

REDWOOD COUNTY, MINNESOTA

NOVEMBER 17, 2015

The Board of County Commissioners met in regular session at 8:30 a.m. in the Commissioners' Room in the Government Center, Redwood Falls, Minnesota.

Present for all or portions of the meeting were Commissioners Priscilla Klabunde, Sharon Hollatz, Jim Salfer, Lon Walling, Dennis Groebner, and County Administrator Vicki Knobloch. Also present were County Attorney Steve Collins; Auditor/Treasurer Jean Price; Human Resources Coordinator Peter Brown; Planning and Zoning Supervisor Nick Brozek; Environmental Director Scott Wold; Technology Support Specialist Dave Alex; Economic Development Specialist Julie Rath; Jeff Potter and Tena Rytel.

Chair Walling called the meeting to order asking for the Pledge of Allegiance to the Flag.

On motion by Groebner, second by Salfer, the Board voted unanimously to approve the revised November 17th agenda.

Chair Walling asked the Board members to identify any areas for which they had a Conflict of Interest. Klabunde identified a conflict in the Abstract of Bills.

CONSENT AGENDA

- On motion by Groebner, second by Salfer, and excluding the bill from Klabunde Electric in the amount of \$82.00, the Board voted to approve the Consent Agenda.
- On motion by Salfer, second by Hollatz, with Klabunde abstaining due to a Conflict of Interest, the Board voted to approve the bill from Klabunde Electric in the amount of \$82.00.
 - November 3rd, 2015 Board Minutes
 - Payment of bills as follows:

General Fund	\$ 132,061.05
Building Fund	\$ 1,249.90
Ditch Maintenance Fund	\$ 45,550.44
Solid Waste Fund	\$ 13,261.37
Watershed Fund	\$ 138,325.32

EMPLOYEE RECOGNITION

- The Board recognized Greg Juenemann, Custody Officer in the Sheriff's Office, for 10 years of Service to Redwood County.

AUDITOR/TREASURER

- On motion by Hollatz, second by Klabunde, the Board voted unanimously to approve the following:
 - Cash Balance Report

- Investment Summary
 - Budget Reports, General Fund, Building Fund, Ditch Maintenance, Watershed, Solid Waste.
 - October, 2015 Disbursements in the amount of \$3,284,067.19.
- On motion by Klabunde, second by Salfer, the Board voted unanimously to approve a new credit card holder, Scott Wold, Environmental Director.

ENVIRONMENTAL

- On motion by Salfer, second by Klabunde, and in a roll-call vote with Hollatz, Groebner, Walling, Klabunde and Salfer all voting aye, the Board voted unanimously to adopt the following resolution:

RESOLUTION FOR AQUATIC INVASIVE SPECIES PREVENTION AID

WHEREAS, 2014 Session Law Chapter 308 enacted by the Legislature provides Minnesota counties a County Program Aid Grant for Aquatic Invasive Species (AIS) prevention. The amount designated for each county is based on the number of watercraft trailer launches as well as the number of watercraft trailer parking spaces within each county. Redwood County was allocated \$9,418 for 2014 and \$20,929 for 2015 and \$20,946 for 2016 and years following, and

WHEREAS, the legislation requires that Redwood County must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds which are to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county, and

WHEREAS, the county may appropriate the proceeds directly or may use any portion of the proceeds to provide funding for a joint powers board or cooperative agreement with another political subdivision, a soil and water conservation district in the county, a watershed district in the county, or a lake association located in the county. Any money appropriated by the county to a different entity or political subdivision must be used as required under this section, and

WHEREAS, the county must submit a copy of its guidelines for use of the proceeds to the Department of Natural Resources by December 31 of the year the payments are received, and

WHEREAS, Aquatic Invasive Species is a priority concern for both the State of Minnesota and Redwood County, and it is a goal of Redwood County to provide leadership in the fight against Aquatic Invasive Species.

NOW, THEREFORE BE IT RESOLVED, that the Redwood County Board of Commissioners designates oversight of Redwood County's Aquatic Invasive Species prevention efforts to the Redwood County Environmental Department and delegates them the responsibility to prepare, implement, and report annually a plan to allocate the funding in accordance with the above legislation. For 2016, the plan is on file in the Redwood County Environmental Department.

ECONOMIC DEVELOPMENT

- Rath presented September and October Activity Reports to the Board.
- Rath presented update on Minnesota West Learning Center future plans.

