

Planning Commission Meeting Minutes

June 1, 2023

Completed by: Sue Bertrand, P&Z Staff

Site Visits conducted by Adam Ossefoort and Lloyd Graves on May 25th, 2023.

Meeting attended by board members: Chair Jim Pratt, alternate, George Sutton, Lloyd Graves, Arnie Boie, Roger Hendrickson and Commissioner's Liaison alternate, Tim Denny.

Staff members: Adam Ossefoort and Sue Bertrand.

Other members of the public: Sign-in Sheet is available for viewing upon request.

Jim called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited as a collective group.

Introduction of the staff and board members by Jim.

Roger motioned to have the May 4th, 2023 meeting minutes approved. Lloyd seconded the motion. Voice vote, no dissent heard. Motion carried.

George motioned to accept the amended agenda, as Adam added Joshua S. Brichacek as Item #2 moving all other Items down, seconded by Arnie, voice vote, no dissent heard, motion carried.

AGENDA ITEM 1: Kandota, Inc., Chuck Anderson: – PID 17-0039701 – Little Sauk Township

Request for a Conditional Use Permit for a Planned Unit Development for up to six (6) non-transient RV hookup sites in Recreational Development Shoreland Zoning.

Chuck was present as the applicant. Chuck stated he was looking for a conditional use to put up to six campers on his lot.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Condition(s):

1. Placement of RVs in each campsite shall respect all property boundary setbacks.
2. Planned Unit Development is capped at 6 campsites as requested in the application. Additional campsites shall require the review of the Planning Commission.
3. Applicant must abide by all other applicable federal, state, and local standards.

Correspondence received: None.

Public comment: David Drager, Little Sauk township chair, stated he was under the impression that both lots are supposed to be combined, as one of the conditions from before.

Adam responded by stating it was a potential condition, but not a requirement, based on the previous application. This application is for the one property only, and whatever was applied to the previous application is unrelated to the current application.

David stated the township does not have much to say about the application, as the culvert issues and pumping of a wetland issue has to do with Kandota's adjacent property, and not this one.

Marion Moe, stated she is not in agreement with this. It is right next to her property and stated she didn't know how many different people will be living there through the years, she doesn't know if the taxes will go up, she lives alone, and she is protesting for that reason.

Louis Murtha, stated there will be a possible zip-line and an obstacle course and he had concerns with the noise nuisance from that, especially when it comes time to putting the kids to bed earlier in the evening.

Chuck offered to address the concerns. Excessive noises; loud music and voices between 8 am and 10 pm are restricted, already, in the Covenants. They are not being rented to strangers, as it will be rented to family and friends, he will know everyone. Stated the zip-line is 300 feet from the nearest residence, and that is the beginning point of the zip-line. He stated again, these are family campgrounds.

Adam offered to adopt the protected covenants that address excessive noise, as part of the conditions, if the board would like. They would be required to be recorded, as well.

Louis from Little Sauk asked if the septic system was updated before allowing campers in there, to which Adam stated a design has already been submitted.

Chuck stated he has the design submitted, but it is not intended to go in until they start using the system as the County regulations require, when there is water hooked up. He stated there is no water hook up now. Until that day comes, he does not plan on building a \$10,000.00 new septic system for a camper that does not even use the water. He stated he also has a holding tank design with a pumper's agreement submitted, on an "as needed" basis. Chuck also stated the culvert has been installed.

Marion Moe wanted to clarify there is not sewer going into the lake, to which the board confirmed, no.

Board discussion:

George asked for clarification on "family only" campground.

Chuck added this is for family and if friends or neighbors want to come and use the zip-line, he stated he is trying to get the kids out of video games.

George asked Adam, if we approve this, could it be a rental campground to which Adam stated there is no distinction between family or commercial in our Ordinance, so yes, this would be identified as a commercial Planned Unit Development. So, in theory, he could rent it to whoever he wants and charge a fee.

George inquired if there were any standards to abide by that have to do with lighting/sewer issues... to which Adam stated yes, with a PUD, we do have a list of things in our Ordinance that he would have to abide by as a Commercial Planned Unit Development.

George addressed Adam and questioned if beyond the listed conditions proposed here, there are more standards in the Ordinance, to which Adam confirmed, yes.

George Sutton suggested, for the benefit of the public who will live next to this, if Adam could go through standards, so they know what they are in reference to their objections to the proposal.

