



Sherburne County Board of Commissioners April 3, 2018 - County Board Meeting Minutes

1. 4:30 pm Call to Order

The Sherburne County Board of Commissioners met in regular session on April 3, 2018, at the Sherburne County Government Center in the City of Elk River, MN. Commissioner Dolan was absent. Call to order by the Chair was at 4:30 p.m. followed by a moment of silence and the Pledge of Allegiance to the Flag.

Schmiesing/Petersen unanimous to approve the Regular Board Meeting Agenda for April 3, 2018 with the following changes/additions:

- Consent Agenda item #3 will be moved to the Regular Agenda, item 4a.
- Add Government Center Expansion update as item 16a on the Regular Agenda.

2. 4:31 pm Consent Agenda

Schmiesing/Burandt unanimous to approve the Consent Agenda with the exception of Consent #3 as follows:

1. Review and Approve Minutes: [March 20, 2018 - County Board Meeting](#)
Approved as presented.
2. Review and Approve Minutes: [March 20, 2018 - County Board Workshop Meeting](#)
Approved as presented.
3. Moved to the Regular Agenda, Item 4a. Administration
4. [Provide Comment on Proposed Elk River TIF District #25](#) Administration
Approved the Tax Increment Financing Comment Letter and authorized submittal to Springsted Incorporated and the City of Elk River prior to the TIF Public Hearing on April 16, 2018.
5. [Palmer Wireless Loan Agreement](#) Administration
Authorized the County Administrator to negotiate and execute Lease Agreement for the lease of conduit and vault system along County Road 3 to Palmer Wireless, with a minimum lease term of 20 years and with a minimum lease rate of \$4,625 annually, or alternatively, a corresponding lease of a minimum of 12 strands of fiber for County use from Palmer Wireless in locations suitable for the County, at a value equal to the use of the conduit.
6. [Zimmerman Fire Department Relief Association Premises Permit Application](#) Administration
Approved Minnesota Lawful Gambling Premises Permit Application for Zimmerman Fire Relief Association at Fairway Shores Golf Course, 28340 131st Street NW, Zimmerman, MN 55398 (Baldwin Township).
7. [Approve Expense Claims](#) Administration
Approved expense claim forms for Commissioner Dolan and Commissioner Fobbe for reimbursement of expenses incurred while attending the NACO Legislative Conference. Expenses are accounted for in the 2018 budget.

8. [Requesting Board Authorization on the County/Club Trail Agreement and to approve the 2019 Resolution for Sherburne County to act as Sponsor for the Snowmobile Trails Assistance Program and approve of use of County Road Right-of-Way as part of trail system](#) Auditor/Treasurer
- Authorized County Board Chairperson to sign the 2019 County/Club Trail Agreement and the Sherburne County Board to sign the 2018/2019 Resolution for Sherburne County to act as Sponsor for the Snowmobile Trails Assistance Program for the fiscal year of July 1, 2018 to June 30, 2019. Authorizing the County Auditor/Treasurer and/or County Administrator to sign all necessary forms and agreements to participate in the program. The DNR requires a resolution each year from the County Board to be submitted along with the Sherburne County Trail Association's application.
9. [Infant Immunization Week](#) HHS
- Approved Proclamation of April 26 - May 3, 2018 as Infant Immunization Week in Sherburne County.
10. [Public Health Week](#) HHS
- Approved Proclamation naming April 2 – April 8, 2018 as Public Health Week in Sherburne County.
11. [Child Abuse Awareness & Prevention Month](#) HHS
- Approved Proclamation of April 2018 as Child Abuse Awareness & Prevention Month in Sherburne County.
12. [Email Encryption Renewal](#) IT
- Approved renewal of Email Encryption Services with Zix at a cost of \$11,410 per year for 2018, 2019, and 2020 for a total cost of \$34,230.00, pending review by the County Attorney.
13. [Approve Low Bidder for 2018 Overlays](#) Public Works
- Approved low bidder, Knife River Corporation for the 2018 Overlay Project No.:
- CP 71642017 CR 42 from CSAH 9 north to CSAH 1
 - CP 71655017 CR 55 from Moorhouse Ave to US Hwy 10
 - CP 71656017 CR 56 from US Hwy 10 to CR 53 & CR 54
 - CP 71658017 CR 58 from CSAH 8 to Church St
 - Baldwin Township 136th St from CSAH 9 to CR 42
 - Becker Township 185th Ave from CR 73 to 109th St.
 - Clear Lake Township 97th St from US Hwy 10 to CR 53
 - Livonia Township 112th St from CSAH 19 to CSAH 4
- contingent with approval from Baldwin, Becker, Clear Lake, & Livonia Townships for their portions of the project.
- Bids were received as follows:
- Knife River Corporation: \$1,605,717.40
 - Hardrives, Inc.: \$1,659,202.90
 - Park Construction Company: \$1,899,800.70
14. [Proclamation designating April 8-April 14 as Public Safety Telecommunications Week](#) Sheriff
- Approved a Proclamation designating the week of April 8 – 14, 2018 as Public Safety Telecommunications Week in Sherburne County to

recognize the men and women who perform the difficult task of operating the County's 911 Dispatch Center.

