

**OFFICIAL PROCEEDINGS OF THE
RICE COUNTY PLANNING COMMISSION
Commissioner's Room / Government Services Building
Thursday, January 8, 2026 at 6:00 PM**

I. Call to Order

1. Roll Call

The meeting was called to order both in-person and electronically by Chair Garrett Johnson at 6:20 p.m.

Members present were: Garrett Johnson, Kenneth Engen, Julia Hogan, Matt Purfeerst, Jim Cihak

Staff present were: Zoning Administrator Trent McCorkell, Senior Planner Jeremy Edwards, Administrative Coordinator Anna Aguilar.

Commissioners present: Charlie Peters

Others present: see Sign-in Sheet and Registrant List.

2. Motion by Ken Engen, seconded by Jim Cihak, Reading of the Notice

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak,
NAYS: None

3. Motion by Julia Hogan, seconded by Ken Engen, Approval of the Agenda

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak,
NAYS: None

GJ - The Old Business item is scheduled for 7p, so we will skip that and go straight to new business and do the hearing at the end.

4. Motion by Matt Purfeerst, seconded by Julia Hogan, to approve the minutes of December 4, 2025

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak,
NAYS: None

II. House Keeping Items

1. Election of 2026 Planning Commission Chair

Motion by Julia Hogan, seconded by Ken Engen, to approve the election of Garrett Johnson as the Chair of the Planning Commission for 2026.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak,
NAYS: None

JH - I motion to re-elect GJ as our 2026 Planning Commission Chair.

KE - I'll second.

2. Election of 2026 Planning Commission Vice Chair

Motion by Jim Cihak, seconded by Julia Hogan, to approve the election of Ken Engen as the Vice Chair of the Planning Commission for 2026.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak,
NAYS: None

JC - I motion to have KE continue as Vice Chair.

JH - I'll second that.

3. Appointment of 2026 Planning Commission Secretary

Motion by Jim Cihak, seconded by Matt Purfeerst, to delegate the Planning Commission secretarial duties to Environmental Services Staff for 2026.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak,
NAYS: None

JC - I motion that we continue to have Staff as secretary for the Planning Commission.

MP - I'll second that.

4. **2026 Meeting Schedule**

Motion by Jim Cihak, seconded by Matt Purfeerst, to approve the 2026 meeting schedule as drafted by Environmental Services Staff.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

5. **Public Comment Time Limit**

Motion by Ken Engen, seconded by Julia Hogan, to approve a 3-minute time limit per person for individual public comment at the 2026 Rice County Planning Commission meetings.

RESULT: Approved, AYES: None, NAYS: None

KE - I motion to keep the 3-minute time limit for public comment.

JH - I'll second.

III. New Business

1. **Zoning Ordinance Amendment/Winjum (Winjum)**

Jon Winjum, on behalf of landowner Roy Winjum, has requested a Zoning Ordinance Amendment to Chapter 517.09 of the Rice County Zoning Ordinance to add, "F. Exemptions. Modification to existing structures on licensed resorts shall be exempt from the Shoreland Planned Unit Development process so long as there is no increase in the overall residential units and no modification to existing setback requirements".

Motion by Julia Hogan, seconded by Ken Engen, to recommend denial of the Zoning Ordinance Amendment to Chapter 517.09 of the Rice County Zoning Ordinance.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

Winjum – Zoning Ordinance Amendment (ZOA)

Hearing Minutes:

Senior Planner Jeremy Edwards (JE) presented the request to the Planning Commission (PC).

MP - So if we were to approve this tonight, the denial from the DNR would supersede whatever we decide and they would still be inoperable.

JE - Correct, as written, it would not be approved by the DNR.

JH - Could County Staff worked with the DNR to come up with something that would work? Is Staff willing to do that?

JE - The DNR is amenable to working with Staff and the applicant to try and come up with different language that might be in compliance with state statute.

The PC asked the applicant, Jon Winjum (JW), to come forward to add comments or answer questions regarding the request.