Adam clarified the protective covenants could be adopted as the conditions and would be recorded to the property, even if Chuck didn't own it, and that would cover the noise issues as part of the camp ground rules, however, the lighting issue may have to be an added statement, as he did not think that would be addressed by either the ordinance or the covenants.

Chuck stated he wanted to correct one thing, that it was not a commercial campground.

George clarified that they may be rented out.

Chuck stated they may be hooked up to his electricity, however, this is not something he is going to be advertising or looking for somebody to come there.

George corrected Chuck stating, by approving this, you could rent them out.

Chuck again stated this is not a commercial campground.

Adam clarified the Ordinance declares a Residential Planned Unit Development or a Commercial Planned Unit Development. A Residential PUD you are breaking these off into individual properties that they have individual ownership of and you are not doing that, so it is Commercial. Adam also addressed Chuck that he understands Chuck is not operating it as Commercial, but the Ordinance is going to identify it as such. That is how we got to what you are proposing.

Roger added a concern of his is this campground is on the opposite side of a major highway than the lake. He stated he has a similar situation with kids who cross the twp. road to fish, unsupervised, don't look for traffic, so they had to put up signs to slow down. He stated MN DOT will not allow a slow traffic sign on State Hwy 71. Also, at our last month's meeting he had not put the culvert in. Roger clearly stated he is firmly against this application because of children crossing the highway, with no cross walk. He knows what the traffic is like and he has been around there too long.

There was discussion about the 50-foot setback from the road right of way to hwy. 71.

Arnie asked if there were conditions they could put in place to allow pedestrians to cross the road.

Adam stated our ordinance wouldn't allow access to the lake from a non-riparian lot. There is no ownership on the lakeside of Hwy. 71 in this area, as it is all road right of way up to the water.

George stated there were no beaches or docks.

Lloyd asked if he was going to have public restrooms and showers for the campers.

Chuck said he has rented two biffies if needed, just in case the pumper doesn't get there when he is supposed to get there, otherwise, the campers are mostly self-contained.

Chuck explained there is only one place to cross and that is at the intersection of 150th as the ditches have water in them.

Adam addressed the board that he added conditions #4 and #5 to consider, prior to making a motion.

Conditions:

1. Placement of RVs in each campsite shall respect all property boundary setbacks.
2. Planned Unit Development is capped at 6 campsites as requested in the application. Additional campsites shall require the review of the Planning Commission.
3. Applicant must abide by all other applicable federal, state, and local standards.
4. Protective covenants shall be recorded to the property upon approval of the application.
5. Holding tank for sewage treatment shall be installed prior to placement of campers.

Marilyn added she was concerned about the trash, cans from pop, cans from beer and will he take responsibility to have all of that clean?

Adam explained the covenants cover the responsibilities of trash.

Chuck stated he would rather withdraw the application than put a holding tank in for the campers that may be only a fleeting stay, to comply with the #5 condition. He stated he should have the right to use his property reasonably without harming neighboring properties. Putting blocks on everything that he does is beyond everything he believes in America, period.

Arnie clarified and stated #5 is the deal breaker, to which Chuck agreed.

Chuck stated if the campers are hooked up to water, we need a sewer and he is willing to work with that.

Roger stood by the holding tank condition. Campers pull away from a campsite, get down the road and pull the plug and empty their tank grey water, black water, toilet paper all of it, anywhere. He supports some kind of thing that they can drop into before they leave the site.

Adam agreed with Roger, we can't control where the sewage is being disposed of offsite, unless we have the onsite option, and secondly, he stated he respects what Chuck is proposing, however, the Conditional Use Permit runs with the land and not the land owner. This could be bought by somebody else tomorrow and they would still have to abide by those same conditions. We are setting this up for the long-term success of the property, not just the proposal of the current application.

Jim added it's pretty tough to do anything after the damage is already there.

Roger asked about the camper right now, and is anybody staying there or is it just parked there.

Chuck stated the camper is insulated and he has chickens there. It's priced less than the cost to go insulate a building for the chickens and that camper is not going to be there.

Jim said he agreed with Roger, if there is no place to dump the sewage, it's going to end up along the road someplace.

Chuck offered, if we want to put in there something that says they have to have their tanks pumped before they leave, it makes sense to him, that he has a provision in this application that provides for all of the tanks out there, (grey and black water) to be pumped. Gave an example of Rainbow Lodge Campground, nothing says they have to dump before they leave, or, the campsite in Sauk Centre, they go offsite to dump, like a Truckstop.

