



# Sherburne County Board of Commissioners November 6, 2018 - County Board Meeting Minutes

## 1. 4:31pm Call to Order

The Sherburne County Board of Commissioners convened in regular session on November 6, 2018, at the Sherburne County Government Center in the City of Elk River, MN. Call to order by the Chair was at 4:31 pm. Commissioner Dolan was absent from the meeting.

- The Board Chair Lisa Fobbe added Monticello Youth Hockey Program, Inc. Premises Permit Renewal to Agenda item #2a, a closed session for Negotiation Strategy (M.S. 13D.03) to agenda item #16, moved Commissioner correspondence from item #16 to item #17. Schmiesing/Petersen unanimous with a 4-0 vote to approve the Regular Board Meeting Agenda for November 6, 2018 with the added agenda items. Commissioner Dolan was absent from the November 6, 2018 meeting.

## 2. 4:33pm Consent Agenda

Burandt/Schmiesing unanimous to approve the Consent Agenda as presented.

### 1. Approved Minutes: October 16, 2018 - County Board Meeting

Approved Minutes: October 16, 2018 – County Workshop Meeting

#### 2. Office Space Lease Agreement

Administration

Approved general office space one-year lease agreement with Central Minnesota Jobs and Training Services.

#### 3. Elk River Watershed Association Appointment

Administration

The Sherburne County Board of Commissioners mad the following member at large appointment to the Elk River Watershed Association: Mark Lefebvre.

#### 4. Apply Property Tax Special Assessment for the PACE Program

Administration

Approved Resolution 110618AD1866 to apply a special assessment to the property located at 14995 Industry Ave SE in Becker, MN (PIN: 60-4140210) as part of the Property Assessed Clean Energy Program (PACE).

#### 5. Santiago Lions Club Legal Gambling Premises Permit Renewal

Administration

Premises Permit renewed for the Santiago Lions Club at Bailey Ray's Roadhouse, 2120 165th Ave NE, Santiago, MN 55377 (Santiago Township).

#### 6. Approve Tax Abatement

Assessor

Approved the grant of a Tax Abatement to Daniel & Nicole Kohout for (PID: 756010415) for years 2017 Assessment/Taxes Payable 2018 in the sum of \$2887.43. And incorporated findings of fact and recommendation as submitted by the Sherburne County Assessor dated November 6, 2018.

#### 7. Manual & Commissioner Warrants

Auditor/Treasurer

October 26, 2018 Manual Warrants \$10,156,549.65

October 12, 2018 Commissioner Warrants \$1,592,319.06  
 October 11, 2018 Manual Warrants - Capital Project \$1,395,560.94  
 October 24, 2018 Commissioner Warrants \$851,024.77  
 October 19, 2018 Commissioner Warrants \$586,691.56  
 October 26, 2018 Commissioner Warrants \$456,966.92  
 October 5, 2018 Commissioner Warrants \$393,143.40  
 October 19, 2018 Manual Warrants \$333,333.64  
 October 5, 2018 Manual Warrants BMO Pcard \$46,665.07  
 October 12, 2018 Manual Warrants \$6,877.31  
 October 5, 2018 Manual Warrants \$5,870.50

8. Approve out-of-state travel for J. Hancuch, Director Community Corrections Community Corrections  
 Approved out-of-state travel for J. Hancuch, Director Community Corrections, to attend American Probation and Parole Association (APPA) 2019 Winter Training Institute in Miami, Florida, March 10 - 13, 2019. The APPA member conference cost is \$365.00 plus the necessary travel expenses. Funds are budgeted for this training and travel.
9. HHS IFS - Sue - Comm Warrants 10-17-18 HHS  
 10-17-18 HHS – Sue – Comm Warrants Various \$11,947.65
10. 10-29-18 HHS OBO Warrant HHS  
 10-09-HHS OBO Warrant Various \$11,947.65
11. HHS Warrants 10-31-18 HHS  
 103118 HHS Warrants \$7,007.94
12. Recommend approval of a Lease with Tri-CAP at the Jackson Street Facility. Public Works  
 Approved a Lease with Tri-CAP for the lease of space at the Jackson Street Facility as defined within the Lease Agreement. Effective Jan. 1, 2019 thru Dec 31, 2020 (2 years). This lease has been reviewed and found acceptable to the County Attorney's Office.
13. Recommend approval of a Lease with Sherburne Soil and Water Conservation District (SWCD) at the Jackson Street Facility. Public Works  
 Approved a Lease with Sherburne Soil and Water Conservation District (SWCD) for the Jackson Street Facility. Effective Jan. 1, 2019 thru Dec 31, 2020 (2 years). This lease has been reviewed and found acceptable to the County Attorney's Office.
14. Approve Final Payment for 2017 Gram's Park Phase 1 Improvements Public Works  
 Approved final contract payment for the 2017 Gram's Park Phase 1 Improvements authorizing Veit & Company, Inc. in the amount of \$38,370.21. Project No. CP GRAMS1.
15. Approve the Natural Resource Management Services Agreement with Sherburne Soil and Water Conservation District Public Works  
 Approved the 2019 Natural Resource Management Agreement with SWCD. This matching grant is in the amount of \$11,600. This contract for services has been drafted and reviewed by the Sherburne County Attorney's Office.

