

SHERBURNE COUNTY BOARD OF COMMISSIONERS
AUGUST 7, 2018 - COUNTY BOARD MEETING MINUTES

Call to Order

The Sherburne County Board of Commissioners reconvened in regular session on August 7, 2018, at the Sherburne County Government Center in the City of Elk River, MN with all Commissioners present. Call to order by the Chair was at 4:30 pm.

Schmiesing/Burandt unanimous to approve the Regular Board Meeting Agenda for August 7, 2018 as presented.

Consent Agenda

Dolan/Burandt unanimous to approve the consent agenda as follows with the removal of consent agenda 1.

Review and Approve Minutes: July 17, 2018 - County Board Meeting

The Board Chair Lisa Fobbe, asked to have the July 17, 2018 County Board meeting minutes pulled from the consent agenda. The minutes will be ready for approval at the August 21, 2018 board meeting.

Review and Approve Minutes: July 17, 2018 - County Workshop Meeting

Approved as presented.

High Line Timesheet Software Purchase - YES Account

Approved funding from the Y.E.S. account for the purchase and implementation of the High Line Personality Timekeeping Self Service Software at a cost not to exceed \$88,000.

Provide Comment on Proposed Zimmerman TIF District Nos. 8-9

Approved the Tax Increment Financing Comment Letter on Zimmerman TIF District #8 and #9 and authorized submittal to Monroe Moenness Berg PA and the City of Zimmerman prior to the TIF Public Hearing on August 20, 2018.

Out of State Travel for Steve Taylor

Approved out of state travel expenses (hotel and airfare) for Steve Taylor to attend the ICMA conference in Baltimore, MD on September 23 - 26, 2018.

Approve YES Account Funds - Moisture Intrusion

Approved funding, not to exceed \$32,500, from the Y.E.S. account for the moisture intrusion investigation, abatement and restoration.

Commissioner & Manual Warrants

Accepted payment of:

July 27, 2018 Commissioner Warrants \$1,552,349.70

July 13, 2018 Manual Warrants Capital Project \$1,443,530.61

July 13, 2018 Commissioner Warrants \$821,157.85

July 27, 2018 Manual Warrants \$694,899.16

July 20, 2018 Commissioner Warrants \$396,165.77

June 11, 2018 Manual Warrants OBO Pcard \$75,265.77

July 20, 2018 Manual Warrants \$13,752.36

July 13, 2018 Manual Warrants \$6,858.50

Temp On-Sale Liquor License

Approved temporary On-Sale Liquor License application for the Clear Lake Lions Club pending background check and State approval. Authorized Auditor/Treasurer's signature on application for Palmer Days. Temporary

On-Sale liquor license for September 8, 2018 to be used at Palmer Days hosted by the Clear Lake Lions Club in Palmer Township Park.

Proclamation: Child Support Awareness Month

Proclaimed August 2018 as Child Support Awareness Month in Sherburne County.

HHS IFS Comm 7-19-18

Accepted payment of:

Various \$100,447.93

Well Care Home Care ARMHS Approval

Approved local certification of Well Care Home Care as an Adult Rehabilitative Mental Health Services (ARM-HS) provider.

07-30-18 HHS OBO Warrant

Accepted payment of:

07-30-18 HHS OBO Warrant \$2,819.54

Proclamation: Breastfeeding Awareness Month

Proclaimed August 2018 as Breastfeeding Awareness Month in Sherburne County.

HHS Second Quarter Donations

Accepted donations to Health & Human Services made during Second Quarter, 2018.

Video System in Maple

Approved signing of EPA Audio Visual quote, not to exceed \$60,000, for video system in Maple A.

Conduent Database Conversion

Approved signature of contract from Conduent Consulting Services for the New Roads conversion to SQL

and use of funds, \$1,000.

Site Improve SaaS

Approved signature of Site Improve contract and use of IT funds in the amount of \$2,750.

Approve Braun Intertec's Geotechnical Evaluation Proposal for SP 071-601-024

Approved proposal in the amount of \$4,825 from Braun Intertec Corporation for Geotechnical Evaluation, for project SP 071-601-024, Addendum No. 4 to the Sherburne County and Braun Intertec Corporation Master Service Agreement dated May 22, 2018.