Public asked about non-transient, and asked the board if that means they do not come and go.

Adam read meanings out of the Ordinance for transient, however, we do not have a definition for non-transient.

Chuck offered, you could satisfy that by just saying seasonal.

Jim stated normally, if they are seasonal, they are hooked up to water and sewer.

Chuck respectfully disagreed, stating not necessarily.

Jim confirmed if you go to these campsites that say they are seasonal, they are hooked up to sewer and water.

Chuck agreed, for the Commercial ones.

Jim stated according to the Ordinance, this is a Commercial application.

Lloyd stated if you don't have a holding tank, it's a problem for the people that stay there.

Chuck pointed out he has the provision that was submitted stating he has a commitment with a licensed septic pumper in Todd County to pump out the campers as needed. They call the pumper and the pumper will come and pump it. They all have holding tanks. That's the way it's done. He repeated, this is or will be his private campground, not commercial.

Adam clarified Planning and Zoning doesn't differentiate between private and public, we can only make decisions based on the Ordinance. For this application, for review purposes, we are limited to a Commercial Planned Unit Development.

Chuck stated he didn't intend this to be commercial, say he has a camper that asked to keep his camper there for five years and another five who want to do the same, and he can say yes. We'll get it put in. It's private property.

Roger made a motion to deny the application for the main reason of public safety.

Adam reminded the board, we must have findings of fact to support denial or we need to consider every condition to mitigate for any of those concerns and approve it as such.

Roger repeated his main concern was the kids. You can do whatever you want, and there's going to be kids going across that highway.

Jim added, public safety.

Arnie stated public safety does not sound like mitigating to him, and he seconded Roger’s motion to deny.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	No

Motion carried. Jim noted we will recommend to the Commissioners to deny the application, on June 20th, 2023.

AGENDA ITEM 2: Joshua S. Brichacek: – PID 12-0006903 – Hartford Township

Request for Conditional Use Permit to expand the existing auto body repair and towing business and to establish a salvage/junk yard in Commercial Zoning.

Joshua was not present as the applicant.

Staff Findings: Adam read the new information to the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office. We recommend approval to commissioners with the proposed Condition(s):

1. All existing fencing shall be maintained for screening purposes as long as the proposed use continues to exist.
2. All salvage vehicles must be kept within the fence in area of the property.
3. All waste/automotive fluids must be disposed of in a manner that complies with all applicable federal, state, and local standards.
4. Applicant must abide by all other applicable federal, state, and local standards.

Jim asked how far the property was from the well head protection area to which Adam answered half a mile.

Correspondence received: Yes, the City Administrator of Browerville. This letter is on file and may be viewed in full upon request.

Public comment: Lew Noska spoke with Josh and the city of Browerville and the city sees no concern where he is at. He stated that posted sign, near his entrance, is merely placed there as a warning, if there is any type of tanker spill, call 911 as the city of Browerville has a drinking water protection area. Josh is trying to expand his business and employ more people.

Board discussion:

George motioned to approve, Roger seconded with the four conditions as presented.

Conditions:

1. All existing fencing shall be maintained for screening purposes as long as the proposed use continues to exist.

2. All salvage vehicles must be kept within the fence in area of the property.
3. All waste/automotive fluids must be disposed of in a manner that complies with all applicable federal, state, and local standards.
4. Applicant must abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	Yes

Motion carried. Jim and Adam noted the application will be presented to the County Board of Commissioners on June 6th, 2023, because it was remanded, it goes on right away.

AGENDA ITEM 3: David E. Yoder: – PID 13-0011300 – Iona Township

Request for Conditional Use Permit for a commercial furniture business in AF-1 Zoning.

David was present as the applicant. David stated he would like to build a furniture shop. Was informed he needed a CUP and filled out all of the forms according to Planning and Zoning.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office. We recommend approval to the commissioners with the proposed condition(s):

1. There shall be no loading/unloading of materials within the public roadway.
2. Off-street parking shall be provided for all business traffic.
3. Storage of supplies and finished products shall be stored meeting all setback requirements.
4. Land use permits shall be required for all future construction.
5. Applicant must abide by all other applicable federal, state, and local standards.

Correspondence received: None.

Public comment: None.

Board discussion:

George inquired if it was due to the size of the operation and size of the building why he needed a CUP. Asked about the parking needed for retail.

Adam read out of the Ordinance in support of why he needed a CUP, as it is exceeding 1,500 sq. ft. of lot coverage for business activities, both inside or outside of structure, and also to address the need for parking space.