15. [Approve the use of the Zimmerman Public Safety Building as Precinct 1 Polling Place for the City of Zimmerman](#) Sheriff
Approved the City of Zimmerman's request to utilize the Zimmerman Public Safety Building as a Precinct 1 Polling Place for the 2018 primary and general election. The dates of their request are August 13 -15 for the primary election and November 5 – 7 for the general election.
16. [Approve unpaid leave for a Sheriff's Office employee](#) Sheriff
Approved unpaid leave for a Sheriff's Office employee from April 1 - June 30, 2018 as discussed with and supported by Human Resources.
17. [HHS IFS Comm Warrants 3-22-18](#) HHS
Accepted payment of HHS Warrants paid March 22, 2018 in the amount of \$36,512.78.
18. [Manual-Commissioner-OBO-Capital Project Warrants](#) Auditor/Treasurer
Accepted payment of Commissioner, Manual, OBO Warrants as follows:
 - March 13, 2018 Manual – Capital Project in the amount of \$2,252,625.45
 - March 16, 2018 Commissioner Warrants in the amount of \$589,844.94
 - March 23, 2018 Commissioner Warrants in the amount of \$320,716.14
 - March 23, 2018 Manual Warrants in the amount of \$183,701.23
 - March 13, 2018 Manual Warrants-OBO P-card in the amount of \$146,754.96
 - March 19, 2018 Manual Warrants in the amount of \$7,016.50

3. **4:32 pm Announcements**

An Association of Townships Meeting is scheduled on April 18, 2018 at 7:00 p.m. at the Sherburne History Center.

4. **4:33 pm Open Forum** - Dan Berndt of Becker, MN introduced himself and informed the Board that he is present to request that Sherburne County consider a Grant in Aid ATV Trail System. He noted that he is a member of the Swamp Bandits, an off-road club. One of their missions is to teach youth safety. The Board directed Mr. Berndt to speak to the Public Works Director, Andrew Witter.

4a. **4:35 pm** [Resolution of Support for a 28th Amendment to the U.S. Constitution](#)

Steve Taylor, Administrator, informed the Board that this item was presented to the Board at the February 20th County Board meeting. It was tabled at that time to a March Workshop Meeting (March 13, 2018). A revised version of the Resolution was handed out for consideration noting that this revised version was reviewed by the County Attorney's Office and the Group presenting it, American Promise.

Burandt/Schmiesing unanimous to approve Resolution #040318-AD-1839 supporting a Constitutional Amendment to regulate corporate political spending and campaign financing, as revised.

5. 4:35 pm [Resolution for MnDOT Agency Agreement - County Road Safety Plan Update](#)

Andrew Witter: Public Works

Schmiesing/Burandt unanimous to approve Resolution #040318-AD-1840 for Agency Agreement between Sherburne County and MnDOT, which allows MnDOT to act as principal coordinator for the County Road Safety Plan Update project. Agreement No. 1029825.

6. 4:40 pm [Recommendation to support and add proposed County Resolution with the City of Big Lake's to acquire tax forfeited parcel and place on legislative platform.](#)

Diane Arnold: Auditor/Treasurer

Schmiesing/Burandt unanimous to approve Resolution #040318-AD-1841 to allow the City of Big Lake to acquire Outlot A of Habitat First Addition parcel #654510010 in fee from the State of Minnesota subject to the reservation of mineral rights to the state and to convey without remuneration to the State, and approved to add the proposed legislation to the legislative platform of the County and direct the County Administrator to convey the County Board support of the proposed legislation from our state legislative body, as allowed by Minnesota Statutes 282.018.

7. 4:45 pm [Christ Our Light Catholic Church - C.U.P.](#)

Nancy Riddle: Zoning

Commissioner Fobbe recused herself from the dais.

Burandt/Petersen unanimous to approve a C.U.P. to Construct and Operate a Church Property address: 11604 293rd Ave NW, Princeton, MN Legal Desc: Parcel Numbers: 010223101; 3100; 3401; 3402; 3404; 3405; 3406; 3407 Sec 22, Twp 35, Rge 26 Baldwin Township 107.34 acres total General Rural District, as recommended by the Planning Commission with the following conditions:

1. The location of any improvements on the property shall be consistent with the site plan revised March 5, 2018. A variation from this approved site plan may require an amendment to the CUP, subject to the opinion of the Zoning Administrator.
2. Any parcels that are going to have structural improvements (e.g. driveways, parking lots, buildings, septic and stormwater infrastructure) need to be combined into a single parcel.
3. The developer will be required to construct a right turn lane and bypass lane on CSAH 9 at the developer's expense. Access will be located roughly 1,000ft west of the intersection of County Road 39. All work shall be performed according to applicable State and County standards. An access permit is required from the Public Works Department. If the developer has a concern with the proposed improvement requested, they will be required to provide a traffic study with a summary of findings and recommendations. To ensure the traffic information utilized in the study is as up to date as possible, the study shall be completed no earlier than 1 year prior to the construction work commencing on the project site. This work shall be prepared by a licensed Engineer in the State of Minnesota.
4. The eastern driveway that accesses the residence located on PID 014620105 must not be used as an access to the Church. The applicant must install a gate 1,300 ft. north of the centerline of CSAH 9 to prevent use of this access. The gate must be posted with a sign stating emergency exit only.
5. Days and hours of operation will be daily 8:00AM – 10:00PM for liturgies, small group gatherings, educational sessions, and social events. No school other than religious instructions or licensed daycare is permitted under this CUP.

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6. A Building Permit is required from the Planning and Zoning Department. Building plans must be prepared by an architect or engineer to certify the structure complies with MN Building Code and the American Disability Act requirements.
7. Fire suppression plan must be prepared by a licensed engineer or equivalent professional and submitted with the Building Permit Application. A fire lane must be placed around the entire building to ensure emergency access to the entire building. A copy of the fire suppression plan must be submitted to the Baldwin Fire Chief who will have the opportunity to comment on prior to the County issuing the building permit.
8. The primary and secondary septic system areas shall be fenced during site grading and construction activities and remain protected from soil compaction forever. The areas may not be used for storage or parking due to potential soil compaction making them ineffective as properly functioning septic system sites.
9. Parking areas and access drives shall be improved with bituminous or better paving and have proper surface drainage.
10. Exterior lighting shall be directed away from residences and the public right-of-way
11. When the yard is landscaped, landscaping shall be attractive and well-kept.
12. Outdoor events other than church services (i.e. concerts) may require a separate permit, as determined by the Zoning Administrator. This would be exclusive of any Grand Opening event that may occur.
13. The applicant shall comply with Zoning Ordinance Section 17, Subdivision 1. Sign Regulations, a permit for any signs are required from the County Zoning Department.
14. Prior to any grading on site the owner must obtain a Stormwater and Erosion Control Permit from the County Zoning Department and comply with the requirements of Section 17.1 Stormwater and Erosion Control. All new construction in Sherburne County that results in more than one acre of impervious surface must comply with Zoning Ordinance Section 17.1, Subdivision 10 Post-Construction Stormwater Management.
15. A National Pollutant Discharge Elimination System (NPDES) NPDES Permit is required from the Minnesota Pollution Control Agency is required prior to disturbance of one or more acres, the owner must obtain an NPDES permit from the MN Pollution Control Agency.
16. Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the CUP.
17. The property owner shall allow the County to inspect the property during normal business hours.
18. The applicant shall comply with all local, state, and federal laws and regulations.
19. The Planning Commission made the findings in Section 18, Subd 5, Item 3 of the Zoning Ordinance.

Commissioner Fobbe returned to the dais.

8. 4:47 pm **Donald J. Willing (Rays Auto Body Shop of Princeton) I.U.P.**

Nancy Riddle: Zoning

Petersen/Burandt unanimous to approve an I.U.P. to operate an Auto Repair and Body Shop due to a change in ownership of existing I.U.P. #51129 Doc # 787623 (Change ownership from Rays Auto Body Inc., to Ray's Auto Body Shop and Willing Prop) Property address: 31320 125th St NW, Princeton, Mn Legal Desc: Lot 6 Block 2 Georgetown First Addition Sec 9, Twp 35, Rge 26 Baldwin Township .73 acres Commercial District, as recommended by the Planning Commission with the following conditions:

1. Adequate off-street parking shall be available for business use. At a minimum, (1) parking stall shall be provided per 250 sq. ft. of office space floor area per Sect 17, Subd 2. (10K)

of the Zoning Ordinance. Parking shall be on a durable surface, such as concrete, asphalt, or gravel (not grass or dirt).

2. Auto body repair and painting shall be conducted within a facility compliant with OSHA and MN Building Code regulations. There shall be no vehicle repair or body repair work outside.
3. The business shall not be a processing facility for salvaged auto parts for scrap metal. If any vehicle is brought onsite leaking fluids, fluids must be promptly drained and properly disposed. The business shall maintain a Hazardous Waste Generator license if required by the MPCA.
4. Any vehicle parts stored outside must be stored in an enclosed fenced in area, not visible from adjoining properties or the street.
5. There shall be no more than two unlicensed and inoperable vehicles stored outside.
6. No vehicle shall be parked within the 10' parking/driveway setback from the property line.
7. All exterior lighting shall be directed away from the public rightofway.
8. The business shall comply with Section 17, Subd 2 of the Zoning Ordinance regarding signs within the Commercial District.
9. The septic drainfield area shall be protected from being driven on or parked on.
10. The applicant shall allow the County to inspect the property during normal business hours.
11. The applicant shall comply with all federal, state, and local laws and regulations.
12. This IUP is issued to Donald and Mary Willing, DBA Ray's Auto Body Shop of Princeton, and shall expire with a change in ownership.
13. Findings in Section 18, Subd 6, Item 4 of the Zoning Ordinance are met.
14. The Interim Use Permit Number 51129 and Recorded Document Number 787623 expired on December 31, 2017 when Donald and Mary Willing purchased the Rays Auto Body Business and Parcel # 014250260 from Ray McGraw.