TECHNOLOGY

- On motion by Groebner, second by Hollatz, the Board voted unanimously to approve the Matrix Support Services Agreement in the amount of \$2,700.00.
- On motion by Klabunde, second by Hollatz, the Board voted unanimously to approve the OPG-3 Laserfiche Software Annual Contract in the amount of \$4,538.00.

COUNTY ATTORNEY

- Collins updated the Board on the Services Enterprises Contract. Board consensus was to draft letter stating Service Enterprises defaulted on the contract. No action will be taken.

ADMINISTRATOR

- On motion by Hollatz, second by Groebner, and in a roll-call vote with Hollatz, Groebner, Walling, Klabunde and Salfer all voting aye, the Board voted unanimously to adopt the following resolution:

A RESOLUTION

Affirming Redwood County's endorsement of the revised County Program Aid formula developed by the Association of Minnesota Counties' County Program Aid Work Group.

WHEREAS, Minnesota's counties are mandated by the state to provide essential services in many program areas including human services, public safety, and transportation; and

WHEREAS, counties depend on County Program Aid ("CPA") for the financial sustainability of these state-mandated, county-administered services; and

WHEREAS, the current structure of the CPA formula, pursuant MS Chapter 447A.0124, creates considerably volatility in the fund's distribution, interfering with counties' abilities to accurately budget for essential services; and

WHEREAS, the current formula's inadequacies have also resulted in the dramatic reduction of funding for one-third of counties, that have lost at least 50 percent of their funding since 2005; and

WHEREAS, despite fluctuations over the past ten years, the state appropriation to the 2015 CPA is equal to the 2005 appropriation making it greatly depressed in terms of inflation; and

WHEREAS, a revised CPA formula in conjunction with additional funding will enable counties to continue to provide quality services that may also translate into reduction in county levies, decreasing the tax burden of Minnesota residents; and

WHEREAS, in October 2014, the Association of Minnesota Counties assembled the CPA Work Group including leadership from twenty counties and representatives from the Metropolitan Inter-County Association and the Minnesota Rural Counties Caucus to analyze and develop a CPA formula that reflects the pressing needs of Minnesota's counties; and

WHEREAS, the CPA Work Group unanimously approved a revised CPA formula that benefits all Minnesota counties by reducing volatility and ensuring a fair distribution of CPA; and

WHEREAS, the Board of Directors of the Association of Minnesota Counties, which represents the diverse interests of Minnesota’s 87 counties, voted to support the proposed CPA formula revisions; now, therefore,

BE IT RESOLVED, Redwood County endorses the following revisions to the Minnesota County Program Aid formula:

- A funding increase of \$40 million;
- The creation of a funding floor that guarantees each county \$350,000 in tax base equalization aid (“TBEA”);
- Formula revisions to slow down counties’ loss of TBEA funding, including: an increase of the per capita factor to \$190, a decrease of the county adjusted net tax capacity (ANTC) factor to 9 percent, and the indexing of the ANTC factor to statewide per capita ANTC;
- The elimination of special funds and transition aid; and
- The creation of a 5% cap on annual CPA losses; ensuring no county will lost more than 5% of its funding each year.
- On motion by Hollatz, second by Groebner, , and in a roll-call vote with Hollatz, Groebner, Walling, Klabunde and Salfer all voting aye, the Board voted unanimously to adopt the following resolution:

Resolution – Proposed Use of State of Minnesota Budget Surplus

WHEREAS, the State of Minnesota, Minnesota Management & Budget Division has forecast a budget surplus in excess of \$1.6 Billion for the 2016-2017 bienium; and

WHEREAS, The current forecast budget surplus has not been allocated otherwise; and

WHEREAS, It is a well-documented fact that the state’s transportation infrastructure is in disrepair; and

WHEREAS, There are no current funding programs to repair or replace unsatisfactory roads and bridges; and

NOW, THEREFORE, BE IT RESOLVED by the Redwood County Board of County Commissioners propose using the surplus funds for the purposes of improving the transportation infrastructure across Minnesota.

- Reviewed October 2015 Jail Population.
- On motion by Klabunde, second by Groebner, the Board voted unanimously to authorize the Auditor/Treasurer and Administrator to transfer the necessary funds from the Ditch Bond Interest Fund to the Springdale Watershed Fund at the end of November in the event the fund balance has a negative balance.

