

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: May 1, 2025

Minutes

The Wright County Planning Commission met on Thursday, May 1, 2025, in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, Dan Mol, called the meeting to order at 7:30 p.m. with members present: Ken Felger, Sandy Greninger, Pat Mahlberg and Dan Bravinder. Absent were Larry Smith & Jeanne Holland. Rachel Pence, Assistant County Attorney, was the legal counsel present. Barry Rhineberger, Planning & Zoning Administrator, represented the Planning & Zoning office.

ACTION ON APRIL 10, 2025, MINUTES

Bravinder motion to adopt the minutes for the April 10, 2025, meeting as printed. Seconded by Greninger.

DISCUSSION: Felger questioned the Elsenpeter petition (item #7) and line G, specifically where it states he inquired whether there is a southbound turn lane into the site, with Mr. Elsenpeter confirming the presence of a turn lane. Felger stated he was unclear whether the reference was to the existing site or the proposed development. Mol recalled that the discussion pertained to the proposed site, as the existing site already has a turn lane. Felger concurred with this recollection. Rhineberger noted that questions had been raised about the existing site and the origin of the inquiry. Mol then asked if Felger was satisfied with the minutes as presented, to which Felger confirmed his approval.

VOTE: CARRIED UNANIMOUSLY

PUBLIC HEARINGS:

1. ROBERT MUELLER – Cont. 4/10

LOCATION: 2452 50th St NE – East 1/2 of the Southwest 1/4 of Section 4, Township 120, Range 25, except the West 200 feet thereof, Wright County, Minnesota. (Buffalo Twp.) Tax #202-000-043100 Property Owner: ROBERT JAMES MUELLER

Petitions for an Interim Use Permit (IUP) to operate a non-commercial contractor's yard for an exterior and gutter contracting business that includes a 15,200 square foot building, as regulated in Sections 155.003(30), 155.031, 155.048 & 155.057, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Robert Mueller

- A. Rhineberger displayed the site plan and reviewed the request. The property consists of 67.57 acres with road access from 50th Street NE (County Road 113) and also from 55th Street NE to the north. It is zoned General Agriculture (AG), with the far northwestern portion falling within the Residential-Recreational Shoreland District Overlay (S-2) of Gilchrist Lake, a natural environment lake. The Northeast Quadrant (NEQ) Land Use Plan designates the property as Rural Residential. The request is for a non-commercial contractor's yard. The property is currently vacant with no home. A home is required, along with homesteading, to operate a contractor's yard. The applicant is proposing the contractor's yard in advance of constructing the home, a situation the Commission has addressed in the past. The proposal includes the construction of a 15,000 sq. ft. building with separate access from the proposed house. The intention is to build the home off 55th Street and the business off County Road 113. A parking plan and business-related equipment and storage details were included in the staff report, along with the business plan. Buffalo Township has recommended approval with no additional comments.
- B. Mueller added that they have an existing Conditional Use Permit (CUP) on 80th Street operating under similar parameters. They are seeking to run the same type of operation at a new location with a larger space. Mol asked whether the intent is to operate at both locations. Mueller responded that once the new shed is complete, the existing CUP would be terminated, and operations would move under the new Interim Use Permit (IUP).
- C. No comments from the public.
- D. Felger asked if the property had been purchased, and Mueller confirmed it had.

