

Planning Commission Meeting Minutes

May 7th, 2026

Completed by: Sue Bertrand, P&Z Staff

Site visit completed by Adam Ossefoort and Jim Pratt on 2/26/2026 on the USS Eagle Bend Site

Site visit completed by Adam Ossefoort and Lloyd Graves on the Vertical Bridge and Weiers sites on 5/5/2026

Meeting attended by board members: Chairman Jim Pratt, Vice Chair Ken Hovet, Lloyd Graves, Roger Hendrickson, Andy Watland, and Commissioner Tim Denny.

Staff members: Adam Ossefoort and Sue Bertrand

Other members of the public: Sign-in Sheet is available for viewing upon request.

Jim called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited as a collective group.

Introduction of the staff and board members by Jim.

Ken motioned to have April 2nd, 2026, meeting minutes approved. Roger seconded, voice vote, no dissent heard. Motion carried.

Roger motioned to have the agenda approved as printed. Lloyd seconded, voice vote, no dissent heard. Motion carried.

AGENDA ITEM 1: USS Eagle Bend Solar LLC: Section 02, Wykeham Township, Site Address: 14910 380th Street, Eagle Bend, MN 56336 PID: 28-0001100

1. Request CUP to construct and operate an up-to 10-megawatt solar farm in AF-1 Zoning District

Tena and Joshua Poektner were present as the applicant.

Staff Findings: Adam read through the new information that was added to the staff report. This report is available for viewing upon request in the Planning & Zoning Office.

Proposed Conditions, if approved:

1. Submittal of an interconnection agreement with the electric service provider prior to issuance of land use permits.
2. Development and submittal if a decommissioning plan in compliance with Section 9.20 of the Todd County Planning and Zoning Ordinance.
3. Establishment of a bond, letter of credit, or escrow account in the amount of \$1,250,000 in which Todd County is made party to for the purposes of decommissioning.
4. Development and approval of a Stormwater Pollution and Prevention Plan (SWPPP) prior to land use permitting.
5. Establishment of 3 rows of trees to serve as vegetative screening. Screening shall be established on the east and south sides of the project areas. Trees shall be planted in an offset pattern to provide maximum screening.
6. Establishment of a road maintenance agreement with Wykeham Township and submittal of the agreement to Todd County prior to issuance of land use permits. Township agreement shall also

include a setback distance of the vegetative screening from the road right of way approved by Wykeham Township.

7. There shall be no loading or unloading of equipment or materials within the road right of way. Roadways shall be kept clear, at all times, during and after construction.
8. Noxious weeds and invasive species shall be controlled, at all times.
9. Vegetative screening shall be no less than 10' in height at the time of establishment. Trees selected for vegetative screening shall be approved by the local Soil and Water Conservation District.
10. Vegetative screening along the road right of way shall be setback a distance of no less than 30' measured from the edge of the right of way to the trunk of the planted tree.
11. Applicant must abide by all other applicable federal, state, and local standards.

Adam also recapped additional information from 4/2/2026 (addition of condition #10) and read through additional information for 5/7/2026:

- Tabled this item on 4/2/2026 to allow time for review of documents provided by the applicant.
- Tena did have a presentation she wanted to show the board.
- Property value reports provided to review by applicant.
- A reminder that a decision needs to be reached tonight for a recommendation to the Board of Commissioners. (The applicant can extend the decision period in writing)

Public comment:

Gene Greenwaldt addressed Planning & Zoning Commission and Adam. She stated she was granted the variance from the Prime Farmland regulation on January 22nd and reminded the board MN Statutes 394.27 subd. 9 states all decisions and determinations by the Board of Adjustments shall be deemed final if after 30 days no appeal has been filed with the District Court. She has received no such notification of any appeal. At the March 5th meeting, the Prime Farmland matter was discussed three times prior to Tena asking for a clarification on if the discussion should be held to just the CUP and not the variance that was previously granted. Adam confirmed the discussion should remain on the CUP request. The meeting went on and later in discussions Prime Farmland again came up three more times. At the April 2nd meeting the Prime Farmland was discussed fourteen times with no reminder by the director to keep discussion to the CUP request. Does or does this not State Statute apply to this variance? If it does, she asks that the Board keep its' discussions limited to the CUP. At the March 5th meeting the Staff Report was read and the staff recommendation was for a motion for approval to the County Board of Commissioners with seven additional conditions. What importance or value does the staff report and their recommendation have in these proceedings? She stated she knows they can't answer her, about these questions but if you could address them to Tena, please.