- On motion by Klabunde, second by Salfer, the Board voted unanimously to approve the Child Advocacy Grant Agreement with the Minnesota Department of Public Safety.
- On motion by Groebner, second by Klabunde, the Board voted unanimously to approve the Amendment to the Purchase Agreement with Robert LeSage for the Veteran's Cemetery Project extending the agreement to December 31, 2016.
- On motion by Hollatz, second by Groebner, the Board voted unanimously to approve the Lease Agreement with Vertical Bridge.
- On motion by Hollatz, second by Walling, in a four to one vote with Klabunde voting nay, the Board approved to transfer titles of a 1992 GMC, 1997 Dodge Ram and a 2001 Dodge Ram at no cost to Redwood-Renville Regional Solid Waste Authority.
- On motion by Walling, second by Groebner, , and in a roll-call vote with Hollatz, Groebner, Walling voting aye and Klabunde and Salfer voting nay, the Board voted to adopt the following resolution:

**RESOLUTION of the
REDWOOD COUNTY BOARD OF COMMISSIONERS
Loan Agreement between Redwood-Renville Regional Solid Waste Authority
and Redwood County General Government**

WHEREAS Redwood and Renville Counties have entered into Joint Powers Agreement establishing a Redwood Renville Regional Solid Waste Authority (hereinafter referred to as "RRRSWA"); and

WHEREAS Redwood County (hereinafter referred to as "the County") has agreed to financially support the RRRSWA through loans and other financial mechanisms; and

WHEREAS the RRRSWA has constructed a Joint Regional Material Recovery Facility; and

WHEREAS the RRRSWA has requested an additional loan from the County; and

WHEREAS the RRRSWA has been awarded a State Business Development Projects Grant of \$1,898,750, receipt of which is dependent upon the County's financial support of the RRRSWA; and

WHEREAS, in 2013, the County agreed to provide financial support for the project in the amount of \$2,000,000, along with \$2,000,000 to be provided by Renville County General Government; and

WHEREAS a portion of the County's 2013 commitment for financial support to RRRSWA was a loan in the amount of \$1,000,000, and

WHEREAS the County agrees to provide additional financial support for the project in the amount of \$1,600,000, along with \$1,600,000 to be provided by Renville County General Government; and

WHEREAS a portion of the County's commitment for financial support to RRRSWA will be an additional loan in the amount of \$1,600,000 and

WHEREAS, in 2013, the Redwood County loan to RRRSWA in the amount of \$1,000,000 in a lump sum payment, at a 2% annual interest rate, for a 3 year period, pursuant to the terms of an agreement which was executed between the County and the RRRSWA, and

WHEREAS upon the facility becoming operational, the RRRSWA will have semi-annual interest payments due to the County on June 1st and December 1st of each applicable year, with no principal due. At the end of the 3 year period, interest will be reviewed and repayment schedules will be established. These terms will be defined by the aforementioned agreement to be executed by the County and the RRRSWA, and

THEREFORE BE IT RESOLVED by the Redwood County Board of Commissioners that the County shall loan the RRRSWA \$1,600,000 in a lump sum payment, at a 2% annual interest rate establishing repayments on the principal starting in 2017 with interest only payments in 2016.

Personnel

- On motion by Klabunde, second by Groebner, the Board voted unanimously to hire J. Brakken as Full-time Assistant County Attorney effective November 30, 2015 on the non-union scale, Grade 16, Step 1 at \$54,017.60/year.
- On motion by Groebner, second by Hollatz, the Board voted unanimously to hire E. Hillesheim as Part-time VSO Van Driver for the Veteran's Service Office effective November 18, 2015 on the AFSCME Scale, Grade 6, Step 1 at \$12.04/hour.
- On motion by Klabunde, second by Groebner, the Board voted unanimously to acknowledge the resignation of Kali Schmoll from Full-time Custody Officer in the Sheriff's Department effective November 26, 2015.
- On motion by Klabunde, second by Salfer, the Board voted unanimously to transfer/promote T. Pitzl from Part-time Sr. Technical Clerk in the Jail to Full-time Sr. Tech Clerk to be shared between the Jail and Probation effective November 18, 2015 at Grade 7, Step 1 of the AFSCME Salary Schedule at \$13/hour when working in the Jail and at Grade 6, Step 5 of the AFSCME Salary Schedule at \$13.29/hour when working in Probation.