JW - As many of you know, we had a fire 2 years ago, and for 2 years we've been trying to get something done with this building. It was heartbreaking to see the DNR's response, but after talking to them over the past 2 days, I did find out that we went about this wrong. That there is absolutely a way to get a variance. The planned unit development was started in the '70s when a lot of mom-and-pop RV parks were being sold off into little parcels. That's why it was started. It was never meant to hamper an existing park that wants to keep running. After talking with Rick Hoffman from the DNR, who we have a meeting with, him and our lawyer to go through some of the statutes, he mentioned one that keeps sticking in my mind. It's statute 394. I don't know what that means, but he said that I should absolutely be able to ask for a variance for this. A PUD would wreck the campground because in 10 or 20 years, I'd have to remove all of my cabins, the first row of campsites, and bring it down to 36 units. It would never survive. That is what would happen to every RV park in the county. Anytime they have a fire or have to adjust for what's happening today, like we are trying to do. I know you are going to have to deny this. I understand that completely, but I need some more help in getting this pushed through, because the county is not leaving me any options. This is where people start doing what they want, and they say I'm not even going to call the county. There is no reason this is so hard. This should be a simple remodel permit. We are not planning on tearing this down and adding 30 more sites. This is nothing like that. This is an existing building that's been there since 1985 and times have changed. The bar/restaurant isn't what is used to be. It's hard to make a go at it. Very hard. To the point where, I think

the last year we were running, we lost \$150,000 on it. Now we want to change our ways of thinking, and we want to keep up with the VRBOs and AirBnBs, and be able to offer 6-bedroom cabins. Just like they do up in Simple Bay. It's way up north, but their cabins are not far off the lake, probably 70ft, but somehow, they are able to do it and they are new modern cabins. So, I am asking the board to help me get something pushed through so I can do something with this building. At this point, we are probably out \$450,000 in rent over the past 2 years. Then you guys go and lower property taxes because there is no restaurant anymore. So that's less money coming into the county. That's less people coming into the county. That's less people we need to hire to give jobs to.

KE - You are open to sitting down with the DNR and County Staff to work through a plan?

JW - From what I gather, the DNR did say there is a way to get this done without having to change the ordinance. There was never any need to change it. They said I should have been able to get done what I want to get done. The DNR pretty much said they do not care what you do with an existing building as long as you do not make it bigger, and we do not want to see you lot it off into smaller units or damage the environment. They said by reducing the impervious surface and by reducing the number of people coming into the resort, we're talking 12 people a week compared to 700. They said in their eyes that a win for them.

Chair Johnson opened the public testimony portion of the item to the public and no one spoke.

Chair Johnson closed the public testimony portion of the item to the public.

Discussion:

JH - Can Staff expand on going the route of amending the ordinance compared to a variance?

JE - The main issues that arise with variances, from the statute that was referenced, Chapter 394, which is the county zoning statute, and it does lay out that variances are allowed, however, no variances can be allowed that change a use. The no-use variance prohibition is the state statute that affects this. In this case, with this specific applicant's property, that would be changing a commercial building to a residential building. The Planned Unit Development process is a negotiation. That is something that can be pursued. It is worth noting that the regulation within the Planned Unit Development process can be varied from, so those are options that could be pursued, but at the current moment, there's no way to do it without going through the Planned Unit Development process.

GJ - With that, if the applicant wanted to talk with the DNR or county staff, the route he would take would be different than the proposed zoning amendment. Is that what you are saying?

JE - Yeah, the route would likely involve some sort of movement through the PUD process, whether that means using a variance within the planning and development process, or a change in ordinance language to how the planning and development process operates, those would be possible paths forward.

JH - It sounds like, at this point, there needs to be a meeting between all 3 parties to plan a way forward.

GJ - I was going to propose tabling, but if they're not going to be coming back for a zoning ordinance amendment, then tabling doesn't do us any good.

TM - Reminder, the application in front of you is for an ordinance amendment which applies to the whole county, not this specific project.

JH - I don't think tabling is the right option because, as this request sits, the DNR will deny it. Looking at this as a zoning ordinance amendment, there is no way it can move forward for approval.

CP - I agree. I think as is, you will have the deny it. After they work it out, they can come back.

JH - Like CP stated, this is not just for one specific project. Zoning Amendments open it up to the whole county, so it is not to be taken lightly as it affects all the resorts, not just this one. I motion to deny this Zoning Ordinance amendment.

KE - I'll second.

Motion to recommend denial with the findings as discussed made by JH, seconded by KE, and approved unanimously.