Collen Cobett, the Field Manager with the Minnesota Land and Liberty Coalition. Stated they are a statewide group of landowners, farmers and community members who advocate in all the above energy strategy in Minnesota. The coalition supports economic investment across the state, building a secure energy grid to ensure national security and private property rights. They believe that a landowner has the final and ultimate say when it comes to putting renewable energy projects on their property. The construction and operation of this solar project represent an important opportunity to uphold private property rights while supporting meaningful local economic development. At its foundation, this project is about allowing a landowner to

decide the best use of their property and providing an additional stable source of income that can help sustain family operations, ease the burden of rising costs, and preserve land ownership for future generations. Beyond the direct benefits to participating landowners, projects like this also create broader economic value for the surrounding community. In addition to generating increased revenue for the County and townships, through production tax, construction activity and long-term infrastructure investment, all contribute to local economic growth and provide meaningful support to the County. Responsible energy development can serve as an additional tool for strengthening local communities without placing significant burdens on already existing resources. Supporting this project means supporting the principle that property owners should have the ability to pursue economic opportunities on their land while also encouraging investment and development that can provide lasting benefits to Todd County.

Correspondence received: None

Tina Monson with US Solar and Joshua Poertner with Stinson counsel presented how this project meets the Conditional Use criteria and she went through a slide presentation. This may be viewed in full, upon request, at the Planning Zoning Office. Tena stated she had Josh here to talk about the Prime Farmland variance and the legal basis for denial around that.

Josh stated, once the variance has been granted that authority is vested in the Board of Adjustment, and once they grant that variance, it is as though that provision is outside of the zoning code for this project. It's no longer able to form a legal basis for a CUP denial, like the criteria that Tena was talking about. It is essentially a "done deal" and not to be reopened. The decision to deny the permit cannot be based on it. Maybe that's clear. He is just here to answer any questions on that process.

Tena stated they have concluded their comments and will answer any questions.

Board discussion:

Tim stated he has the same opinions and concerns as he shared last time. Doesn't believe it is a need for our County and the area. There was discussion about what it brings to the table, and he didn't think it outweighs the present use. Does not get into the Prime Farmland, he understands that. He is following the planning and zoning "is it a need?" and he doesn't feel like it is.

Lloyd asked how this is going to better our County?

Tena stated continued agricultural use, production tax, she feels there a deep need, here, as MN power must supply power cost effectively and reliably to their people. They also have significant compliance requirements Federally, State and obviously locally. They need to continue to do that and this project helps them meet their state requirements. This is a need for people who use MN Power. There is a lot of service territory of MN Power here, in this County. We all know it, you can read about it every day, electricity needs are very high. We know everything about data centers. We understand they are coming in and there is load growth. Absolutely requires additional power. Those users want renewable energy as well. She stated she believes she has shown on the record that they have very much met a need that exists here and that they have provided benefits. She added there is nowhere in our code that says that whatever use is coming in must meet certain economic thresholds. To be clear, we don't believe that is a legal basis for denial. Because you

believe that there is additional more or less economic development from a use, that is not a legal basis for denial.

Joshua stated he was going to second that and add property owners are permitted to use their property how they want so long as they don't violate the zoning code. If a conditional use is to be denied it is to be denied based on a violation of the zoning code. Not free-associating benefits or needs unless there is a peg in that code that you guys have passed, and the same way you would want to give every property owner in Todd County the right to know what they can and can't do. That is why the code is written down. So, when we are talking on a legally sufficient basis, it needs to be a code basis, of which there are numerous, which we have gone over and which they meet. The law needs to speak somewhat precisely so people know how to use their property.