PUBLIC HEARING – SIGN ORDINANCE

- At 10:00 a.m., the Board entered into a Public Hearing for the Moratorium on the Construction of Permanent Signs and Interim Sign Ordinance.
- Knobloch presented Affidavit of Publication.
- Brozek and Wold presented the Moratorium. On motion by Groebner, second by Hollatz, the Board voted unanimously to approve the following Moratorium:

MORATORIUM ON THE CONSTRUCTION OF PERMANENT SIGNS & INTERIM SIGN ORDINANCE

The county board of Redwood County, Minnesota, hereby ordains:

Article 1. Title

- 1.01 The title of this Ordinance shall be “Moratorium on the Construction of Permanent Signs & Interim Sign Ordinance.” It shall be referred to herein as “this Ordinance.”

Article 2. Purpose

- 2.01 The purpose of this Ordinance is to protect and promote the public health, safety, and general welfare pursuant to the powers vested in the county by the State of Minnesota in Minnesota Statutes Chapter 394.21. The moratorium is intended to provide the opportunity for Redwood County to conduct studies and schedule public hearings for the purpose of updating and amending the Redwood County Sign Ordinance (Section 16, Subdivision 3 of Redwood County Ordinance).

Article 3. Authority

- 3.01 Statutory Authority. Chapter 394.21 of Minnesota Statutes, authorizes counties to adopt official controls for planning and zoning for the purpose of protecting the public health, safety, and general welfare. Furthermore, Chapter 394.34 of Minnesota Statutes authorizes counties to enact interim zoning ordinances in order to conduct studies and hold hearings regarding the amendment of official controls that regulate land uses and related matters.
- 3.02 Comprehensive Plan. This ordinance is in conformity with the Redwood County Comprehensive Plan standards regarding preserving areas of aesthetic and scenic value (Redwood County Comprehensive Plan, page 52), preserving traffic carrying capabilities of roads and highways (Redwood County Comprehensive Plan, page 52), regulating signage so that it does not detract from the rural character of townships (Redwood County Comprehensive Plan, page 91), and the preservation of unique landscapes (Redwood County Comprehensive Plan, page 91).

Article 4. Definitions

- 4.01 Temporary Signs – signs that are displayed for a limited amount of time and are erected and displayed in such a way as to be easily moved or removed leaving no indication after removal that the sign had been there.
- 4.02 Permanent Signs – signs that are not temporary signs.

Article 5. Moratorium

- 5.01 A moratorium on the erection and display of permanent signs shall be in effect for a period of 120 days from the enactment of this Ordinance. During the 120 day moratorium, permits shall not be issued for permanent signs in the areas of Redwood County lying outside of the incorporated municipalities. The Moratorium shall apply in all Zoning Districts within Redwood County, as listed and described in Redwood County Ordinance.

Article 6. Compliance and Permits

6.01 Prohibited signs. The following signs are not permitted:

- (A.) Permanent signs.
- (B.) Temporary signs in excess of 32 square feet of surface area.

6.02 A zoning permit is required to erect or display a sign under this Ordinance. Zoning permits may be obtained from the Redwood County Zoning Administrator, subject to approval and a \$35.00 application fee.

6.03 General temporary sign standards:

- (A.) No sign may be displayed for longer than 30 consecutive days, or more than 30 total days in any 60 day period.
- (B.) No sign shall exceed 32 square feet in surface area.
- (C.) No sign shall exceed 10 feet in height.
- (D.) All signs must maintain a setback of at least 67 feet from the right-of-way of any public road.
- (E.) All signs must maintain a setback of at least 10 feet from any property line or parcel line.
- (F.) No sign shall obstruct a clear view of an intersection of a public road or railroad for a distance of 300 feet.
- (G.) No sign shall be erected or displayed closer than 800 feet from an existing sign on the same side of a public road.
- (H.) Signs placed within 100 feet of a public ditch or drainage tile are subject to removal by the drainage authority, for the purpose of ditch and tile maintenance and repair, without compensation to the sign owner.
- (I.) Signs must not be erected or displayed inside of the public road right-of-way or without the property owner's permission, except for road or traffic signs placed by the road authority, subject to applicable state laws and rules.
- (J.) All signs shall be properly identified stating the name and address of the individual or firm responsible for the sign.
- (K.) Illuminated signs may be permitted; except that devices giving off an intermittent

or rotating beam of rays of light shall be prohibited. No lighting for signs shall directly reflect light beams onto any public road or highway.