- E. Mahlberg inquired about the status of the house plans. Mueller stated he is in the preliminary stages and currently working with the bank, builder, and obtaining blueprints. Mahlberg noted that, if approved, the motion would likely include a timeline condition and asked if the plan is to build in 2025. Mueller hopes to start this fall with completion in late spring 2026, noting that a one-year timeline is typical. Mahlberg referenced the proposed motion in the staff report, which states the home must be completed by May 1, 2026, and asked if that timeline would be an issue. Mueller replied it should not be and asked if an extension could be granted if necessary. Mahlberg said an extension could be requested. Mahlberg then asked whether recent similar cases included a check-in condition to ensure progress before too much time passes. Rhineberger said that has been included in some cases and not in others, but it can be done and is beneficial. The concern is enforcement if progress isn't made by the check-in date. Delays between application, permit issuance, and final inspection are common. Mahlberg and Rhineberger continued to discuss permit issuance, timing, and potential delays. Mahlberg asked what timeline and milestone would offer accountability without being overly burdensome. Rhineberger suggested an issuance date of October 1st to avoid frost and freeze-up delays. Typically, a one-year timeline is given from the date of hearing for construction and homesteading. Mahlberg agreed that the exact completion date is less critical than whether construction has begun. Mueller mentioned using the same builder for both projects and hopes to start construction this fall. Rhineberger stated the property must be homesteaded within one year of approval. Mueller estimated 3–4 more months of preparation before construction could start. Mahlberg proposed an October 1st issuance date and a July 1, 2026, final completion deadline.
- F. Mol asked if the IUP could be withheld until the home is finished, as the ordinance states that a contractor's yard cannot exist without a homestead classification. Mol suggested a condition that the IUP would be approved but not active until the home is finished. Rhineberger suggested wording the condition to state that the business cannot operate from the site until a certificate of occupancy has been issued and the property is homesteaded. Mahlberg commented that the Commission has not always strictly followed this rule, and he doesn't see a benefit in letting a new building sit unused while the home is being built. Mol noted past situations where the Commission allowed businesses to operate before home construction, and it caused problems. He suggested the Commission should better adhere to the ordinance and not allow business operations until the home is built and the property is homesteaded. Mahlberg proposed a compromise that would allow operations once work on the home has commenced. Mol emphasized the need for assurance that the applicant will follow through. Mahlberg agreed and feels that construction commencement is a reasonable threshold.
- G. Bravinder asked Mueller when the shed would be completed. Mueller said the shed and home will be built simultaneously by the same builder, with the shed likely finished slightly earlier. Bravinder asked if business operations would begin before next year. Mueller said they intend to move into the new building when it's complete but are not in a rush, as they have an existing location. Bravinder agreed with Mol and suggested the IUP could be issued once the residence building permit is issued. He proposed a two-part condition with the residence permit required to be issued by a certain date, and the home must be completed within six months. Rhineberger offered a condition to read that the proposed commercial building must be permitted and receive the final inspection and dwelling construction started prior to the property being used for business purposed. Bravinder agreed.
- H. Felger asked how the ordinance compares to the staff's proposed condition #3, which requires that the dwelling be permitted, receive a final inspection, and the property be homesteaded within one year. Rhineberger explained the ordinance requires that a non-commercial contractor's yard be on the homestead of the business operator. Felger asked for clarification on the homestead process. Rhineberger responded that he was unsure, as that determination falls under the Assessor's authority. Pence added that, according to statute, the home must be both owned and occupied. Felger then asked Rhineberger to repeat his proposed condition. Rhineberger stated a condition could read that the commercial building must be permitted and receive a passing final inspection, and construction of the dwelling must have started before business operations begin.

Mahlberg agreed, suggesting the focus be on commencement of construction rather than specific deadline dates. He was okay with the IUP not being used until home construction has begun and the pole building is permitted. Felger questioned whether this approach conflicts with the ordinance. Mahlberg confirmed and went on to acknowledge in his 8 years serving on the board flexibility has often been applied and what has happened is homes are not built but businesses are allowed to operate. Felger expressed concern about the May 1, 2026, deadline, citing potential delays due to financing and weather. Rhineberger explained that the proposed timeline and dates are based on historical approvals, with flexibility for Commission input. Felger recommended extending the deadline to allow more leeway.

- I. Mahlberg moved to approve an interim use permit for a non-commercial contractor's yard in accord with the plans and narrative submitted and the discussion at the hearing, with the following conditions: 1) All work must be conducted off-site; 2) any change in use or expansion would require an amended IUP; 3) dwelling must be permitted, receive a passing final inspection, and the property homesteaded no later than July 15, 2026; 4) the commercial building must be permitted and receive a passing final inspection and the dwelling construction commenced prior to the property being used for business purposes; 5) Outdoor screening requirements must meet the requirements of section 155.078 of the Wright County Code of Ordinances, where applicable; 6) Township to review in one year, with subsequent reviews at an interval established by the Township. 7) This permit shall immediately and automatically expire upon transfer, termination of any lease agreement, change in business operations or ownership, or change in homestead classification. Motion seconded by Felger.