Roger stated like he had at the first meeting, we need electricity not like our neighbors with horses and buggies, and if they are doing everything the way it needs to be done, the way the rules are, we have no reason to deny it. We have the Board of Adjustment giving the variance, and unless we can come up with some legal reason why we shouldn't allow it, he didn't think we could stop it. He brought up the government CRP program and how it was not originally set up to pay a farmer more than the land was making, but at the time, Roger stated, he was making \$20 an acre off his land and the neighbor down the road put his in CRP and was getting \$45 an acre. Our government made up the rules and then threw them out the door as soon as they got them.

Jim stated we must decide tonight one way or another.

Roger motioned to approve with the eleven conditions.

Adam mentioned Tena was willing to introduce grazing and we have no condition for that if the board feels it is necessary. We have a motion to approve and if you go against that, make sure you articulate clearly, on record, your reasons for not voting in that direction.

Jim asked the board what kind of condition for grazing?

Lloyd, would there be water available there for animals to graze?

Tena stated they would bring water in. They would not have one on site, but they do bring the water in. The sheep will not be there year-round, and she doesn't have those specifics yet. She assumed they would bring that in. She stated they are committed to the grazing plan. It is in their application; it is what they are doing and are willing to make sure there is water on site and make that happen.

Jim stated if they do not have it as a condition and it doesn't happen; there is nothing they can do about it. If you think we need it as a condition...

Ken stated he thought that was over-reach on the board's part, telling somebody how to farm.

Jim stated we have a motion for approval with the eleven conditions from Roger, is there a second (three times)? Stated the motion failed for a lack of a second.

Jim asked for another motion.

Andy asked if no decision is made, is it granted?

Jim, confirmed, it is granted.

Adam stated we have to make a decision, that is not an option.

Andy stated when on the legal comments, aside from the board not being legal experts, one comment was made there are certain aspects, comments about economics, whether the County needs it or whether it benefits not being an actual legal part of the discussion, and other comments or information that has been brought up, such as, okay so we need electricity or we need clean electricity, if they are not part of the actual cut and dried clear cut, yes, no, part of the discussion then they probably shouldn't have been brought up as items to try to influence what our decision making process is. So, that's a concern. Seems like we are being "manipulated" might be a little too strong of a word, but we are being influenced a little bit by some of those comments and topics.

Jim stated he would agree with that.

Andy continued, another concern he had as far as if you are going to say "cut and dried" a lot of those ordinances have language in them that are somewhat up to interpretation, such as "does the project create a nuisance", well what is somebody's definition of a nuisance?

Jim, right.

Andy continued, if one person drives by it and thinks it is unsightly, which is some of the language that is used in ordinances, does it constitute as a nuisance?

Ken added it is very subjective.

Andy, it is very subjective and is open to interpretation. As far as cut and dried, certainly there is cut and dried aspects that can be either met or not met, but there's also some that's left up to our interpretation. So, as far as he is concerned, if this CUP is denied, that would be somewhat of his logic behind it, as well as, even though we cannot use the variance that was granted as any part of the discussion, the topic was brought up as far as what the land was being used for and what it's condition was, which there again, if it wasn't part of the cut and dried legal aspect, it should not have been part of the discussion. But since it was brought forward to us, and the fact there was erroneous data and numbers that were thrown our way, there again to skew our decision making process, it brings in the question, and the only reason he brings that up is because he is involved in that, and knows that intimately, to know what our County average is, because he is involved in that aspect. All this other information, these studies that were provided, the plethora of information we were subjected to, he has no way of even going through making sure all of that information is accurate, and based on the fact we were provided with some information that was blatantly incorrect brings his mind into question as to what other information is not correct. That there again, is to skew our decision-making process. So, he does not have a "feel good" about this and knows that is not a legal reason but, there was so much information that, the latest part of information that we were provided was these studies about land use and land values rather, how do we know that wasn't "cherry picked". We got a few here and there, he has no grounds to make this statement but, it's highly suspect that if there were studies out there that showed the opposite information, that we probably wouldn't be presented with that as an argument. He stated he doesn't know if it is our job to do those kinds of searches and research. We have to rely on the information that is presented to us and we also have to, therefore, make some kind of judgement on our part as to how accurate that information is that is being presented to us is. How truthful it is or is it being "cherry picked". Andy stated if he needs a reason on the record, if he happens to vote against this, that information and what is on the record from the last meeting, that would be his reasoning behind it.