(L.) No sign shall, by reason of position, shape or color interfere in any way with the proper functioning or purpose of a traffic sign or signal.

6.04 Notwithstanding the requirements in section 6.02 of this Ordinance, temporary signs 12 square feet in area or smaller are allowed in all zoning Districts in Redwood County without first obtaining a zoning permit. Furthermore, such signs are not subject to the 67 foot setback requirements from the public road right-of-way and are not subject to the 800 foot setback requirement from other signs on the same side of the public road. However, such signs placed within 100 feet of a public ditch or drainage tile are subject to removal by the drainage authority, for the purpose of ditch and tile maintenance and repair, without compensation to the sign owner.

Article 7. Existing signs

7.01 Signs in existence on the date of enactment of this Ordinance may continue to be displayed as they were prior to enactment, provided that such signs were in conformity with Redwood County Ordinance at the time that they were originally erected or displayed.

7.02 Signs for which permits have been obtained from Redwood County, but which have not yet been erected or displayed as of the date of enactment of this Ordinance, may be erected or displayed subsequent to enactment of this Ordinance, during the time period for which the permits are valid.

Article 8. Effect on existing ordinance and laws

8.01 In the event that the provisions of this Ordinance conflict with other sections of the Redwood County Ordinance, this Ordinance shall control. In the event that the language of this Ordinance conflicts with any Minnesota State law or rule, the State law or rule shall control.

8.02 The Redwood County Sign Ordinance, Section 16, Subdivision 3 of Redwood County Ordinance, is hereby suspended during the duration of the 120 day moratorium referred to in Article 5 of this Ordinance. This Ordinance shall be the controlling authority and official control in respect to all signs erected and displayed in Redwood County, outside of the incorporated municipalities, for the duration of said moratorium.

Article 9. Date of effect

9.01 This ordinance shall be effective as of the date it is enacted by the Redwood County Board of Commissioners. It was remain effective for 120 days after the effective date.

Article 10. Adoption

10.01 The Redwood County Moratorium on the Construction of Permanent Signs & Interim Sign Ordinance is hereby adopted by Redwood County Board of Commissioners on the 17th day of November, 2015.

PUBLIC HEARING – SOLAR ORDINANCE

- At 10:15 a.m., the Board entered into a Public Hearing for a Solar Ordinance.
- Knobloch presented Affidavit of Publication.
- Brozek presented the Ordinance. On motion by Klabunde, second by Walling, the Board voted unanimously to approve the following Ordinance:

SUBDIVISION 1. TITLE

The title of this ordinance is the Redwood County Solar Power Management Ordinance, and will be referred to herein as “this Ordinance”.

SUBDIVISION 2. PURPOSE

This ordinance is established to set forth processes for permitting solar energy systems and to regulate the installation and operation of solar energy systems within Redwood County pursuant to Minnesota Statutes Chapters 216C.25, 500.30, and Minnesota Rules Chapter 1325.1100, as amended, in order to promote the health, safety, and general welfare of the citizens of Redwood County.

SUBDIVISION 3. JURISDICTION

The regulations of this Ordinance shall apply to all the area of Redwood County outside the incorporated limits of municipalities.

SUBDIVISION 4. INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. Where the provisions of this Ordinance impose greater restriction than those of any statute, other ordinance or regulations, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, other ordinance or regulation shall be controlling.

SUBDIVISION 5. EXEMPTIONS

Solar arrays with a generator nameplate capacity under one (1) kilowatt, and solar thermal systems with a solar collector surface under fifty (50) square feet in area, are exempt from the requirements of this ordinance.

SUBDIVISION 6. DEFINITIONS

The following words and phrases shall have the meanings ascribed to them in this Ordinance. If not specifically defined in this Section or in Section 22 of the Redwood County Zoning Ordinance, terms used in this Ordinance shall have the same meaning as provided in the standards adopted by reference. Words or phrases that are not defined here or in the standards adopted by reference shall have common usage meaning. For purposes of this Ordinance, the words “must” and “shall” are mandatory and the words “may” and “should” are permissive.

