department of Human Services.
Nicole Ruhoff, CHS Administrator
Approved the Child and Teen Check-Up Amendment between Sherburne County and the MN Department of Human Services, facilitating receipt of \$198,061, for services provided during

Grant Budget year 2 (1/1/25-12/31/25). (On file.)

- 6 Reclassification of HHS Clinical Supervisor and Trainer (Grade 16) to Clinical Social Service Supervisor (Grade 18). Health & Human Services
Amanda Larson, HHS Director
Approved the reclassification of a HHS Clinical Supervisor and Trainer (Grade 16) to Clinical Social Service Supervisor (Grade 18), to become active on 10/21/24.
- 7 HHS Electronic Health Record and Billing Solution. Health & Human Services
Amanda Larson, HHS Director
Approved an agreement with BreezyNotes to act as the Electronic Health Record (EHR) and billing mechanism for the new mental health clinical services business line in HHS. The term of this agreement shall be October 15, 2024 through October 15, 2027. The cost for BreezyNotes is a percentage of what is billed for health care contracts, up to 6.5%.
- 8 HHS IFS Warrants dated October 4th, 2024. Health & Human Services
Amanda Larson, HHS Director
Approved HHS IFS Warrants dated October 4th, 2024, as follows:

October 4, 2024 HHS IFS Warrants \$68,176.98
- 9 HHS OBO Warrants dated September 30th, 2024. Health & Human Services
Amanda Larson, HHS Director
Approved the HHS OBO Warrants dated September 30th, 2024, as follows:

September 30, 2024 HHS OBO Warrants \$17,282.17
- 10 2025 Compensation and County Contributions for Non-Union Employees' Wages and Benefits. Human Resources
Tammy Bigelow
The 2025 Compensation Plan and the 2025 Pay for Performance Compensation Plan for non-union employees, effective January 1, 2025 as presented. The 2025 County contributions toward health insurance premiums and HRA/HSA accounts for non-union employees, effective January 1, 2025, as presented. (On file.)
- 11 Budget Amendment to Increase Funding for the Low Interest Loan Program for Failing Septic Systems. Planning & Zoning
Dave Lucas, Solid Waste Administrator, Jillian Carlson
Approved a budget amendment to the Low Interest Loan Program to increase available funding from the current \$750,000 to \$950,000.
- 12 Resolution No. 101524-AD-3162 and the MNDOT Agency Agreement (Contract No. 1057479) for Advance Construction Federal Funds for Project SP 071-604-038/071-090-006. Public Works
Andrew Witter, Public Works Department Head
Approved Resolution No. 101524-AD-3162 and the Advance Construction Agency Agreement (Contract No. 1057479) between the MnDOT Commissioner of Transportation and Sherburne County for Projects SP 71-604-038 & SP 71-090-006; and authorized the County Board Chair and County Administrator to sign the Agency Agreement. The agreement will be effective October 15, 2024, and remain in effect until October 15, 2029. The approximate project cost is \$4,005,824. (On file.)
- 13 2024-25 Toward Zero Death (TZD) Safe Roads Grant. Sheriff
Joel Brott, County Sheriff
Approved and accepted the 2024-25 Toward Zero Death (TZD) Safe Roads Grant and authorized

Sheriff Brott to execute the Grant Agreement.

4. 9:10am Announcements

County Administrator Bruce Messelt reminded and informed the Board of the following:

- Toward Zero Deaths: October is Pedestrian Safety Month. month reminder
- Sherburne County Association of Townships Meeting is Wednesday, October
- October 17 Community Connect meeting at Big Lake Middle School sponsored by United Way
- November 4-11 we will be celebrating Veteran Activities during Operation Green Light
- Housing Study will come back to the Board at a future meeting for approval
- It is National Apprentice Week
- Association of Minnesota Counties registration and reservations are still open, contact Admin to make an necessary accommodations or modifications to current registration. Voting delegate confirmation is still needed.
- Confirmed by consensus MCIT voting delegates.

