

**Minutes of the
Steele County Planning Commission
Oct 2nd, 2023**

Call to Order:

The meeting was called to order by Schmidt at 7 pm. Present were Esplan, Dinse, Spatenka, Ingvaldson, Queen, Pool, Commissioner Brady, and staff member Oolman.

Agenda:

Motion by Ingvaldson, second by Dinse to approve the agenda as submitted. Motion passed.

Minutes:

Motion by Queen, second by Spatenka to approve the July 3rd, 2023, minutes as submitted. Motion passed.

Building Permits:

The building permits for June, July, and August were reviewed.

County Board Action

Oolman reported the County Board approved CUP #399 (Christy Mulert – Tails and Trails Kennel) as recommended by the planning commission.

IUP# 2023-02 (EESolar17, LLC- Buscho Solar Garden)

This request is from EESolar33, LLC to construct and operate a 1 MW Community Solar Project on property located in the NE¼ of the NE¼, Section 31 Clinton Falls Township owned by the Buscho Trust.

Questions and comments of the commission.

- Dinse asked if the Township is made aware of the project in relation to the road?
Oolman: The township is given notice of the project and would also have to authorize any access permit.
Evan Carlson from Enterprise Energy indicated he has reached out to the township.
- Commissioner Brady expressed the importance of controlling the weeds onsite after development. The county has had to go in and take care of weeds and assessed that cost back to the property owner.
Carlson: We will be putting down pollinator seed and mowing regularly to prevent invasive weeds along with a screen fence. It is in the lease that my company pays for the property taxes, If the grounds are not taken care of, it effects my company.
- Dinse: Do you sell the project after it is built?
Carlson: Yes, I am a developer. Typically, once a project is developed it is sold to an Independent Power Broker. That owner would be bound by all the legal requirements in the lease.

The public hearing was opened.

As there were no public comments the public hearing was closed.

Discussion by the commission:

- Ingvaldson indicated he would like to see a condition added that requires the landowner to acknowledge that they are aware they are responsible for decommissioning should the developer default.
- Additional discussion was held with Carlson on the process to decommission a site.

Motion by Spatenka, second by Ingvaldson to recommend approval of IUP #2023-02 with 17 conditions:

1. This permit allows for the construction and operation of a 1 MW AC solar energy system in the location identified on the submitted application. Any additional expansion of the project will require the permit to be amended.
2. This permit shall expire on December 31, 2058 and all solar components and accessory facilities removed by December 31, 2059.
3. If the project ceases to generate electricity before the permit expiration date, all solar components and accessory facilities shall be removed within one year of the discontinuation of use/operation.
4. The operator shall notify the Steele County planning and zoning office of any changes in management or ownership of the project.
5. Any private drainage tile servicing adjoining properties shall be protected during construction and maintained throughout the life of the project.
6. A wetland determination shall be completed and submitted to the Steele Soil and Water Conservation District. The applicant shall follow all procedures and requirements of the wetland conservation act.
7. The developer shall construct a security fence around the perimeter of the solar panels to deter unauthorized entrance. The fence shall utilize woven wire and be a maximum of 8 feet tall without barbed or razor wire.
8. Permanent vegetative shall be planted within the fenced project area.
9. All noxious weeds shall be controlled throughout the life of the project. If the weeds are not controlled the operator shall allow the county access to the site to implement weed control and the costs assessed back to the property.
10. If required by the township, an access permit shall be obtained from the township.
11. Prior to the start of construction, the developer shall document with the township the condition of the haul road(s) to be used during the construction of the project. Any haul road(s) degradation cause by construction traffic shall be remedied by the developer.
12. All construction crew vehicles must park on the site unless site conditions prohibit it. If vehicles must park on the road because of site conditions, vehicle parking shall be limited to a single side of the road.
13. The developer must obtain a 911 address and sign for the site.
14. The developer shall obtain building permit(s) from the Steele County Building Inspection office.
15. The developer and/or operator is responsible to acquire or maintain any federal, state, or local permits required in the construction, operation, and maintenance of the solar energy system.
16. A vegetative screen shall be planted between the fence and the neighboring property to the east. The screen shall consist of healthy, hardy plant materials that provides a minimum screen height of 8 feet and a minimum density of 75% at maturity. An alternative planting plan may be used if approved by the neighboring property owner.
17. Prior to the start of construction, the developer shall provide a letter of agreement from the land owner that states they understand they are liable for decommissioning if EESolar17, LLC or future lessees abandon the site.

Motion passed unanimously.

Adjournment:

Motion by Spatenka, second by Dinse to adjourn at 7:37pm. Motion passed.