2. **Zoning Ordinance Amendment/Droher (MN Landspec LLC Et Al)**

Adam Droher, on behalf of landowner MN Landspec LLC Et Al, has requested Zoning Ordinance Amendments to Rice County Zoning Ordinance Chapters 502, 507, 508, and 514 to add "Contractor Spec Complex and Yard" as a new conditional use in the HC, Highway Commercial Zoning District,

add a definition and standards for the proposed new use, and to add Insulated Metal Panels (IMP) as an allowed primary exterior wall material in the HC zoning district.

Motion by Matt Purfeerst, seconded by Ken Engen, to recommend publishing notice of intent to enact and schedule a public hearing for Zoning Ordinance Amendments to Rice County Zoning Ordinance Chapters 502, 507, 508, and 514 to add “Contractor’s Office and Yard Complex” as a new conditional use in the HC, Highway Commercial Zoning District, add a definition and standards for the proposed new use, and to add Insulated Metal Panels (IMP) as an allowed primary exterior wall material in the HC zoning district.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak,
NAYS: None

Droher (MN Landspec LLC Et Al) – Zoning Ordinance Amendment (ZOA)

Hearing Minutes:

Senior Planner Jeremy Edwards (JE) presented the request to the Planning Commission (PC).

JH - Do you think 50% is low for this type of use?

JE - It could be. We have had some discussions with the applicant as to what they think an appropriate amount might be. I have seen it between 50-75% for some uses. It would definitely be something to discuss with the applicant to see what they think might be an appropriate limit.

GJ - For clarification, the main difference between what we have and what they are proposing to add as "complex" would be to allow multiple suites in one?

JE - Correct, yes. Currently, we allow one business on a single property. This would allow multiple businesses on a single property, but all within the contractor realm or trade.

The PC asked the applicant, Adam Droher (AD), to come forward to add comments or answer questions regarding the request.

AD - We are proposing a contractor spec complex and yard because Rice County is experiencing an increase in demand for trades and construction, and contractor businesses need commercial space. Part of that commercial space is the outdoor storage which, as discussed, 50% is a little low. We're looking for more around 70-75% to provide the area for contractors, equipment, vehicles, material storage; all those types of things. Also, the site has restrictions related to the septic. John can talk more about that, but that's the reason we went with the smaller buildings, so they would have less water usage and septic requirements.

Pat Mason - *with Ames Asset Management & Part of Landspec team* - I can talk a little more on the impervious surface. I've seen closer to the 70-75% for impervious surface on the projects I have worked on, whether it be for outdoor storage or parking, it's lot coverage. You have to manage stormwater and control your rate of runoff onsite to keep everything nice and clean. We have screening requirements as well.

John Rausch (JR) - We bought this site before you several years ago. At that time, it was zoned Highway Commercial (HC) and at some point, was turned to Ag. We turned it into a cornfield. We stumbled a little bit by taking the trees down without a permit, but worked with county staff to correct that. After that we had a contract with Kwik Trip. We thought this would be a good spot for them and so did they. Kwik Trip came in and pursued the site. They would be there today if the septic would have worked.

TM - Just a reminder that this request in front of you today is for a zoning amendment request, not the specific site. I know it applies to this specific site, but the amendment to the rules is what we are focusing on right now, so try to keep it related to the amendment request.

JR - We found out that we cannot do a truck stop, gas station or anything like that. What we can do with the septic situation and the clay soils, are small contractor's yards. We are wanting to model it after a site at 245th and Pillsbury in the southeast quadrant if anyone is interested. The materials we have talked about with Staff, but they are not going to be Morton or Lester buildings. We want them to look really nice. The buildings are basically going to be flat, insulated panels by Kingspan, strukturoc, or others that are often used on retail buildings. The only way this will work for us is if we have some parking and outdoor storage. It'll be fenced and well screened to the neighbors. We are not planning to have unsightly or hazardous things. This is for a contractor's yards or yards for industrial users.

Chair Johnson opened the public testimony portion of the item to the public and no one spoke.

Chair Johnson closed the public testimony portion of the item to the public.

Discussion:

JH - Like I mentioned, 50% is low for what you see in the cities. I would not be opposed to upping that amount. I do appreciate staff including accessory structures and outdoor storage as part of the site plan review, because outdoor storage is different for every site and I think if you clump in outdoor storage in only one portion of the code, it ends up being an issue down the line.

CP - As for building materials, those insulated panels look nice. I have used them before. They look like stucco almost.