5. 9:13am Regular Agenda

- 9:13am 1** Proclamation Designating October as Manufacturing Month. Administration
Dan Weber, Assistant County Administrator, Brian Fleming, Economic Development Coordinator
Danielowski/Hulse were unanimous to approve a Proclamation designating the month of October 2024 as Manufacturing Month in Sherburne County. (On file.)
- 9:17am 4** Out of State Travel for Kevin Davis to Compete in the National Plow Driving Skills Competition. Public Works
Dave Roedel, Assistant Public Works Director & Tanner Anderson, Highway Maintenance Supervisor
Fobbe/Danielowski were unanimous to authorize Out of State Travel for Kevin Davis to compete in the National Plow Driving Skills Competition in September 2025 in Colorado. Expenses and conference registration paid for by MN Local Technical Assistance Program (LTAP).
- 9:21am 2** Initiative Foundation Update. Administration
Initiative Foundation, Carl Newbanks & Don Hickman, V.P. Community and Economic Development
Received an update from the Initiative Foundation on its activities and programs.
Don Hickman provided a brief recap about whom the Initiative Foundation is and what they do.
- 9:32am 3** Family Resource Center Update. Health & Human Services
Amanda Larson, HHS Director, Nicole Ruhoff, CHS Administrator
Amanda Larson, Nicoll Ruhoff, Julie Schultz from Mainstreet Family Services and Martin Sayre of St. Cloud Police Department presented an update regarding Family Resource Centers.
- 9:53am 5** Preliminary and Final Simple Plat for Buck Point - TJM Properties MN LLC. Planning & Zoning
Lynn Waytashek, Planning & Zoning Administrator
Gray/Fobbe were unanimous to approve a Residential Preliminary and Final Simple Plat of "Buck Point" consisting of (1) lot, with the recommended (4) Conditions as recommended by the Planning Advisory Commission, for Property Address: 27345 104th St NW, Zimmerman; PID # 30-00001-2300; Legal Desc: SW 1-4 of NW 1-4 (full legal on file); Sec 1, Twp 34, Rge 26; Livonia Township; with 40.45 acres located in the General Rural District.

Conditions:

1. Any encroachments (fence and driveway) must be addressed prior to Planning and Zoning signing the mylars.

2. The existing house on proposed Lot 1 does not meet the required setback to the right-of-way of CSAH 19. If the structure were destroyed, replacement structure would need to meet current requirements.
3. A new legal description will need to be prepared, approved and recorded at the same time as the plat for the remnant piece (37.01 acres).
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.

9:54am 6

Conditional Use Permit for Personal Storage Structure - Richard Achman. Planning & Zoning
Lynn Waytashek, Planning & Zoning Administrator

Gray/Danielowski were unanimous to approve a Conditional Use Permit for a Personal Storage Structure, with the following (4) Conditions and Findings of Fact as recommended by the Planning Commission, for Property Address: 15920 225th Ave NW, Elk River; PID # 10-00403-1210; Legal Desc: LOTS 2, 3, 4, 5, 6, 7, 8, 9, 14, 16, 17, 20, 21, BLK 12, Birch Lake Beach (full legal on file); Sec 2, Twp 33, Rge 27; with 1.36 in the General Rural District and within the Recreational Development Shoreland Overlay District of Birch Lake.

Conditions:

- 1.The applicant must obtain a building permit and comply with County's Zoning Ordinance and Minnesota State Building Code.
- 2.The Personal Storage Structure cannot be used as a dwelling unit or for any business purpose.
- 3.The Personal Storage Structure is not permitted to have plumbing or a floor drain.
- 4.The maximum height of the structure is 25 feet from the ground to the peak.

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 and complies with all Zoning Regulations. The applicant has demonstrated that placement of the building will not impede the ability to build a home on this lot in the future. Granting of the CUP will not impede surrounding development.

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

Yes, sufficient space is available for utilities, access and drainage for the personal storage building and future home.

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.

Lynn Waytashek, Planning & Zoning Administrator

Danielowski/Gray were unanimous to approve a Conditional Use Permit for Mini Storage, with the following (10) Conditions and Findings of Fact as recommended by the Planning Commission, for Property Address: 19636 200TH Ave NW, Big Lake; PID # 10-00547-0110; Legal Desc: Lot 2, Blk 1, Spankys Corner Second Addition; Sec 24, Twp 33, Rge 28; with 4.4 acres in the Commercial District and within the Natural Environment Shoreland District of Beulah Pond.

Conditions:

1. A condition of plat approval and variance (Permit #40091) for Spankys Corner requires impervious surface coverage must not exceed 50% (60,800 sq. ft.) of the lot above the ordinary high-water level. Impervious surfaces may include structures, driveways and parking areas whether paved, gravel, or compacted soil. The proposed impervious surface on this lot is 42,900 sq. ft.
2. 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.
3. Must obtain an NPDES permit from the MPCA and provide a copy to the County Zoning Dept prior to commencing construction.
4. A condition of plat approval for Spankys Corner requires a 150' buffer from the OHWL of Beulah Pond must be kept in its natural condition. Must maintain vegetated screening within the required 150' setback to Beulah Pond to ensure structures are screened appropriately.
5. The property owner shall obtain a Shoreland Alteration Permit from the Sherburne County Planning and Zoning Department prior to any vegetation removal or grading activities.
6. A building permit is required from the Planning and Zoning Department. All building plans must be engineered to certify the structure complies with MN Building Code.
7. Any signage shall comply with the sign ordinance, a sign permit is required.
8. No exterior storage is permitted with this CUP.
9. All exterior lighting shall be directed down and away from public right-of-way, and any adjacent residential use in accordance with Board Packet Attachment B.
10. The CUP holder and/or property owner shall permit the County to inspect the property, including any buildings used for the business during normal working hours. Further, the CUP holder shall allow the County to inspect any business records for the purpose of ensuring compliance with 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 will not be in conflict with existing businesses within this subdivision.