1. Acreage or Area. For the purpose of this Ordinance, the acreage or area of a solar array shall be determined by the Zoning Administrator. The intent of this Ordinance is that the acreage or area of a solar array, as determined by the Zoning Administrator, shall represent the land area used for the solar array. The acreage or area may include lanes or spaces between banks of solar panels, and the space contained within a perimeter fence surrounding the solar array, except that a residential fence shall not be construed as a perimeter fence under this section.
2. Array (Solar). Any number of solar photovoltaic modules or panels connected together to provide a single electrical output, or solar thermal collectors connected together to provide a single output.
3. Generator nameplate capacity. The maximum rated output of electrical power production of a generator under specific conditions designated by the manufacturer with a nameplate physically attached to the generator.
4. Ground Mounted Solar Energy System. Freestanding solar panels mounted to the ground by use of stabilizers or similar apparatus.
5. Large Solar Energy System. A solar array designed for wholesale production and sale of power where the primary land use of the parcel is for a solar energy system.
6. Module (Solar). A number of individual solar cells connected together in an environmentally protected housing producing a standard output voltage and power. Multiple modules/panels can be assembled into an array for increased power and/or voltage.
7. Photovoltaic Array. A group of solar photovoltaic modules connected together to increase voltage and/or power to the level required for a given system.
8. Photovoltaic Device. A system of components that generates electricity from incident sunlight by means of the photovoltaic effect, whether or not the device is able to store the energy produced for later use.

9. Power Purchase Agreement. A legally enforceable agreement between two or more persons where one or more of the signatories agrees to provide electrical power and one or more of the signatories agrees to purchase the power.
10. Roof or Building Mounted Solar Energy System. A solar energy system that is mounted to the roof or building using brackets, stands or other apparatus.
11. Small Solar Energy System. A solar array that is an accessory use in which the energy produced is first used on-site before any excess energy produced is sold back to the operator's regular electrical service provider. Small solar energy systems include solar thermal systems that are designed to provide heat or energy on-site.
12. Solar cell. The basic unit of a photovoltaic solar panel.
13. Solar Collector. A device, structure, or part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.
14. Solar Easement. A right, whether or not stated in the form of a restriction, easement, covenant, or condition, in any deed, will, or other instrument executed by or on behalf of any owner of land or solar skyspace for the purpose of ensuring adequate exposure of a solar energy system as defined in Section 216C.06, Subdivision 17, to solar energy. Required contents of a Solar Easement are defined in Minnesota Statute Section 500.30.
15. Solar energy system. A device or set of devices, a substantial purpose of which is to provide for the collection, storage and distribution of sunlight for space heating or cooling, generation of electricity, or water heating.
16. Solar Thermal System. A system that includes a solar collector and a heat exchanger that heats or preheats water or air for building heating systems or other heat or hot water needs.
17. Tracking Solar Array. A solar array that follows the path of the sun during the day to maximize the solar radiation it receives.

SUBDIVISION 7. PERMIT REQUIRED

Land Use Permits, Conditional Use Permits, and Variances shall be applied for and reviewed under the procedures established by Redwood County Ordinance and Minnesota Statutes Chapter 394. A Land Use Permit must be obtained from the Zoning Administrator by the landowner prior to construction or installation of any solar energy system that is subject to this Ordinance.

1. An application for a permit under this section for a solar energy system is not complete unless it contains the following:

- a. Address, Township, Section, and legal description of the property on which the solar energy system is proposed to be installed.
 - b. General description of the solar energy system, including type, size (area) of the array, generator nameplate capacity, and total height.
 - c. Setbacks from property lines, public ditches and tile lines, road rights-of-way, neighboring dwellings, and natural waterways.
 - d. A site plan showing the existing property lines, existing buildings, and the proposed location of the Solar energy system on the parcel.
2. In addition to the permit application requirements in part 1 above, an application for a permit under this section for a Large Solar Energy System is not complete unless it contains the following:
- a. A site plan of existing conditions showing the following:
 - i. The names of the adjacent property owners and current use of those properties.
 - ii. Existing public and private roads, showing widths of the roads and any associated easements.
 - iii. Location and size of any abandoned wells, sewage treatment systems and dumps.
 - iv. Topography at 2' intervals (or less) and source of contour interval.
 - v. Existing vegetation (list type and percent of coverage; i.e. grassland, plowed field, wooded areas, etc.)
 - vi. Waterways, watercourses, lakes and public water wetlands.
 - vii. The 100-year flood elevation and Regulatory Flood Protection Elevation, if available. Floodway, flood fringe, and/or general flood plain district boundary, if applicable.
 - viii. The shoreland district boundary, the ordinary high water level and the highest known water level, and the toe and top of any bluffs within the project boundaries, if any portion of the project is located in a shoreland district.
 - ix. Surface water drainage patterns.