JH - A lot of contractors use them.

MP - As far as impervious surface, do you know what neighboring counties are using?

JE - I am not sure what they have in their ordinances, but I would note that our Urban Reserve Industrial district does allow for 75%, so it wouldn't be unprecedented to match that.

GJ - I would be agreeable to the 75% and materials. As far as "complex" goes, I think it is one of those where you will probably not see opposition until a complex is proposed next to something else. It seems that a lot of the surrounding counties allow them and if you look at the county's zoning map with HC, HC is adjacent to Interstate 35 (I35).

JH - We are not looking at this from the specific project standpoint at this time, we are looking at it as an ordinance code change and I think it is reasonable for the HC corridor along I35.

MP - I think it is comparable to other commercial uses along I35 and it might even bring new business into the county. I motion to approve with the changes recommended by Staff and the 75% impervious surface.

KE - I'll second.

Motion to recommend approval with stated conditions and findings made by MP, seconded by KE, and approved unanimously.

3. **Zoning Map Amendment/Droher (MN Landspec LLC et Al) - Section 36, Webster Township**
Adam Droher, on behalf of landowner MN Landspec LLC Et Al, has requested a Zoning Map Amendment to change the Zoning of property from A, Agricultural to HC, Highway Commercial. The property is described as: Part of the NW1/4 of the NE1/4, Section 36, Webster Township, Rice County, Minnesota. PID#s 02.36.1.25.002 & 02.36.1.25.003. The property is currently Zoned A, Agricultural.
Motion by Jim Cihak, seconded by Ken Engen, to recommend publishing notice of intent to enact and schedule a public hearing regarding adopting a Zoning Map Amendment to Rezone property from A, Agricultural to HC, Highway Commercial for Adam Droher, on behalf of landowner MN Landspec LLC Et Al. The property is located in Section 36 of Webster Township.
RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

Droher (MN Landspec LLC Et Al) – Zoning Map Amendment (ZMA)

Hearing Minutes:

Senior Planner Jeremy Edwards (JE) presented the request to the Planning Commission (PC).

JH - I do remember back about 5 years or so now with this original rezone. It was HC before that and was rezoned to agricultural, correct?

TM - Yes, longer than that. It would have been before my time with the county. I think the change was either 2004 or in the teens sometime.

The PC asked the applicant, Adam Droher (AD), to come forward to add comments or answer questions regarding the request.

AD - Just looking to change the existing two parcels back to HC from Ag to match the county 2040 Comprehensive Plan.

JC - Were you the owner when it was switched to Ag? Could you explain why it got switched to Ag?

JR - It actually happened prior to us buying it so I am not sure why.

CP - You are aware of the wetland delineation? It looks like that has been taken care of.

JR - Yes, we hired a wetland biologist to come and do the wetland delineation, so yes, we are fully aware of it.

Chair Johnson opened the public testimony portion of the item to the public and the following spoke:

Howard Wilson - *85th Court Way* - It is in the dark green area you can see on the map. There are many residential properties there and we have enjoyed living there for almost 25 years. We do remember when the lots were not clear-cut, and we do remember when it was HC. We saw it clear-cut, we saw the whole change happen with the roundabout, and that was a clear-cut as well. The whole area, entering into Hwy 19 has been completely denuded. Our entry into our property is no longer aesthetically pleasing as it once was. We have many concerns about the rezoning. The concerns are about light pollution as we already have a lot coming from the Flying J. Another concern is noise pollution. There is a home right in the woods, adjacent to where the proposed development is. Increased traffic and an already existing local ordinance that's not being enforced by the county on our own street where there is already outdoor storage and it's being allowed without ordinance approval. We understand that HC zoning designates the area along the road for businesses. Businesses that want high visibility like hotels, motels, gas stations, big box stores, truck stops and possibly outdoor storage. But with the small size, it seems that you've got setback concerns, you've got 50-60% of the property covered by buildings, you've got parking, and you've got to manage access. We understand all of the concerns and bring them to you tonight. So, on behalf of the landowners in that beautiful patch of green space, we respectfully request that the change from Ag to HC be denied.

Chair Johnson closed the public testimony portion of the item to the public.

Discussion:

JH - If you look at the future land use map for Rice County for 2040, that whole stretch is designated HC. The zoning map is different than the future land use map, but the county has a vision for the future along I35 and that is more HC.