VOTE: CARRIED UNANIMOUSLY

2. **JERED BRENNY** – New

LOCATION: 1436 72nd St SE , 10.00 AC SE1/4 OF SW1/4 EX TR DES IN DOC 1267389 in Section 05, Township 118, Range 25, Wright County, Minnesota. (Franklin Twp) Tax #208-200-053400 Property Owner: JERED J BRENNY

Petitions for an Interim Use Permit to operate a non-commercial contractor's yard for a lawn care and snow removal business contained within a 16,000 square foot outdoor storage space, as regulated in Sections 155.003(30), 155.031 & 155.048, Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Jered Brenny

- A. Rhineberger displayed the site plan and reviewed the request. The property is 10 acres, located in Franklin Township, and zoned General Agriculture (AG). It is also designated as Agricultural in the US Highway 12 Corridor (US 12) Land Use Plan. The request is for an Interim Use Permit to allow a non-commercial contractor's yard for a lawn care and snow removal business. The business would occupy approximately 16,000 square feet behind the existing buildings with none of the buildings used for business purposes. A narrative and business plan were provided in the staff report. The Township has not yet responded, as the applicant is scheduled to be on the agenda for their next meeting.
- B. No comments were made by Brenny or the public.
- C. Mol stated that the Commission typically prefers to hear from the Township before making a decision. Brenny noted that the timing didn't work out. Felger asked if the applicant intends to meet with the Township, and Brenny confirmed he is scheduled to attend their meeting on Monday and that they have received the same information provided to this board.
- D. Greninger expressed that she also prefers to hear from the Township before a decision is made.
- E. Bravinder explained that he has concerns about screening on the south side, towards 72nd Street. He noted that the ordinance is clear regarding outdoor storage and screening requirements. Brenny stated that the log pile in that area are used to heat his home. Bravinder acknowledged that while most of the property is well screened, the open area to the south remains a concern. Greninger asked whether the tree line on the south side could be extended further east. Bravinder reiterated that his only concern with the request is the outdoor storage and its screening in that area.
- F. Felger asked if the applicant lives on the property, and Brenny confirmed that he does.
- G. Mol inquired whether the buildings are used for business purposes. Brenny explained that they are mostly used for personal storage, and that trucks and trailers are parked outside.
- H. Mahlberg stated he can't recall a time when a decision was made ahead of receiving input from a township.
- I. Felger moved to continue the meeting to the May 22nd meeting to allow time for the applicant to meet with the Township. Motion seconded by Greninger.

VOTE: CARRIED UNANIMOUSLY

3. **CASEY PANZER** – New

LOCATION: 7152 EATON AVE SE – GEORGE'S ADDN LOT-004 BLOCK-001, Section 11, Township 118, Range 25, Wright County, Minnesota. (Franklin Twp) Tax #208-224-001040 Property Owner: DELORES N GEORGES

Petitions for a Conditional Use Permit for land alteration for approximately 4,200 cubic yards for the construction of an 8,200-square-foot commercial building for a mini-storage use, as regulated in Sections 155.029, 155.054 & 155.101, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Grant Swingle, general contractor and representing Casey Panzer