9. 4:49 pm [Kevin and Lori Troseth - Simple Plat](#)

Nancy Riddle: Zoning

Schmiesing/Burandt unanimous to approve the Preliminary and Final Residential Simple Plat of TROSETH ESTATES consisting of 2 lots (Existing residence on proposed Lot 2 Block 1) Property address: 10784 313th Ave NW, Princeton, MN Legal Desc: W1/2 of W1/2 of NE1/4 (full legal on file) Sec 11, Twp 35, Rge 26 Baldwin Township 39.33 acres total Rum Scenic River District, as recommended by the Planning Commission with the following conditions:

1. Lot 1 & 2 share driveway access at lot line.
2. 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.

10. 4:51 pm [Ideality Development - Simple Plat](#)

Nancy Riddle: Zoning

Schmiesing/Petersen unanimous to approve the Preliminary and Final Residential Simple Plat approval of RUM RIVER BLUFFS consisting of 3 Lots Legal Desc: SE1/4 of NW1/4 with exceptions (full legal on file) Sec 2, Twp 35, Rge 26 Baldwin Township 32.53 acres General Rural District, as recommended by the Planning Commission with the following conditions:

1. Proposed improvements include 3 lots. No houses currently exist on the lots and will require an \$800 Park Dedication fee for each lot, for a total of \$2,400.
2. Lot 1 & 2 must share driveway access at lot line.
3. Trees and any other obstacles have to be cleared to rightofway line by property owner prior to driveway access permit being issued by Public Works Dept.

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4. The 66 ft wide driveway easement in southeast corner of plat is acceptable as a driveway only. It will not be allowed to become a future township road and serve multiple properties.
5. Existing CUP # 8499 recorded as document #228858 must be revoked by the County Board.
6. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

11. 4:53 pm **Larry & Gail Kreager and Kory & Candice Kreager - Simple Plat**

Nancy Riddle: Zoning

Petersen/Schmiesing unanimous to approve the Preliminary and Final Residential Simple Replat approval of "KREAGER RIDGE" consisting of 2 existing lots with existing residences Property addresses: 23668 180th St NW and 23622 180th St NW, Big Lake, MN Legal Desc: Lots 1 and 2 LG Ridge Sec 32, Twp 34, Rge 27 Orrock Township Total acreage is 9.39 acres General Rural District, as recommended by the Planning Commission with the following conditions:

1. 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.

12. 4:55 pm **DG MINNESOTA CSG, LLC (Property owner is Aggregate Industries-North Central) I.U.P.**

Nancy Riddle: Zoning

Schmiesing/Burandt unanimous to approve I.U.P. to construct and operate a 5 MW Community Solar Garden due to a change in ownership on existing I.U.P. #55974 Doc # 837242 (Change ownership from MN Solar Community, LLC to DG Minnesota CSG, LLC) Legal Desc: Th pt of N1/2 of NE1/4 & Pt of NE1/4 of NE1/4 (full legal on file) Sec 30, Twp 35, Rge 30 Haven Township 48.87 total acreage Agricultural District, as recommended by the Planning Commission with the following conditions:

1. Access to the solar garden should align directly opposite of 49th Street on the west side of CSAH 8. All other field access driveways shall be removed. Buffer trees must be planted both outside the County roadway easement or rightofway and outside of the 30 ft clear zone (measured from the outside edge of the travelled through lane). A northwestbound right turn lane must be constructed to MnDOT State Aid standards at their access point opposite of 49th Street. This right turn lane needed for construction purposes can then remain in place to service the site in the future. Access permit required.
2. Construction trailer, laydown area and temporary toilets must be located on the southeast side of the property.
3. Prior to any building permit being issued DG Minnesota CSG, LLC must submit a letter to the Zoning Department, from the Sauk Rapids Fire Chief, that all requested safety information and training has been provided to the fire department and adequately addresses their concerns.
4. No activities such as construction, installation of equipment or land disturbing activities other than soil testing and surveying may occur onsite until the applicant submits a signed 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.
5. Prior to issuance of a building permit for the project, the applicant shall provide financial security in the amount of \$25,000 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 noncompliance 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.