George clarified they are not only making the furniture but selling it, as well.

Jim asked David if this is wholesale or retail or both.

David stated it is mostly retail, maybe some wholesale. People will come and custom order and he will make it for them, and added it is just he and his brother, just small.

Lloyd asked if he had any furniture on hand to which David stated he might try to keep a couple pieces on site so people could see his work and see what he could do. Mostly made to order.

Lloyd motioned to approve, George seconded with the five conditions as presented.

Conditions:

1. There shall be no loading/unloading of materials within the public roadway.
2. Off-street parking shall be provided for all business traffic.
3. Storage of supplies and finished products shall be stored meeting all setback requirements.
4. Land use permits shall be required for all future construction.
5. Applicant must abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	Yes

Motion carried. Jim noted the application will be presented to the County Board of Commissioners on June 20th, 2023.

AGENDA ITEM 4: DeSmith Addition Preliminary Plat: – PID 03-0093900 – Birchdale Township

Request to plat (1), 1.45-acre, non-riparian lot in Recreational Development Shoreland Zoning.

Shawn was not present, as the applicant, so Adam suggested to move on to the next Item. We will work with the applicant for the time extension.

AGENDA ITEM 5: Haileigh Kruzel: – PID 06-0033000 – Birnhamville Township

Request for a Conditional Use Permit to open an in-home daycare in AF-1 and Natural Environment Shoreland Zoning.

Haileigh was present as the applicant. Haileigh stated she planned on opening a day care at her house.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Condition(s):

1. Applicant must obtain additional licenses as required by Minnesota Department of Health.
2. Applicant must abide by all other applicable federal, state, and local standards.

Correspondence received: None.

Public comment: None.

Board discussion:

George motioned to approve as proposed, Roger seconded with the two conditions as presented.

Conditions:

1. Applicant must obtain additional licenses as required by Minnesota Department of Health.
2. Applicant must abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	Yes

Motion carried. Jim noted the application will be presented to the County Board of Commissioners on June 20th, 2023.

AGENDA ITEM 6: Daniel N. Swartzentruber: – PID 17-0016200 – Little Sauk Township

Request for a Conditional Use Permit for roof truss assembly business with retail sales in AF-1 Zoning.

Daniel was present as the applicant. Daniel stated he has a crazy idea to build roof trusses so he applied for his CUP.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Condition(s):

1. There shall be no loading/unloading of materials within the public roadway.
2. Off-street parking shall be provided for all business traffic.
3. Storage of supplies and finished products shall be stored meeting all setback requirements.
4. There shall be no storage or disposal of waste products in adjacent wetland areas.
5. Land use permits shall be required for all future construction.
6. Applicant must abide by all other applicable federal, state, and local standards.

Correspondence received: None

Public comment:

Lew Noska asked how large the area was, in acreage, for the business for possible needed turnaround space, to which Adam stated he could get that information for him.

Dave Drager, from Little Sauk Township, stated they have no objection.

Board discussion:

George made a motion to approve the application.

Arnie asked what type of operation this is, sawmill or hammermill?

Daniel explained, no, it is building roof trusses. He will be buying the material and cut it to lengths that he needs, then assemble the rafters.

George said there is nothing in there that states he couldn't use it as a sawmill as part of the operation.

Adam clarified there will be the use of saws for cutting angles etc., however, to cut logs and generate lumber as a sawmill, would be a different use and would need to be addressed separately.

George made a motion to approve with the six conditions as presented. Arnie seconded the motion.

Conditions:

1. There shall be no loading/unloading of materials within the public roadway.
2. Off-street parking shall be provided for all business traffic.
3. Storage of supplies and finished products shall be stored meeting all setback requirements.
4. There shall be no storage or disposal of waste products in adjacent wetland areas.
5. Land use permits shall be required for all future construction.
6. Applicant must abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	Yes

Motion carried. Jim noted the application will be presented to the County Board of Commissioners on June 20th, 2023.

AGENDA ITEM 7: Andy Miller: – PID 28-0020301 – Wykeham Township

Request for a Conditional Use Permit for commercial woodshop and wood processing business in AF-1 Zoning.

Andy was present as the applicant. Andy stated he would like to have a saw mill and have a wood/lumber processing business. Andy stated this will be a wood sawmill/woodshop and custom work. He explained 2' x 40' footers of lumber come in and he cuts them in half to length, and notches them for pallets is what they are working on now.