GJ - A lot of concerns were brought up, all of which are very valid concerns. It's tough looking at that area, a lot of investment has gone in with the roundabout and everything there, because they are expecting more traffic and more development. I get that it was a certain way for a long time, and it's tough to see that change. I do think that whole area is probably going to be slated for HC at some point.

MP - We just changed the one in the NE corner not long ago and we had the same conversation then. I agree with what GJ said.

JC - TM, what timeframe or how many years back would this site have been changed to HC? I worked on a lot of the houses built in Palomino Estates. It's a beautiful place. I think it'd be good for us to know when the subject site was first turned into HC.

TM - I believe it was HC prior to me working here at the county, so it was likely in the 80s that it was zoned HC. The change to Ag was in the 20-teens sometime, but the HC was originally in all four quadrants of the interchange.

CP - The future plan is to have HC all the way down to County Road 9 with access to the interstate. With a contractor's yard, I think you will have a lot less traffic than you would say with a hotel or gas station. This site has perfect access to Hwy 19 and the interstate. I do not see an issue with converting that corner to HC. Eventually the rest of the corridor will be that, I hope.

JH - That is how the county sees the future of that area along the I35 corridor, from Hwy 19 on the northern end down to Faribault.

CP - We've set up all the frontage roads and everything with that intent.

JC - I motion to approve the change from Ag to HC.

KE - I'll second.

Motion to recommend approval with stated conditions and findings made by JC, seconded by KE, and approved unanimously.

IV. Old Business

1. 7 PM Rehearing of Interim Use Permit/New Leaf Energy-Poplar Grove Farms - Section 23, Morristown Township

Cole Bearden of New Leaf Energy, on behalf of landowners Poplar Grove Farms LLC and Richard

Nielsen, has applied for an Interim Use Permit to allow for a 4.99MW solar energy production facility. The property is described as: Part of Section 23, Morristown Township, Rice County, Minnesota. PID#s 13.23.3.00.001 & 13.23.4.25.002. The property is Zoned UR, Urban Reserve.

Motion by Garrett Johnson, seconded by Julia Hogan, to recommend approval of the Interim Use Permit with the following conditions and findings for Cole Bearden of New Leaf Energy, on behalf of landowners Poplar Grove Farms LLC and Richard Nielsen. The property is located in Section 23 of Morristown Township.

RESULT: Approved, AYES: Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – New Leaf Energy (Poplar Grove Farms) – Interim Use Permit

1. The landowner and operators shall comply with all rules, regulations, requirements, or standards of the Minnesota Public Utilities Commission, Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Army Corps of Engineers, and other applicable federal, state or local agencies.
2. The Interim Use Permit (IUP) is for a 4.99-MW solar energy production site as shown on the approved site plan dated 10/20/2025, subject to meeting all setback and river restriction requirements.
3. Security fence shall consist of fencing meeting state and federal electrical code requirements.
4. All required permits shall be obtained prior to onsite construction.
5. As soon as onsite construction is completed all areas of the site, excluding the access roads and electrical equipment pads, are to be established and maintained in Agricultural crop production or a pollinator friendly perennial vegetative cover.
6. All electrical lines internal to the site and to the location of the interconnection point with the power utility shall be buried underground. Lines between panels are not required to be underground but must not be higher than the solar panels and meet all applicable electrical codes.
7. The applicant or operator shall furnish Rice County with a \$250,000 bond or other approved financial surety to ensure proper site decommissioning/restoration and to ensure road repair or other off-site damages caused by construction or operation of the facility. Financial surety shall be reviewed and approved by the Rice County Attorney's office prior to any work on-site.
8. The entire site shall be restored to a condition suitable for agricultural crop production prior to expiration of the Interim Use Permit (IUP) unless a new IUP has been approved for continued solar use.
9. Failure to comply with conditions may result in revocation of the Interim Use Permit.
10. This Interim Use Permit (IUP) shall expire by the earlier of: one (1) year from the County Board approval if no construction has begun, eighteen (18) months after electrical production has ceased, or twenty-five (25) years from the commercial production start date. Site restoration/reclamation must be completed prior to the expiration if no renewal has been approved. The applicant/operator of the IUP must notify Rice County Environmental Services of the commercial production start date.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).
GJ - Do you know what or have any insight on what the changes are?

