

**McLEOD COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES
February 26, 2020**

1. CALL TO ORDER:

The regular meeting of the McLeod County Planning Advisory Commission was called to order at 9:30 am by Chairman Larry Phillips at the McLeod County Environmental Service Center Large Conference Room. Members present were Larry Phillips, Paul Merkins, Charles Hausladen, Commissioner Rich Pohlmeier and David Hoernemann. Also present were Marc Telecky, Environmental Services Director and Sandra Posusta, Secretary.

Others present: Francis Burch of Bergen Township, Randy Peterson of Randy's Bobcat Services, Jon Beach, Roger Pokornowski, Hale Township Supervisor, Dan Nikoliason, Kevin Moran, Ron Vorlicek, Lance Grobe, Jonathon Posusta, Derek Posusta, Meranda L. Wacek, John Shimanski, Hale Township, Cullen Kobayashi of US Solar Inc., Reed Richerson of US Solar Inc, and Tammy Stifter, Hale Township Clerk.

2. ACTION ON MINUTES:

Upon review of the January 22, 2020 meeting minutes, Paul Merkins motioned to approve the minutes as typed, seconded by Charles Hausladen. The motion carried unanimously amongst the Board.

3. PUBLIC HEARING

MINING CONDITIONAL USE PERMIT 20-01, Randy's Bobcat Services, Hassan Valley Township

Mr. Telecky described a request by Randy Peterson for a Conditional Use Permit on property owned by the applicant. It's a new pit area which will include screening, crushing and stockpiling of material for a five (5) year period of time. It is 6.19 acres in size described as "That Part of the NW ¼ lying SW'LY of Center of Crow River" of Section 16 in Hassan Valley Township The zoning is "A" Agricultural. It's tillable acres, shoreland and floodplain. This request sites McLeod County Zoning Ordinance Section 7, Subdivision 3, Subpart 4.

The primary haul route will be from the pit area to Airport Road (CR 115). The secondary haul route would be from the pit area to the south, 160th Street out to Jefferson Road or State Highway 22. Mr. Peterson plans to reclaim at an 8:1 side slope as he excavates to restore for farmland purposes.

Mr. Telecky said should the Board consider approval, they may wish to consider the following conditions:

- 1) The applicant shall submit a bond or letter of credit to McLeod County Environmental Services by March 30, 2020 in the amount of \$6,000.
- 2) Hours of operation are Monday – Friday 630am – 7pm. Saturday's shall be permitted as needed with a 24-hour notice to McLeod County Environmental Services. Saturday hour shall be 7am - 12pm (Noon).
- 3) Applicant shall meet all state NPDES requirements and apply for a DNR de-watering permit if needed.
- 4) Applicant shall restore pit area to an 8:1 back slope for farming practices.
- 5) Stockpiles shall not exceed 30' in height.

- 6) McLeod County Environmental Services shall inspect all restoration work completed and approve with letter acknowledging completion to release bond or letter of credit back to applicant.
- 7) Applicant shall follow all mining standards contained in Section 16 of the McLeod County Zoning Ordinance if not further restricted by this permit.

The Board of Hassan Valley Township heard this request at their February 11, 2020 meeting and recommended approval. The Board required a bond for 160th Street at the time of their meeting.

Mr. Peterson has submitted a reclamation plan to the Environmental Services Office. When the topsoil is strip-mined, it will be placed to the west to refrain out of the shoreland and floodplain area.

A memo received from Garry Bennett, Mn DNR Area Hydrologist, said this project shall closely adhere to the County Shoreland Ordinance, Floodplain Management Ordinance, and the Minnesota Statewide Shoreland Standards. Processing machinery must be located consistent with setback standards for structures from OHWL (Ordinary High-Water Levels) of public waters and from bluffs. Mr. Peterson is strongly encouraged to contact the Mn DNR office if a dewatering and/or gravel washing part of this project is anticipated to exceed 10,000 gallons of water per day or one million gallons per year. These are the levels in which a DNR Water Appropriation Permit is required.