- A. Rhineberger displayed the site plan and reviewed the request. The property is located within a B-2 (General Business) plat established in 1985, which at the time granted approval for three storage buildings. In 2006, the site was expanded to allow for additional two storage buildings. As part of the 2006 approval, a condition was included that a Land Alteration Permit would be required if the fill needed for the fifth building exceeded 500 cubic yards. The current request is for a Land Alteration Permit to move 4,200 cubic yards of material to support the construction of an 8,000 sq. ft. commercial building. A separate request relates to the size of the proposed building, which exceeds what was originally approved. The Township has approved both the land alteration and the increased building size. No other comments were received. Stormwater controls are included in the land alteration plan, and since the stormwater ponds are located under power lines, it is assumed that there will be coordination with the utility company regarding the easement area.
- B. No comments were made by Swingle or the public.
- C. Mol questioned whether the size of the lot and the area under construction would be able to retain soil and dirt within the property during construction. Swingle used the site plan to review the property and the construction plan. He explained that they have developed a strategy that ensures all soil will remain on-site. The drawings include specifications for silt fencing and seeding to control soil movement.
- D. Felger asked whether there are currently any drainage issues. Swingle responded that, as it currently exists, runoff flows directly into the neighboring movie theater's lot. He mentioned that when he discussed the project with the Township, one member expressed satisfaction that what is proposed would address the water issues. The two additional ponds will manage runoff, particularly to the parking lot. Felger asked whether the proposed plan adequately serves the property, and Swingle confirmed that it does. The proposed south pond will handle the majority of current water flow. Felger expressed that he was pleased to see the plan addressing this longstanding issue.
- E. Bravinder moved to approve a land alteration of approximately 3000-4000 cubic yards of material for the creation of a building pad and stormwater ponds for a potential new storage building, in accord with the plans presented by Sathre-Bergquist, dated April 1, 2025. Erosion control to be maintained and kept in place until the site is stable. Motion seconded by Greninger.

VOTE: CARRIED UNANIMOUSLY

4. **CASEY PANZER** – New

LOCATION: 7152 EATON AVE SE – GEORGE'S ADDN LOT-004 BLOCK-001, Section 11, Township 118, Range 25, Wright County, Minnesota. (Franklin Twp) Tax #208-224-001040 Property Owner: DELORES N GEORGES

Petitions to convert an existing Conditional Use Permit for mini-storage, granted in 1985 and expanded in 2006, into an Interim Use Permit and expand the use with a new 8,200-square-foot commercial building in association with the existing use, as regulated in Sections 155.029, 155.031 & 155.054, Title XV, Land Use & Zoning of Wright County Code of Ordinances.

Present: Grant Swingle, general contractor and representing Casey Panzer

- A. Rhineberger displayed the proposed site plan and reminded the Commission that this is the same property and site plan discussed in the previous request. He noted that the building will be larger than indicated on the original site plan, but it was publicly noticed at the larger size—8,200 sq. ft. Swingle provided Rhineberger with an updated building plan showing the building at 8,000 sq. ft.
- B. No comments were made by Swingle or the public.
- C. Mol asked the Commission if they had any comments or questions; none were raised.
- D. Bravinder moved to approve the conversion of the current Conditional Use Permit (CUP) to an Interim Use Permit (IUP) and expansion of the use to include a new 8,200 square foot commercial storage building, for a total of 5 storage buildings on the site, in accord with the site plan and building plans presented by the applicant, with the following conditions: 1) All conditions of the previous request pertaining to the land alteration must be met; 2) Exterior storage shall be prohibited; 3) This permit shall immediately and automatically expire upon transfer, termination of any lease agreement, change in business operations or ownership, or change in homestead classification. Motion seconded by Greninger.

DISCUSSION: *Mahlberg addressed the applicant, encouraging coordination with the utility company regarding the proposed plans before beginning construction. Swingle stated that they have already been working with the utility company.*

Felger asked whether material would be brought in during the land alteration phase or if there was enough on-site. Swingle confirmed that material will be hauled into the site.

VOTE: CARRIED UNANIMOUSLY

5. **CARL OTTO** – New

LOCATION: 248 & 246 30TH ST SW and 3170 ANTELOPE AVE SW – Part of the SE1/4 OF SE1/4 along with Part of the W1/2 OF SE1/4 & SE1/4 OF SE1/4 along with N1-2 OF NE , Section 24, Township 119, Range 26, Wright County, Minnesota. (N. Fork Crow - Marysville Twp) Tax #211-000-134401, 211-000-134400, & 211-000-241200 Property Owner: CARL C OTTO & TRACY L DECKER OTTO and HAROLD & NORA M CARLSON