16. Approve Appointments to the Metro Emergency Services Board Committees Sheriff

Approved the following appointments to the respective MESB committees as the Sheriff Office begins the transition from the Central Minnesota Services Board (CMESB) to the Metro Emergency Services Board (MESB):

**MESB Board/Executive Committee** - Commissioner Felix Schmiesing (delegate) and Sheriff Joel Brott (alternate)

**MESB 911 Technical Operations Committee** - Dispatch Supervisor Laura Anderson (delegate) and Dispatch Supervisor Lori Morgan (alternate)

**MESB EMS Technical Operations Committee** - Dispatch Supervisor Lori Morgan (delegate) and Dispatch Supervisor Laura Anderson (alternate)

**MESB Radio Technical Operations Committee** - Emergency Services Director Kyle Breffle (delegate) and Emergency Services Deputy Director Derek Baas (alternate)

17. Donation of \$1000 in Gift Cards from Big Lake Beyond the Yellow Ribbon Veterans Service

Approved the donation of gift cards (ex. Walmart, Coborns and Holiday Gas Station) value of \$1000. These gift cards can be used for Big Lake and Sherburne County Veterans and their family members in emergency situations.

2a. 4:34pm Monticello Youth Hockey Program, Inc. Premises Permit

*Administration*

Schmiesing/Burandt unanimous to approve the MN Lawful Gambling LG214 Premises Permit Renewal for Monticello Youth Hockey Program, Inc. at the Hideout Restaurant and Bar, 16496 149th St. SE, Big Lake, MN 55309.

3. 4:35pm **Announcements**

County Administrator Steve Taylor shared with the Board that the November 20, 2018 County Board Meeting may take place in the County Board Room instead of the Emergency Operations Room as currently scheduled.

4. 4:35pm **Open Forum**

There was no one present.

5. 4:35pm Discuss Bypass Lane on CSAH 8 Project and Other County Projects.

*Andrew J. Witter, P.E.: Public Works*

A discussion was held regarding the Bypass Lane on CSAH 8 Project and Other County Projects. Commissioner Schmiesing has requested that the County Board set workshops to discuss when turn lanes and by pass lanes are incorporated into highway projects and if there is a change in the policy, the implications of such change and how it would impact the process (i.e., condemnation) both financially and time wise. The Commissioner also sought additional information on when a developer's agreement was required in the platting process and the scope of such agreement.

6. 4:50pm Mental Health Bonding Letter of Support

*MaryJo Cobb: HHS*

Burandt/Schmiesing unanimous to approve a letter supporting the CAMHI (CommUNITY Adult Mental Health Initiative) proposal for Mental Health bonding dollars by providing and signing a letter of support.

**7. 4:51pm Adoption Month Proclamation**

*MaryJo Cobb, Belva Britton-Williams: HHS*

Schmiesing/Peterson unanimous to approve November 2018 as Adoption Month in Sherburne County. Belva Britton-Williams was recognized for being the recipient of a Distinguished Service Award from MN ADOPT for her individual contribution on behalf of Minnesota children and families.

**8. 4:54pm HHS Director's Update**

*MaryJo Cobb: HHS*

MaryJo Cobb the HHS Director, updated the Board on department performance and implications of Federal actions, including: Child Support Performance Report, Proposed Federal Rule Changes on "Public Charge", and Federal Families First Preservation Act.

**9. 5:03pm Break**

No break was taken.

**10. 5:03pm Non-Permitted Site Cleanup Program; Carrie Edberg Property**

*Dave Lucas, Solid Waste Administrator: Zoning*

Schmiesing/Burandt unanimous to approve a Non-Permitted Site Cleanup Program, Contract for Provision of Services with Carrie Edberg for the cleanup and removal of the remains of an old foundation of a home that was burned in 1983 on her property located at 24950 143rd Street NW, Zimmerman, MN 55398. According to the terms and conditions of the program, if approved by County Board, the County would pay the Contractor an estimated amount of \$9,570 (83 percent), and the property owner shall pay the contractor the balance of \$1,960 (17 percent). The final sum will be calculated based on the cost share formula in the Program.