Another memo was received by County Engineer, John Brunkhorst. If Mr. Peterson is utilizing CR 115 (Airport Road) via an easement from Emmet McCormick, then Mr. Brunkhorst would want “Trucks Hauling” signs and would need to apply for an access permit through the Highway Department.

MnDOT, AICP Planner, District 8, Megan DeSchepper, emailed a memo stating she has no comments.

Dan Nikoliason would like clarification on the access. Mr. Telecky said it would be to off of County Road 115, Airport Road. That’s the primary haul route. There is an easement that runs to the south of the building site back to the pit area. Mr. Nikoliason, owner of the property/building site commented, “So my driveway. I have an easement for the driveway.”

Mr. Telecky confirmed Randy Peterson is currently working with the owner, Emmet McCormick, to draft an easement. If this easement does not work out, the other option would be to go south to 160th Street.

Mr. Nikoliason said heading south to 160th Street is his preference or he, himself, will get stuck with repairing his driveway.

Mr. Peterson acknowledged the driveway is owned by Emmet McCormick. Mr. Peterson will maintain it as part of the easement agreement of the project and will care for it.

Mr. Lance Grobe asked if there would be some type of sweeping equipment to keep gravel off of the tar.

Mr. Peterson felt there shouldn’t be any gravel or rocks on the tar. If its raining, the plan is to use the secondary haul route to the south. There’s rock on the field road but none by the Highway so there shouldn’t be any debris on the road.

Mr. Telecky said, “For the record, the County Highway Department places standards on the access permit to remove any gravel and all pit debris on the road.”

Meranda Wacek questioned the time length of the project including hours of operation

Mr. Telecky explained that the construction season is usually June through November and that’s when you may see activity. Whether the pit is being filled or extracting, a Conditional Use Permit is required. If approved, per the Zoning Ordinance, the mining permit is good five (5) years. The pit would need to be

completely reclaimed, all the gravel excavated out and all stockpiles removed before we can inspect and close the gravel pit per letter releasing him from that activity. There is an incentive to get in and get the project completed due to the higher assessment value placed on the property because during the project it is more than just an Agricultural use. Also, it is the practice of our office to hold a pre-construction meeting to fully understand the scope of the project.

Mr. Peterson anticipates there is 25,000 yards in this pit. There is not a lot of material. It's a small and shallow area.

Chairman Phillips questioned the hours of operation including Saturday.

The hours of operation that exist are for normal operation business days during the terms of this permit, however, there's not a lot of material so there won't be as much activity.

Meranda Wacek asked if Saturdays could be limited all together.

Randy Peterson said this is seasonal work. If jobs are open, sometimes we need to get in. Weather is a factor, too.

Paul Merkins said pumps today are relatively quiet and cannot be heard for the most part. Backing up equipment is noisy because of the beeping, however that's a law by OSHA and there's nothing that can be done about that.

Randy Peterson discussed the crushing operation. If crushing is needed, it would be one to two weeks at a time, then done. It's expensive to rent a crusher.

Larry Phillips asked how many calls were received last year for providing notification of Saturday work. There were a few. These are much larger pits. The standards as per Staff are consistent with what has been asked of with other contractors in the county.

Mr. Telecky praised the Planning Advisory Commission for the nice job getting us to this point and being consistent with Saturday work hours. Contractors know this is something this cannot be abused. If its something that the job requires due to weather and is needed, its an option and a last resort, not just the normal.

Meranda Wacek questioned the time Saturday work would be done, due to noises such as trucks hauling, crushing is noisy, heavy machining grinding.

Mr. Peterson agreed it would be noisy when crushing. Due to it being seasonal work, there may be times, depending on the project that Saturday work may be needed.

Mr. Telecky explained the process of crushing. Crushing is done within a two week at timeframe. In this case, there's not much material. The equipment now is much less noisy than previous years. The back up beepers are loud, but that is an OSHA regulation.