Jim stated, he agreed with Andy. There's a lot that is subject to different interpretation. You can ask different people and there are two sides to every story. To say we are bound to go only one way is, he means, they interpret stuff at every meeting they come to.

Andy added, if we were to look at the spirit of the ordinances, as they were written, whether they were perfectly iron clad or not, it's fairly clear as to what the public in Todd County influences on what this should be, and he doesn't believe that this follows that, whether it's written in legal ease that's bullet proof or not, he thinks our interpretation of it is fairly understandable, and what the public's position was.

Jim stated we still need a motion one way or another.

Adam reminded the board that a denial cannot be based solely on public opposition. You have to substantiate factual information.

Andy stated he referred to the ordinance and the spirit behind the ordinance.

Ken stated with what Andy stated, and Jim's comments, he recommended to deny the CUP and Andy seconded.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Ken Hovet	Yes
Roger Hendrickson	No
Lloyd Graves	Yes
Andy Watland	Yes
Jim Pratt	Yes

Jim added he agreed with most of what Andy says, and he doesn't feel it fits in with the existing land use in the area.

Motion passed to deny the request. Jim noted the application will be presented to the County Board of Commissioners on May 19th, 2026.

AGENDA ITEM 2: Vertical Bridge -Section 27, Iona Township, Site Address: 290th Street, Browerville, MN 56348 PID: 13-0025100

1. Request for CUP to construct a cellular communications tower in AF1 Zoning.

Alex Trumann is here to represent the application.

Staff Findings: Adam read through the staff report. This report is available for viewing upon request in the Planning & Zoning Office.

Additional Notes:

A variance was applied for and granted to reduce the setback requirement from 230' to 82'6" due to wetlands on the site limiting the space available for construction of a tower. An engineering statement has been provided that upon failure, the tower will fall within the leased area.

Recommendation:

A motion to recommend approval to the County Board of Commissioners with the following conditions:

Proposed Conditions:

1. Applicant must abide by all standards of Section 9.21 of the Todd County Planning and Zoning Ordinance.
2. Applicant must abide by all applicable federal, state, and local standards.

Alex confirmed the staff report was accurate.

On Site Visit Report was reviewed by Lloyd: This report may be viewed in full, upon request, at the Planning and Zoning Office.

Correspondence received: None.

Public comment: None

Board discussion:

Ken, how tall?

Alex 220 ft. to the top of the steel.

Ken stated his concern is where will it fall.

Alex stated if there is a catastrophic failure, it is designed to collapse as designed, down on itself contained within the leased area.

Ken, is this a cell tower?

Alex, yes, for cellular coverage. This entire project is at the demand of the entire public and Iona Township, including emergency support. They struggle with coverage and capacity.

Ken power to this?

Alex, the power is in the right-of-way and Vertical will bring the power and fiber optic in and install a transformer.

Lloyd stated this is way out in the middle of nowhere.

Ken free standing?

Alex, yes, there are no guide wires.

Andy asked how long these are good for?

Alex, indefinitely when maintained. Just like a home if well maintained. He knows of a tower in Duluth that has been operational since 1946, out on the peninsula.

Andy, if it were to become unused, is there a Decommission and Restoration Plan?

Alex, yes, they agree to the ordinance guidelines for decommissioning, and have an agreement with the landowner, Vertical is required to take down the tower and return the land to its original state to the best of their ability of how it was before. They bring foundations below grade, they remove the road, take out all the fencing, equipment and backfill and in this grass, it being native grass, we would reseed, if it was sod, they would re-sod. Stated they bring it back to the previous conditions.

Andy, does that include the foundation?

Alex, down to three feet below grade so it will still be tillable. The foundation depends on soil types, if it should be either wider or deeper or using pads or piers. Vertical has an agreement with the landowner to remove that tower and the agreement is stricter than the County regulations.

Roger, lights on top?