- b. A site plan of proposed conditions showing the following:
 - i. Approximate location and spacing of solar panels.
 - ii. Location of access roads.
 - iii. Proposed location of underground or overhead electric lines connecting the solar farm to the building, substation or other electric load.
 - iv. New electrical equipment other than at the existing building or substation that is the connection point for the Large Solar energy system.
 - v. Proposed erosion and sediment control measures.
 - vi. Proposed stormwater management measures.
- c. Proposed specifications and recommended installation methods for all major equipment, including solar panels, mounting systems and foundations for poles or racks, if known.
- d. A description of the method of connecting the array to a substation.
- e. A decommissioning plan ensuring that facilities are properly removed in the event they are not in use for 12 consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. If necessary, the Board may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.

SUBDIVISION 8. DISTRICT REGULATIONS

Solar energy systems will be permitted, conditionally permitted or not permitted based on the generating capacity and land use district as established in the table below (P=Permitted, C=Conditionally Permitted, NP=Not Permitted):

District	Small Solar Energy System	Large Solar Energy System
1. Agriculture	P if under 1 acre in area; C if 1 acre or larger	C
2. Rural Residential	P if under .025 acres in area; C if .025 acres or larger	NP
3. Urban Expansion	P if under .25 acres in area; C if .25 acres or larger	C
4. Hwy Service Business	P if under .25 acres in area; C if .25 acres or larger	C

5. Industrial	P if under .25 acres in area; C if .25 acres or larger	C
6. Floodplain-Flood fringe	P if under 1 acre in area; C if 1 acre or larger	NP
7. Floodplain-Floodway	C	NP
8. Shoreland	P if under 1 acre; C if 1 acre or larger	C
9. Scenic River	P if under .025 acres; C if .025 acres or larger	NP

Nothing herein shall be construed to exempt a solar energy system from the regulations, requirements, and standards of the District in which it is located.

SUBDIVISION 9. SETBACKS AND STANDARDS

1. Solar energy systems shall be subject to the structure setbacks set forth in each respective Zoning District in respect to property lines, road right-of-way lines, County tile lines, and County and Judicial Ditches.
 - a. The Zoning Administrator may waive the judicial and county tile line setback requirements upon a written recommendation approving such waiver from the Redwood County Drainage Inspector. Such waiver will take into consideration the depth of the tile, the structural integrity of the tile, the soil characteristics, the location of the tile to surrounding structures, and any other information deemed to be of importance. The written waiver, if approved, shall state that by reducing the minimum setback requirement the project will not negatively affect the structure or utility of the tile and will not create problems for the future maintenance or relocation of the tile.
2. Any ground mounted solar energy system larger than .25 acres in area must be located at least 150 feet away from any dwelling, other than the project owner's dwelling.
3. Standards for all Solar Energy Systems.
 - A. Height. Solar energy systems are subject to the following height requirements:
 - a. Building or roof-mounted solar energy systems shall not exceed the maximum allowed height for structures in the zoning district in which the system is being installed, and shall not extend more than 10 feet above the building or roof on which they are mounted.

- b. Ground or pole-mounted solar energy systems shall not exceed 15 feet in height when oriented at maximum tilt, except that in the Rural Residential ground or pole-mounted solar energy systems shall not exceed 10 feet in height.
- B. Location within Lot. Solar energy systems must meet the accessory structure setback for the zoning district.
- a. Roof-mounted Solar Energy Systems. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems that are parallel to the roof surface shall not extend beyond the exterior perimeter of the building on which the system is mounted or built. The collector and racking for roof-mounted systems that have a greater pitch than the roof surface shall be set back from all roof edges by at least 2 feet. Exterior piping for solar thermal systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.
 - b. Ground-mounted Solar Energy Systems.
 - i. Ground-mounted solar energy systems may not extend into the side-yard, rear, or road right-of-way setback when oriented at minimum design tilt.
 - ii. Ground-mounted solar energy systems that result in the creation of one or more acres of impervious surface, must comply with the MPCA Construction Stormwater Permit Requirements.
- C. Rural Residential District.
- a. The total solar collector surface area of pole or ground mount solar energy systems in the Rural Residential district shall not exceed ten percent of the lot area.
 - b. Ground- or pole-mounted solar energy systems shall not exceed 10 feet in height when oriented at maximum tilt.
 - c. Ground or pole-mounted solar energy systems shall be fully screened from neighboring residential properties.
- D. Building and roof-mounted solar energy systems cannot be installed without a written certification of a qualified engineer or building inspector licensed by the State of