6. The applicant must maintain compliance with their NPDES permit and provide the Planning & Zoning Department with the notice of termination once construction activity has ceased and final vegetation has been established.
7. The applicant must maintain compliance with the Stormwater and Erosion Control Permit until final vegetation has been established and approved by the Planning & Zoning Department.
8. Operational hours allowed during construction of the facility are Monday through Friday 8AM -5PM.
9. Property owner shall ensure that MPCA day and night time noise standards are not exceeded at any time.
10. Signage and emergency contact numbers must be posted at the entrance.
11. All solar panels and accessory equipment will meet the required 50 ft setback from a property line. In addition all solar panels and accessory equipment must be setback back at least 130 ft from the centerline of CSAH 8.
12. A six (6) foot tall galvanized chainlink perimeter fence will be installed for safety and security around the perimeter of the project prior to solar panels being installed.
13. Fencing shall meet the 50' setback from all property lines. Fence may not be installed within road easement or right-of-way.
14. DG Minnesota CSG, LLC must install 6 foot high coniferous trees around all sides of the property. The trees must be planted no more than 16 feet apart on center and staggered in two (2) rows. The trees must be maintained and watered as necessary for the duration of the permit. Any dead trees must be replaced on a yearly basis.
15. The applicant must maintain compliance with their building permit.
16. The site will be revegetated within 30 days of construction with a low growth and low maintenance native seed mix not exceeding 12 inches in height. The property will be mowed every six to eight weeks during the spring and summer months to manage vegetation growth. DG Minnesota CSG, LLC will be responsible for vegetation control and weed management during the projects operating life.
17. Decommissioning of the project shall involve removal of the project's components, including without limitation, the solar panels, panel trackers, anchors, supports and

mounds, inverters, underground electrical components and all underground footings and posts.

18. 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. All components and materials must be cleaned up, recycled, disposed of properly and site restored within one (1) year of IUP expiring or solar panels not being used.
19. This IUP is to be valid for 30 years until December 31, 2048. This IUP is valid for Aggregate Industries – North Central and DG Minnesota CSG, LLC.
20. Existing IUP # 55974 recorded as Document # 837242 will be revoked by County Board when new IUP is approved/recorded.
21. This provision allowing for a change in ownership or control shall not permit the applicant and/or business entity to transfer the IUP to a separate entity without submitting a new IUP application for a Solar Farm as required by Section 16.2, Subdivision 20E of the County Zoning Ordinance.
22. The findings in Section 18, Subd 6, Item 4 of the Zoning Ordinance have been made.
23. The applicant shall comply with all federal, state, and local laws and regulations.
24. The applicant shall allow the County to inspect the property during normal business hours.

13. 4:57 pm **DG MINNESOTA CSG, LLC: (Property owners are Jeffrey & James W. Sanford) I.U.P.**

Nancy Riddle: Zoning

Schmiesing/Petersen unanimous to approve an I.U.P. to Construct and Operate a Solar Farm due to a change in ownership of existing I.U.P. # 54271 DOC # 820029 (Change ownership from SEV MN 1 LLC to DG Minnesota CSG, LLC) Parcel Numbers: 103233101; 2401 (full legals on file) Sec 23 and 26, Twp 33, Rge 28 Big Lake Township 84.89 acres total acreage Agricultural District as recommended by the Planning Commission with the following conditions:

1. Solar Farm will be 5 MWs. Site layout is shown on site plan date stamped 372018. No utility poles will be on project. 5 LV switchgears will hold the electrical components. They will be located in the middle of the solar arrays and have a maximum height of 11 feet.
2. Building permit required for onsite supply structure if over 200 sq ft in size.
3. If the required slatted privacy fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans.
4. The applicant must maintain compliance with their NPDES permit and provide the Planning & Zoning Department with the notice of termination once construction activity has ceased and final vegetation has been established.
5. The applicant must maintain compliance with the Stormwater and Erosion Control Permit until final vegetation has been established and approved by the Planning & Zoning Department.
6. All solar panels and accessory must be setback 80ft from the property line. The fence will be setback 50 feet from the property line.
7. Operation al hours allowed during construction of the facility are Monday through Friday, 8AM – 5PM.
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. Decommissioning of the project shall involve removal of the projects components, including without limitation, the solar panels, panel trackers, anchors, supports and mounds, inverters, underground electrical components and all underground footings and posts.

9. Prior to issuance of a building permit for each phase of the project, the applicant shall provide financial security in the amount of \$25,000 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 a 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 noncompliance 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, such as construction, installation of equipment or land disturbing activities other than soil testing and surveying may occur on site until the applicant submits a signed interconnection agreement as required by Section 17, Subd. 17(1)(A) of the ordinance permitting the full scope of each phase of the project and proof that the full scope of each phase of the project is permitted by the Minnesota Public Utilities Commission.
11. A restricted access galvanized chainlink slatted privacy perimeter fence and gate topped with three (3) strands of barbed wire, with an overall height of 7ft 8 ft will be installed for safety and security around the perimeter prior to solar panels being installed. The barbed wired fence along the west property line will be tilted inward away from the residences if it does not violate the safety code.
12. Property owner shall ensure that MPCA day and night time noise standards are not exceeded at any time.
13. The site will be revegetated within 30 days of construction with a low growth and low maintenance native seed mix not exceeding 12 inches in height. The property will be mowed every six to eight weeks during the spring and summer months to manage vegetation growth. DG Minnesota CSG, LLC will be responsible for vegetation control and weed management during the projects operating life.
14. DG Minnesota CS G, LLC install 6 foot high coniferous trees around all sides of solar farm. The trees must be planted staggered two rows with trees planted 16 feet apart. The trees must be maintained and watered as necessary for the duration of the permit. Any dead trees must be replaced on a yearly basis.