Petitions for a Conditional Use Permit for land alteration of up to 2,000 cubic yards of fill for a building pad for a slab-on-grade dwelling, fill within a floodplain, and land alteration across property lines, as regulated in Sections 155.029, 155.048, 155.056 & 155.101, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Carl Otto

- A. Rhineberger displayed property maps and the proposed site plan while reviewing the request. The property is located south of the Crow River and east of CSAH 12 in Marysville Township. The request is for a land alteration involving approximately 2,000 cubic yards of fill, which will be used to construct a slab-on-grade building pad. A portion of the fill will be placed within the flood fringe. Some grading work will also be done on a neighboring property, with the owner of that property being aware of the proposal and having signed the application. The Township has approved the request. No other comments have been received.
- B. Otto stated that they are trying to correct a problem created years ago. His previous home, which burned down last fall, sat on a knoll, and the plan now is to rebuild a slab-on-grade home. Mol clarified that Otto already lived on the property. Otto explained that he grew up on the adjoining property. Mol summarized that the plan is to replace the house and improve the site, to which Otto agreed.
- C. Public comment.
 - Nick Krause, the builder, explained that the property to the south was mined years ago, which lowered that land and left the Otto lot elevated. Mol asked Krause to describe the materials being moved. Rhineberger used the Beacon contour map to illustrate the topography, while Krause explained that the southern property had been mined to an elevation 6–8 feet lower than the Otto property. The plan is to reduce the Otto lot's elevation, so it no longer sits like a mound above the surrounding area. Mol asked whether the changes would still allow for proper water management. Krause confirmed they would. Rhineberger added that the plan had been reviewed by staff to ensure that floodplain elevation requirements would be met, and that the proposed elevation complies with those standards.
- D. Mol asked the Commission for any additional comments or questions; none were raised.
- E. Greninger moved to approve a land alteration of approximately 2000 cubic yards of material for the creation of a building pad for a new slab-on-grade dwelling, according to the plans done by Civil Methods, Inc. Dated 4-4-2025. Erosion control to be maintained and kept in place until the site is stable. Motion seconded by Bravinder.

VOTE: CARRIED UNANIMOUSLY

6. **RANDY REINERT** – New

LOCATION: 3531 Cty Road 3 NW – PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE WEST 30 ACRES OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER ALONG WITH PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER ALSO WITH E 20 RDS OF N 48 RDS OF NE1/4 OF SW1/4 IN Section 15, Township 120, Range 28, except the West 200 feet thereof, Wright County, Minnesota. (French Lake Twp.) Tax #209-000-152400, 209-000-152301, 209-000-153103 Property Owner: R2T2 Properties, LLC.

Petition to convert an existing Conditional Use Permit for a salvage yard, granted in 1973 and expanded in 1983, into an Interim Use Permit and expand the business with a new 7,200-square-foot commercial building for storage in association with the existing use, as regulated in Sections 155.029, 155.031 & 155.055, Title XV, Land Use & Zoning of Wright County Code of Ordinances.

Present: Randy Reinert

- A. Rhineberger displayed the proposed site plan and reviewed the request. The property is an established salvage yard, known as French Lake Auto Parts. The request is to convert the existing Conditional Use Permit (CUP) for the salvage yard into an Interim Use Permit (IUP) and to expand the business with a new 7,200-square-foot commercial storage building in association with the existing use. The business has operated for decades, dealing in the buying and selling of vehicles, parts, and scrap metal. The property is zoned Industrial (I-1), with the original permit granted in 1973. French Lake Township has recommended approval of the request.
- B. Reinert explained they recently purchased the salvage yard and are now looking to expand storage capacity and continue growing the business, while ensuring that the process is handled properly.
- C. No public comments were received.
- D. Mol stated that French Lake Auto has been at the current location for many years. He noted that he drives by the site daily and considers it a well-run business. Mol added that he does not believe the addition of the new building will disrupt the neighborhood. Bravinder agreed with that assessment.
- E. Bravinder moved to approve the conversion of the current Conditional Use Permit (CUP) to an Interim Use Permit (IUP) and allow the expansion of the use to include a new 7,200 square foot commercial storage building, in accord with the narrative, building plans presented, and discussion at this hearing, with the following conditions: 1) All conditions of the previous CUPs remain in full force and effect; 2) Proper building permits are obtained and pass a final inspection prior to the building being used for business purposes; 3) Erosion and sedimentation controls be installed and remain in place until the site is stable; 4) This permit shall immediately and automatically expire upon transfer, termination of any lease agreement, change in business operations or ownership, or change in homestead classification. Motion seconded by Greninger.