Adam clarified the Ordinance calls a sawmill as wood processing and wood related activities.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Condition(s):

1. There shall be no loading/unloading of materials within the public roadway.
2. Off-street parking shall be provided for all business traffic.
3. Storage of supplies and finished products shall be stored meeting all setback requirements.
4. All truck traffic must abide by load weight limits and seasonal road restrictions.
5. Land use permits shall be required for all future construction.
6. Applicant must abide by all other applicable federal, state, and local standards.

Correspondence received: None.

Public comment:

Neighbor Brian Hansel has no problem with it.

Board discussion:

Arnie, noticed from the photo this is already going on, so is this an existing business or a new business?

Adam, confirmed this is an after the fact request.

Roger asked, South of the driveway, on the township road, is that a low area or what direction will the trucks come in?

Andy stated they come from either direction. The field was low enough they tiled on the South side. On the North side of the driveway, there is no tile and there is water standing with less drainage after a heavy rain.

Roger asked if the road breaks up in the spring, full of frost boil, to which Andy stated every Spring they get frost boils but not always in the same spot, just the natural the way it is. They had none the Spring.

Hansel stated the township had just put more class -5 down last year.

Roger said he is not worried about the trucks if they follow the weight restrictions.

Roger motioned to approve, George seconded with the six conditions as presented.

Conditions:

1. There shall be no loading/unloading of materials within the public roadway.
2. Off-street parking shall be provided for all business traffic.
3. Storage of supplies and finished products shall be stored meeting all setback requirements.
4. All truck traffic must abide by load weight limits and seasonal road restrictions.
5. Land use permits shall be required for all future construction.
6. Applicant must abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	Yes

Motion carried. Jim noted the application will be presented for approval to the County Board of Commissioners on June 20th, 2023.

AGENDA ITEM 4: Dittrich Acres Preliminary Plat: – PID 24-0042600, 24-0036305 & 24-0062200 – Turtle Creek Township.

Request to plat one (1), 1.45-acre, riparian lot in Recreational Development Shoreland Zoning.

Joshua was present as the applicant on the zoom call.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Condition(s):

1. No conditions.

Joshua confirmed the staff report was accurate.

Correspondence received: None.

Public comment:

Neighbor asked if all three parcels will be one parcel?

Adam explained, the two he currently owns plus a small portion of a third one, it'll be a single property in the end. That was actually one of the conditions of the variance that was granted, that would allow further development without road frontage. They were granted the variance with the condition that these all be combined into a single lot, so we are not creating a single lot without access.

Neighbor confirmed to combine the three into one.

Board discussion:

Roger said he liked to see the lots being combined as larger instead of smaller.

George asked what the objective is for combining the three lots.

Josh said he needs the extra lot for a pole-shed. The property is currently not large enough to support that. There is a round-about driveway road that was there when he bought the property, that had the two parcels,

so combining this additional half acre gives them enough for a pole shed so, they can have access. Otherwise they were considering moving and going through that process. This was the best solution found.

Lloyd mentioned he noticed a lot of trees.

George motioned to approve, Lloyd seconded with no conditions as presented.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	Yes

Motion carried. Jim noted the application will be presented to the County Board of Commissioners on June 20th, 2023.

Adam made sure Josh could hear all the board said, but Josh only heard the vote and stated he had lost audio.

Adam assured him, he didn't miss anything as we were just trying to make sure he could still hear us, then took the vote. He also told Josh we can touch base, again.

AGENDA ITEM 9: Rose City Canopy, Inc.: – PID 05-0004900 – Burlene Township

Request for a Conditional Use Permit for the expansion of existing commercial business to include the manufacture and sale of utility trailers in AF-1 and R-10 Zoning.

Brent Goodwin and Kenny Ruckheim were present as the applicant. They stated they wanted the option to build their own trailers and sell them and expand on the idea.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Condition(s):

1. There shall be no loading/unloading of materials within the public roadway.
2. Off-street parking shall be provided for all business traffic.
3. Storage of supplies and finished products shall be stored meeting all setback requirements.
4. Land use permits shall be required for all future construction.
5. Applicant must abide by all other applicable federal, state, and local standards.

Correspondence received: None.

Public comment: None.

Board discussion:

George motioned to approve, Roger seconded with the five conditions as presented.