Meranda Wacek asked once the pit work is complete and this area if fully restored, is it complete forever. Randy Peterson confirmed once this pit area is done it will be restored back to and 8:1 slope. It will match the existing landscape and restored into tillable agricultural use.

Logan Grobe questioned if there's any plan to go north or south in this area. There will not be any additional pit work as this is it for material in this area.

Meranda Wacek noted concerns with the floodplain and flooding. The watershed is important to her and her husband.

Mr. Peterson has a buffer in already. There's a state requirement to stay away from the river, and with this project, there won't be any impact to the river.

Kevin Moran questioned the pit depth and risk to the ground water. Mr. Peterson said there's no risk at all. They'll take the material out and fill it. Depth wise, it will be six feet.

Larry Phillips said there's clay at the bottom.

Dan Nickoliason asked the Board, "If today, Randy Peterson does not have an easement and he has access from the south, today, why would you grant the permit to allow access from the north?" Mr. Peterson replied, "We're not starting this today."

Mr. Telecky explained the indicated primary haul route. If Mr. Peterson doesn't secure the easement, he won't be allowed to haul that direction. It's the position of the Zoning Ordinance to get to pavement to not disrupt some of the gravel roads. Hauling can affect the integrity of those roads, especially if they're wet. For the record it's noted that trucks hauling would create disruption for Mr. Nickoliason.

If it's wet, an alternative plan would be needed, which would be to the south to 160th Street. The contractor is responsible to maintain, dust, noise, truck speeds, and maintain the access. Due to it being a private drive, the County would not bond for it. It would be something that we would deal with in the easement.

Paul Merkins asked if concrete would be crushed. There's a pile of concrete on Otto Templin's property that is going to get cleaned up. The crusher is rented and its expensive. So, in two weeks, a lot of material would be crushed. The rock that is present in this area, will be saved for landscape development.

Meranda Wacek asked who is the contact person to call should they have concerns. Mr. Telecky said to call him directly. Randy Peterson also said she could call him directly.

Paul Merkins asked Mr. Peterson if he was aware that dust coating and road maintenance is his responsibility. Mr. Peterson confirmed he is responsible.

Mr. Phillips asked for any further comments. There being none Paul Merkins motioned to close the public hearing. Charles Hausladen seconded the motion. Motion carried.

David Hoernemann asked Mr. Telecky to address the easement being pursued. Mr. Telecky responded, if the easement is not secured, Mr. Peterson has a secondary option to the south with no strings attached. An easement must be in placed prior to utilizing County Road 115 (Airport Road.)

Mr. Peterson says water for controlling dust because calcium chloride will track.

Mr. Hausladen noted suggested condition number four (4) by Staff, reclaiming at an 8:1 slope. Mr. Telecky said this is included because of transparency as it's required by ordinance and to simply indicate to the public what Mr. Peterson's intentions are.

Paul Merkins questioned the hours of operation from June until November. Mr. Peterson said if possible, he would like to get in the pit earlier unless there's a lot of snow. Mr. Telecky said the Board may condition the time frame. It can be April through November or June through November. It's a 5-year permit. What Mr. Peterson has listed on the mining reclamation proposal is to be transparent with the public.

Mr. Hoernemann feels we shouldn't restrict Mr. Peterson. If he can get in the pit in April or May because its dry, we should allow that. Mr. Hausladen agreed. Mr. Peterson shared that the road restrictions begin on May 15 each year.

A brief discussion continued on the start time of the permit and the small pit size.

