



## REDWOOD COUNTY ENVIRONMENTAL OFFICE

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### REDWOOD COUNTY PLANNING COMMISSION

#### *MINUTES*

**Meeting Date: March 26, 2020**

A meeting of the Redwood County Planning Commission convened on Thursday, the 26<sup>th</sup> day of March, 2020, at the Redwood County Government Center.

The meeting was a special meeting called at the request of Michelle Simms of United States Solar Corporation, in order for the Planning Commission to further consider an application made by Simms for a community solar garden. This item had been tabled by the Planning Commission at its previous regular meeting, on February 24, 2020.

Due to Governor Walz's emergency declaration, in connection with the spread of the COVID-19 virus, the Redwood County Government Center was closed to the public on March 19, 2020. Consequently, the meeting was held via telephone using Zoom web conferencing software. All callers were provided with the telephone number and meeting ID number. This information was also available to all members of the public that asked for it. However, no members of the public inquired about the meeting, either before or after the meeting.

The following members of the Redwood County Planning Commission were present: Mike Scheffler, Mark Madsen, Mike Kaufenberg, Jeff Huseby and Commissioner Dave Forkrud. DeVonna Zeug was absent. Also present were the following individuals: Michelle Simms, David Watts, Environmental Director Scott Wold, and Land Use & Zoning Supervisor Nick Brozek.

At 2:00 p.m. the specially-scheduled March 26<sup>th</sup>, 2020 Redwood County Planning Commission meeting was called to order by Chair Scheffler. Chair Scheffler then re-opened the public hearing on Conditional Use Permit #2-20, submitted by United States Solar Corporation.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the matter:

1. This matter was tabled at the February 24<sup>th</sup> Planning Commission meeting. The applicant requested, and paid for, a special meeting as an alternative to waiting until the next regularly scheduled Planning Commission meeting, on April 6.
2. Prior to the February 24<sup>th</sup> meeting, the Planning Commission was sent a memorandum which included the following information:
  - a. United States Solar Corporation is requesting to construct a community solar garden on County Hwy 2, immediately north of the City of Morgan. The property is owned by Wayne Weber Revocable Trust. Wayne Weber signed off on the Conditional Use Permit application. US Solar has signed a long term lease for the site from Weber, as trustee of the trust. The proposed site is located on the east side of

County Hwy 2, in the West Half of the Northwest Quarter of Section 15, Morgan Township, parcel number 59-015-2040. The site is in the Urban Expansion District.

- b. The facility will consist of a one (1) megawatt solar array on approximately 7.8 acres. The project will generate enough electricity to power about 225 homes and will be open for subscription by Xcel Energy customers.
  - c. Equipment to be installed includes solar panels, inverters, and single-axis tracker racking installed on piles or piers. The maximum height will be about 12'.
  - d. A 15' wide unpaved access road will be constructed to serve the site from County Hwy 2. A new road approach will be constructed for the access road. Temporary parking area and portable waste disposal containers will be provided during the construction phase. Two permanent parking spots will be provided for vegetation maintenance and other employees.
  - e. The ground underneath and between the solar panels will be seeded with a mix of pollinator-friendly, low-lying, deep-rooted plants. USS Steamboat Solar LLC will control for noxious weeds during the life of the project (25 years).
  - f. A farm-field style perimeter fence will be constructed around the solar array for security. The fence will not exceed 8 feet in height and will not use barbed wire.
  - g. A permanent infiltration basin will be constructed in the southwest end of the site to collect surface runoff water.
  - h. The location of the proposed solar garden is currently a tilled field. The existing surface water drainage pattern is that the surface water flows southwest toward the Verizon Wireless communications tower site, at 25607 County Hwy 2 (and the proposed basin).
  - i. There is county drainage tile located south and west of the project site. Branch 2, of Branch B, of Branch 16 of Judicial Ditch 17 is located about 150 feet south of the site. This 6" tile line runs west into Branch B of Branch 16, JD 17, a 12" main flowing north, about 100 feet west of the project site.
  - j. The site will be connected to the power grid via an existing Xcel distribution line located on the east side of County Hwy 2.
  - k. The three nearest rural dwellings to the proposed solar garden are as follows: (1) Cory Faulds, about 500 feet north of the site; (2) Wayne Weber, about 770 feet north of the site; and (3) Michael & Amy Heidemann, about 1100 feet east of the site. Additionally, the city limits of the City of Morgan are about 550 feet south of the project site, and the residences of Kamholz 1st Addition to the City of Morgan are about 625 feet (and further away) from the site. The Morgan football field is about 325 south of the site.
  - l. This is the eighth solar garden application in Redwood County since 2015. Of the other seven, one has been built and is operational (Jerry Huiras/Geronimo Energy) and two have expired and not been renewed (Sunshare – Green and Tauer sites), and three are under construction (Peterson, Green, and Hoffbeck). The seventh is the Schouvieller site references above. The Huiras site is a 3 MW site and the other sites are 1 MW each. The proposed project would raise the total permitted MW in the Xcel territory to 8 MW, provided the Schouvieller project is also approved.
  - m. The applicant has submitted a decommissioning plan addressing the disposition of the facility should it cease to be used for twelve months or reach the end of its useful life. At that time, the system will be shut down and the panels, racking, poles, cables, posts, inverters, trans-formers, concrete pads, fencing, and access driveway will be removed and properly disposed of. The site will then be restored to its pre-installation status as an agricultural field.
3. The reason the meeting was tabled was due to questions which arose about the 6" county tile line on the project site.
  4. The application materials placed the solar garden north of the tile line. However, the landowner preferred to move the project south, to the south boundary of his property. This way, the solar garden would be on the south end of the property, and would not need to be "farmed around." Pursuant to this, the applicant and county staff got the County Ditch Inspector's approval to move the tile line approximately 300 feet

north, around the north side of the project site. However, at the public hearing, the landowner expressed his interest in abandoning the county tile line, which would require a separate petition to the County Ditch Authority. The landowner preferred that option because his field is pattern tiled, and moving the tile line will require tying in all the pattern tile to the new line.