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15. Access to the property for both construction and the permanent facility will be across a recorded cartway Document#158754. All access must be from the east off 200th Street across the cartway. No access through residential subdivision will be permitted except for Xcel Energy as required for maintenance access. No access from US Highway 10 will be permitted.
16. The portion of the cartway Document #158754 must be vacated on PID#103233101 by Big Lake Township prior to any building permits being issued for solar project construction/installation if the project is proposed to be built within 100 ft of the cartway.
17. Signage and emergency contact numbers must be posted at the entrance.
18. Must comply with MN Dept of Agriculture and MN DNR regulations for well maintenance and obtain and maintain all required permits.
19. This IUP is to be valid for 30 years until December 31, 2048. This IUP is valid for Jeffrey & James Sanford and DG Minnesota CSG, LLC.
20. Existing IUP # 54 271 recorded as Document # 820029 & IUP # 53773 recorded as Document # 816604 will be revoked when the new IUP is approved/recorded.
21. The County Planning Commission has made the findings listed in Sect 18, Subd 6(4) of Zoning Ordinance.
22. The applicant shall comply with all federal, state, and local laws and regulations.
23. The applicant shall allow the County to inspect the property during normal business hours.

14. 4:59 pm **DG MINNESOTA CSG, LLC: (Property owner is Barton Sand and Gravel Co) I.U.P.**

Nancy Riddle: Zoning

Petersen/Schmiesing unanimous to approve an I.U.P. for a Solar Farm Development due to change in ownership and new layout of the existing I.U.P. # 54223 Doc # 822214 (Change ownership from SEV MN 1 LLC to DG Minnesota CSG, LLC) with the following conditions which includes the twenty sixth condition regarding the preservation of the well on CSAH 8 as recommended by the Planning Commission with the following conditions:

1. No access to/from CSAH 8 will be permitted. Driveway access will be south of 92nd Street on 58th Avenue.
2. No activities such as construction, installation of equipment or land disturbing activities other than soil testing and surveying may occur onsite until the applicant submits a signed 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.
3. Prior to issuance of a building permit for the project, the applicant shall provide Financial security in the amount of \$25,000 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

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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 noncompliance 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.

4. Must obtain an NPDES permit from the MPCA and provide a copy to the Co Zoning Dept prior to commencing construction.
5. A Stormwater Erosion Control permit will be required from the County Zoning Department prior to grading and prior to a building permit being issued.
6. Operational hours allowed during construction of the facility are Monday through Friday 8AM 5PM.
7. Property owner shall ensure that MPCA day and night time noise standards are not exceeded at any time.
8. Signage and emergency contact numbers must be posted at the entrance.
9. All solar panels and accessory equipment will meet the required 50 ft setback from a property line. In addition all solar panels and accessory equipment must be setback back at least 130 ft from the centerline of CSAH 8 and 100 ft from the centerline of 58th Ave SE.
10. A restricted access galvanized chainlink slatted privacy perimeter fence and gate topped with three (3) strands of barbed wire, with an overall height of 7ft 8 ft will be installed for safety and security around the perimeter of the project prior to solar panels being installed. If the fence height exceeds 7 ft, the fence will require a building permit from the County Zoning Department with engineered plans.
11. Fencing shall meet the 50' setback from all property lines. Fence may not be installed within road easement or right-of-way.
12. DG Minnesota CSG, LLC must adhere to Visual Screening Plan as shown on E10101, date stamped Feb 5, 2018 and as depicted in NEER response letter item 8a, date stamped 2/23/18. They must install 6 foot high coniferous trees around all sides of solar farm. The trees must be planted no more than 16 feet apart and must be staggered in two rows. The trees must be maintained and watered as necessary for the duration of the permit. Any dead trees must be replaced on a yearly basis.
13. There is a 50 ft easement from the centerline of CSAH 8, no trees may be planted in the easement area.
14. A building permit is required for installation of the solar panels with engineered plans submitted.
15. Must comply with MN Dept of Agriculture and MN DNR regulations for well maintenance and obtain and maintain all required permits.
16. The site will be revegetated within 30 days of construction with a low growth and low maintenance native seed mix not exceeding 12 inches in height. The property will be mowed every six to eight weeks during the spring and summer months to manage vegetation growth. DG Minnesota CSG, LLC will be responsible for vegetation control and weed management during the projects operating life. Must follow Vegetative Maintenance Plan Planning Commission Attachment C.