David Hoernemann moved to approve Mining Conditional Use Permit 20-03 with the recommended conditions as presented on the Staff Report. Mr. Merkins seconded this motion. The motion carried with the following conditions:

- 1) **The applicant shall submit a bond or letter of credit to McLeod County Environmental Services by March 30, 2020 in the amount of \$6,000.**
- 2) **Hours of operation are Monday – Friday 630am – 7pm. Saturday's shall be permitted as needed with a 24-hour notice to McLeod County Environmental Services. Saturday hour shall be 7am - 12pm (Noon)**
- 3) **Applicant shall meet all state NPDES requirements and apply for a DNR de-watering permit if needed.**
- 4) **Applicant shall restore pit area to an 8:1 back slope for farming practices.**
- 5) **Stockpiles shall not exceed 30' in height.**
- 6) **McLeod County Environmental Services shall inspect all restoration work completed and approve with letter acknowledging completion to release bond or letter of credit back to applicant.**
- 7) **Applicant shall follow all mining standards contained in Section 16 of the McLeod County Zoning Ordinance if not further restricted by this permit.**

Mr. Telecky said this item will be forwarded to the County Board March 3rd Regular Agenda.

OLD BUSINESS:

Tabled Conditional Use Permit 19-23 US Solar Corporation on property owned by Donald Mielke

This hearing is a continuation of the public hearing originally held on January 22, 2020. The Planning Commission tabled the application until February 26, 2020 in order to allow US Solar Corporation LLC to collect additional information. The applicant signed a 60-Day Review Waiver on January 22, 2020.

Mr. Telecky introduced Cullen Kobayashi, representative and project manager for US Solar Corporation, and provided a recap of the permit request. This is for essential services of a .5-megawatt solar garden array to be known as "US Water Fowl Solar LLC" on property owned by Donald Mielke of Plato, MN. It will be inter-connected to an Xcel Energy sub-station for electrical generation through solar. The lot size will be a ten (10) acre easement of a 49.49 acres parcel and located in Section 36 of Hale Township in the "A" Agriculture District. Transportation comes off of Falcon Avenue (CR 15). The soils types in this parcel were presented. This is considered prime farmland, if drained.

The County Board of Commissioners heard this request on February 4, 2020. The unanimous vote was to table this item in order to allow US Solar LLC additional time to provide information regarding the following concerns, which US Solar has submitted clarification to our office in writing.

- 1) **Panel Wind Load Rating.** US Solar stated the technology used for this array on the tracking systems is for an allowable wind load of 135 MPG at a three (3) second dust exposure. These specific single access solar tracker panels were designed for wind abatement without power. The systems passive mechanical wind protection system, also called Failure Free Wind Design, allows the tracker row to rotate to the position of least resistance in heavy wind even without power. This protects the tracker during high wind events regardless of power to the motors.
- 2) **Fence design.** Based on fences in the area, US Solar is asking for farm and field style fencing without barbed wire. It will meet all county standards and follow all national electric code. The County standards

we have are based on history. With other Solar Gardens we have asked that fencing have the barbed wire placed on those, so this is negotiable.

- 3) **Landscape screening:** There was a landscape plan that was submitted to be planted on the south of the access driveway coming off of CR 15 to buffer the view of an adjacent neighbor, Ronald Blazinski. Since the last meeting, per US Solar, they've met and come to an agreement with Mr. Blazinski on how to properly screen the project to resolve the concerns. US Solar will plant a row of Black Hill Spruce and a row of Cardinal Dog Wood along the northern boundary of Mr. Blazinski's property where there are not existing trees, if this CUP is approved. This will provide complete and partial screening that exists and present the best visual year-round buffering. We recommend that the County make a condition that US Water Fowl will work with the neighbor, Mr. Blazinski, to provide adequate landscape screening on the north side of his property.
- 4) **Meeting with local neighboring land owners:** U.S. Waterfall is happy to meet with neighboring property owners, Township officials, and emergency services such as fire departments prior to construction of the solar garden. The County Board recommends this should be added as a condition to the permit, if recommending approval.
- 5) **Stray voltage testing:** US Solar Waterfowl has agreed to stray voltage testing before and after construction and if needed, two years after operation.
- 6) **Property values.** Mr. Telecky read aloud the three (3) studies provided by US Solar. The conclusions of each study indicated no impact on property values, positive or negative. (Kirkland Appraisals and Chisago County Assessment)
- 7) **Decommissioning:** Mr. Telecky discussed the County standard amounts for decommissioning or surety to be in the form of a bond.
- 8) **Point of inter-connection:** Many community solar gardens applied for prior to September 2015 were 5-megawatts in size which typically resulted in 15-interconnection poles as Xcels' standard design is 3-interconnection poles per megawatt. Unfortunately, developers are largely at the mercy of Xcel Energy Area Designers responsible for that region and the practical details of the distribution grid at the point of inter-connection. It is hard to deviate from the 3 standard poles per megawatt. In summary it is not feasible to reduce the inter-connection poles for this project.