Approve Braun Intertec's Geotechnical Evaluation Proposal for the Great Northern Trail

Approved proposal in the amount of \$6,420 from Braun Intertec Corporation for Geotechnical Evaluation, for the portion of the Great

Northern Trail located within the southerly City limits of Zimmerman, Addendum No. 5 to the Sherburne County and Braun Intertec Corporation Master Service Agreement dated May 22, 2018.

Accept a donation from the Zimmerman Lions Club to the Sheriff's Office Reserve Unit

Approved the acceptance of a \$500.00 donation from the Zimmerman Lions Club to the Sherburne County Sheriff's Office Reserve Unit.

Open Forum

Ron Bothun, of Elk River, was present for the open forum. Mr. Bothun moved into the Miske Meadows addition recently. He expressed concern about the speed, 55 mph, on a sharp corner on County Road 12. He requested the County consider changing the speed limit to 45 mph before that sharp corner. Andrew Witter, Public Works Director, will visit with Mr. Bothun and talk more in detail about this situation.

State of Minnesota Agency Agreement for SP 71-608-022

Andrew Witter: Public Works

Dolan/Petersen unanimous to approve the resolution 080718-AD-1854 for the State of Minnesota Agency Agreement, MnDOT Contract No. 1031560, between the Minnesota Department of Transportation and Sherburne County for Federal Participation in Force Account and Advance Construction for SP 071608022 NHFP 7118(267).

Great River Energy

Dave Lucas, Solid Waste Administrator: Zoning

Schmiesing/Dolan unanimous to appoint two County Commissioners, Lisa Fobbe and Tim Dolan, to meet jointly with board members and staff from Anoka and Hennepin counties to discuss Great River Energy's proposal for public ownership of RDF processing facilities, burn plant and landfill, and authorized the board chair to send a letter to Anoka and Hennepin counties requesting the same.

ROBERT M. GRAHAM TTE - REZONE

Nancy Riddle: Zoning

Dolan/Schmiesing unanimous to approve the amendment to the Sherburne County Zoning Map to rezone twenty acres of property from an Industrial District to an Urban Expansion District on the west side of County Road 81. Legal Description: PID # 103242400 SE1/4 of NW1/4 & S1/2 of SW1/4 of NW1/4 Sec 24, Twp 33, Rge 28 - Requesting to rezone only the 20 acres on the West side of Co Rd 81. Full legal on file. Big Lake Township with the adoption of the following findings.

At the public hearing on July 19, 2018, the Planning Advisory Commission recommended approval of the request based upon the following considerations:

A. Is the proposed rezoning consistent with the Comprehensive Plan?

The rezone does comply with the County's Comprehensive Land Use Plan currently identified as Urban Reserve-Residential.

B. Is the current use of the property a permitted use within the proposed zoning district, or will the rezoning create a nonconforming use?

It will be a conforming use, either residential or commercial.

C. Will permitted uses within the proposed zoning district be injurious to health or interfere with the comfortable enjoyment of life or property within the vicinity?

No it will not, because it would be much like the development to the north or like the development it abuts to and so there would not be any change.

D. How will public services (e.g. transportation, schools, parks, and police/fire) be impacted by the proposed rezoning? Will permitted uses within the proposed zoning district adversely impact or overburden existing public service capacity?

There will be no impact and there is no anticipation that anything would be overburdened.

E. Is the proposed rezoning located in an area that has the potential to adversely impact natural resources such as surface water, groundwater, or wetlands, or sites identified for rare biological species habitat?

The MN County Biological Survey shows no biodiverse plant communities within one mile of this property therefore there will not be an effect on any of those resources or habitat. The wetland that is there is going to be abutted most likely by backyards of houses much like it currently is, and with little impact to the woods.

F. Does the proposed rezoning have the potential to impact ecologically sensitive or historically significant areas?

No, there are no significant impacts.

G. Does the property have sufficient size and physical characteristics to permit a reasonable use under the current zoning district?

If it is changed to residential or commercial, it should fit in that district and is a sufficient size to do so.

H. Any other factors that may be relevant to determining whether the proposed rezoning is appropriate?

There are no other factors to consider, and it does clean up what appears to have been an oversight to begin with.