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 not impede normal development of surrounding property. This property is zoned commercial and there are existing commercial buildings on the west side of this property.

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

Yes, the applicant has had civil plans prepared that demonstrates their ability to manage stormwater onsite and not directing it toward Beulah Pond or off their 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, 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. No work will be completed outdoors.

- 9:57am 8** Interim Use Permit for Occasional Special Event - Haunted Trail - Brent Planning & Zoning Bahr.
Lynn Waytashek, Planning & Zoning Administrator
Hulse/Danielowski were unanimous to table an Interim Use Permit for Occasional Special Event-Haunted Trail for staff to prepare additional conditions for approval including a safety plan and to review said plan against specific Findings of Fact 1,3,4 and 5 in consultation with the applicant and directed staff to review parking concerns, for Property Address: 24324 169th St NW, Big Lake; PID # 35-00414-0508; Legal Desc: Lot 4, Blk 5, Palamino Acres; Sec 28, Twp 34, Rge 27; and with 5.97 acres in the General Rural District. The item is scheduled to be heard at the November 19th, 2024 County Board Meeting.
- 10:37am 9** Auditor-Treasurer's Monthly Report. Auditor / Treasurer
Loraine Rupp, Auditor/Treasurer
Received, reviewed, and Fobbe/Hulse were unanimous to accept the Auditor-Treasurer's Monthly Report for September 2024 as presented. (On file.)
- 10:46am 10** Conceptual Design and Engineering for a Proposed Permanent Household Hazardous Waste Facility. Planning & Zoning
Dave Lucas, Solid Waste Administrator, Jerome Doede, Environmental Specialist
Fobbe/Danielowski were unanimous to approve moving forward with conceptual design and engineering for the proposed permanent Household Hazardous Waste facility.
- 11:02am 3** Public Artificial Intelligence Standards Policy. Administration
Dan Weber, Assistant County Administrator
Hulse/Danielowski were unanimous to approve the request to amend the Public Artificial Intelligence Standards Policy for inclusion in the County Administrative Policy Manual, adding a semi-annual report to include details as specified in the Board discussion. The item will be brought back at the next county board meeting.
- 6. 11:12am Commissioner Correspondence, Committee Reports, Upcoming Meetings, Future Agenda Items**
Commissioner Danielowski - County Connect Meetings, Area Transportation Policy District 3 Meeting, CentraCare Infrastructure Cohort Meeting for Housing Needs, Association of Minnesota Counties (AMC) Property Taxes 101 Zoom Event, Sherburne County Aquatic Invasive Species Task Force, National Association of Counties (NACo) Workforce and Economic Development meeting, Big Lake Township meeting, St. Cloud Area Planning Organization Meeting, Constituent Concerns
Commissioner Hulse - County Connect Meeting, AMC District 5 meeting, Thank you to Administrator Messelt for response to constituent correspondence.
Commissioner Fobbe - Minnesota Inter-County Association (MICA), Fairview Outpatient Behavioral Health Services for Adolescents, Central Minnesota Habitat Breakfast, Zimmerman

Communication Group, Baldwin Township Meeting, AMC Policy Coordinating Committee, Non-Profits United, Metal Craft, County Connect, Central Minnesota Jobs & Training Workforce Development Board Meeting, AMC District 5 Meeting,

Commissioner Gray - St. Cloud Airport meeting, State Community Health Services State Advisory Committee (SCHSAC) Conference, MICA, Soil Water Conservation District Meeting

Commissioner Felber - Acknowledged Kevin Grossheim, Announced it is Breast Cancer & World Blindness Month, AMC District 5 Pre-Meeting, Council of Foreign Relations, East Central Regional Juvenile Center Advisory Meeting, County Connect meetings, RACK Meeting, Coal Communities Webinar, Constituent Concerns

7. **11:27am Recess Regular Meeting, Break**

8. **11:39am Reconvene, Open Ditch Authority Meeting**

11:39am 1 Review and Approve the Ditch Authority Agenda. Auditor / Treasurer

Loraine Rupp, Auditor/Treasurer

Hulse/Danielowski were unanimous to approve the Ditch Authority Agenda as presented.

11:40am 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. Fobbe/Danielowski were unanimous to approve the report as presented.