**11. 5:06pm David M and Carla Mertz - IUP Rural Tourism**

*Nancy Riddle: Zoning*

Schmiesing/Burandt unanimous to approve I.U.P. for Rural Tourism Property address: 31548 136th St NW, Princeton, MN PID # 010071106 Legal Desc: S790' of E944' of NE1/4 of NE1/4 (full legal on file) Sec 7, Twp 35, Rge 26 Baldwin Township 10 acres General Rural District as recommended by the Planning Advisory Commission with the Thirteen (13) conditions listed:

1. The Board's Packet Attachments including the site plan with the written descriptions along with any conditions added during Planning Advisory Commission and/or County Board review will become a part of the approved interim use permit.

2. Days & hours of May 1st to November 1st. Indoor activities 9:00 AM – 11:00 PM. Outside, activities (including events in tents) must be completed during daylight hours. Workers may stay after hours to clean-up no later than 12:00 AM.

3. Outdoor and indoor music is permitted and must follow the hours of operation established in this permit. All activities must comply with MN Rule 7030.0040 Noise Standards. If complaints arise related to the noise levels the permit holder will need to run a sound level meter during the events to ensure compliance with MN Rule 7030.40. The permit holder will supply the County with records of the noise level test.

4. No parking on public roads, temporary parking areas may be approved at the sole discretion of the County. Parking areas must be a minimum of forty (40) feet from all property lines and must be screened from neighboring property. Parking areas can be grass fields but must be delineated.

5. A Building Permit is required from the Planning and Zoning Department for any structural improvements. 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.

6. Before any structures, or portions of structures can be used for events the applicant must receive a certificate of occupancy from the Sherburne County Building Official and Local Fire Warden. The existing house and garage may not be accessible by event participants.
7. Exterior lighting shall be directed away from residences and the public right-of-way
8. The use of food & beverage vendors shall comply with all MN Dept. of Health regulations. Required permits shall be provided to the Planning and Zoning Office if requested.
9. There may be one sign totaling not more than 12 square feet in size, located on the property and outside the public right of way and a permit from the Planning and Zoning Office is required.
10. The owner will maintain a log of the activities occurring onsite that includes activity/event dates, group identity, times and number of guests and make available to the Planning and Zoning Office if requested.
11. The IUP is issued to David and Carla Mertz and shall expire with a change in ownership of the property.
12. Applicant to comply with Section 16.2 Subdivision 5.9 of County Zoning Ordinance and all local, state, and federal laws.
13. The Findings in the Zoning Ordinance under Sec 18, Subd 6.4 have been made.

**12. 5:07pm Judy A. Abrahamson - Simple Plat**

*Nancy Riddle: Zoning*

Schmiesing/Burandt unanimous to approve Preliminary and Final Residential Simple Plat "ABRAHAMSON ACRES" consisting of 1 lot with an existing residence Property address: 18242 17th St SE, Princeton, MN PID # 450024100 Legal Description: Th pt of th SE1/4 of Sec 2, Twp 35, Rge 28 Lying Wly of desc line A and lying Ely and Sly of Desc line B (full legal on file) Santiago Township 7.65 acres Agricultural District, as recommended by the Planning Advisory Commission with the three (3) conditions listed. Commissioner Schmiesing also sought additional information on when a developer's agreement was required in the platting process and the scope of such agreement.

1. A deed combining the remaining acreage, not being platted (approximately 33 acres) must be combined to adjoining PID#45002 4300. The deed for the split must be presented to the Zoning Department prior to Zoning signing the final plat mylars. The deed must be recorded immediately after the plat is recorded.
2. A Developer's Agreement must be signed with the County Attorney's Office, if needed.
3. Developer has one (1) year to record the plat per Section 4, Subd 3 of the Subdivision Ordinance

**13. 5:11pm Stephen and Dianne Smith Family Trust - Simple Plat**

*Nancy Riddle: Zoning*

Schmiesing/Petersen unanimous to approve Preliminary and Final Residential Simple Plat approval of "Hugh E Craig Estates" Simple Plat consisting of 3 lots PID # 35 0191201 Legal Desc: S1/2 of NW1/4 of NE1/4 (full legal on file) Sec 19, Twp 34, Rge 27 Orrock Township 17.03 acres General Rural District, as recommended by the Planning Advisory Commission with the four (4) conditions listed. Commissioner Schmiesing also sought additional information on when a developer's agreement was required in the platting process and the scope of such agreement.