5. The tile terminates at the eastern edge of the landowner's property. It is understood that there is some private tile on the land to the east that outlets into the 6" county line, but not a lot.
6. The parties have now decided to move forward with moving the tile line, and all have signed a Tile Agreement (attached). The agreement stipulates that the existing tile line will be re-installed, north of the project site, using 8-inch corrugated non-perforated tile. This particular tile was chosen by the Ditch Inspector because bigger tile will be easier to tie the existing pattern tile into, and 8" corrugated is similar in flow value to 6" smooth-wall tile. Also, non-perforated tile will be less likely to fail and need to be repaired in the future. The new tile will outlet into the same county tile main as the existing 6" tile, about 300 feet downstream from the current outlet.
7. The new tile will be installed at project's expense, at no cost to the county or to the ditch system. The very top end of the existing 6" tile will be left in place, and routed into the new tile, so the neighboring private tile will still have an outlet.
8. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Michelle Simms and David Watts were present at the meeting to explain the project. They made the following statements to the Commission:

- Since the February Planning Commission meeting, the project site plan has been updated, placing the solar garden in the southeast corner of Mr. Weber's property.
- This location meets the setbacks required by Redwood County and it leaves the largest possible amount of Weber's farm field available for farming.
- The project developer will pay to move the county tile present on the site, pursuant to a signed agreement with the Redwood County Ditch Inspector.
- The agreement is to re-install the tile around the north end of the solar garden, with a 30' setback from the perimeter fence.

The Planning Commissioners had the following comments and questions for the applicant:

- Has the applicant reviewed the proposed conditions, and is the applicant ok with the conditions?

The applicant responded to the Planning Commissioners' comments and questions as follows:

- The applicant has no objection to the conditions as presented.

Chair Scheffler asked those present if they had any further questions or statements. None did. Chair Scheffler closed the public hearing at 2:07 p.m.

At Chair Scheffler's direction, Brozek read out the Findings of Fact factors. After each factor, Chair Scheffler asked each Commissioner for their response, individually. The Findings of Fact factors, and the Commissioners' responses, are as follows:

- 1) What potential health safety and welfare impacts were raised at the hearing and why will they, or why won't they, impact the neighboring residents?

Kaufenberg – None were noted

Madsen – Sees no reason for concern

Huseby – No concerns

Forkrud – No concerns

Scheffler – No concerns

- 2) What potential impacts on area property uses were raised at the hearing and why will they, or why won't they, impact the property uses in the area?

Kaufenberg – Project will have no impact. All other zoned uses will continue

Madsen – solar produces no sound, no smell, no noise, will have no effect

Huseby – There will be no impact on neighboring land uses. Also, the county tile situation has been resolved.

Forkrud – No concerns about this at all.

Scheffler – agrees with the other Commissioners.

- 3) What potential impacts on property values or future development were raised at the hearing, and why will they, or why won't they, impact the neighboring properties?

Kaufenberg – Development of surrounding areas would need to come to the Planning Commission for approval anyway.

Madsen – The only effect of the project will be to the land on which it is being placed.

Huseby – There will be no impact on the adjoining land. The placement of the project will preserve the largest possible amount of tillable acres.

Forkrud – Sees no impact on the adjoining land.

Scheffler – With the project moved south, the land is easier to utilize than under the initial plan.

- 4) What infrastructure is needed to support the proposed use and how will it be provided?

Kaufenberg – All needed infrastructure will be built with the project. There will be no impact on local utilities.

Madsen – An access road is planned.

Huseby – The site will be self-supporting.

Forkrud – No negative effect on existing infrastructure.

Scheffler – Service road and fence will be constructed.

- 5) How do the goals, purpose and policies of the Zoning Ordinance and Comprehensive Plan apply to the proposed project?

Kaufenberg – The procedures in the Ordinance have been followed.

Madsen – This land use is part of the Comprehensive Plan.

Huseby – Agrees with the other Commissioners.

Forkrud - Agrees with the other Commissioners.

Scheffler - Agrees with the other Commissioners.

Huseby made a motion to recommend approval of permit #2-20, subject to the conditions recommended by staff.

Kaufenberg seconded the motion.

Chair Scheffler called for a roll call vote on the motion. Each Commissioner stated their vote, in turn, as follows:

Kaufenberg: Aye  
Madsen: Aye  
Huseby: Aye  
Forkrud: Aye  
Scheffler: Aye

The motion was approved.

Wold stated that the Planning Commission's recommendation would be taken to the County Board of Commissioners on April 7, 2020.

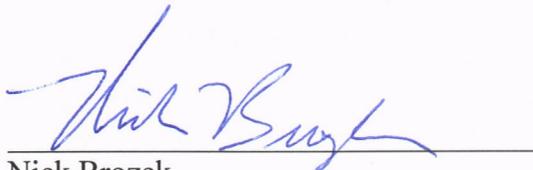
The Planning Commission discussed tabling the approval of the February 24 minutes until the next regular meeting.

Forkrud made a motion to adjourn. Madsen seconded the motion.

Chair Scheffler called for a roll call vote on the motion. Each Commissioner stated their vote, in turn, as follows:

Kaufenberg: Aye  
Madsen: Aye  
Huseby: Aye  
Forkrud: Aye  
Scheffler: Aye

The meeting was adjourned at 2:22 p.m.



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Nick Brozek  
Land Use & Zoning Supervisor  
Redwood County Environmental Office



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Mike Scheffler, Chair  
Redwood County Planning Commission