9. **11:55am Close Ditch Authority Meeting, Open Workshop**

10. **11:57am Close Workshop, Adjourn Regular Meeting**

Manual Warrants

9/13/24	2,304.00	General Revenue Fund
	8,658.50	Agency Collections
	10,962.50	Total

Commissioner Warrants

9/13/24	262,728.18	General Revenue Fund
	1,005,163.76	Public Works Fund
	8,928.29	Human Service Fund
	47,499.40	Solid Waste Fund
	46,882.42	Jail Commissary Fund
	180.07	Sherco Regional Rail Authority
	69,767.54	Justice Center Enterprise Fund
	1,402.50	Agency Collections
	3,798.92	Payroll Fiduciary Fund
	1,446,351.08	Total

Manual Warrants – BMO Harris PCard

9/16/24	60,727.85	General Revenue Fund
	4,985.28	Public Works Fund
	8.00	Human Service Fund
	253.32	Solid Waste Fund
	1,479.46	Jail Commissary Fund
	4,607.21	Justice Center Enterprise Fund
	72,061.12	Total

Manual Warrants

9/20/24	2,146.90	General Revenue Fund
	447,624.76	Agency Collections
	449,771.66	Total

Warrants		
9/20/24	409,366.71	General Revenue Fund
	1,570,630.73	Public Works Fund
	3,622.26	Law Library Fund
	51,999.39	Solid Waste Fund
	80,195.50	Jail Commissary Fund
	7,564.36	Justice Center Enterprise Fund
	111.10	Taxes & Penalties Fund
	886,813.42	Payroll Fiduciary Fund
	3,010,303.47	Total
Commissioner Warrants		
9/27/24	639,199.88	General Revenue Fund
	57,641.91	Public Works Fund
	92,001.68	Solid Waste Fund
	19,315.22	Jail Commissary Fund
	188.57	Sherco Regional Rail Authority
	199,133.56	Justice Center Enterprise Fund
	23,059.50	Agency Collections
	1,030,540.32	Total
Manual Warrants		
9/27/24	9,888.00	Agency Collections
	9,888.00	Total
Manual Warrants		
9/30/24	2,027.00	2,027.00 Agency Collections
	2,027.00	2,027.00
HHS OBO Warrants		
9/30/24	4,097.36	OBO Amazon
	975.90	OBO American Airlines
	400.00	OBO Association of Minnesota Counties
	300.00	OBO BCA Training
	1,108.08	OBO Breezy Point Resort
	735.90	OBO Delta
	709.00	OBO Dept of Human Services
	566.23	OBO Egan Apartment
	2,450.00	OBO Holiday Station Store
	350.31	OBO Innovative
	419.66	OBO McKesson Medical-Surgical Govt Solut
	500.00	OBO Minnesota Breastfeeding Coalition
	1,066.04	OBO Pier B Resort
	1,496.84	OBO The Game
	301.14	OBO TMobile USA
	600.19	OBO Walmart
	1,205.52	11 Payments less than 300
	17,282.17	Total
Warrants		
10/4/24	28,146.47	Avivo
	405.34	Bonilla/Lilian
	305.52	Canfield/Emily
	896.14	Carlson/Barbara
	1,020.00	Central MN Mental Health Center
	1,800.00	Child Care Aware
	9,800.00	Culture Brokers LLC

389.00	DNA Diagnostics Center
1,208.90	HemoCue America
6,449.29	Hennepin County
484.51	Irwin/Lori
739.51	Kamm/Abigail
466.50	Lexis Nexis
471.87	Lhotka/Katherine M
562.50	Lighthouse Child & Family Services
428.24	McClelland/Kayleen
300.00	MFWCAA
1,976.00	Mn Dept Of Human Services-SWIFT
320.26	Nellis/Michelle
5,643.75	Office Of MNIT Services
509.87	Olds/Brett
459.62	Ouko/Natasha A
356.44	Rinker/Leah
335.00	Seven County Process Servers, LLC
498.74	The Bridge World Language Ctr Inc
4,203.51	40 Payments less than 300
68,176.98	Total
Commissioner Warrants	
10/4/24 169,314.88	General Revenue Fund
158,290.51	Public Works Fund
179.00	Human Service Fund
53,356.08	Solid Waste Fund
13,099.84	Jail Commissary Fund
7,873.23	Justice Center Enterprise Fund
20.00	Agency Collections
105,978.14	Payroll Fiduciary Fund
508,111.68	Total
Commissioner Warrants	
10/4/24 68,176.98	Human Service Fund
68,176.98	Total


[Gregg Felber \(Nov 5, 2024 16:15 CST\)](#)

Gregg Felber, Board Chairperson

11/05/2024

Date



Bruce Messelt, County Administrator

11/05/2024

Date