Mr. Telecky read aloud recommended conditions of the January 22, 2020 Planning Commission public hearing. If approved, Staff would like the County Board to consider the following recommendations:

1. A Bond or Letter of Credit in the amount of \$50,000 be provided to McLeod County Environmental Services Office prior to any permits being issued. (\$50K for the project which is .5 megawatts)
2. Applicant shall restore the site to its original and natural state once the solar facility is no longer in use.
3. Contractor's Proof of Insurance during the construction of the facility.
4. Contact person and phone number for weed control and other concerns will be filed with the Environmental Services Office and there shall be a placard posted at the entrance visible from Falcon Avenue naming a contact person with a current phone number.
5. A landscape buffer plan and vegetative management plan shall be provided to the Environmental Services Office. Included in the plan shall be a row of maintained healthy living four feet trees with vegetative shrubbery along the exterior perimeter of the project boundary. This buffer shall be planted and maintained to remain healthy and live.
6. Agricultural fencing with two strands of barbed wire shall be installed for site security and safety around the perimeter of the project area.
7. Applicant shall meet all NPDES Permit requirements, if required.
8. Applicant shall preserve the existing drainage tile and repair if any tile is broken. Repairs shall be performed by a drainage contractor.
9. Applicant shall obtain a permit from the Minnesota Department of Transportation for access off State Highway 7 if needed.
10. Stray voltage requirement.

Mr. Telecky read aloud the recommended concerns and conditions submitted on January 15, 2020 by the Board of Hale Township, which are as follows:

1. Decommissioning Bond dollar amount is not enough.
2. Tile and drainage identification on silver and who will maintain.
3. Education is needed for ambulance and fire department in case of a natural disaster, accident or fire.
4. Stray voltage testing to be done on site before and after construction at the expense of the solar farm operation. Results be provided to the Hale Township Board.
5. A landscape plan for screening is needed to be provided to McLeod County prior to construction.
6. All conditions of the Township and McLeod County Planning & Zoning need to be confirmed and met prior to construction.

David Hoernemann questioned the barbed wire fencing stating it's not necessary. The solar gardens that approved early on, we did request that, but no longer feel the need.

Mr. Telecky said you're doing your best to protect the interest of the public. There are companies that do something other than barbed wire due to being negotiated through the permitting process. Safety and security will always be a concern with the protection of energy electricity. Staff prefers 8' to 12' of fencing.

Charles Hausladen said the Department of Natural Resources is at least 7' and expressed that one wouldn't want deer getting up and over it and jumping on the panels.

Reed Richerson, Chief Operating Officer, said it is preferred not to use barbed wire fencing for the safety of animals. They will not get stuck in the barbed wire. A taller fence is already planned.

Jon Posusta spoke with the current tenant of the property, Donald Mielke. Mr. Mielke claims he didn't know anything about the trees being planted.

Mr. Telecky read a letter that was written and hand delivered by Donald Mielke on February 14, 2020 stating he never wanted this project to be a source of concern for the community. As a McLeod County resident and a farmer, he understands and respects the values of the community and commitment to agriculture and will fully respect the decisions of the Planning Commission and County Board. He hopes this project can move forward in a way that mitigates concerns with his neighbors. Mr. Mielke has farmed for over 41 years of his life and farmed this parcel for 13 years before retiring.

Mr. Telecky told Mr. Posusta that Donald Mielke did not indicate to him anything about not wanting the trees and screening plan. Mr. Telecky is unaware of it.