TM - I know the applicant has been working with the City, trying to resolve their concerns. At the previous meeting, the concerns mainly had to do with the ability to run utilities or for future development on this property. This item was tabled a couple of times to allow the applicant and city time to come up with a plan that was agreeable to both sides. One change the applicant made was taking some of the panels away from the northwest corner of their proposed site to give the city better access to the north half of the property which could be developed later on. I know the applicant had

quite a few meetings with the City. I'm sure the applicant can give more details on that.

The PC asked the applicant, Cole Bearden (CB), to come forward to add comments or answer questions regarding the request.

CB - *New Leaf Energy Project Developer* - We are here today seeking a recommendation for approval for a 4.99MW AC project. It has been a while since I was before you last, so I will very quickly go over some of the details and outlines for the project and I would be happy to speak to everything that's happened over the last couple of months in terms of municipal correspondence. I believe Ellen from the City is here as well if you have questions for the City. This project is approximately a 34-acres fenced area. It spans across two parcels with a total acreage of well over 100-acres in total. In keeping with the county ordinance, we are proposing to combine the two parcels as the project area crosses the property line between them. The fenced acreage includes the southeast corner which has a basin for stormwater retention. The access point is one of the things we changed from the original submission. Originally, there is an existing access with a culvert, just south of Dollar General, which is on the northwest part of the property. Our original plan was to access there so we wouldn't have to put in a new culvert, and we would have a hammerhead turn down towards our intended point of interconnection. That was overly complicated and would interrupt the City's ability to potentially place something there in the future, so we did relocate our access to the south. As well as we are setting back some of the panels that we originally planned in the northwest corner of the project and relocating them to the southeast corner. This opens up a couple of acres for potential future development there. It also gives easier access to the northern portion of the property. The project has a 30-year output guarantee, so we anticipate that there'll be between a 25-40 year timeline for this project. Maximum height is 9ft, so nothing too imposing. We are proposing additional screening, which I will get into in a moment, as part of an agreement with the City to minimize some of the concerns from the people that live on the south and southwest sides of the project. We do not have all of the details worked out with the City, but the agreement we have says they'd be comfortable with the screening we choose. Typically, that's something called fuzzy fence. It's where we throw a green carpet over the fence that helps it blend in with the surrounding agricultural viewshed of the area. Other than that, the rest of the fence is a 7ft woven wire fencing with wooden posts, so it's an agricultural farm fence by appearance. The access drive itself is a 20ft wide gravel road placed down on a mat, so it can be taken out in the future when the project is decommissioned. As far as decommissioning goes, we have a decommissioning estimate included. I know that was a point of conversation with the County Board and we can obviously have further conversation about that now, or at the County Board meeting, but we would be looking to place a bond with the County for decommissioning in the event that, for some reason, we or whoever owns the panels 40 years from now, isn't able to take them out of the ground and fulfill the obligations of our lease. That is the general overview of the project.

MP - On the decommissioning, what was the estimated cost to decommission this project?

CB - We have the decommission estimate at just over \$500,000.

MP - Is that at today's dollars?

CB - That is a net present value of the worst-case estimate. As far as civil engineering goes, they take the line item for each possible thing that would be taken out and give the absolute highest cost estimate, looking 25-30 years in the future. We don't include salvage value which would likely offset costs. That would bring that cost down a bit and it comes out to that final dollar amount in today's dollars. That is included in the application packet as well if you want to review it. It is meant to be a risk-governing tool for the county so that you can plan around it, but it isn't necessarily our estimate of what the actual decommissioning would cost in the future. As for why we are back before you today, we have had multiple continuances as we continued to work things out with the City. The City originally objected to the project on grounds that they have plans for the property. They are applying for a grant to do some future commercial development in the corridor off of Hwy 60. We had initial conversations with the City to try and adjust our plan to accommodate their plans for development. The City was still not in favor of this. A lot of time and effort went in on both sides to reach an agreement that includes, among other things, primarily additional screening to hopefully mitigate concern from people that live nearby. We are also making a contribution to the Trail and Sidewalk Fund, which is in line with the County's infrastructure plan for 2025, and the proposed 2026 plan. I believe the sidewalk along Holland Ave is slated for 2027. We also agreed to help out with public utility access easements if and when that becomes necessary for future commercial development in this corridor, as well as a 118ft setback from the Dollar General for future development. We also have an annexation agreement as well, where our landowner has agreed to not interfere with future attempts to annex and or help with future attempts to