DISCUSSION: Mahlberg questioned the language regarding expiration of the permit upon ownership transfer. He noted that in the description of operations, there was mention of an annual 5% transfer and asked whether the recent purchase resolved any potential violation issues. Reinert confirmed that the recent purchase addressed and cleared that issue.

Felger asked what the new building would be used for. Reinert responded that it would be used to store parts and potentially to house a semi-truck if maintenance is needed. Felger also inquired about the erosion and sediment control provisions. Rhineberger explained that these would involve the use of silt fencing or sod rolls during construction. Reinert added that they hold a state-issued stormwater runoff permit, which is regulated and monitored regularly.

VOTE: CARRIED UNANIMOUSLY

7. **SHAHER CONTRACTING CO. INC.** – New

LOCATION: 7979 STATE HIGHWAY 25 NE - Part of the East 1/2 of the SE 1/4, Section 21 & W 1/2 of the W 1/2 of SW 1/4, Section 22, all in Township 121, Range 25, Wright County, Minnesota. (Monticello Twp) Tax #213-100-214100 & 213-100-223200 Property Owner: Joseph & Janice Holthaus

Petitions for an Interim Use Permit for a temporary portable concrete batch plant for the Interstate 94 construction project for the 2025 season, as regulated in Section 155.031, 155.048(D), 155.057 & 155.100, Title XV, Land Usage & Zoning of Wright County Code of Ordinances.

Present: Gregory Pelkey representing Shafer Contracting

- A. Rhineberger displayed the proposed site plan and reviewed the request. The Commission recently approved a hot-mix plant and a mining expansion at this site. The current request is to add a concrete plant to the existing mining operation for the 2025 season, specifically to support the I-94 Gap Project. The proposed operation would remain within the requirements of the existing mining ordinance. The Township has approved the request, and their response is included in the record. No other comments were received.
- B. Pelkey stated that this would be a temporary, portable concrete batch plant set up for the I-94 Gap Project. Mol asked if the plant would operate only during daytime hours, and Pelkey confirmed, noting that they will follow the hours of operation outlined in Valley Paving's permit.
- C. No public comments were received.
- D. Mahlberg referred to the proposed motion in the staff report, which states that the hours of operation and other performance standards for mining must be followed. He questioned if the intent was to follow the standards outlined in Valley Paving's Interim Use Permit (IUP). Rhineberger confirmed, noting those conditions would be in accordance with the mining ordinance. Mahlberg then asked whether Valley Paving's IUP differs from the ordinance and specifically, whether night hauling was approved. Rhineberger stated he would need to review the IUP to confirm that detail. He added that if Valley Paving has different operating hours, those would not automatically apply to this request, as IUPs are reviewed and approved individually. Mahlberg noted that Pelkey had stated they would follow Valley Paving's hours of operation, but Greninger pointed out that the question about night hauling had not been clearly answered. Rhineberger clarified that, for this request, the approved hours of operation are 7:00 a.m. to 7:00 p.m. Monday through Friday, and shorter hours on Saturdays. Mahlberg reiterated that if Valley Paving does have different hours, he wants to ensure there is a shared understanding moving forward. Pelkey responded that, based on what he was told by Valley Paving, trucks may enter the pit after 6:00 a.m. but cannot leave until after 7:00 a.m., and no trucks are allowed to leave after 7:00 p.m. Rhineberger concluded by stating that the asphalt plant's approved hours of operation are 7:00 a.m. to 7:00 p.m. Monday through Friday, and 7:00 a.m. to 5:00 p.m. on Saturdays, with exceptions only for holidays as specified in Chapter 155.100 of the Wright County Code of Ordinances.
- E. Felger moved to approve an Interim Use Permit for a temporary portable concrete batch plant in accord with the applicant's plans and narrative for the I-94 construction project for the 2025 season only. Hours of operation and other performance standards for mining must be followed. Motion seconded by Greninger.