Alex, yes, white in the day and red at night required by FAA, no more, no less than what is required.

Andy, his main concern is crop dusters.

Alex, small aviation programs are updated all the time by the FA, and it could be something like a tree that has grown up too tall, they all have systems that are being updated constantly.

Ken moved to recommend approval with the two conditions. Lloyd seconded.

1. Applicant must abide by all standards of Section 9.21 of the Todd County Planning and Zoning Ordinance.
2. Applicant must abide by all applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Ken Hovet	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Andy Watland	Yes
Jim Pratt	Yes

Motion carried. Jim noted the application will be presented to the County Board of Commissioners on May 19th, 2026.

AGENDA ITEM 3: Blair Weiers, Section 30, Kandota Township, Site Address: 10723 County 95, Sauk Centre, MN 56378 PID: 14-0030900
Blair was present as the applicant.

Staff Findings: Adam read through the staff report. This report is available for viewing upon request in the Planning & Zoning Office.

Recommendation:

A motion to recommend approval to the County Board of Commissioners with the following conditions:

Proposed Conditions:

1. Applicant must notify Todd County Feedlot Program at least 90 days prior to construction to update and review permit application.
2. Prior to construction, applicant shall obtain the Feedlot Program Interim permit.
3. Proposed facility must meet all MDH and MPCA Feedlot setback requirements.
4. Applicant shall increase setback distance of pasture fencing to the lake to create no less than a 50' vegetated buffer in the identified area of concern.
5. Air quality exemption notices shall be provided to Todd County prior to all future manure application events.
6. Liquid manure storage structure shall have capacity for no less than 12 months storage.
7. In the event of a manure spill or other discharge, applicant must notify the County and the Minnesota Duty Officer immediately upon discovery of said discharge.
8. Applicant must abide by all other applicable federal, state, and local standards.
9. Applicant must obtain permitting and/or licensing from additional governmental agencies as necessary.
10. The facility owners must maintain registration every four years and remain compliant with the Todd County ordinance and MN 7020 rules.
11. Any future livestock lot or barn construction will be required to be reviewed for compliance by the Feedlot Program prior to construction or install.
12. The conditions of the CUP must be disclosed to any future landowners or real estate transaction.
13. All land application setbacks and MN 7020 rules pertaining to the storage and handling of manure must be followed.
14. Clean water diversions for the roof water

Lloyd was out on site and this report may be viewed in full at the Planning and Zoning office upon request.

Adam turned it over to the County Feedlot staff and Deja Anton and Allissa Schieve from SWCD presented their Todd County Feedlot Program Findings of Facts. Jessica Moore, Nutrient Management Specialist had provided her findings for this report. Full report may be viewed, upon request at the Planning and Zoning Office.

Deja stated they provide a second opinion on these farms and review things very carefully when it comes to the feedlot program. She added their job is to look out for the county's interest, environmental interest, the County Comprehensive Plan and the farmer's interest as well, considering agriculture is a prime economic force in our County. May be duplicate information however, she feels it will be helpful for everybody to hear it again and why they thought some of these things are important to consider. She did want to say the recommendations by the Planning and Zoning office are listed and the Feedlot Program has proposed conditions as well. All of theirs aren't to be considered their feedlot recommendations nor do they feel they need to be used, but they are ones you could use. If you have any concern in these areas, a lot of these are

already in Feedlot rule. She reminded the board this site may change land owners in the future and may end up with ten horses on site, so that is why they listed manure management plan as required by MPCA 7020 Feedlot rules, it doesn't make the CUP conditions cause unnecessary duress on a future landowner that may not be operating the same way Blair is operating.

Roger asked Deja if they recommend the board allow this CUP?

Deja stated we can tell you it is aligned with all the rules and regulations out there and it will be an improvement to the current situation, even with the expansion of animal units.

Roger asked Blair how he takes care of the manure.

Blair stated he will manage the manure in the barn, it will be pumped with no agitation straight from the barn through a pipeline and injected immediately. No irrigation, no tanks, no traffic.

Ken, how far at the most?