Jon Posusta feels the drain tile will be affected if trees are planted.

Cullen Kobayashi addressed the Board providing solutions to meet all concerns and questions that were brought forward from the January 22, 2020 hearing. They're most willing to work with Jon Posusta and Donald Mielke regarding the location of the drain tile, which is something they run into fairly often.

Larry Phillips questioned Mr. Posusta about the tile he installed. There's tile on the east side and along through the substation. It's just not practical.

Charles Hausladen asked Mr. Posusta if he would be satisfied with good solid tubing. Mr. Posusta said no as he has encountered issues with it and neighbors need to fix every ten to twelve years.

Joel Zellmann, neighboring property owner, said he is within the Xcel Energy jurisdiction.

Jon Posusta discussed with Donald Mielke just yesterday, the fact there is a drain tile in this area. Trees will affect the drain tile. Cullen Kobayashi said their company is very willing to work with Mr. Mielke and Mr. Posusta as to the location of the drain tile. Working with these solar projects, we deal with drain tiles often. Jon Posusta said he has experience with it. The Pipeline company made promises to fix the drain

tile but they didn't do what they agreed to do. "Who will take care of the drowned-out crops and pay for damages?" asked Mr. Posusta.

A brief discussion ensued about the drainage tile location and who will care for damages. Some private lines are not mapped.

Marc Telecky read aloud a letter received from Mr. Richard Swanson, Attorney at Law, representing Mr. Ron Blazinski. The letter was received February 24, 2020. Mr. Blazinski had surgery on February 24, 2020 and unable to attend today's hearing. Mr. Swanson has another commitment and could not be present.

Roger Pokornowski, Hale Township Supervisor, commented on the letter submitted by Donald Mielke sharing he should put it in set aside and let it grow. The Township and neighbors do not want it.

Ron Vorlicek, a neighboring property owner, gave his opinions. He believes it will be an eyesore, it is too close to Ron Blazinski's property, the trees will cause problems with the tile lines and the water will back up onto his property. Stray voltage is a concern to Mr. Vorlicek because of his permitted feedlot. Novel approached Mr. Vorlicek about property he owns. In the conversations Novel said they will not construct by a feedlot. Also, this property is too small. Mr. Vorlicek is not in favor.

Reed Richerson feel the conditions mitigate the concerns. "We were asked to put in trees so we will," said Mr. Richerson. It's up to the authorities to decide. Stray voltage is something we spend a lot of time on. It will not cause stray voltage.

Larry Phillips noted how closely solar gardens are constructed right next to the hog barns in Renville and Kandiyohi counties. These are huge farms. They must not be worried about stray voltage. Evergreens and dogwood do not have deep roots. These are a possibility.

Jon Posusta said the roots are very fibrous and will go through the tile. Roots will find water.

Marc Telecky said as of now, Mr. Mielke has agreed to this request. Trees are between him and US Solar.

Reed Richerson said within the solar easement, laws and anything that is permitted under the project must be followed.

David Hoernemann said, "If the conditions placed on the Conditional Use Permit are not being followed, the permit could be in breach and the County Board could strip the permit. Then, the client would have no choice but to remove it."

Jon Posusta noted that the tile line runs along the road to the west.

Mr. Hausladen said install new tile line and forget be done with it. The old tile sounds like it isn't that good.

Ron Vorlicek said the tile line was installed in the 1990's when Donald Mielke bought the property.

Jon Posusta noted the current line isn't a problem. If trees are planted, then it will be an issue. Trees, farming and tiles don't go together.

Marc Telecky said there's a 130' setback from the centerline of Falcon Avenue. There cannot be trees planted within the road right-of-way. The Board needs to decide if this area is prime farmland or not before mitigating public impacts. Glare, a standard in the ordinance, needs to be alleviated which is why screening is required on these solar gardens. If we feel drainage will be impaired due to the screening, then it should

lead you toward a finding for denial. Does screening need to be trees? It's what McLeod County has done in the past. We try to be consistent. The purpose is to reduce the amount of glare.