VOTE: CARRIED UNANIMOUSLY

8. **AMEND CHAPTER 155.108** (Solar Farm) - New

Amendment has been assigned number 25-1. The Wright County Planning Commission will be reviewing and discussing proposed amendment to the Wright County Code of Ordinances. Proposed is to amend 155.108(C)(14)(c), to add a minimum escrow deposit and surety amount.

- A. Rhineberger explained that it was recently discovered that an omission occurred during the revision and amendment of the solar ordinance in the early 2020s. Specifically, an escrow amounts table that had been adopted was not actually codified into the ordinance. During the major rewrite of the solar ordinance, staff relied on the codified version of the ordinance, which was missing the adopted table. At the time of the revision, Greg Kryzer, Assistant County Attorney, served as legal counsel. After recent discussions with him, it was determined that formal review and adoption of the escrow table is necessary. Presented to the Commission is the missing escrow table, along with minor text amendments to clarify wording. Additionally, staff was directed to increase each level of the escrow amounts by approximately \$100,000 as part of the update.
- B. Mahlberg questioned the basis for the \$100,000 increase in escrow amounts and whether it was tied to decommissioning rates. Rhineberger responded that it was not exactly tied to decommissioning. Mahlberg asked whether applicants are required to submit a decommissioning estimate as part of their application, and Rhineberger confirmed they are. Mahlberg then asked whether the proposed escrow amounts are reflective of expected decommissioning costs. Rhineberger replied that the amounts are somewhat higher, but changes in policy now include a developer's agreement between the developer and the County Board. The increase in escrow is partly to cover potential damage to public infrastructure. Mahlberg asked whether there has been any actual experience with decommissioning. Rhineberger stated there has not been yet, though there have been comments suggesting that the values may still be insufficient. Mahlberg shared that, in his experience with wind generators, decommissioning costs are often offset by salvage value and wondered whether a similar situation might apply to solar panels. Rhineberger noted that recycling values for solar panels are not currently substantial, although that market may change. Because of this fluctuation, it's difficult to base decommissioning costs solely on salvage value.
- C. No public comments were received.
- D. Bravinder asked how many solar farm applications the county has received for systems under 1 megawatt. Rhineberger replied that there used to be quite a few, but due to changes in statutes and the positions of major utility companies, future proposals are expected to be somewhat larger. Currently, two proposals are under discussion—one just over 3 megawatts and the other between 3.5 and 4 megawatts. Bravinder confirmed that a solar farm starts at 200 kilowatts and questioned whether the escrow amount for 1 megawatt or smaller installations seemed high, considering the relatively limited number of panels involved.
- E. Mol asked at what point the Public Utilities Commission (PUC) becomes involved. Rhineberger recalled that projects over 25 megawatts typically bypass local jurisdiction, and that multiple smaller farms could potentially be grouped under a single larger project. He admitted that he had not reviewed the minimum thresholds in detail and that his understanding of the PUC's involvement is limited. Bravinder recalled that when solar farm discussions began years ago, the threshold was cited at 10 megawatts. Mahlberg added that he believes the current threshold is discretionary between 25 and 50 megawatts, with the PUC having jurisdiction over projects 50 megawatts and above.
- F. Greninger moved to close the public hearing to all oral and written comment and recommend approval of Ordinance 25-1 to the Wright County Board of Commissioners. Motion seconded by Mahlberg.

VOTE: CARRIED UNANIMOUSLY

Meeting adjourned at 8:43 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barry J. Rhineberger".

Barry Rhineberger
Planning & Zoning Administrator

BR:sd

cc: Planning Commission
Pence
Twp. Clerks