Blair within the 400 acres he owns, not across the road anywhere, so around 3,000 feet maybe. Very doable.

Andy asked about the structure design.

Blair, gable, basically a pole shed and went into full detail.

Adam showed photos on the overhead.

Andy, is there any requirement for creating a berm around it to prevent spillage into the watershed and the lake?

Deja yes, he's even got a proposed drovers' lane, totally contained, all manure is directed to an in-ground pit.

Blair explained it is cement curbed, all the way around.

Andy, does the pit take up the entire structure underground?

Blair yes, explained the pits underground, and may allow rainwater to enter pen if needed. Explained the air compressor, the anaerobic process and agitating slowly and how it keeps the odor down. Explained any time you want to pump and spread manure you can. Keeps the smell down, lined lagoons, no crust.

Ken is that system preventing solids from building up in the pit?

Blair, yes, must monitor manure for the correct consistency and is constructed to use rainwater.

Adam's condition #14 addresses rainwater diversions.

Lloyd asked how deep the pit was.

Blair, 12'.

Andy asked about the dangers of his pit, as far as air quality and gases.

Blair explained supposedly with the percolation you always have a slow release of methane, so it enhances the air quality in the barn, so you don't have that constant crusting, as it is constantly agitating.

Roger asked if he would have fans.

Blair, no, it is all naturally ventilated and explained the structure set up and how the ventilation works using a chimney, it is a better controlled environment during the winter.

Correspondence received: Yes, Scott from SRWSD and has no objections. This letter may be viewed in full, upon request, at the Planning and Zoning office.

Public comment: None.

Board discussion:

Roger and Jim, both pointed out this will be an improvement with less runoff.

Blair, injected according to manure management plan. The reason he stopped at 299 animal units is that he has enough land to sustain the amount of manure according to MPCA regulations.

Ken, how deep does the injector go?

Deja, 6"

Allissa, to the roots.

Discussion on the type of cows he is raising. Blair added he does have the right amount of acreage that fits the animal units to sustain that number of cattle so he will not be hauling in feed stuff with traffic. Has access to both fields almost eliminates his surface application of manure. Eliminate the open lot of manure. Should drastically reduce the odor.

Andy, self-sustaining.

Blair, absolutely.

Blair added he will have the noise of the agitation, but basically no noise, as the Bubbler works year-round. The only noise is when you empty that pit. No fans, all naturally ventilated. Will almost 100% eliminate the use of artificial fertilizer, according to his management plan. The Bubbler in the anaerobic state enhances the quality of manure. A plus, plus, plus for him.

Andy asked if this would decrease the impervious surface?

Blair, close to the same, but will be eliminating all outside cattle. He has a lot of grazing area, so he will bring in spring and summer cattle to grow out in the pasture areas preparing them to come into that barn when needed. If it isn't under that roof from feed to finish, it will be on a pasture basis.

Lloyd asked where roof run-off is routed if it doesn't go into the pit?

Blair, to the NW, a gradual slope away from the lake to a grassed-out lot. His goal is zero percent run-off. Deja added the disturbed area will be a lot smaller.

Blair referred to Adam's photos of disturbed areas and explained all that mess, nuisance, that nobody wants to see, including him, will be turned into grass areas. He stated he has done a lot of traveling and research and wants to expand with environmentally safe measures. All feeding and cattle waters are under roof and any splash ends up in the pit, and the same thing with the bunks.

Andy asked about feed silage storage.

Blair stated he has a pad and stores feed in ag bags and pointed the area out on the overhead.

Deja added that is considered covered feed, with no discharge.

Roger motioned to recommend approval with 14 conditions, seconded by Ken.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Ken Hovet	Yes
Roger Hendrickson	Yes
Lloyd Graves	Yes
Andy Watland	Yes
Jim Pratt	Yes

Motion carried. Jim noted the proposed amendments will be presented to the County Board of Commissioners on May 19th, 2026.

Adam reminded the board to be prepared to discuss data centers at the next meeting.

Ken motioned to adjourn and Andy seconded. Voice vote to adjourn the February Planning Commission Meeting, no dissention heard. Motion carried and meeting adjourn 7:48 PM.