Conditions:

1. There shall be no loading/unloading of materials within the public roadway.
2. Off-street parking shall be provided for all business traffic.
3. Storage of supplies and finished products shall be stored meeting all setback requirements.
4. Land use permits shall be required for all future construction.
5. Applicant must abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	Yes

Motion carried. Jim noted the application will be presented to the County Board of Commissioners on June 20th, 2023.

AGENDA ITEM 10: Proposed Amendment to Todd County Planning & Zoning Ordinance:

1. Section 9.20: Solar Energy Systems.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Adam stated that on May 2nd, 2023, the commissioners gave direction to review our existing solar energy ordinance. We know with solar, we are seeing the applications, it's only going to get bigger and bigger, so it's the right time to do the evaluation and assess the Ordinance, and make amendments that were needed. There is a list of things talked about at that work session.

Areas for consideration:

- Setback standards/ setbacks in residential areas
- Decommissioning
- Identified allowed uses in each zoning district
- Size limitations
- Connections to the Comprehensive Plan
- Consideration of prime farm lands vs marginal lands
- Property line screening
- Applying other governmental standards
- Potential setbacks from solar field to solar field.

Adam stated he has put together a draft proposal that should be seen in front of each board member (extras for the public). The red are the things that were added. We all have our Ordinance to compare 9.20 Section to

the changes. This is a lot to digest in one night, so we can take it home and review it, take public comment, ask questions and proceed how you guys feel is necessary.

Correspondence received:

Public comment:

Ken Valenta asked if this is what was tabled from a year ago, to which Adam said he could look into it, as he did not recall.

Board discussion:

George asked Adam about the language, if he would just pick and choose from other ordinances, or how did he come up with his information.

Adam explained yes, we looked at all neighboring Counties' ordinances, pulled them together into a document, books of state statutes and rules and different things. That's what he worked off of, including direction from the commissioners, as kind of a composite of all those things, that led him to this draft.

George asked about the \$125,000 per megawatt bond, and what justifies this.

Adam explained we do not require it for a lot of things, but we do require it for things like Mining and Excavating activities for reclamation of the pit, when they are done using it. It is a common thing for these to have money secured, when at the end of the life, the County, township or whoever is not stuck with disposing of the panels and all of its' components. We require this up front, for decommissioning later.

Adam added, the dollar amount (we looked at the messages board for Planning & Zoning) is the highest bond amount that any current County requires. This is just a starting point, not based on any guess of what actual costs are.

George said he would like to understand what percentage the overall cost is, and is that enough to deter somebody from doing something like this, or is a solar farm worth ten million and would have logic to have \$125,000 sunk, and it's not such a big deal.

Adam added this is \$125,000 per mega-watt, and solar farms (Section 3) can be 400 mega-watts, so that is quite a sum of money, and bonding is only proposed for the large scale, solar farms, not residential. Adam clarified part C, additional standards, applies to all of them.

George stated this is something we just don't know about, the new energy technology, wind farms, solar farms etc.

Roger brought up the creosote treated power poles that were put up in the '40's, that are no longer acceptable.

George asked if we should study this now and come back to approve it later.

Adam stated that would be his suggestion. This is just a draft, go ahead read through it, mark it up, bring back your comments next month. This is pretty significant and certainly deserves our due diligence. Consider the ten things the commissioner’s have pointed out. We can have a larger discussion next month and see what direction we want to go with it.

George asked about how to determine whether to allow this on good land or bad land or dissuading people one way or another?

Adam referred to part 3, III. refers to being consistent with Minnesota Statutes 216B.1641 or successor statute. Classification standards do not allow the most prime farm land be used as solar-production. Another thing, he stated, is the connection to our Comprehensive Plan and how it is very Ag protective. It talks about protection and preserving our Agricultural resources in Todd County. Our comprehensive plan absolutely supports the outlined direction from the Commissioners. He pointed out, if you look at the soil maps, a vast majority of area is prime farm land in Todd County, and hopefully we can protect the prime farm land without, basically, limiting our solar opportunities.

George stated part of the problem is defining something for somebody else’s definition, which might be decades and decades old, and no longer significant. He expressed appreciation for the work that’s been done.

Lloyd stated it was a good start.

Adam suggested we can touch base each month until we are ready to adopt something.

Roger motioned to table until next month, George seconded.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
George Sutton	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Arnie Boie	Yes
Jim Pratt	Yes

Motion carried. Jim stated we will look it over and talk about it next month.

Roger motioned to adjourn and Arnie seconded. Voice vote to adjourn the June Planning Commission Meeting, no dissention heard. Motion carried and meeting adjourned at 7:54 p.m.