1. Park dedication fees for three (3) lots at \$2,400. Fees are paid to Public Works prior to them signing the final plat mylars.
2. Must obtain driveway access from Sherburne County Public Works prior to driveway construction.
3. A Developer's Agreement must be signed with the County Attorney's Office, if needed.
4. Developer has one (1) year to record the plat per Section 4, Subd 3 of the Subdivision Ordinance

**14. 5:12pm Family One Homes Inc - Preliminary Standard Plat**

*Nancy Riddle: Zoning*

Schmiesing/Burandt unanimous to approve Preliminary Residential Standard Plat of "Misty Hollow" consisting of 10 Lots PID # 010322200 Legal Desc: NW1/4 of NW1/4 (full legal on file) Sec 32, Twp 35, Rge 26 Baldwin Township 41.96 acres General Rural District and within the Natural Environment Lakeshore District of Goose Lake 710087, as recommended by the Planning Advisory Commission with the six (6) conditions listed. Commissioner Schmiesing also sought additional information on when a developer's agreement was required in the platting process and the scope of such agreement.

1. Park dedication fees in the amount of \$8,000 will be paid to the Public Works Department when the final plat is signed.
2. A Developer's Agreement must be signed with the County Attorney's Office, if needed.
3. 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.
4. An NPDES permit must be submitted to the Zoning Department prior to being scheduled for final plat approval.
5. A Stormwater and Erosion Control Permit application is required to be submitted to the Zoning Department prior to being scheduled for final plat approval. No construction can be started prior to final plat approval.
6. Developer has one (1) year to record the plat per Section 4, Subd 3 of the Subdivision Ordinance

15. 5:16pm **Sarah Cook - I.U.P. for Home Business in Accessory Bldg**

*Nancy Riddle: Zoning*

Schmiesing/Burandt unanimous to approve I.U.P. for a Home Business in an Accessory Building – Dog/Cat Grooming Property address: 26660 104th St NW, Zimmerman, MN PID # 300111405 Legal Desc: N330' of E330' of SE1/4 of NE1/4 (full legal on file) Sec 11, Twp 34, Rge 26 Livonia Township 2.5 acres General Rural District as recommended by the Planning Advisory Commission with the thirteen (13) conditions listed:

1. No more than three (3) dogs outside at any given time.
2. There may be one non-illuminated sign totaling no more than 12 sq ft in size located on the property, but outside of the public right-of-way.
3. Days & hours of operation shall be Monday thru Fri, 7:00 AM 6:00PM, Sat 8:00 AM 3:00 PM
4. The applicant must apply for a building permit for any modifications to the structure and a new septic tank.
5. There may be no more than two (2) employees (FTE) other than a member of the household residing on the premises.
6. No boarding of animals is allowed.
7. All animal waste must be disposed of in a legal manner. Applicant must work with local waste hauler to determine the right way for disposal.
8. Items for sale (i.e. pet food) will not be displayed in windows or for public to see.
9. The IUP is issued to Sarah Cook and shall expire with a change in ownership of the property.
10. Excessive noise, glare, odors, traffic or other nuisances may be justification for the County to revoke or modify the terms of the IUP.
11. The property owner shall permit the County to inspect the property during normal business hours.
12. Applicant to comply with Section 16.2 Subdivision 5.9 of County Zoning Ordinance and all local, state, and federal laws.
13. The Findings in the Zoning Ordinance under Sec 18, Subd 6.4 have been made.

16. 5:24pm **Chair Adjourned Regular Meeting & Opened Closed Session for Negotiation Strategy (M.S. 13D.03)**

*Tammy Bigelow/Steve Taylor: Administration*

5:38pm Closed Session Ended & Reconvened the Regular Meeting

17. 5:40pm **Commissioner Correspondence, Committee Reports, Upcoming Meetings, Future Agenda Items**

*(October 17, 2018 – November 5, 2018)*

**Commissioner Fobbe** – SUP meeting, Tri-County Solid Waste meeting, AMC District meeting, Community Leadership Team meeting, County Road Safety Workshop

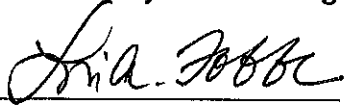
**Commissioner Dolan** – Absent

**Commissioner Petersen** – APO meeting

**Commissioner Burandt** – Adult Protection meeting, AMC District meeting, Connexus – Celebrate the Sun, Central Minnesota Council on Aging, CommUNITY Joint Powers Board meeting, AMC/HHS Committee & Public Health Advisory Board

**Commissioner Schmiesing** – Tri-County Solid Waste meeting, Law Library meeting

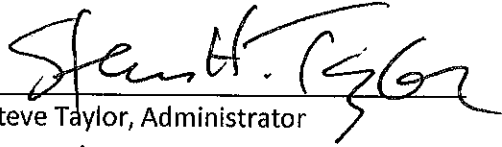
17. 5:55pm Adjourn Meeting



Lisa A. Fobbe, Chairperson

11/20/2018

Date



Steve Taylor, Administrator

11/20/2018

Date