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17. Decommissioning of the project shall involve removal of the project's components, including without limitation, the solar panels, panel trackers, anchors, supports and mounts, inverters, underground electrical components and all underground footings and posts.
18. 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. All components and materials must be cleaned up, recycled, disposed of properly and site restored within one (1) year of IUP expiring or solar panels not being used.
19. This IUP is to be valid for 30 years until December 31, 2048. This IUP is valid for Barton Sand & Gravel Co/Tiller Corporation and DG Minnesota CSG, LLC.
20. The findings in Section 18, Subd 6, Item 4 of the Zoning Ordinance have been made.
21. The applicant shall comply with all federal, state, and local laws and regulations.
22. The applicant shall allow the County to inspect the property during normal business hours.
23. Applicant must apply to the Township of Clear Lake for a Right-of-Way Permit for access to 58th Ave.
24. No impact to the wetland in the southwest corner of the property is permitted and the wetland area must be avoided. No posts, panels or any other materials may be placed in the wetland area. Furthermore, the wetland area shall be protected with erosion control around the perimeter until such time that the entire area has been completely revegetated.
25. Existing I.U.P.# 54223 Document # 822214 will be revoked by the County Board when the new IUP for the solar farm is approved/recorded.
26. The existing well near CSAH 8 shall be kept and maintained for use by the Township for the Clear Lake Fire Department for a fill station and also for farming purposes.

15. 5:01 pm **DG MINNESOTA CSG, LLC (Property owners are Thomas Jr. and Penny Hammer Trust) I.U.P.**

Nancy Riddle: Zoning

Schmiesing/Burandt unanimous to approve an I.U.P. to Construct and Operate a Solar Farm due to change in ownership and new layout of the existing I.U.P. # 53730 (Document # 816606) (Change ownership from SEV MN 1 LLC to DG Minnesota CSG LLC) Legal Desc: E1/2 of SE1/4 Sec 24, Twp 34, Rge 30 Clear Lake Township 80 acres Agricultural District, as recommended by the Planning Commission with the following conditions:

1. Building permit required for onsite supply structure if over 200 sq ft in size for each phase.
2. Building permit required for installation of solar panels with engineered plans submitted.
3. If the required slatted privacy fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans.
4. A Stormwater Erosion Control permit will be required from the County Zoning Department prior to grading and prior to building permit being issued.
5. Must submit a copy of a valid NPDES permit from the MPCA and provide a copy to the Co Zoning Dept prior to a building permit being issued on the property.
6. All solar panels and accessory equipment will meet the required 50 ft setback.
7. Property owner shall ensure that MPCA day and night time noise standards are not exceeded at any time.
8. Operational hours allowed during construction of the facility are Monday through Friday 8AM 5PM.

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9. 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.
10. Prior to issuance of a building permit for each phase of the project, the applicant shall provide financial security in the amount of \$25,000 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 a 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 noncompliance 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.
11. No activities such as construction, installation of equipment or land disturbing activities other than soil testing and surveying may occur onsite until the applicant submits a signed 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.
12. A restricted access galvanized chainlink slatted privacy perimeter fence and gate topped with three (3) strands of barbed wire, A restricted access galvanized chainlink slatted privacy perimeter fence and gate topped with three (3) strands of barbed wire, with an overall height of 7ft 8 ft will be installed for safety and security around the perimeter of the solar farm prior to solar panels being installed.
13. The site will be revegetated within 30 days of construction with a low growth and low maintenance native seed mix not exceeding 12 inches in height. The property will be mowed every six to eight weeks during the spring and summer months to manage vegetation growth. DG Minnesota CSG, LLC will be responsible for vegetation control and weed management during the project's operating life.
14. DG Minnesota CSG, LLC must adhere to Visual Screening Plan as shown on E10102, date stamped Feb 5, 2018 and as depicted in NEER response letter item 8a, date stamped 2/23/18. They must install 6 foot high coniferous trees around all sides of solar farm. The trees must be planted no more than 16 feet apart and must be staggered in two rows.

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The trees must be maintained and watered as necessary for the duration of the permit.
Any dead trees must be replaced on a yearly basis.