annex from the Township. That was a point of contention as well that is being ironed out and is almost to the finish line. We are on the Township's agenda on January 12th, where we believe they will be on board with this. I think we are slated for approval there. The City is now in favor of this. We think it's a mutually beneficial thing for the community at large. So, we are hoping that when we get to the County Board hearing, that we'll have a recommendation for approval. If that's conditional on the Township signing, we understand that. Then, hopefully, we are finally able to get this project built and bring in hundreds of thousands of dollars in tax revenue to the County through the Minnesota Solar Production Tax.

TM - The screening that was mentioned, do you have a plan or site plan for that yet?

CB - The plan is currently configured as a 7ft woven wire fence all the way around with wooden posts. We wouldn't be changing the height. What we agreed to with the City was that it has to be at least 6ft high, which is covered with what is currently proposed. The only difference would be literally hanging a green, fuzzy carpet over the segments of the fence, or slats, depending on what the City prefers. I feel that is something we could deal with at the time of the building permit as it wouldn't be a major change to the site plan.

TM - So, it's screening within the existing proposed fence?

CB - It is within the parameters of what is proposed for fencing, yes.

Chair Johnson opened the public testimony portion of the item to the public and no one spoke.

Chair Johnson closed the public testimony portion of the item to the public.

Discussion:

JH - I am happy to see that the applicant and the City of Morristown were able to come to a conclusion on what was beneficial for both parties.

KE - I would agree. It's nice seeing both parties agreeing and compromising. That was the main reason we voted the way we did originally, is because the City was not on board with it. So, if they have come to a conclusion and they are on board with it, there should be nothing stopping us.

CP - I have had many conversations with the City. They are on board so they can annex the rest of the property. I am also going to the Township board meeting on Monday night. I've talked to the Township several times about how the annex would work and it sounds like they have come to the conclusion that it is going to happen. The specifics are still being worked out. We should have a rough draft Monday night, hopefully, and now that the City wants it. I am not too keen on the fuzzy carpet screening, but that is between the City and the applicant. This is an allowed use and now that the City has come to agreement, I don't see how it can be denied.

MP - I agree, but my concern is the bond. If the decommission estimate is \$500,000, yet we are only requiring \$250,000 today. It just seems like a liability for the county.

TM - The \$250,000 has come about because we've, typically, done \$50,000 per MW on sites previously. Reclamation plans on solar have varied a lot in what has been presented in the past, so that is the standard we ended up with. Most solar sites have come back with a reclamation plan saying it's going to be a net-zero cost because they're figuring in salvage value. With this project, the estimate was around \$500,000, not granting any reclamation or recycling value for materials. When that was factored in with their application, the decommission estimate came down to closer to \$300,000, I think. You can certainly go with a different number, just know that it is substantially higher than what we've done for any other solar projects based on their reclamation plans.

MP - That's my only concern with this. I'd be in favor of upping the bond since we know this could be a liability for us in the future.

JH - I guess I don't see a real reason to stray from what we have done with the ten or dozen sites we have already done.

CP - I think it needs to be discussed at our work session.

GJ - I think we should keep it as we have been until we discuss it more at our work session.

JH - It would be interesting to hear what the applicant has seen related to surety amounts.

Called applicant back up.

CB - I was going to say the same thing as TM. We don't include the reclamation value for the express reason that we want it to be a good tool for the county to use for risk tolerance and governance down the road. So, you are prepared for the worst-case scenario. But if we factor in salvage value, which we do have an estimate for, it would be relatively in line with the proposed ordinance of \$50,000 per MW. Typically that is what we have seen in other states as well. It varies from County to County. Goodhue

for example was on the higher side when we permitted a project through them.

GJ - I would say it's definitely something to bring up to the whole group. I motion to approve with the 10 conditions as this has shown to compatible with our IUP criteria.

JH - I'll second.

Motion to recommend approval with stated conditions and findings made by GJ, seconded by JH, and approved unanimously.

V. Adjournment

Hearing no other items before the PC, a motion was made by JC, second by MP, to adjourn the meeting at 7:31 pm. Motion carried 5-0.

Respectfully Submitted

Planning Commission



Anna Aguilar
Administrative Coordinator



Garrett Johnson, Chair