Larry Phillips asked if there were any other audience comments.

Roger Pokornowski, Supervisor of the Hale Township Board said his recommendation is to deny this request. In three to four years he can see the probability of this expanding. Hale Township doesn't want to see solar gardens, period.

Ron Vorlicek said Donald Mielke chose to make the small square, but it's still prime farm land. Mr. Vorlicek hopes the Board rules against this permit request.

With no further comments, David Hoernemann motioned to close the public hearing, seconded by Charles Hausladen. Motion carried.

Charles Hausladen feels the land owner is trying to put this energy equipment in and is fully aware of the tile. Negotiations of any crop damage are between the renter and landowner. US Solar would be responsible for any tile, just like anyone else. US Solar needs to maintain it. The land knew what he was agreeing to and wants this project.

Marc Telecky noted his concern about the land owner fully being aware of the agreement. If the Board is considering to make an approval recommendation, he would ask that Donald Mielke sign a statement that he's in agreement with the current standards as presented to ensure he understands the solar project agreement. Mr. Mielke is still the property owner.

A brief discussion about trees, fencing, tile concerns and screening ensued.

Charles Hausladen said the ground is prime, but with the substation and the size, it is no longer prime ag for farming as modern equipment cannot get around the substation that easily. The screening structure needs to stay in place. Tile lines should be taken care of by US Solar and the land owner. Damages to crops are between the land owner and property renter.

Charles Hausladen motioned to recommend approval with a second by Paul Merkins with the following conditions:

- 1. A Bond or Letter of Credit in the amount of \$50,000 be provided to McLeod County Environmental Services Office prior to any permits being issued.**
- 2. Applicant shall restore the site to its original and natural state once the solar facility is no longer in use.**
- 3. Contractor's Proof of Insurance during the construction of the facility.**
- 4. Contact person and phone number for weed control and other concerns will be filed with the Environmental Services Office and there shall be a placard posted at the entrance visible from Falcon Avenue naming a contact person with a current phone number.**
- 5. A landscape buffer plan and vegetative management plan shall be provided to the Environmental Services Office. Included in the plan shall be a row of maintained healthy living four feet trees with vegetative shrubbery along the exterior perimeter of the project boundary. This buffer shall be planted and maintained to remain healthy and live.**
- 6. Agricultural fencing with two strands of barbed wire shall be installed for site security and safety around the perimeter of the project area.**
- 7. Applicant shall meet all NPDES Permit requirements if required.**
- 8. Applicant shall preserve the existing drainage tile and repair if any tile is broken. Repairs shall be performed by a drainage contractor.**
- 9. Applicant shall obtain a permit from the Minnesota Department of Transportation for access off of Falcon Avenue (CR 15).**

10. Stray voltage shall be tested prior to energization, after energization, and two years after energization.

David Hoernemann asked Mr. Richerson if the \$50,000 bond is ok with him. “It’s a lot. But, we want to respect the standards.”

Mr. Hausladen said \$50,000 is feasible right now. In five (5) years, it might be low. We need to keep the county safe.

Mr. Telecky said other counties are much higher.

Paul Merkins asked US Solar if they were comfortable with the conditions. They agreed fully with the conditions as presented.

The Board then unanimously recommended approval.

Mr. Telecky said this item will be on the March 17, 2020 County Board regular agenda.

OTHER BUSINESS:

- a) Larry Phillips handed out an article from an ag paper called The Farmer. This article shows solar panels in the air and farming underneath. Very interesting.
- b) Marc Telecky updated the Board on items for the March 25, 2020 meeting.
- c) Marc Telecky shared the MACPZA Legislative Board meeting in March will discuss an option where we as a county can ask for a production tax. It could be placed in an interest-bearing savings account. More updates to come.

RECESS

With no further business to be discussed, David Hoernemann made a motion to recess until March 25, 2020. Paul Merkins seconded the motion, which carried unanimously.

Larry Phillips, Chairman

Sandra Posusta, Secretary