15. The location of the stripped and stockpiled topsoil will be located in the area shown as "Temporary Laydown Area" on the site plan date stamped February 5, 2018, Sheet #E10102. The stockpile may not exceed three (3) feet in height and will be vegetated.
16. Must comply with MN Dept of Agriculture and MN DNR regulations for well maintenance and obtain and maintain all required permits.
17. This IUP is to be valid for 30 years until December 31, 2048. This IUP is valid for Thomas Hammer and DG Minnesota CSG, LLC.
18. Must obtain a highway access permit from the County Public Works Dept prior to any activity on site. The proposed access location is acceptable. The two other existing on site access locations shall be removed. Although a dedicated turn lane or bypass lane is not necessary for the ultimate project, during construction of these sites a significant amount of traffic will be created and it is expected that traffic control will be provided as necessary to ensure safety of the traveling public is maintained during construction. County ROW impacted during construction will be restored to the preconstruction conditions.
19. Existing snowmobile trail running through the property will be relocated on this same property outside the proposed facility fence following construction (a little further to the east).
20. Tree(s) where eagles nest is located along the east property line will not be cut down or disturbed. The bird nest is federally protected and cannot be cut down at any time of the year.
21. Access will only be permitted off of CSAH 8. The access to Township Road 70th Ave SE will not be permitted.
22. Fencing shall meet the 50' setback from property lines.
23. Decommissioning of the project shall involve removal of the projects components, including without limitation, the solar panels, panel trackers, anchors, supports and mounts, inverters, underground electrical components and all underground footings and posts and fencing and be regraded to its original state with vegetation.
24. Signage and emergency contact numbers must be posted at the entrance.
25. The findings in Section 18, Subd 6, Item 4 of the Zoning Ordinance have been made.
26. The applicant shall comply with all federal, state, and local laws and regulations.
27. The applicant shall allow the County to inspect the property during normal business hours.
28. Existing IUP # 53730 recorded as document #816606 will be revoked by County Board when the new IUP is approved/recorded.

16. 5:10 pm [HHS Director's Report](#)

MaryJo Cobb: HHS

Provided an update on department happenings and a legislative update. Reported that a letter was received from DHS commending HHS fiscal staff for submitting timely and accurate reports. Amanda Larson, CHS Administrator, provided information Medical Assistance work requirements legislation. The Board requested that Amanda forward talking points to them to pass on to local and State Legislators.

5:22 p.m. The Chair declared a recess and reconvened the meeting at 5:27 p.m.

5:27 p.m. Steve Taylor, County Administrator, provided an update on the Building Expansion project. A review of milestones was given. The proposed date for the Judicial Services Building to open is June 11, 2018. Discussion was held concerning a date for the ribbon cutting ceremony;

tentatively selected June 6, 2018. Steve Taylor also brought forward a time capsule noting it will be imbedded in the wall of the new building, to be opened in 50 years. He reviewed some of the items that will be placed in the time capsule and asked for suggestions from the Board. No action taken.

17. 5:15 pm Commissioner Correspondence, Committee Reports, Upcoming Meetings, Future Agenda Items

(March 20, 2018 – April 2, 2018)

Commissioner Petersen: Upcoming meetings are: ATP3 meeting in Baxter, APO Policy Committee, and Association of Townships meeting.

Commissioner Burandt: Emergency Preparedness Meeting, Informational Meeting for City of Elk River concerning the downtown area, and Emergency Medical Services Region.

Commissioner Schmiesing: Law Library, Met with Benton County Commissioner about the Tri-County burner, conference call with Inter-City Rail Forum and asked that staff follow this committee.

Commissioner Fobbe: Great River Regional Library Finance Committee and Board of Trustees, County Road 38 Open House, Lynn George retirement party, and Princeton Airport Meeting. Will be attending the Association of MN Counties Leadership Summit, and the Association of Townships Meeting.

18. 5:48 pm The Chair adjourned the Regular Meeting

Claims approved through warrants, resolutions, or contracts, totaling the following amounts, were paid as follows:

March 21, 2018

\$ 29,293.80	Human Service Fund
\$ 7,218.98	Agency Collections

March 13, 2018

\$ 2,252,625.45	Capital Proj 2008-Government
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March 16, 2018

\$ 268,365.41	General Revenue Fund
\$ 26,598.49	Public Works Fund
\$ 1,066.00	Solid Waste Fund
\$ 3,022.98	Jail Commissary Fund
\$ 234.37	Sherco Regional Rail Authority
\$ 28,575.00	Capital Proj 2008-Government
\$ 210,520.91	Justice Center Enterprise Fund
\$ 45,572.06	Agency Collections
\$ 5,889.72	Taxes & Penalties Fund

March 23, 2018

\$ 130,949.90	General Revenue Fund
\$ 64,315.30	Public Works Fund
\$ 531.76	Human Service Fund

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\$ 28,760.00 County Ditch Fund
\$ 5,496.15 Law Library Fund
\$ 596.50 Solid Waste Fund
\$ 70,292.44 Jail Commissary Fund
\$ 137.68 Sherco Regional Rail Authority
\$ 19,616.41 Justice Center Enterprise Fund
\$ 20.00 Agency Collections

March 23, 2018

\$ 562.70 General Revenue Fund
\$183,138.53 Agency Collections

March 13, 2018

\$ 132,955.67 General Revenue Fund
\$ 3,230.92 Public Works Fund
\$ 45.00 Human Service Fund
\$ 95.00 County Ditch Fund
\$ 10,919.88 Capital Proj 2008-Government
\$ -491.51 Justice Center Enterprise Fund

March 19, 2018

\$ 7,016.50 Agency Collections

Lisa A. Fobbe, Chairperson

Steve Taylor, Administrator

Date

Date