

# Minutes of the Special Meeting of the Avon Township Supervisors

April 27, 2016

*Avon Township Hall, 16881 Queens Road, Avon (MN)*

**Call to Order:** Chairman Bresnahan called the Special Meeting of the Avon Township Supervisors at approximately 8:15 PM, during a recess period in the Planning Commission meeting, in the main chamber of the Avon Township Hall and welcomed guests.

**Roll Call:** Present – Richard Bresnahan, John Merdan, Roger Nelson, and Stephen Saupe. Absent – Kelly Martini.

**Recording:** Bresnahan reminded everyone that the meeting is being recorded.

**Scheduled Business:** Bresnahan announced that the purpose of this special meeting, that was requested and paid for by Orion Community Solar Garden, LLC., was to consider a Conditional Use Permit for a 3 MW community solar garden to be built and operated at Saint John's. A neighbor, Ms. Allison Driggins, inquired about the size of the project (15 acres, 3 MW), proposed start date (Fall 2016) and setbacks (10 feet). Bresnahan stated that one advantage of this project is that it takes the land out of production, which is part of the Town Comprehensive Plan because the soils are very permeable to agricultural chemicals leaching into the water table.

Merdan moved to approve a Conditional Use Permit for Orion Community Solar Garden, LLC., to build and operate a solar community garden at Saint John's with the following conditions:

1. the interconnection agreement with Xcel be provided to the Township prior to construction;
2. project meet all application Stearns County guidelines including those for solar farm performance;
3. the company provide evidence that a bond or escrow account has been established for the decommissioning of the project;
4. project follow the Stearns County Storm Water Management rules and requirements;
5. noxious weeds are controlled in the project area;
6. provide a landscaping and screening plan acceptable to the Avon Township Board of Supervisors;
7. Orion provide to the township the contact information for the responsible party once the project is completed;
8. Include the following: "The CUP shall run with the real property on which the Project is located (the "Property"). The Township agrees that OCSG may lease portions of the Property to one or more entities (each, a "Lessee" and together, the "Lessees") for the construction and operation of solar gardens or solar farms. Each Lessee shall be responsible for complying with all of the terms and conditions set forth in the CUP. OCSG will remain responsible for the performance of all of OCSG's obligations under the CUP, and the Township will pursue directly against OCSG any proceeding for termination of the CUP due to any failure by OCSG or any Lessee to comply with the terms and conditions of the CUP."
9. the extent of the project size is that shown by the fence line on page C.100 of the March 20, 2015 site plan; and
10. the Avon Board of Supervisors reserves the right to inspect the site at five-year intervals

Nelson second. All in favor. Motion carried.

Respectfully submitted,

Stephen Saupe, Clerk

**Supervisor Approval:**

date: \_\_\_\_\_

\_\_\_\_\_  
Richard Bresnahan

\_\_\_\_\_  
Roger Nelson

\_\_\_\_\_  
John Merdan