ST CLOUD SOLAR LLC (Property owner is Shirley A. Anderson - Trustee) - IUP for 5 MW Solar Garden

Nancy Riddle: Zoning

Schmiesing/Dolan unanimous to approve the Interim Use Permit (I.U.P.) for the development and operation of a 5 MW Solar Garden Property Address: 4958 Co Rd 8 SE, St.

Cloud Legal Description: PID # 250301400 S1/2 of NE1/4 Ex RLS No 10 (full legal on file) Sec 30, Twp 35, Rge 30 Haven Township 49.66 Acres Ag District with the following conditions:

1. Building permit required for onsite supply structure if over 200 sq ft in size.

2. Building permit required for installation of solar panels with engineered plans submitted.

3. A Stormwater Erosion Control permit will be required from the County Zoning Dept prior to any grading on the property and prior to a building permit being issued.

4. Must obtain an NPDES permit from the MPCA and provide a copy to the County Zoning Dept prior to commencing construction.

5. Trees along CSAH#8 must be cleared to 50 ft easement line with new landscaping outside 50 ft. Access on CSAH #8 is limited to existing residential access and one (1) access to solar portion of parcel. Other access along CSAH #8 to be removed. An access permit is required from the Public Works Dept. Haven Township will not allow any access onto 52nd St SE. Must trim dead trees along 52nd Street.

6. Property owner shall ensure that MPCA day & night time noise standards are not exceeded at any time.

7. Operational hours allowed during construction of the facility are Monday through Friday 7AM 7PM.

8. Decommissioning of solar panels and related facilities must occur in the event the IUP expires or is terminated, and/or the solar panels are not in use for twelve (12) consecutive months. Must follow ReneSola PV Solar

Generator Facility Decommissioning & Reclamation plan date stamped 52418.

9. 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 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.

10. No activities may occur onsite until applicant submits a signed an interconnection agreement as required in Section 17, Subd 17 (1A) of the ordinance and proof that the scope of the project is permitted by the Minnesota Public Utilities Commission.

11. A restricted access privacy perimeter fence and gate with an overall height of 7ft will be installed for safety and security. If the required privacy fence around the perimeter of the facility exceeds 7 ft in height it will require a building permit with engineered plans.

12. The site will be revegetated after construction with a low growth and low maintenance native seed mix not exceeding 18 inches in height. The property will be treated and maintained as needed during the spring and summer months to manage vegetation growth. Property owner will responsible for vegetation control and weed management during the projects operating life.

13. Must install 6 foot high coniferous trees along the northern and eastern parcel lines. The trees must be planted staggered in two (2) rows, no more than 16 feet apart. On the west and south property lines, property owner will be permitted to utilize the existing tree line. All trees along the border of the property, including the existing trees along the west and south border must be maintained and watered as necessary for the duration of the permit. Any dead trees must be replaced on a yearly basis.

14. This IUP is to be valid for 35 years until December 31, 2053. This IUP is valid for Saint Cloud Solar, LLC and Shirley Andersen.

15. Decommissioning of project shall involve removal of the projects components, including without limitation, solar panels, panel trackers, anchors, supports, mounts, inverters, underground electrical components and all underground footings and posts.

16. Signage and emergency contact numbers must be posted at the access driveway to property.

17. The County Planning Commission has made the findings listed in Sect 18, Subd 6(4) of Zoning Ordinance.

18. The applicant shall comply with all federal, state, and local laws and regulations.

19. Applicant shall allow the County to inspect the property during normal business hours.

MICA Update

Keith Carlson, MICA Executive Director & Ryan Erdman, Steve Novak & Nancy Silesky, Government Relations: Administration

Legislative update was provided by MICA to the County Board.

The Chair Adjourned the Regular Meeting

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

June 11, 2018 Manual Warrants OBO Pcard \$75,265.77

1 70,772.20 General Revune Fund

3 1,427.37 Public Works Fund

11 1,912.20 Human Service Fund

21 515.24 Solid Waste Fund

22 495.85 Jail Commissary Fund

44 142.91 Capital Proj 2008-Government

July 13, 2018 Manual Warrants Capital Project \$1,443,530.61

44 1,443,530.61 Capital Proj 2008-Government

July 13, 2018 Manual Warrants \$6,858.50

80 6,858.50 Agency Collections

July 13, 2018 Commissioner Warrants \$821,157.85