Minnesota that the building or roof is structurally capable of bearing the solar energy system.

- E. Approved Solar Components. Electric solar energy system components must have a Underwriters Laboratory (UL) listing.
- F. Compliance with State Electric Code. All photovoltaic systems shall comply with the Minnesota State Electric Code.
- G. Utility Notification. No grid-intertie photovoltaic system shall be installed until evidence has been given to the Department that the owner has notified the utility company of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.
- H. Vegetative screening or buffering of the solar energy system may be required as part of the conditions of approval. Screening or buffering shall be based on the proximity of the system to residential buildings and to abutting public rights-of-way.

4. Standards for Large Solar Energy Systems.

- A. Stormwater Management and Erosion and Sediment Control shall meet the requirements of the MPCA Construction Stormwater Permit requirements.
- B. Foundations. The manufacturer's engineer or another qualified engineer shall certify that the foundation and design of the solar panels is within accepted professional standards, given local soil and climate conditions.
- C. Other standards and codes. All Large Solar Energy Systems shall be in compliance with any applicable local, state and federal regulatory standards, including the State of Minnesota Uniform Building Code, as amended; and the National Electric Code, as amended.
- D. Power and communication lines. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground, to the extent practicable.
- E. Wetlands. All Large Solar Energy Systems shall be in compliance with all applicable Federal, state, and local wetland laws, rules, and regulations and shall provide copies of all wetland permits obtained in connection with the Large Solar Energy System to Redwood County upon request.

SUBDIVISION 10. DECOMMISSIONING

In the event that a solar energy system is unused or abandoned for a period of 12 consecutive months, the solar energy system must be removed by the system owner or landowner.

1. All structures and foundations must be completely removed and the soil and vegetation restored.
2. Removal must occur within 90 days of a determination that the solar energy system is unused or abandoned, unless a plan is developed and submitted to and approved by the Zoning Administrator outlining the steps and schedule for returning the system to service or for decommissioning the solar energy system.
3. Disposal of structures, foundations, and any other equipment or material must conform to Federal, State, and local laws, rules, and ordinances.

CLOSED SESSION- REAL ESTATE CONSIDERATION

- On motion By Klabunde, second by Hollatz, the Board voted unanimously to enter into closed session at 10:51 a.m. for the purpose of a real estate consideration. Present were Commissioners Hollatz, Salfer, Klabunde, Walling, and Groebner; County Administrator Knobloch, County Attorney Steve Collins and Environmental Director Scott Wold. Closed session ended at 11:26 a.m. No action was taken.

RECONVENED

- The Board reconvened into regular session.

COMMITTEE APPOINTMENTS

- Chair Walling appointed Laura Rigge to the Redwood County Economic Development Committee and Andrew Rigge as the Alternate.

COMMISSIONER REPORTS

The commissioners reported on meetings they attended:

Groebner:

- Redwood-Renville Regional SW Authority
- Paxton Township Meeting
- Sherman Township Meeting

Klabunde:

- Restorative Justice
- Child Protection Meeting
- AMC District VIII Meeting
- Community Strategies Development
- Paxton Township and State Cemetery

Walling:

- Area II MN River Basin Projects
- Personnel Sub-Committee
- Redwood/Renville Solid Waste Authority
- Tour of Dakota Granite Quarry – Milbank, SD

Salfer:

- Economic Development
- Redwood-Cottonwood Rivers Control Area
- Extension Committee

Hollatz:

- Technology Committee
- Southwest Regional Development Commission

ADJOURN

- There being no further business, Chair Walling declared the meeting adjourned at 12:08 p.m.

Lon Walling, Chair
Board of Commissioners

Attest: _____
Vicki Knobloch
County Administrator